

Governing Board Meeting

Agenda and Meeting Information

January 31, 2012

9:00 a.m.

Tampa Service Office

7601 U.S. Hwy. 301 North • Tampa, Florida
(813) 985-7481 • 1-800-836-0797

Southwest Florida
Water Management District

WATERMATTERS.ORG • 1-800-423-1476



An Equal
Opportunity
Employer



2379 Broad Street, Brooksville, Florida 34604-6899

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

TDD only 1-800-231-6103 (FL only)

On the Internet at: WaterMatters.org

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 Director at 2379 Broad Street, Brooksville, FL 34604-6899; telephone (352) 796-7211, ext. 4702, or 1-800-423-1476 (FL only), ext. 4702; TDD (FL only) 1-800-231-6103; or email to ADACoordinator@swfwmd.state.fl.us.

AGENDA

GOVERNING BOARD MEETING

JANUARY 31, 2012

9:00 a.m.

TAMPA SERVICE OFFICE

7601 US HIGHWAY 301 NORTH
813-985-7481 OR 1-800-836-0797

☞ *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.

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

At the discretion of the Board, items may be taken out of order to accommodate the needs of the Board and the public.

The meeting will recess for lunch at a time to be announced.

The current Governing Board agenda and minutes of previous meetings are on the District's web site: www.WaterMatters.org

9:00 A.M. CONVENE PUBLIC HEARING AND MEETING (TAB A)

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

Bartow Service Office

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

Sarasota Service Office

6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or 1-800-320-3503 (FL only)

Tampa Service Office

7601 US Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or 1-800-836-0797 (FL only)

MEETING NOTICE

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.

Regulation Committee

5. Individual Water Use Permits (WUPs)
 - a. WUP No. 20002588.010 - Kelly Family Holdings, LLC / Kelly Farms – Charlotte County
 - b. WUP No. 20012964.003 - Alafia Preserve LLC, Eagle Ridge LLC, and Donaldson Knoll LLC – Polk County

Operations & Land Management Committee

6. Management Agreement between Sarasota County and the District – Myakka Conservation Area, Carlton Ranch Tract, SWF Parcel No. 21-694-104X
7. Resolutions Requesting the Encumbrance of Fiscal Year 2012 Budgeted Funds from the Water Management Lands Trust Fund for Preacquisition, Management, Maintenance and Capital Improvements and Payments in Lieu of Taxes; and Surface Water Improvement and Management Program
8. Budget Transfer and Execution Notice – Pasco County – NAVD88 Vertical Control Densification (N374)

Resource Management Committee

9. Five-Year Water Resource Development Work Program
10. City of Bradenton Water Supply – Request to Credit Reimbursed Funds from Cancelled Project 580 MG Offstream Reservoir Expansion (H059) to a Future Aquifer Storage and Recovery Project
11. North Sarasota County Reclaimed Water Aquifer Storage and Recovery Project – Second Amendment (K269)
12. Authorize Submission of Preliminary Flood Insurance Rate Maps to the Federal Emergency Management Agency for Highlands County
13. FARMS – Classic Caladiums, LLC – Amendment (H540), Hardee County

Finance & Administration Committee

14. Budget Transfer Report

General Counsel's Report

15. Settlement Agreement – WUP No. 20010392.005 - Milmack, Inc. (Oakwood Golf Club) – Polk County

Executive Director's Report

16. Approve Governing Board Minutes – December 20, 2011 Monthly Meeting

REGULATION COMMITTEE (TAB C)**Discussion Items**

17. Consent Item(s) Moved for Discussion
18. Individual Water Use Permit No. 20009791.008 – Citrus County Water Resources/Sugarmill Woods
19. Denials Referred to the Governing Board

Submit & File Report

20. Public Supply Report

Routine Reports

21. Southern Water Use Caution Area Quantities
22. Overpumpage Report
23. E-Permitting Metrics: Online vs. Paper Applications
24. Individual Permits Issued by District Staff
25. Resource Regulation Significant Initiatives

OPERATIONS & LAND MANAGEMENT COMMITTEE (TAB D)**Discussion Items**

26. Consent Item(s) Moved for Discussion
27. Hydrologic Conditions Status Report

Submit & File Reports

28. Pasco County – Topographic Mapping (N267) – Completion Notice
29. Surplus Lands Assessment Update

Routine Reports

- 30. Structure Operations
- 31. Significant Activities

RESOURCE MANAGEMENT COMMITTEE (TAB E)**Discussion Items**

- 32. Consent Item(s) Moved for Discussion
- 33. Rocky Creek Lake Enhancement Project Update

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

- 34. Minimum Flows and Levels
- 35. Watershed Management Program and Federal Emergency Management Agency Map Modernization
- 36. Significant Water Supply and Resource Development Projects

OUTREACH & PLANNING COMMITTEE (TAB F)**Discussion Items – None****Submit & File Reports**

- 37. Legislative Update
- 38. 2012 Consolidated Annual Report Status
- 39. Fiscal Year 2012-13 Cooperative Funding Process Update

Routine Reports

- 40. Comprehensive Plan Amendment and Related Reviews
- 41. Development of Regional Impact Activity Report
- 42. Significant Activities

FINANCE & ADMINISTRATION COMMITTEE (TAB G)**Discussion Items**

- 43. Consent Item(s) Moved for Discussion
- 44. Fiscal Year 2012-13 Budget Development Process – Acceptance of Assumptions
- 45. Bartow Service Office Options

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

- 46. Treasurer's Report, Payment Register and Contingency Funds Report
- 47. Monthly Financial Statement

GENERAL COUNSEL'S REPORT (TAB H)**Discussion Items**

- 48. Consent Item(s) Moved for Discussion
- 49. Annual Sunshine Law Refresher

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

- 50. Litigation Report
- 51. Rulemaking Update

COMMITTEE/LIAISON REPORTS (TAB I)

- 52. Environmental Advisory Committee Meeting
- 53. Well Drillers Advisory Committee
- 54. Other Liaison Reports

EXECUTIVE DIRECTOR'S REPORT (TAB J)

- 55. Executive Director's Report

CHAIR'S REPORT (TAB K)

56. Chair's Report

★ ★ ★ RECESS PUBLIC HEARING ★ ★ ★**ANNOUNCEMENTS**

- Governing Board Meetings Schedule:

| | |
|-----------------------------|-------------------|
| Meeting – Brooksville | February 28, 2012 |
| Meeting – Sarasota | March 27, 2012 |
| Meeting – Brooksville | April 24, 2012 |
| Meeting – Brooksville | May 22, 2012 |
- Bartow Service Office Subcommittee Meeting – Bartow January 26, 2012
- Agricultural Tour – Dover/Plant City February 9, 2012
- Cooperative Funding Public Meetings:

| | |
|-------------------------------------|-------------------|
| Northern Region – Brooksville | February 7, 2012 |
| Tampa Bay Region – Tampa | February 9, 2012 |
| Heartland Region – Bartow | February 13, 2012 |
| Southern Region – Sarasota | February 15, 2012 |
- Advisory Committee Meeting Schedule:

| | |
|---|-------------------|
| Industrial – Tampa | February 14, 2012 |
| Public Supply – Tampa | February 14, 2012 |
| Agricultural/Green Industry – Tampa | March 15, 2012 |
| Environmental – Tampa | April 9, 2012 |
| Well Drillers – Tampa | April 11, 2012 |

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 January 2012

| OFFICERS | |
|------------|--------------------|
| Chair | H. Paul Senft, Jr. |
| Vice Chair | Hugh M. Gramling |
| Secretary | Douglas B. Tharp |
| Treasurer | Albert G. Joerger |

The full Board serves as the members for each committee.

| OUTREACH AND PLANNING COMMITTEE |
|---|
| Jeffrey M. Adams, Chair |
| Jennifer E. Closshey, Vice Chair |
| Michael A. Babb, 2 nd Vice Chair |

| OPERATIONS AND LAND MANAGEMENT COMMITTEE |
|---|
| Michael A. Babb, Chair |
| Randall S. Maggard, Vice Chair |
| Douglas B. Tharp |
| Albert G. Joerger |
| Carlos Beruff |

| SURPLUS LANDS SUBCOMMITTEE |
|-------------------------------|
| Albert G. Joerger, Chair |
| Hugh M. Gramling, Vice Chair |
| Jeffrey M. Adams |
| Jennifer E. Closshey |
| Doug Tharp |

| REGULATION COMMITTEE |
|---|
| Bryan K. Beswick, Chair |
| Todd Pressman, Vice Chair |
| Judith C. Whitehead, 2 nd Vice Chair |

| FINANCE AND ADMINISTRATION COMMITTEE |
|---|
| Albert G. Joerger, Chair* |
| Douglas B. Tharp, Vice Chair |
| Carlos Beruff, 2 nd Vice Chair |

| BARTOW SERVICE OFFICE SUBCOMMITTEE |
|---------------------------------------|
| H. Paul Senft, Jr. |
| Carlos Beruff |
| Neil Combee |

| RESOURCE MANAGEMENT COMMITTEE |
|--|
| Hugh M. Gramling, Chair |
| Neil Combee, Vice Chair |
| Randall S. Maggard, 2 nd Vice Chair |

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

| STANDING COMMITTEE LIAISONS | |
|--------------------------------------|----------------------|
| Agricultural Advisory Committee | Hugh M. Gramling |
| Environmental Advisory Committee | Judith C. Whitehead |
| Green Industry Advisory Committee | Douglas B. Tharp |
| Industrial Supply Advisory Committee | Jennifer E. Closshey |
| Public Supply Advisory Committee | Carlos Beruff |
| Well Drillers Advisory Committee | Neil Combee |

| OTHER LIAISONS | |
|--|---|
| Governing Board Diversity Coordinator | Carlos Beruff |
| Strategic Planning Initiative | Jennifer E. Closshey |
| Central Florida Water Initiative (formerly CFCA) | H. Paul Senft |
| Charlotte Harbor National Estuary Program Policy Board | Bryan K. Beswick |
| Sarasota Bay Estuary Program Policy Board | Albert G. Joerger |
| Tampa Bay Estuary Program Policy Board | Hugh M. Gramling |
| Tampa Bay Regional Planning Council | Todd Pressman, Primary Jeffrey M. Adams, Alternate |

GOVERNING BOARD

COOPERATIVE FUNDING SUBCOMMITTEES

NORTHERN REGION

Judy Whitehead, Chair
Doug Tharp, Vice Chair

TAMPA BAY REGION

Todd Pressman, Chair
Jennifer Closshey, Vice Chair
Jeff Adams
Michael Babb
Hugh Gramling
Randy Maggard

HEARTLAND REGION

Neil Combee, Chair
Bryan Beswick, Vice Chair
Paul Senft

SOUTHERN REGION

Albert Joerger, Chair
Carlos Beruff, Vice Chair
Bryan Beswick

Executive Summary

GOVERNING BOARD MEETING

JANUARY 31, 2012

9:00 a.m.

CONVENE PUBLIC HEARING AND MEETING (TAB A)

1. Call to Order
2. Pledge of Allegiance and Invocation
3. Additions/Deletions to Agenda
4. 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.

Regulation Committee

5. Individual Water Use Permits (WUPs)

- a. WUP No. 20002588.010 - Kelly Family Holdings, LLC / Kelly Farms – Charlotte County
This is an application for renewal of an existing water use permit for agricultural use. The permit is issued to Kelly Family Holdings, LLC for irrigation of 600 acres with a combination of potatoes and pasture and operation of a recreational vehicle park. The project is located in Charlotte County within the Southern Water Use Caution Area (SWUCA), but not in the Most Impacted Area.

Staff recommends approving the proposed permit.

- b. WUP No. 20012964.003 - Alafia Preserve LLC, Eagle Ridge LLC, and Donaldson Knoll LLC – Polk County
This is a renewal with modification of an existing public supply water use permit for a planned residential development within the City of Mulberry. This permit is issued for a term of 20 years because the permittee should achieve a per capita rate less than 110; and achieve 75% system-wide use of reclaimed water and 75% of that quantity offsetting water supplies by year 10 of this permit. The increase in quantities is due to an increase in the projected population expanding to the total buildout for this project. Quantities are based on information submitted by the applicant and the District's population projection model, with a projected total buildout population to 13,659 persons by year 2030.

Staff recommends approving the proposed permit.

Operations & Land Management Committee

6. Management Agreement between Sarasota County and the District – Myakka Conservation Area, Carlton Ranch Tract, SWF Parcel No. 21-694-104X

This agreement outlines management expectations and establishes the development of future land use and management plans for the Carlton Ranch Tract.

Staff recommends approving the Management Agreement between Sarasota County and the District for the Carlton Ranch Tract within the Myakka Conservation Area and authorize the Division Director of Operations, Maintenance and Construction to execute the agreement.

7. **Resolutions Requesting the Encumbrance of Fiscal Year 2012 Budgeted Funds from the Water Management Lands Trust Fund for Preacquisition, Management, Maintenance and Capital Improvements and Payments in Lieu of Taxes; and Surface Water Improvement and Management Program**

Staff recommends approving Resolutions Numbers 12-01 and 12-02 requesting the encumbrance of the District's FY2011-12 budgets for preacquisition; land management, maintenance and capital improvements; and payments in lieu of taxes; and Surface Water Improvement and Management Program within the WMLTF, and authorize staff to request periodic reimbursements for FY2011-12 costs not to exceed \$16,180,796 and \$7,214,441, respectively.

8. **Budget Transfer and Execution Notice – Pasco County – NAVD88 Vertical Control Densification (N374)**

Staff recommends approving a \$100,000 budget transfer from Mapping & GIS (MGIS) surveying services (B134) to the MGIS contractual services (N374). The funds will be used for the Pasco County – NAVD88 Vertical Control Densification Project (N374). The total project cost is \$200,000 of which \$100,000 was not budgeted as revenue during the FY2012 budget process. The \$100,000 revenue will be returned to the District by Pasco County upon completion of the project in September 2012.

Resource Management Committee

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

Staff recommends approving revisions to the District's 2012 Five-Year Water Resource Development Work Program (Work Program) as requested by the Florida Department of Environmental Protection (DEP). The proposed revisions to the Five-Year Water Resource Development Work Program will be included in the 2012 Consolidated Annual Report.

10. **City of Bradenton Water Supply – Request to Credit Reimbursed Funds from Cancelled Project 580 MG Offstream Reservoir Expansion (H059) to a Future Aquifer Storage and Recovery Project**

Staff recommends approving the request by the City of Bradenton to credit funds totaling \$202,553 from the cancelled offstream reservoir expansion toward the District's share for the Surface Water ASR Feasibility Study if approved in the FY2013 cooperative funding process.

11. **North Sarasota County Reclaimed Water Aquifer Storage and Recovery Project – Second Amendment (K269)**

Staff recommends approving the second amendment to the existing agreement with Sarasota County for the North Sarasota County Reclaimed Water Aquifer Storage and Recovery to modify the project by reducing the number of reclaimed water ASR wells in the scope of work from three to one; reduce the total cost of the project from \$6,443,546 to \$3,207,900 and reduce the District's funding obligation from \$3,221,773 to \$1,686,382; adjust the milestone schedule; extend the contract termination date from December 31, 2012 to December 31, 2015; and authorize the Resource Management Division Director to execute the amendment.

12. **Authorize Submission of Preliminary Flood Insurance Rate Maps to the Federal Emergency Management Agency for Highlands County**

Staff recommends authorization to submit the preliminary Highlands County Flood Insurance Rate Maps (FIRMs) to the Federal Emergency Management Agency (FEMA). Following submittal of the preliminary FIRMs, FEMA will conduct their own technical review, take public input, and allow for a 90-day appeals period during the adoption process. Depending on public input, the FEMA process can take one to two years.

13. **FARMS – Classic Caladiums, LLC – Amendment (H540), Hardee County**

The purpose of this item is to request approval for an amendment to the existing Facilitating Agricultural Resource Management Systems (FARMS) project with Classic Caladiums, LLC. No additional funding is requested at this time. Total project cost remains as estimated at \$148,000 with a District reimbursement of \$74,000.

Staff recommends (1) approving the Classic Caladiums, LLC project for a change of scope with no additional funding requested; and (2) authorizing the Resource Management Division Director to execute the amendment to the agreement.

Finance & Administration Committee

14. **Budget Transfer Report**

Staff recommends approving the Budget Transfer Report covering all budget transfers for December 2011.

General Counsel's Report

15. **Settlement Agreement – WUP No. 20010392.005 - Milmack, Inc. (Oakwood Golf Club) – Polk County**

In an attempt to resolve this matter, on September 14, 2009, the District mailed a proposed Consent Order to Permittee calling for the payment of \$ 8,687.00 in penalties and costs for exceeding its permitted drought annual average quantities from April through July, 2009, which included the following: \$8,187 for the overpumpage of permitted quantities pursuant to the overpumpage formula; and \$500 in District enforcement costs.

Staff recommends approving the Settlement Agreement, and authorize the initiation of litigation if necessary to obtain compliance with the Settlement Agreement.

Executive Director's Report

16. **Approve Governing Board Minutes – December 20, 2011 Monthly Meeting**

Staff recommended to approve the minutes as presented.

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| REGULATION COMMITTEE (TAB C) |
|-------------------------------------|

Discussion Items

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

18. **Individual Water Use Permit No. 20009791.008 – Citrus County Water Resources/Sugarmill Woods**

This item was provided to the District Governing Board for consideration on November 29, 2011. The Board requested that this item be brought back for further discussion at the January 31 meeting and that the applicant be invited to present and answer questions. The Board requested that water use per capita information also be presented at that time.

This is a modification of an existing water use permit for public supply in Citrus County. The Annual Average quantity is 2,211,000 gallons per day (gpd) and the Peak Month quantity is 2,985,000 gpd. The Annual Average quantity increases by 147,000 gpd (from 2,064,000 to 2,211,000 gpd) and the Peak Month quantity decreases by 111,000 gpd (from 3,096,000 to 2,985,000 gpd). The authorized quantities are based on the District's modeled population projection and the five-year average per capita. The permit expires on February 24, 2015.

Staff recommends approving the proposed permit.

19. **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 Report

The following item is submitted for the Committee's information, and no action is required.

20. Public Supply Report

Routine Reports

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

21. Southern Water Use Caution Area Quantities
22. Overpumpage Report
23. E-Permitting Metrics: Online vs. Paper Applications
24. Individual Permits Issued by District Staff
25. Resource Regulation Significant Initiatives

OPERATIONS & LAND MANAGEMENT COMMITTEE (TAB D)**Discussion Items**

26. Consent Item(s) Moved for Discussion
27. **Hydrologic Conditions Status Report**

Issues of Significance

December historically marks the third month of the 8-month (October through May) dry season and provisional rainfall totals for the month were below-normal in all regions of the District. Rainfall received during the month was light, scattered and associated with cold front systems moving through the District. Analysis of partial dry-season (October-December) rainfall indicates totals were below the historic mean in all regions of the District. The District-wide provisional 12-month rainfall deficit worsened and was approximately 3.5 inches below the long-term historical average, while the 24-month and 36-month deficits worsened to 6.7 and 9.1 inches, respectively, below the long-term averages. NOAA climate forecasts continue to predict below-normal rainfall conditions for January and the remaining winter and coming spring months, due to existing La Niña conditions in the Pacific Ocean. Extended drier-than-normal rainfall conditions during the winter/spring months would worsen overall hydrologic conditions.

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

Submit & File Reports

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

28. Pasco County – Topographic Mapping (N267) – Completion Notice
29. Surplus Lands Assessment Update

Routine Reports

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

30. Structure Operations
31. Significant Activities

RESOURCE MANAGEMENT COMMITTEE (TAB E)**Discussion Items**

32. Consent Item(s) Moved for Discussion
33. **Rocky Creek Lake Enhancement Project Update**
Staff will provide an update on the Rocky Creek Lake Enhancement project that will help achieve the minimum levels established for Horse Lake; and to enhance water levels in lakes Raleigh and Rogers, which are on the Priority List for establishment of minimum levels.

This item is presented for the Committee'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.

- 34. Minimum Flows and Levels
- 35. Watershed Management Program and Federal Emergency Management Agency Map Modernization
- 36. Significant Water Supply and Resource Development Projects

OUTREACH & PLANNING COMMITTEE (TAB F)**Discussion Items – None****Submit & File Reports**

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

- 37. Legislative Update
- 38. 2012 Consolidated Annual Report Status
- 39. Fiscal Year 2012-13 Cooperative Funding Process Update

Routine Reports

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

- 40. Comprehensive Plan Amendment and Related Reviews
- 41. Development of Regional Impact Activity Report
- 42. Significant Activities

FINANCE & ADMINISTRATION COMMITTEE (TAB G)**Discussion Items**

- 43. Consent Item(s) Moved for Discussion
- 44. **Fiscal Year 2012-13 Budget Development Process – Acceptance of Assumptions**
Staff will review and request approval of general budget preparation assumptions for fiscal year (FY) 2012-13 budget development.
- 45. **Bartow Service Office Options**
Staff will report on the meeting of the Governing Board Bartow Service Office Subcommittee which met January 26.

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

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

- 46. Treasurer's Report, Payment Register and Contingency Funds Report
- 47. Monthly Financial Statement

GENERAL COUNSEL'S REPORT (TAB H)**Discussion Items**

- 48. Consent Item(s) Moved for Discussion
- 49. **Annual Sunshine Law Refresher**
New issues arise from time to time concerning Florida's open-government laws. For the information of current and newly-appointed Governing Board members, the District's Office of General Counsel provides and will be providing orientation and other training concerning

compliance with these laws, including this Annual Sunshine Law Refresher. Current topics of interest include the expanding use of Information Technology and Communications Media Technology in the daily conduct of District business, and how open-government laws operate to shape how these technologies are used.

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.

- 50. Litigation Report
- 51. Rulemaking Update

COMMITTEE/LIAISON REPORTS (TAB I)

The following reports will be provided at the Board's meeting.

- 52. Environmental Advisory Committee Meeting
- 53. Well Drillers Advisory Committee
- 54. Other Liaison Reports

EXECUTIVE DIRECTOR'S REPORT (TAB J)

- 55. Executive Director's Report

CHAIR'S REPORT (TAB K)

- 56. Chair's Report

★ ★ ★ RECESS PUBLIC HEARING ★ ★ ★

ANNOUNCEMENTS

- Governing Board Meetings Schedule:

| | |
|-----------------------------|-------------------|
| Meeting – Brooksville | February 28, 2012 |
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| Environmental – Tampa | April 9, 2012 |
| Well Drillers – Tampa | April 11, 2012 |

ADJOURNMENT

**A. Public Hearing
& Meeting**

**Governing Board Meeting
January 31, 2012**

9:00 a.m.

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

| |
|--|
| PUBLIC HEARING AND MEETING <i>(TAB A)</i> |
|--|

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

Governing Board Meeting January 31, 2012

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. Pledge of Allegiance and Invocation

The Board Chair leads the Pledge of Allegiance to the Flag of the United States of America and offers the invocation.

3. 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." 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.

Presenter: Blake C. Guillory, Executive Director

4. 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.

B. Consent Agenda

Governing Board Meeting

January 31, 2012

CONSENT AGENDA

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Regulation Committee

- 5. Individual Water Use Permits (WUPs)
 - a. WUP No. 20002588.010 - Kelly Family Holdings, LLC / Kelly Farms – Charlotte County 2
 - b. WUP No. 20012964.003 - Alafia Preserve LLC, Eagle Ridge LLC, and Donaldson Knoll LLC – Polk County 14

Operations & Land Management Committee

- 6. Management Agreement between Sarasota County and the District – Myakka Conservation Area, Carlton Ranch Tract, SWF Parcel No. 21-694-104X 31
- 7. Resolutions Requesting the Encumbrance of Fiscal Year 2012 Budgeted Funds from the Water Management Lands Trust Fund for Preacquisition, Management, Maintenance and Capital Improvements and Payments in Lieu of Taxes; and Surface Water Improvement and Management Program 34
- 8. Budget Transfer and Execution Notice – Pasco County – NAVD88 Vertical Control Densification (N374) 42

Resource Management Committee

- 9. Five-Year Water Resource Development Work Program 43
- 10. City of Bradenton Water Supply – Request to Credit Reimbursed Funds from Cancelled Project 580 MG Offstream Reservoir Expansion (H059) to a Future Aquifer Storage and Recovery Project 46
- 11. North Sarasota County Reclaimed Water Aquifer Storage and Recovery Project – Second Amendment (K269) 50
- 12. Authorize Submission of Preliminary Flood Insurance Rate Maps to the Federal Emergency Management Agency for Highlands County 52
- 13. FARMS – Classic Caladiums, LLC – Amendment (H540), Hardee County 54

Finance & Administration Committee

- 14. Budget Transfer Report 57

General Counsel's Report

- 15. Settlement Agreement – WUP No. 20010392.005 - Milmack, Inc. (Oakwood Golf Club) – Polk County 59

Executive Director's Report

- 16. Approve Governing Board Minutes – December 20, 2011 Monthly Meeting 61

**Consent Agenda
January 31, 2012**

Regulation Committee

Individual Water Use Permits (WUPs)

WUP No. 20002588.010 - Kelly Family Holdings, LLC / Kelly Farms – Charlotte County

This is an application for renewal of an existing water use permit for agricultural use. The permit is issued to Kelly Family Holdings, LLC for irrigation of 600 acres with a combination of potatoes and pasture and operation of a recreational vehicle park. The project is located in Charlotte County within the Southern Water Use Caution Area (SWUCA), but not in the Most Impacted Area.

The authorized quantities are increased from those previously permitted due to an increase in irrigated acreage. The increase in quantities is through the utilization of surface water, tailwater recovery, and intermediate aquifer system wells. There is no increase in Upper Floridan aquifer groundwater quantities. The annual average quantity increases from 226,000 gpd to 704,600 gpd and the peak month quantity increases from 1,039,000 gpd to 2,497,700 gpd.

There are a total of eight existing wells and one existing surface water pump. The existing wells are open to the intermediate aquifer system. There is one existing surface water pump on-site that pumps a combination of tailwater and groundwater from the surface water system ditches. This tailwater recovery system may be expanded under a potential FARMS project.

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

Staff Recommendation:

See Exhibit

Approve the proposed permit attached as an exhibit.

Presenter: Ross T. Morton, P.W.S., Director, Sarasota Regulation Department

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
INDIVIDUAL
PERMIT NO. 20 002588.010**

DRAFT

PERMIT ISSUE DATE: **January 31, 2012**

EXPIRATION DATE: **January 31, 2022**

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: **Renewal**

GRANTED TO: Kelly Family Holdings LLC
15775 Pine Ridge Road
Fort Myers, FL 33908

PROJECT NAME: **KELLY FARMS**

WATER USE CAUTION AREA: **SOUTHERN WATER USE CAUTION AREA**

COUNTY: Charlotte

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

| | |
|-------------------------------------|---------------|
| ANNUAL AVERAGE | 704,600 gpd |
| PEAK MONTH ¹ | 2,497,700 gpd |
| DROUGHT ANNUAL AVERAGE ² | 726,100 gpd |

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

2. Drought Annual Average: Annual average limit when less than historical average rainfall if sufficient Water Conservation credits exist in the Permittee's account.

ABSTRACT:

This is a renewal of an existing water use permit for agricultural and recreation / aesthetic use type. The authorized quantities are increased from those previously permitted. The increase in quantities is through the utilization of surface water, tailwater recovery and intermediate aquifer wells. There is no increase in upper Floridan aquifer water. The annual average quantity increases from 226,000 gallons per day (gpd) to 704,600 gpd, the drought annual average quantity increases from 240,000 gpd to 726,100 gpd and the peak month quantity increases from 1,039,000 gpd to 2,497,700 gpd. There is an additional Use Type due to the addition of a recreational vehicle riding park. The increase is due to an additional 190 acres of potatoes, 120 acres of pasture and the vehicle park. Irrigation quantities are based on the District's irrigation allotment calculation program, AGMOD. The vehicle park quantities are based on the Permittee's event schedule. This water use permit is located in the Southern Water Use Caution Area.

Special Conditions include those that require the Permittee to continue to record and report monthly meter readings from all withdrawal points, submit seasonal and annual crop reports, well construction specifications, modify the permit to reflect incorporation of any new alternative sources of water, and implement water conservation and best management practices.

WATER USE TABLE (in gpd)

| <u>USE</u> | <u>ANNUAL AVERAGE</u> | <u>PEAK MONTH</u> | <u>DROUGHT ANNUAL AVERAGE</u> |
|----------------------|----------------------------------|------------------------------|--|
| Agricultural | 527,100 | 1,941,200 | 548,600 |
| Recreation/Aesthetic | 177,500 | 379,000 | 177,500 |

IRRIGATION ALLOCATION RATE TABLE

| <u>CROP/USE TYPE</u> | <u>IRRIGATED ACRES</u> | <u>IRRIGATION METHOD</u> | <u>STANDARD IRRIGATION RATE</u> | <u>DROUGHT IRRIGATION RATE</u> |
|-----------------------------|-----------------------------------|-------------------------------------|--|---|
| Pasture | 120.00 | Seepage Citrus Hay Pasture | 12.60"/yr. | 12.57"/yr. |
| Potatoes | 480.00 | Seepage Without Plastic | 11.60"/yr. | 12.22"/yr. |
| Water-Based Recreation | | | | |

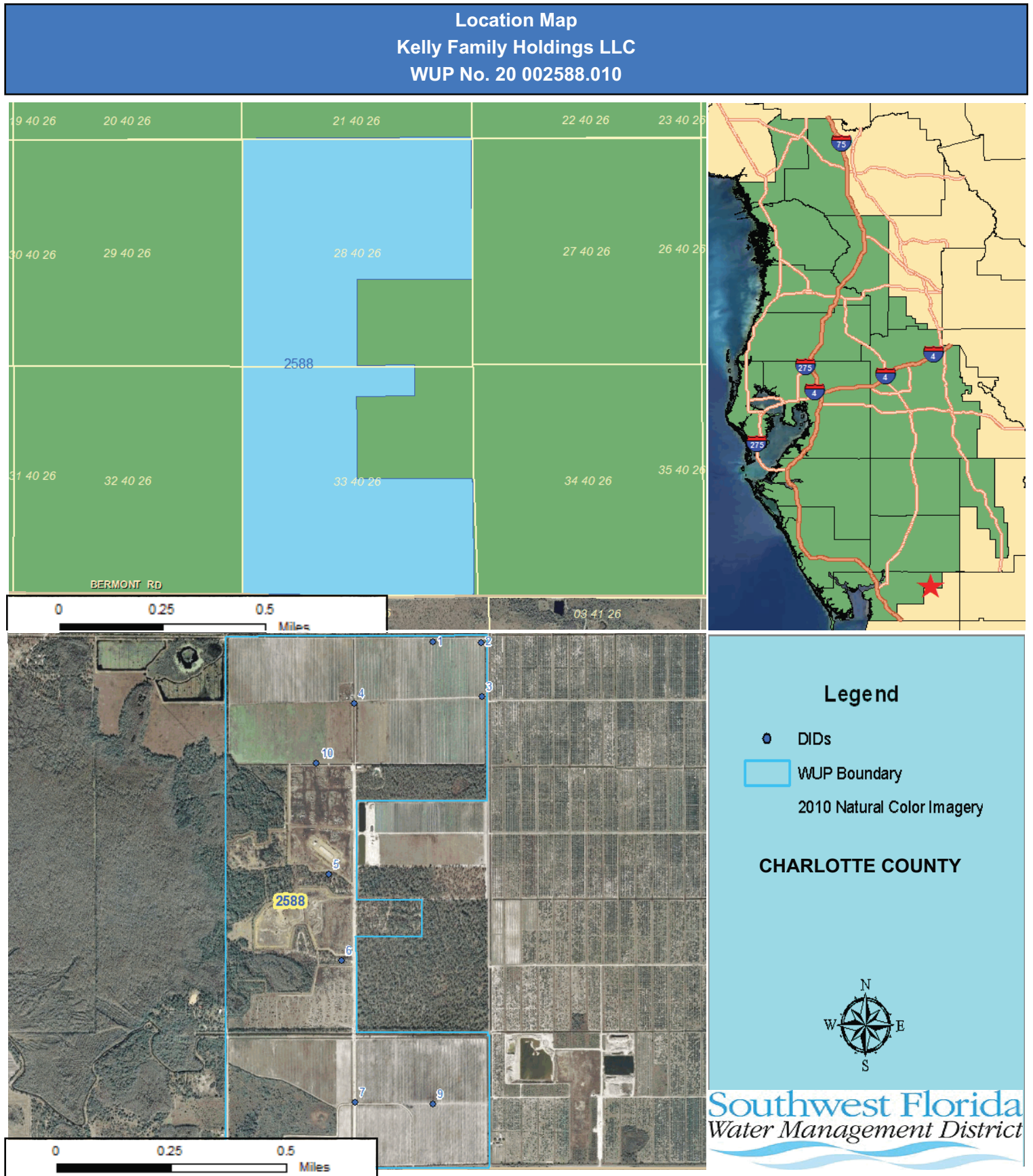
WITHDRAWAL POINT QUANTITY TABLE

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> |
|--|------------------------------|---|-------------------------------|---------------------------------|--|
| 3 / 3 | 14 | 388 / 296 | Irrigation | 117,400 | 353,100 |
| 4 / 4 | 12 | 420 / 210 | Irrigation | 117,400 | 353,100 |
| 5 / 5 | 12 | 250 / 120 | Irrigation | 117,400 | 353,100 |
| 6 / 6 | 12 | 250 / 120 | Irrigation | 117,400 | 732,100 |
| 7 / 7 | 12 | 540 / 210 | Irrigation | 117,400 | 353,100 |
| 9 / 9 | 10 | 450 / 210 | Irrigation | 117,600 | 353,200 |
| 10 / 10 | 4 | N/A / N/A | Re-Pump | 75,000 | 75,000 |

WITHDRAWAL POINT LOCATION TABLE

| <u>DISTRICT I.D. NO.</u> | <u>LATITUDE/LONGITUDE</u> |
|---------------------------------|----------------------------------|
| 3 | 26° 58' 17.14"/81° 42' 44.91" |
| 4 | 26° 58' 15.87"/81° 43' 13.27" |
| 5 | 26° 57' 42.15"/81° 43' 18.99" |
| 6 | 26° 57' 25.00"/81° 43' 16.18" |
| 7 | 26° 56' 57.01"/81° 43' 13.25" |
| 9 | 26° 56' 56.66"/81° 42' 56.02" |
| 10 | 26° 58' 04.05"/81° 43' 21.76" |



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. 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)
2. 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)
3. 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)
4. Permittee shall not exceed the quantity determined by multiplying the total irrigated acres by the total allocated acre-inches per irrigated acre per season for each crop type. For all crops except Citrus, an irrigated acre, hereafter referred to as "acre," is defined as the gross acreage under cultivation, including areas used for water conveyance such as ditches, but excluding uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches. For Citrus, an irrigated acre is based on 74% shaded area, equivalent to 89.4% of the gross acreage minus uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches.

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

5. 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
Sarasota Regulation Department, Water Use Regulation
6750 Fruitville Road
Sarasota, Florida 34240-9711

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)

6. The Permittee shall construct the proposed well(s) according to the surface diameter and casing depth

specifications below. The casing depth specified is to prevent the unauthorized interchange of water between different water bearing zones. The total depth listed below is an estimate, based on best available information. However, since this well is located in an area where water quality can be poor, it is the well driller's responsibility to measure specific conductivity of the well water during construction, in **20** ft intervals once casing is set. The open hole interval of the well can only be advanced if the specific conductivity does not exceed 1000 microSiemens/centimeter and sampling of specific conductivity occurs in **20** foot intervals. Such sampling is necessary to ensure that the well does not encounter water of a quality that cannot be utilized by the Permittee, and to ensure that withdrawals from the well will not cause impacts to area surface waters or induce salt water intrusion. Specific conductivity readings must be recorded and submitted to the District. District staff are available to assist and verify readings during well construction and to receive water quality results. Please contact the Resource Data and Restoration Department at (813) 985-7481 ext. 2102, 48 hours prior to initiation of well construction and specify at that time if assistance is needed in collecting specific conductivity measurements.

District ID No. **5**, Permittee ID No. **5** having a surface diameter of **12** inches, with a minimum casing depth of **120** feet, drilled to an estimated total depth of **250** feet.

1. Regardless of the maximum depth specified above, it is the well driller's responsibility to cease drilling when the specific conductivity of the ground water reaches 1,000 microSiemens/centimeter.
2. The casing shall be continuous from land surface to the minimum depth stated above.
3. All well casing (including liners and/or pipe) must be sealed to the depth specified above.
4. The proposed well(s) shall be constructed of materials that are resistant to degradation of the casing/grout due to interaction with the water of lesser quality. A minimum grout thickness of two (2) inches is required on wells four (4) inches or more in diameter.
5. A minimum of twenty (20) feet overlap and two (2) centralizers is required for Public Supply wells, and all wells six (6) inches or more in diameter.
6. The finished well casing depth shall not vary from these specifications by greater than ten (10) percent unless advance approval is granted by the Regulation Department Director, or the Supervisor of the Well Construction Permitting Section in Brooksville.
7. The finished well total depth shall not exceed the maximum total depth unless advance approval is granted by either the Regulation Department Director, or the Supervisor of the Well Construction Permitting Section in Brooksville, and the specific conductivity is less than 1,000 microSiemens/centimeter.
8. Advance approval from the Regulation Department Director is necessary should the Permittee propose to change the well location or casing diameter.
(263)
7. This specific permit is issued with the understanding that the Permittee shall implement Best Management Practices (BMPs), which will result in elimination of off-site discharge of lower quality irrigation water to the greatest extent practicable. This is required to avoid contribution by this permitted site to the water quality degradation within the Shell Creek and Prairie Creek watersheds, and to assist in improvement in water quality of the City of Punta Gorda's Shell Creek Reservoir.(322)
8. The Permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for annual crops for each permitted irrigation withdrawal point, District ID. No(s). 3, Permittee ID No(s). 3:
 1. Crop type,
 2. Irrigated acres,
 3. Irrigation method (NTBWUCA only),
 4. Dominant soil type per crop or the number of acres per crop on that dominant soil type, and
 5. If used, quantities used for crop protection.
 This information shall be submitted by March 1 of each year documenting irrigation for the previous calendar year.
(474)
9. The Permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for seasonal crops for each permitted irrigation withdrawal point, District ID. No(s). 4, 5, 6, 7, and 9, Permittee ID No(s). 4, 5, 6, 7, and 9:
 1. Crop type

2. Irrigated acres per crop for the appropriate season,
3. Dominant soil type or acres by dominant soil type,
4. Irrigation method (NTBWUCA only),
5. Use or non-use of plastic mulch,
6. Planting dates, and
7. Season length.

This information shall be submitted by February 1 of each year documenting irrigation for the previous summer/fall seasonal crops, and by September 1 of each year documenting irrigation for the previous winter/spring crops. Strawberry irrigation information shall be submitted as a winter/spring crop.(476)

10. This Permit is located within the Southern Water Use Caution Area (SWUCA). Pursuant to Section 373.0421, Florida Statutes, the SWUCA is subject to a minimum flows and levels recovery strategy, which became effective on January 1, 2007. The Governing Board may amend the recovery strategy, including amending applicable water use permitting rules based on an annual assessment of water resource criteria, cumulative water withdrawal impacts, and on a recurring five-year evaluation of the status of the recovery strategy up to the year 2025 as described in Chapter 40D-80, Florida Administrative Code. This Permit is subject to modification to comply with new rules.(652)
11. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Regulation Department Director: District ID No(s). 3, 4, 6, 7, and 9, Permittee ID No(s). 3, 4, 6, 7 and 9. Meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(719)
12. The following existing, but previously un-metered withdrawal facilities shall be metered upon permit issuance: District ID No(s).10, Permittee ID No(s). 10. Meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(720)
13. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID No(s). 5, Permittee ID No(s). 5. Meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(718)
14. The District has determined that direct and indirect run-off of irrigation water into Shell Creek and Prairie Creek have contributed to water quality degradation in a Class I waterway that serves as a public supply source for an existing legal water user, the City of Punta Gorda. Degradation of the City's reservoir has occurred to such an extent that water quality has exceeded secondary drinking water standards for several constituents in the past. To avoid further degradation of the reservoir and to improve water quality, such that it is consistent with Class I water quality standards, the Permittee shall continue to improve the management of irrigation water by reducing or eliminating off-site discharge of lower quality irrigation water. At the time of issuance of this permit the District is addressing off-site discharge and attempting to resolve the aforementioned adverse impacts through cooperative and collaborative measures with Permittee's, changes in irrigation management practices, and other methods. If the effectiveness of these measures is determined to be insufficient to resolve these adverse impacts and irrigation management practices on this site appear to contribute to these continued impacts, the District may seek to modify this permit in accordance with applicable law. (990)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

1. The Permittee shall provide access to an authorized District representative to enter the property at any reasonable time to inspect the facility and make environmental or hydrologic assessments. 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. The District shall collect water samples from any withdrawal point listed in the permit or shall require the permittee to submit water samples when the District determines there is a potential for adverse impacts to water quality.
4. 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.
5. The Permittee shall mitigate to the satisfaction of the District any adverse impact to environmental features or off-site land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. 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.
6. The Permittee shall mitigate, to the satisfaction of the District, any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Adverse impacts include the following:
 - 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.
7. Notwithstanding the provisions of Rule 40D-1.6105, F.A.C., persons who wish to continue the water use permitted herein and who have acquired ownership or legal control of permitted water withdrawal facilities or the land on which the facilities are located must apply to transfer the permit to themselves within 45 days of acquiring ownership or legal control of the water withdrawal facilities or the land.
8. If any of the statements in the application and in the supporting data are found to be untrue and inaccurate, or if the Permittee fails to comply with all of the provisions of Chapter 373, Florida Statutes (F.S.), Chapter 40D, Florida Administrative Code (F.A.C.), or the conditions set forth herein, the Governing Board shall revoke this permit in accordance with Rule 40D-2.341, F.A.C., following notice and hearing.
9. Issuance of this permit does not exempt the Permittee from any other District permitting requirements.
10. 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.
11. 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.
12. The Permittee shall not deviate from any of the terms or conditions of this permit without written approval by the District.

13. 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.
14. 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.
15. In the event the District declares that a Water Shortage exists pursuant to Chapter 40D-21, F.A.C., the District shall alter, modify, or declare inactive all or parts of this permit as necessary to address the water shortage.
16. 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 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.
17. Within the SWUCA, if the District determines that significant water quantity or quality changes, impacts to existing legal uses, or adverse environmental impacts are occurring, the permittee shall be provided with a statement of facts upon which the District based its determination and an opportunity to address the change or impact prior to a reconsideration by the Board of the quantities permitted or other conditions of the permit.
18. All permits issued pursuant to these Rules are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

Exhibit B
Instructions

METERING INSTRUCTIONS

The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter reading(s) shall be reported to the Permit Data Section, Performance Management Office on or before the tenth day of the following month. 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 Performance Management Office in Brooksville (352-796-7211) 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 Regulation Department Director.
2. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.
3. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.
4. The flow meter(s) or other approved device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.
5. Meter accuracy testing requirements:
 - A. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
 - B. The meter shall be tested for accuracy on-site, as installed according to the Flow Meter Accuracy Test Instructions in this Exhibit B, every five years in the assigned month for the county, beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.
 - C. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.
 - D. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.
 - E. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.
6. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.
7. Broken or malfunctioning meter:
 - A. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
 - B. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
 - C. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.

8. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.
9. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

FLOW METER ACCURACY TEST INSTRUCTIONS

1. **Accuracy Test Due Date** - The Permittee is to schedule their accuracy test according to the following schedule:
 - A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.
 - B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.
 - C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.
 - D. For the Permittee's convenience, if there are multiple due-years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Permitting Department Director 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.
 - 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. 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.

**Consent Agenda
January 31, 2011**

Regulation Committee

Individual Water Use Permits (WUPs)

WUP No. 20012964.003 - Alafia Preserve LLC, Eagle Ridge LLC, and Donaldson Knoll LLC – Polk County

This is a renewal with modification of an existing public supply water use permit for a planned residential development within the City of Mulberry. This permit is issued for a term of 20 years because the permittee should achieve a per capita rate less than 110; and achieve 75% system-wide use of reclaimed water and 75% of that quantity offsetting water supplies by year 10 of this permit. The authorized quantities shown above are an increase from those previously permitted. The increase in quantities is due to an increase in the projected population expanding to the total buildout for this project. Quantities are based on information submitted by the applicant and the District's population projection model, with a projected total buildout population to 13,659 persons by year 2030.

Special Conditions include those that require the Permittee to record and report monthly meter readings from all withdrawal points; submit a 10 year compliance report; modify the permit to reflect incorporation of any new alternative water sources; comply with the Southern Water Use Caution Area recovery strategy; comply with rolling 12-month average pumpage; cap all wells not in use; submit a public supply annual report; submit a beneficial reuse report; adhere to per-capita requirements; adopt and maintain a water-conservation oriented rate structure; adopt and maintain a water conservation plan; maintain an environmental monitoring plan.

Changes from prior permit: The modification to the existing water use permit increases the total annual average quantity from 839,400 gpd to 1,542,200 gpd (increase of 702,800 gpd). The peak month quantity increases from 1,007,300 gpd to 1,957,800 gpd (increase of 950,500). The projected population increases from 7,236 persons to 13,659 persons.

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

Staff Recommendation:

See Exhibit

Approve the proposed permit attached as an exhibit.

Presenter: Brian S. Starford, P.G., Bartow Regulation Department

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
INDIVIDUAL
PERMIT NO. 20 012964.003**

DRAFT

PERMIT ISSUE DATE: January 31, 2012

EXPIRATION DATE: January 31, 2032

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: Renewal

GRANTED TO: Alafia Preserve LLC, Eagle Ridge LLC, and Donaldson Knoll LLC
550 Biltmore Way, Ste. 1110
Coral Gables, FL 33134

PROJECT NAME: Alafia Preserve LLC, Eagle Ridge LLC, and Donaldson Knoll LLC

WATER USE CAUTION AREA: SOUTHERN WATER USE CAUTION AREA

COUNTY: Polk

| TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day) | |
|---|---------------|
| ANNUAL AVERAGE | 1,542,200 gpd |
| PEAK MONTH ¹ | 1,957,800 gpd |

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

ABSTRACT:

This is a renewal with modification of an existing public supply water use permit for a planned residential development within the City of Mulberry. This permit is issued for a term of 20 years because the permittee should achieve a per capita rate less than 110 gallons per day; and achieve 75% system-wide use of reclaimed water and 75% of that quantity offsetting water supplies by year 10 of this permit. The authorized quantities shown above are an increase from those previously permitted. The increase in quantities is due to an increase in the projected population expanding to the total buildout for this project. Quantities are based on information submitted by the applicant and the District's population projection model, with a projected total buildout population of 13,659 persons by year 2030.

Special Conditions include those that require the Permittee to record and report monthly meter readings from all withdrawal points; submit a 10 year compliance report; modify the permit to reflect incorporation of any new alternative water sources; comply with the Southern Water Use Caution Area recovery strategy; comply with rolling 12-month average pumpage; cap all wells not in use; submit a public supply annual report; submit a beneficial reuse report; adhere to per-capita requirements; adopt and maintain a water-conservation oriented rate structure; adopt and maintain a water conservation plan; and maintain an environmental management plan.

Changes from prior permit: The modification to the existing water use permit increases the total annual average quantity from 839,400 gpd to 1,542,200 gpd (increase of 702,800 gpd). The peak month quantity increases from 1,007,300 gpd to 1,957,800 gpd (increase of 950,500). The projected population increases from 7,236 persons to 13,659 persons.

WATER USE TABLE (in gpd)

| <u>USE</u> | <u>ANNUAL AVERAGE</u> | <u>PEAK MONTH</u> |
|-------------------|----------------------------------|------------------------------|
| Public Supply | 1,542,200 | 1,957,800 |

USE TYPE

Commercial/Industrial

Common Area Irrigation

Residential Multi-Family

Residential Single Family

Treatment Losses (Backflushing)

Unaccounted Use

PUBLIC SUPPLY:

Population Served: 13,659

Per Capita Rate: 100 gpd/person

WITHDRAWAL POINT QUANTITY TABLE

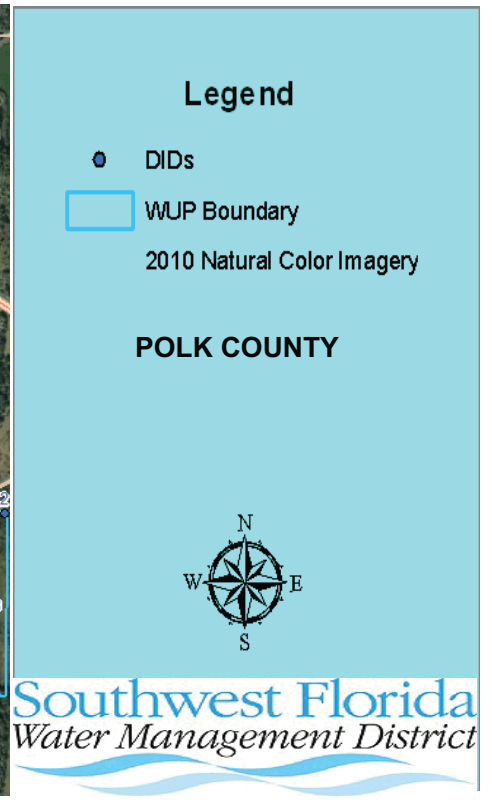
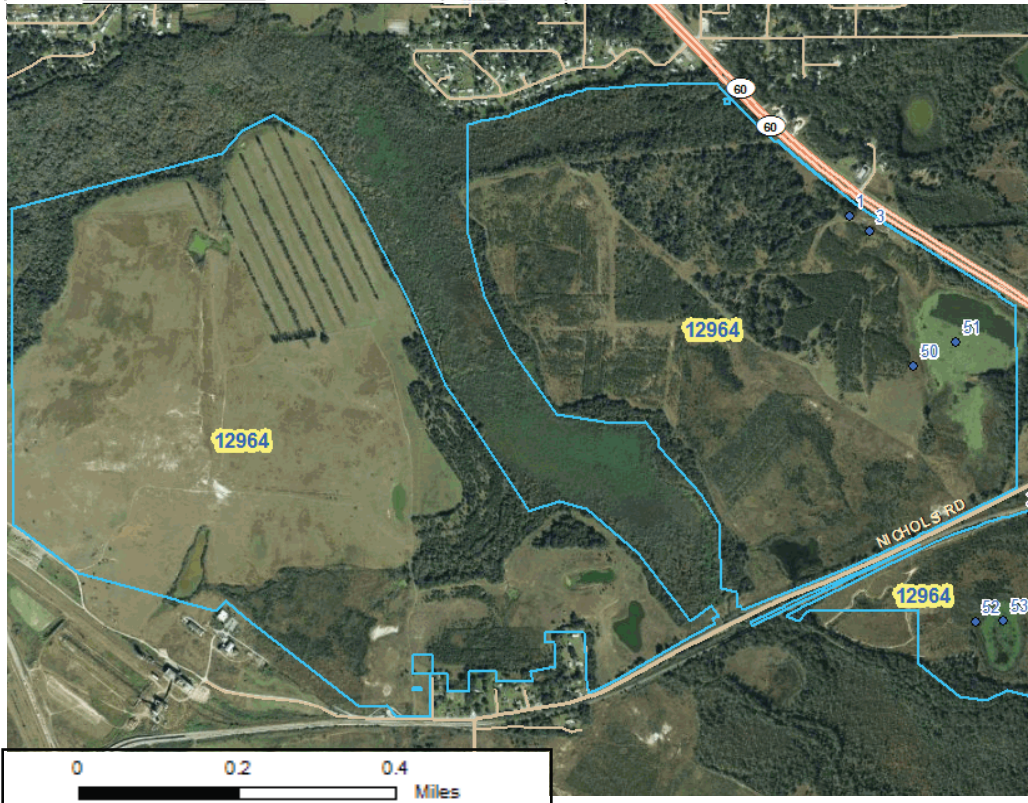
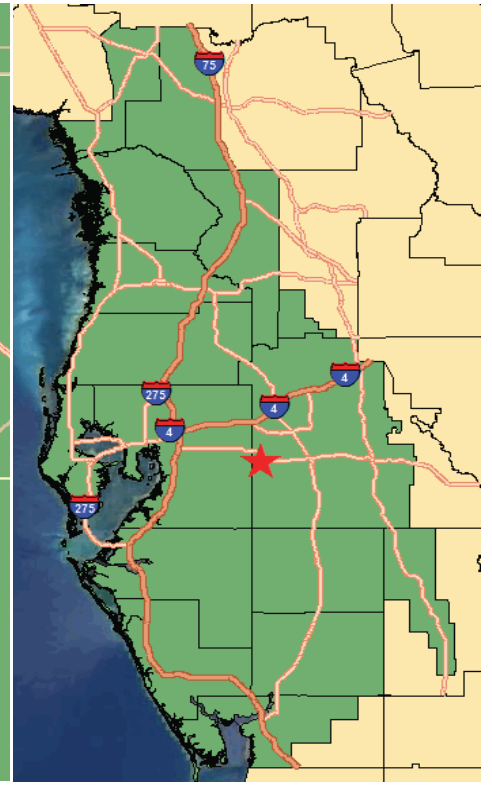
Water use from these withdrawal points are restricted to the quantities given below :

| <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> |
|--|------------------------------|---|-------------------------------|---------------------------------|--|
| 1 / 1 | 20 | 820 / 220 | Public Supply | 771,100 | 978,900 |
| 2 / 2 | 20 | 820 / 220 | Public Supply | 771,100 | 978,900 |
| 3 / 3 | 20 | 820 / 220 | Public Supply | 771,100 | N/A |
| Standby | | | | | |

WITHDRAWAL POINT LOCATION TABLE

| <u>DISTRICT I.D. NO.</u> | <u>LATITUDE/LONGITUDE</u> |
|---------------------------------|----------------------------------|
| 1 | 27° 54' 12.27"/82° 00' 31.37" |
| 2 | 27° 53' 38.43"/82° 00' 07.78" |
| 3 | 27° 54' 10.63"/82° 00' 28.77" |

Location Map
Alafia Preserve LLC, Eagle Ridge LLC, and Donaldson Knoll LLC
WUP No. 20 012964.003



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 conditions of the permit shall be submitted to the District according to the due dates 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
Bartow Regulation Department, Water Use Regulation
170 Century Blvd.
Bartow, Florida 33830-7700

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 adopt and maintain a water-conserving rate structure no later than two years from the date of permit issuance. Within one year following adoption, the Permittee shall submit the rate ordinances or tariff sheets for both potable and irrigation water, but not including reclaimed water, and a report describing the potable water rate structure and its estimated effectiveness. (135)
3. The average day and peak monthly quantities for District ID Nos. 1 and 2, Permittee ID Nos. 1 and 2, shown in the production withdrawal table are estimates based on historic and/or projected distribution of pumpage, and are for water use inventory and impact analysis purposes only. The quantities listed for these individual sources are not intended to dictate the distribution of pumpage from permitted sources. The Permittee may make adjustments in pumpage distribution as necessary up to 1,542,200 gallons per day (gpd) on an average basis and up to 1,957,800 gpd for the individual wells, so long as adverse environmental impacts do not result and the Permittee complies with all other conditions of this Permit. In all cases, the total average annual daily withdrawal and the total peak monthly daily withdrawal are limited to the quantities set forth above.(221)
4. Within 90 days of the completion of each proposed well or the installation of pumping equipment, the Permittee shall submit to the District specific capacity (well testing) information from any test performed by the Water Well Contractor or pump installer on the well. This information shall include:
 - A. Static water level before pumping
 - B. Duration of test pumping
 - C. Gallons per minute pumped
 - D. Final water level measured during pumping

If a step-drawdown test was performed, the information listed above shall be submitted for each step.
(234)

5. The Permittee shall construct the proposed wells according to the surface diameter and casing depth specifications below. The casing shall be continuous from land surface to the minimum depth stated and is specified to prevent the unauthorized interchange of water between different water bearing zones. If a total depth is listed below, this is an estimate, based on best available information, of the

depth at which high producing zones are encountered. However, it is the Permittee's responsibility to have the water in the well sampled during well construction, before reaching the estimated total depth. Such sampling is necessary to ensure that the well does not encounter water quality that cannot be utilized by the Permittee, and to ensure that withdrawals from the well will not cause salt-water intrusion. All depths given are in feet below land surface. For Well Construction requirements see Exhibit B, Well Construction Instructions, attached to and made part to this permit.

District ID Nos. 1, 2 and 3, Permittee ID Nos. 1, 2 and 3 having a surface diameter of 20 inches, with a minimum casing depth of 220 feet, drilled to an estimated total depth of 820 feet.
(240)

6. By July 1 of each year for the preceding water year (October 1 - September 30), the Permittee shall submit monitoring reports pursuant to the Environmental Management Plan (EMP) that was provided in support of this permit. If the reports are submitted in hardcopy, three (3) identical copies (colors replicated) shall be submitted to the Director of the Bartow Regulation Department and one black and white copy shall be submitted to the Permit Data Section, Performance Management Office. If the report is submitted in CD format or electronically via the District website, only one submission is required. Any color part of the report that is scanned shall be scanned in color. The report shall include the following sections:

Data Summary Section

A Data Summary Section for all the monitor sites included in the EMP shall be included in the EMP Report. The data summary section shall contain all raw data required by condition of this permit from each environmental monitor site, District ID Nos. 50, 51, 52 and 53, Permittee ID Nos. MW50, SG51, MW52 and SG53. This section shall include essential graphs, tables, and text, with little or no data interpretation.

Interpretive Section

The Interpretive Section shall present the Permittee's analyses and interpretation of pumpage data, wetland water levels, surficial aquifer water level data, and other data collected pursuant to the EMP as it relates to environmental conditions in the vicinity of the water production wells. This section shall also address investigations and analyses of relationships between water level fluctuations, actual well pumpage, atmospheric conditions, and drainage factors relative to the environmental condition of designated wetlands.

Soils

Documentation of soils in the EMP network shall be provided one time at the initiation of monitoring to establish baseline conditions. This documentation shall include field verification of the soil type as reported in the Natural Resources Conservation Service (NRCS) county soil survey, whether they are hydric or not, degree of soil moisture (desiccation to inundation), and general condition (fissuring, subsidence, etc.). A summary of the soils determination shall be included in the initial annual monitoring report.

Wetland Vegetative Assessment

This section shall include analysis of changes in percent cover of dominant and subdominant species, using the Wetland Assessment Procedure (WAP) field form and WAP instruction manual, that may have occurred to designated representative (test) wetlands (wetlands that potentially may be adversely impacted by groundwater pumping authorized by this permit) and reference wetlands (wetlands similar to the potentially impacted wetlands but can be reasonably expected to not be adversely affected by the pumping).

Aerial Photographic Analysis

The Permittee shall utilize natural color aerial photographs of the area to detect and document changes to the vegetation and/or the hydrology of wetlands, lakes or streams that occurred during the reporting period relative to the previous reporting period aerial photographs. Any additional photographs taken in support of the aerial photographic analysis as well as the interpretation of the photographs shall be dated and included in the report. The Permittee may utilize prints of the District's color aerial photographs of the pertinent year. These are available in electronic format from the District Mapping and GIS Section upon request and provision of an external hard drive. If submitted electronically, the interpreted aerial photographs shall be scanned in color. If submitted in hardcopy, the interpreted aerial photographs shall be on a scale of 1 inch = 200 or finer.

Outstanding Data Not Previously Submitted

If there are, or was previously collected, hydrologic and environmental data from any portion of the site that was not submitted in support of the application for this permit, such data shall be included with the first EMP report submitted.

Environmental Mitigation

The Permittee shall document whether or not adverse environmental impacts due to pumpage were detected during the reporting period. If such impacts were detected, the Permittee shall specify and describe when and where mitigation actions were undertaken to mitigate the impacts. A quantitative (with respect to acreage) and qualitative (with respect to wetland health and function) assessment of the success of such mitigation actions shall be included. If an action was deemed unsuccessful by either the Permittee or the District, the Permittee shall include proposed alternative actions for the situation.

(287)

7. Within 90 days of the replacement of any or all withdrawal quantities from ground water or surface water bodies with an Alternative Water Supply, the Permittee shall apply to modify this permit to place equal quantities of permitted withdrawals from the ground and/or surface water resource on standby. The standby quantities can be used in the event that some or all of the alternative source is not available.(363)
8. The Permittee shall submit a copy of the well completion reports to the District's Bartow Regulation Department, Water Use Regulation, within 30 days of each well completion.(583)
9. Beginning January 1, 2012, the Permittee shall comply with the following requirements:
 - A. Customer billing period usage shall be placed on each utility-metered, customer's bill.
 - B. Meters shall be read and customers shall be billed no less frequently than bi-monthly.
 - C. The following information, as applicable to the customer, shall be provided at least once each calendar year and a summary of the provisions shall be provided to the District annually as described in Section D, below. The information shall be provided by postal mailings, bill inserts, online notices, on the bill or by other means. If billing units are not in gallons, a means to convert the units to gallons must be provided.
 1. To each utility-metered customer in each customer class - Information describing the rate structure and shall include any applicable:
 - a. Fixed and variable charges,
 - b. Minimum charges and the quantity of water covered by such charges,
 - c. Price block quantity thresholds and prices,
 - d. Seasonal rate information and the months to which they apply, and
 - e. Usage surcharges
 2. To each utility-metered single-family residential customer - Information that the customer can use to compare its water use relative to other single-family customers or to estimate an efficient use and that shall include one or more of the following:
 - a. The average or median single-family residential customer billing period water use calculated over the most recent three year period, or the most recent two year period if a three year period is not available to the utility. Data by billing period is preferred but not required.
 - b. A means to calculate an efficient billing period use based on the customer's characteristics, or
 - c. A means to calculate an efficient billing period use based on the service area's characteristics.
 - D. Annual Report: The following information shall be submitted to the District annually by October 1 of each year of the permit term to demonstrate compliance with the requirements above. The information shall be current as of the October 1 submittal date.
 1. Description of the current water rate structure (rate ordinance or tariff sheet) for potable and non-potable water.
 2. Description of the current customer billing and meter reading practices and any proposed changes to these practices (including a copy of a bill per A above).
 3. Description of the means the permittee uses to make their metered customers aware of rate structures, and how the permittee provides information their metered single-family residential customers can use to compare their water use relative to other single-family customers or estimate an efficient use (see C 1 & 2 above).

(592)

10. This Permit is located within the Southern Water Use Caution Area (SWUCA). Pursuant to Section 373.0421, Florida Statutes, the SWUCA is subject to a minimum flows and levels recovery strategy, which became effective on January 1, 2007. The Governing Board may amend the recovery strategy, including amending applicable water use permitting rules based on an annual assessment of water resource criteria, cumulative water withdrawal impacts, and on a recurring five-year evaluation of the

status of the recovery strategy up to the year 2025 as described in Chapter 40D-80, Florida Administrative Code. This Permit is subject to modification to comply with new rules.(652)

11. The Permittee shall submit a "Water Use Annual Report" to the District by April 1 of each year on their water use during the preceding calendar year using the form, "Public Supply Water Use Annual Report Form" (Form No. LEG-R.047.00 (09/09)), referred to in this condition as "the Form," and all required attachments and documentation. The Permittee shall adhere to the "Instructions for Completion of the Water Use Annual Report" attached to and made part of this condition in Exhibit B. The Form addresses the following components in separate sections.

Per Capita Use Rate

A per capita rate for the previous calendar year will be calculated as provided in Part A of the Form using Part C of the Form to determine Significant Use deduction that may apply. Permittees that cannot achieve a per capita rate of 150 gpd according to the time frames included in the "Instructions for Completion of the Water Use Annual Report," shall include a report on why this rate was not achieved, measures taken to comply with this requirement, and a plan to bring the permit into compliance.

Residential Use

Residential use shall be reported in the categories specified in Part B of the Form, and the methodology used to determine the number of dwelling units by type and their quantities used shall be documented in an attachment.

Non-Residential Use

Non-residential use quantities provided for use in a community but that are not directly associated with places of residence, as well as the total water losses that occur between the point of output of the treatment plant and accountable end users, shall be reported in Part B of the Form.

Water Conservation

In an attachment to the Form, the Permittee shall describe the following:

1. Description of any ongoing audit program of the water treatment plant and distribution systems to address reductions in water losses.
2. An update of the water conservation plan that describes and quantifies the effectiveness of measures currently in practice, any additional measures proposed to be implemented, the scheduled implementation dates, and an estimate of anticipated water savings for each additional measure.
3. A description of the Permittees implementation of water-efficient landscape and irrigation codes or ordinances, public information and education programs, water conservation incentive programs, identification of which measures and programs, if any, were derived from the Conserve Florida Water Conservation Guide, and provide the projected costs of the measures and programs and the projected water savings.

Water Audit

If the current water loss rate is greater than 10% of the total distribution quantities, a water audit as described in the "Instructions for Completion of the Water Use Annual Report" shall be conducted and completed by the following July 1, with the results submitted by the following October 1. Indicate on Part A of the Form whether the water audit was done, will be done, or is not applicable.

Alternative Water Supplied Other Than Reclaimed Water

If the Permittee provides Alternative Water Supplies other than reclaimed water (e.g., stormwater not treated for potable use) to customers, the information required on Part D of the Form shall be submitted along with an attached map depicting the areas of current Alternative Water Use service and areas that are projected to be added within the next year.

Suppliers of Reclaimed Water

1. Permittees having a wastewater treatment facility with an annual average design capacity equal to or greater than 100,000 gpd:

The Permittee shall submit the "SWFWMD Annual Reclaimed Water Supplier Report" on quantities of reclaimed water that was provided to customers during the previous fiscal year (October 1 to September 30). The report shall be submitted in Excel format on the Compact Disk, Form No. LEG-R.026.00 (05/09), that will be provided annually to them by the District. A map depicting the area of reclaimed water service that includes any areas projected to be added within the next year, shall be submitted with this report.

2. Permittees that have a wastewater treatment facility with an annual average design capacity less than 100,000 gpd:

- a. The Permittee has the option to submit the "SWFWMD Annual Reclaimed Water Supplier Report," Form No. LEG-R.026.00, as described in sub-part (1) above, or

- b. Provide information on reclaimed water supplied to customers on Part E of the Form as

described in the "Instructions for Completion of the Water Use Annual Report".

Updated Service Area Map

If there have been changes to the service area since the previous reporting period, the Permittee shall update the service area using the map that is maintained in the District's Mapping and GIS system.
(660)

12. The following proposed Standby withdrawal facility (those that provide back-up water for another withdrawal point in the event the other withdrawal point becomes unusable) shall be metered within 90 days of construction: District ID No. 3, Permittee ID No. 3. Meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(721)
13. The Permittee shall submit the analyses and summaries listed below on the dates required or upon request as described:

Population Growth: By April 1, 2022, the permittee shall submit analyses and summaries of the long-term trends over the portion of the permit term that has elapsed through the remaining term of the permit that addresses population growth based on the District's BEBR medium based GIS model or equivalent methodology approved by the District, non-population based factors such as large industrial or other uses, other water demand, and per capita use.

If the demands through December 31, 2021 are less than 90% of the projected demands reflected in the permit for that period or for the remainder of the term of the permit, the permittee shall demonstrate a legal, technical or other type of hardship as to why the permitted demand should not be reduced to an allocation based on actual demands experienced through the reporting period and demands projected through the remaining term of the permit. Within 90 days of a District notification to the permittee that the demonstration was not made, the permittee shall submit a request to modify the permit allocation consistent with actual and projected demands.

Adverse Impacts Indicated: At any time during the permit term, if data indicate adverse impacts to environmental or other water resource, offsite land use or a legal existing use, non-compliance with a minimum flow or level or associated recovery or prevention strategy, or interference with a reservation, or where data indicate the impacts predicted at the time of permit issuance were underestimated to the degree that the previous analysis is inadequate, the District shall notify the Permittee that an updated ground-water modeling analysis and data analysis is required. The updated groundwater modeling analysis and data analysis shall address compliance with all conditions of issuance pursuant to Rule 40D-2.301, F.A.C. The Permittee shall submit the updated impact analysis and data analysis within 60 days of notification.

Time-Specified Conditions Met: If the 10-year criteria that qualified the permittee for a 20-year permit are not achieved, the permit duration shall revert to the applicable duration provided in section 40D-2.321, unless this reversion would put the permit in an expired status or with less than a year of remaining duration. In such cases, the permit will expire one year following the final determination of non-achievement and will be limited to a permitted quantity that equals an additional two years future demand beyond current demand, as determined pursuant to section 3.0 of Part B, Basis of Review, of the Water Use Permit Information Manual from the point of final determination of non-achievement. The time-specified requirement conditions are those entitled:

Beneficial reuse: achieve 75% system-wide use of reclaimed water, and 75% of that quantity offsetting existing and planned water supplies.

Per capita: achieve less than 110 gpcd
(765)

14. The compliance per capita daily water use rate shall be no greater than **100** gallons per day (gpd). The Permittee shall calculate the compliance per capita rate as described in the Annual Report Condition on this permit and shall submit the calculations with the Annual Report by April 1 of each year.

If the compliance per capita rate is greater than **100** gpd, the Permittee shall submit a report that documents why this rate was exceeded, measures previously or currently taken to reduce their compliance per capita rate, and a plan that describes additional measures and implementation dates

for those measures to bring their compliance per capita rate to or below **100** gpd. This report shall be submitted with the Annual Report by April 1 for each year the compliance per capita rate exceeds **100** gpd. This report is subject to District approval. Justification for exceeding the adjusted gross per capita rate does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.

(767)

15. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID Nos. 1 and 2, Permittee ID Nos. 1 and 2. Meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(718)
16. The Permittee shall continue to maintain the monitor wells listed below, monitor water levels, and report them to the District at the frequency listed for the aquifer system listed. Water levels shall be recorded relative to North American Vertical Datum 1988 and to the maximum extent possible, recorded on a regular schedule: same weeks each month as appropriate to the frequency noted. The readings shall be reported online via the WUP Portal at the District website (www.watermatters.org) or mailed in hardcopy on District-provided forms to Water Use Regulation, Bartow Service Office on a quarterly basis (by January 10th, April 10th, July 10th, and October 10th). The frequency of recording may be modified by the Bartow Regulation Director, as necessary to ensure the protection of the resource.

Existing District ID Nos. **50 and 52** / Permittee ID Nos. **MW50 and MW52**, to monitor the surficial aquifer system every two weeks.

(756)

17. Permittees having their own wastewater treatment plant that generate at least advanced-secondary treated effluent (high-level disinfection, as described in Rule 62-600.440(5), F.A.C.) to the minimum FDEP requirements for public access reuse shall respond in a timely manner to inquiries about availability from water use permit applicants for water uses where such reclaimed water is appropriate. If reclaimed water is or will be available to that permit applicant within the next six years, the Permittees shall provide a cost estimate for connection to the applicant.(674)
18. By April 1, 2022 the Permittee shall submit a report that demonstrates that the basis for which the permit qualified for a 20-year permit term listed below has been achieved or continues to be met.
 - A. Conditions for Issuance - Conditions for issuance in section 40D-2.301, F.A.C., and the criteria in Part B, Basis of Review, of the Water Use Permit Information Manual continue to be met.
 - B. Demand - Demand demonstrated during the application for a 20-year permit continues to exist.
 - C. Compliance Per Capita - Achievement or maintenance of a compliance per capita rate of less than 110 gallons per day.
 - D. Beneficial Reuse - System-wide beneficial reuse at least 75 percent of the Permittee's treated domestic waste water including imports and exports, and that at least 75% of the beneficially-used reclaimed water replaces existing and planned traditional, potable quality water supplies.

Following the District's review of the report, the District shall modify the permit as necessary to ensure that the use of water authorized by the permit will continue to meet the conditions of permit issuance set forth in District rules. The District shall provide notice of intent to modify the permit as required by sections 120.569 and 120.60, F.S., and section 40D-1.1010, F.A.C.

(766)

19. The Permittee shall continue to maintain the District-approved staff gauges in the water bodies at the locations specified by latitude and longitude below and report measurements of water levels referenced to North American Vertical Datum 1988 at the frequency indicated.

District ID No. 51, Permittee ID No. SG51 recorded biweekly at Lat. 27 53 58.00 Log. 82 00 17.69

District ID No. 53, Permittee ID No. SG53 recorded biweekly at Lat. 27 53 26.15 Log. 82 00 11.54

To the maximum extent possible, water levels shall be recorded every two weeks on the same weeks of each month and reported to the Water Use Regulation Section, Bartow Service Office, online via the WUP Portal on the District website, or in hardcopy on District-provided forms on a quarterly basis (by January 10th, April 10th, July 10th, and October 10th). The frequency of recording may be modified by the Bartow Regulation Director, as necessary to ensure the protection of the resource.

(762)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

1. The Permittee shall provide access to an authorized District representative to enter the property at any reasonable time to inspect the facility and make environmental or hydrologic assessments. 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. The District shall collect water samples from any withdrawal point listed in the permit or shall require the permittee to submit water samples when the District determines there is a potential for adverse impacts to water quality.
4. 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.
5. The Permittee shall mitigate to the satisfaction of the District any adverse impact to environmental features or off-site land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. 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.
6. The Permittee shall mitigate, to the satisfaction of the District, any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Adverse impacts include the following:
 - 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.
7. Notwithstanding the provisions of Rule 40D-1.6105, F.A.C., persons who wish to continue the water use permitted herein and who have acquired ownership or legal control of permitted water withdrawal facilities or the land on which the facilities are located must apply to transfer the permit to themselves within 45 days of acquiring ownership or legal control of the water withdrawal facilities or the land.
8. If any of the statements in the application and in the supporting data are found to be untrue and inaccurate, or if the Permittee fails to comply with all of the provisions of Chapter 373, Florida Statutes (F.S.), Chapter 40D, Florida Administrative Code (F.A.C.), or the conditions set forth herein, the Governing Board shall revoke this permit in accordance with Rule 40D-2.341, F.A.C., following notice and hearing.
9. Issuance of this permit does not exempt the Permittee from any other District permitting requirements.
10. 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.
11. 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.
12. The Permittee shall not deviate from any of the terms or conditions of this permit without written approval by the District.

13. 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.
14. 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.
15. In the event the District declares that a Water Shortage exists pursuant to Chapter 40D-21, F.A.C., the District shall alter, modify, or declare inactive all or parts of this permit as necessary to address the water shortage.
16. 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 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.
17. Within the SWUCA, if the District determines that significant water quantity or quality changes, impacts to existing legal uses, or adverse environmental impacts are occurring, the permittee shall be provided with a statement of facts upon which the District based its determination and an opportunity to address the change or impact prior to a reconsideration by the Board of the quantities permitted or other conditions of the permit.
18. All permits issued pursuant to these Rules are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

Exhibit B
Instructions

METERING INSTRUCTIONS

The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter reading(s) shall be reported to the Permit Data Section, Performance Management Office on or before the tenth day of the following month. 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 Performance Management Office in Brooksville (352-796-7211) 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 Regulation Department Director.
2. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.
3. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.
4. The flow meter(s) or other approved device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.
5. Meter accuracy testing requirements:
 - A. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
 - B. The meter shall be tested for accuracy on-site, as installed according to the Flow Meter Accuracy Test Instructions in this Exhibit B, every five years in the assigned month for the county, beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.
 - C. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.
 - D. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.
 - E. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.
6. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.
7. Broken or malfunctioning meter:
 - A. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
 - B. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
 - C. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.

8. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.
9. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

FLOW METER ACCURACY TEST INSTRUCTIONS

1. **Accuracy Test Due Date** - The Permittee is to schedule their accuracy test according to the following schedule:
 - A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.
 - B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.
 - C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.
 - D. For the Permittee's convenience, if there are multiple due-years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Permitting Department Director 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.
 - 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. with a notation of distances to these items.

WELL CONSTRUCTION INSTRUCTIONS

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

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

ANNUAL REPORT SUBMITTAL INSTRUCTIONS

The "Public Supply Water Use Annual Report Form" (Form No. LEG-R.023.00 (01/09)), is designed to assist the Permittee with the annual report requirements, but the final authority for what must be included in the Water Use Annual Report is in this condition and in these instructions. Two identical copies of the "Public Supply Water Use Annual Report Form" and two identical copies of all required supporting documentation shall be included if submitted in hard copy. "Identical copy" in this instance means that if the original is in color, then all copies shall also be printed in color. If submitted electronically, only one submittal is required; however, any part of the document that is in color shall be scanned in color.

1. **Per Capita Use Rate** - A per capita rate for the previous calendar year will be progressively calculated until a rate of 150 gpd per person or less is determined whether it is the unadjusted per capita, adjusted per capita, or compliance per capita. The calculations shall be performed as shown in Part A of the Form. The Permittee shall refer to and use the definitions and instructions for all components as provided on the Form and in Part B, Chapter 3, Section 3.6 of the "Water Use Permit Information Manual." Permittees that have interconnected service areas and receive an annual average quantity of 100,000 gpd or more from another permittee are to include these quantities as imported quantities. Permittees in the Southern Water Use Caution Area (SWUCA) or the Northern Tampa Bay Water Use Caution Area (NTBWUCA), as it existed prior to October 1, 2007, shall achieve a per capita

of 150 gpd or less, and those in these areas that cannot achieve a compliance per capita rate of 150 gpd or less shall include a report on why this rate was not achieved, measures taken to comply with this requirement, and a plan to bring the permit into compliance. Permittees not in a Water Use Caution Area that cannot achieve a compliance per capita rate of 150 gpd or less by December 31, 2019 shall submit this same report in the Annual Report due April 1, 2020.

2. **Residential Use** - Residential water use consists of the indoor and outdoor water uses associated with each category of residential customer (single family units, multi-family units, and mobile homes), including irrigation uses, whether separately metered or not. The Permittee shall document the methodology used to determine the number of dwelling units by type and the quantities used. Estimates of water use based upon meter size will not be accepted. If mobile homes are included in the Permittees multi-family unit category, the information for them does not have to be separated. The information for each category shall include:
 - A. Number of dwelling units per category,
 - B. Number of domestic metered connections per category,
 - C. Number of metered irrigation connections,
 - D. Annual average quantities in gallons per day provided to each category, and
 - E. Percentage of the total residential water use provided apportioned to each category.
3. **Non-Residential Use** - Non-residential use consists of all quantities provided for use in a community not directly associated with places of residence. For each category below, the Permittee shall include annual average gpd provided and percent of total non-residential use quantities provided. For each category 1 through 6 below, the number of metered connections shall be provided. These non-residential use categories are:
 - A. Industrial/commercial uses, including associated lawn and landscape irrigation use,
 - B. Agricultural uses (e.g., irrigation of a nursery),
 - C. Recreation/Aesthetic, for example irrigation (excluding golf courses) of Common Areas, stadiums and school yards,
 - D. Golf course irrigation,
 - E. Fire fighting, system testing and other accounted uses,-
 - F. K-through-12 schools that do not serve any of the service area population, and
 - G. Water Loss as defined as the difference between the output from the treatment plant and accounted residential water use (B above) and the listed non-residential uses in this section.
4. **Water Audit** - The water audit report that is done because water losses are greater than 10% of the total distribution quantities shall include the following items:
 - A. Evaluation of:
 - 1) leakage associated with transmission and distribution mains,
 - 2) overflow and leakage from storage tanks,
 - 3) leakage near service connections,
 - 4) illegal connections,
 - 5) description and explanations for excessive distribution line flushing (greater than 1% of the treated water volume delivered to the distribution system) for potability,
 - 6) fire suppression,
 - 7) un-metered system testing,
 - 8) under-registration of meters, and
 - 9) other discrepancies between the metered amount of finished water output from the treatment plant less the metered amounts used for residential and non-residential uses specified in Parts B and C above, and
 - B. A schedule for a remedial action-plan to reduce the water losses to below 10%.
5. **Alternative Water Supplied other than Reclaimed Water** - Permittees that provide Alternative Water Supplies other than reclaimed water (e.g., stormwater not treated for potable use) shall include the following on Part D of the Form:
 - A. Description of the type of Alternative Water Supply provided,
 - B. County where service is provided,
 - C. Customer name and contact information,
 - D. Customer's Water Use Permit number (if any),
 - E. Customer's meter location latitude and longitude,

- F. Meter ownership information,
 - G. General customer use category,
 - H. Proposed and actual flows in annual average gallons per day (gpd) per customer,
 - I. Customer cost per 1,000 gallons or flat rate information,
 - J. Delivery mode (e.g., pressurized or non-pressurized),
 - K. Interruptible Service Agreement (Y/N),
 - L. Month/year service began, and
 - M. Totals of monthly quantities supplied.
6. **Suppliers of Reclaimed Water** - Depending upon the treatment capacity of the Permittees wastewater treatment plant, the Permittee shall submit information on reclaimed water supplied as follows:
- A. Permittees having a wastewater treatment facility with an annual average design capacity equal to or greater than 100,000 gpd shall utilize the "SWFWMD Annual Reclaimed Water Supplier Report" in Excel format on the Compact Disk, Form No. LEG-R.026.00 (05/09). The "SWFWMD Annual Reclaimed Water Supplier Report" is described in Section 3.1 of Chapter 3, under the subheading "Reclaimed Water Supplier Report" and is described in detail in Appendix A to Part B, Basis of Review of the "Water Use Permit Information Manual."
 - B. Permittees that have a wastewater treatment facility with an annual average design capacity less than 100,000 gpd can either utilize the "SWFWMD Annual Reclaimed Water Supplier Report," Form No. LEG-R.026.00, as described in sub-part (1) above or provide the following information on Part E of the Form:
 - 1) Bulk customer information:
 - a) Name, address, telephone number,
 - b) WUP number (if any),
 - c) General use category (residential, commercial, recreational, agricultural irrigation, mining),
 - d) Month/year first served,
 - e) Line size,
 - f) Meter information, including the ownership and latitude and longitude location,
 - g) Delivery mode (pressurized, non-pressurized).
 - 2) Monthly flow in gallons per bulk customer.
 - 3) Total gallons per day (gpd) provided for metered residential irrigation.
 - 4) Disposal information:
 - a) Site name and location (latitude and longitude or as a reference to the service area map),
 - b) Contact name and telephone,
 - c) Disposal method, and
 - d) Annual average gpd disposed.

Authorized Signature

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

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

Consent Agenda January 31, 2012

Operations and Land Management Committee

Management Agreement between Sarasota County and the District – Myakka Conservation Area, Carlton Ranch Tract, SWF Parcel No. 21-694-104X

Purpose

The purpose of this item is to recommend the Governing Board approve the Management Agreement between Sarasota County and the District for the Carlton Ranch Tract within the Myakka Conservation Area. This agreement outlines management expectations and establishes the development of future land use and management plans for the Carlton Ranch Tract. A general location map is included in the Board packet as an exhibit to this item.

Background and History

In 2007 the District and the County acquired the remaining fee simple interest over a 4,746-acre conservation easement acquired by the District in 1998. Under the terms of the interlocal acquisition agreement, the County and the District each contributed 50 percent of the acquisition costs, the County will manage the parcel, and management costs will be divided equally between the District and the County. Recurring management costs include, but are not limited to, fencing, prescribed burning, exotic species control, resource monitoring, road maintenance, recreational development, resource protection, restoration and contract administration.

Benefits/Costs

Entering into this agreement allows the County to manage the property, thereby relieving the District of management tasks. The District will reimburse the County for 50 percent of its eligible management costs up to \$35,750 per year, subject to inclusion in the District's annual budget.

Staff Recommendation:

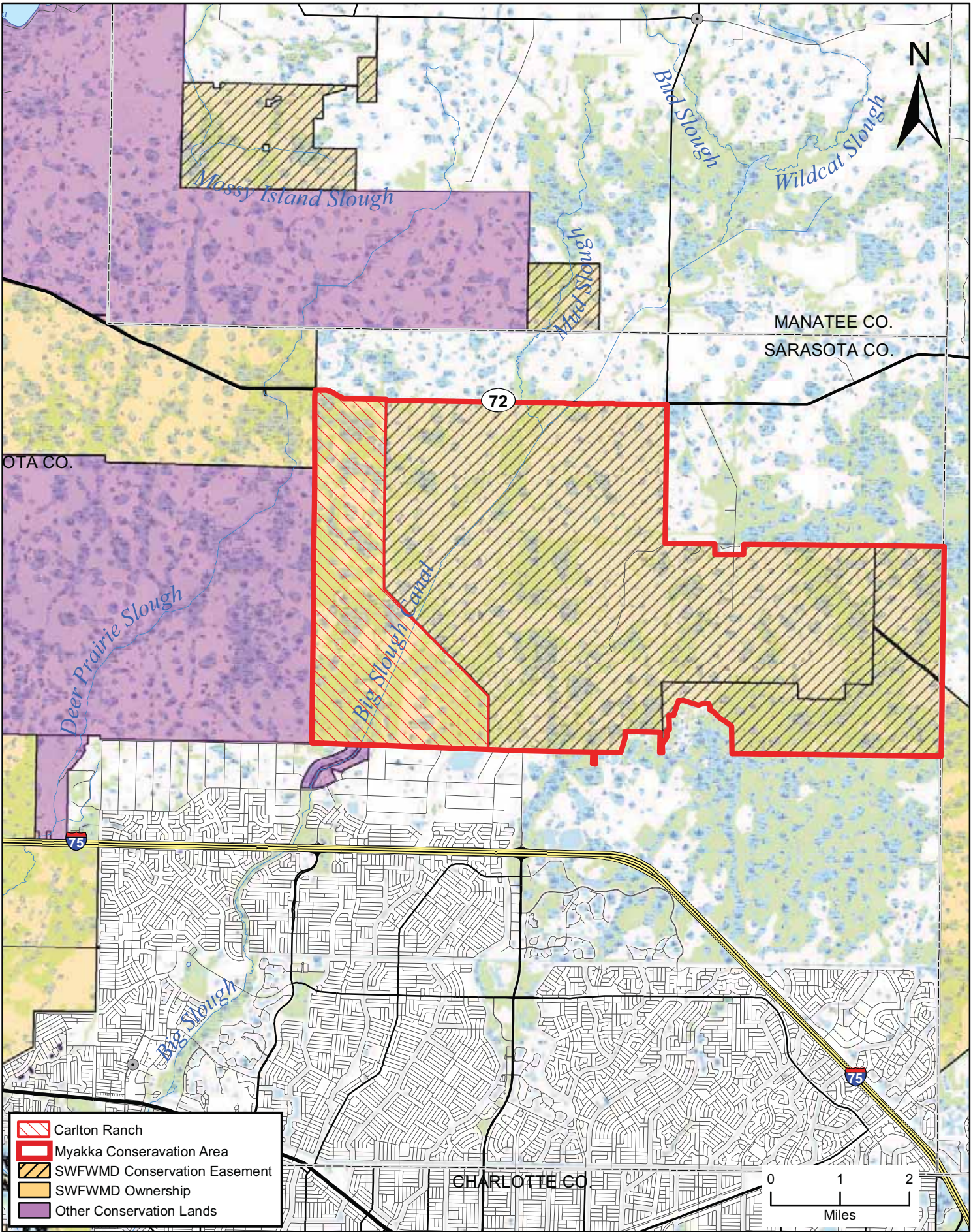
See Exhibit

Approve the Management Agreement between Sarasota County and the District for the Carlton Ranch Tract within the Myakka Conservation Area and authorize the Division Director of Operations, Maintenance and Construction to execute the agreement.

Presenter: Roy A. Mazur, P.E., AICP, Chief, Operations and Land Management



Carlton Ranch



Consent Agenda January 31, 2012

Operations and Land Management Committee

Resolution Numbers 12-01 and 12-02 Requesting the Encumbrance of Fiscal Year 2011-12 Budgeted Funds from the Water Management Lands Trust Fund for Preacquisition; Management, Maintenance and Capital Improvements; Payments in Lieu of Taxes; and Surface Water Improvement and Management Program

Purpose

The purpose of this item is to request Governing Board approval of two resolutions requesting the Florida Department of Environmental Protection (DEP) encumber the District's FY2011-12 budget requirements and authorize staff to request periodic reimbursements for FY2011-12 costs not to exceed the budgeted amounts within the Water Management Lands Trust Fund (WMLTF) for:

- Current year salaries and prior year encumbrances for non-capitalized preacquisition costs; land management, maintenance and capital improvements costs; and payments in lieu (PILT) of taxes to eligible counties in the amount of \$16,180,796.
- Current year budget requirements for Surface Water Improvement and Management (SWIM) activities in the amount of \$7,214,441.

Background/History

The District is eligible to receive reimbursement from the WMLTF of costs for preacquisition; land management, maintenance and capital improvements; and PILT to eligible counties for lands acquired, or to be acquired by the District. The District is also eligible to receive reimbursement from the WMLTF in support of the SWIM program. The District makes these encumbrance requests to DEP each year at the end of its first quarter in order to update the amount remaining and reallocate where appropriate.

Costs

The State Legislature did not appropriate any new funds to this district within the WMLTF for FY2011-12; however, unused prior year appropriations remain in the District's account which can be utilized for FY2011-12 budget requirements. The FY2011-12 adopted budget does not include revenue from the WMLTF for preacquisition; land management, maintenance and capital improvements and PILT; and any revenue received from the trust fund will be recognized as unbudgeted revenue and used to offset ad valorem requirements.

Other offsets to the FY2011-12 land management, maintenance and capital improvements budget requirements include revenue from consent orders, and revenue derived through the use of District-owned lands such as timber sales, leases, hog hunt permit fees, etc.

The following table indicates the budget requirements by category.

| CATEGORY | FY2011-12 CURRENT BUDGET |
|---|-----------------------------|
| Land Management, Maintenance and Capital Improvements | \$14,666,092 |
| Preacquisition | 1,380,580 |
| Payments in Lieu of Taxes | 134,124 |
| SWIM | 7,214,441 |
| TOTAL | \$23,395,237 |

Item 7

Resolution Numbers 12-01 and 12-02, included in the board packet as exhibits to this item, reference the authorizations for this request.

Staff Recommendation:

See Exhibits

Approve Resolutions Numbers 12-01 and 12-02 requesting the encumbrance of the District's FY2011-12 budgets for preacquisition; land management, maintenance and capital improvements; and payments in lieu of taxes; and Surface Water Improvement and Management Program within the WMLTF, and authorize staff to request periodic reimbursements for FY2011-12 costs not to exceed \$16,180,796 and \$7,214,441, respectively.

Presenter: Roy A. Mazur, P.E., AICP, Chief, Operations and Land Management Bureau
Eric DeHaven, Chief, Natural Systems and Restoration Bureau
Linda Pilcher, Assistant Chief, Finance Bureau

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NUMBER 12-01

**RESOLUTION REQUESTING ENCUMBRANCE
FROM THE WATER MANAGEMENT LANDS TRUST FUND FOR
FISCAL YEAR 2011-12 BUDGETED PREACQUISITION;
MANAGEMENT, MAINTENANCE AND CAPITAL IMPROVEMENTS;
AND PAYMENTS IN LIEU OF TAXES**

WHEREAS, the Southwest Florida Water Management District (District) has budgeted funds for preacquisition; management, maintenance and capital improvements; and payments in lieu of taxes consistent with Chapter 373, Florida Statutes, as set forth in Exhibit A to this resolution in the amount of \$16,180,796; and,

WHEREAS, these budgeted expenditures anticipate the use of prior year appropriation balances within the Water Management Lands Trust fund; and,

WHEREAS, District will request from the Department of Environmental Protection periodic reimbursements from the Water Management Lands Trust Fund for actual expenditures of budgeted funds for preacquisition; management, maintenance and capital improvements; and payments in lieu of taxes.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Board of the Southwest Florida Water Management District:

- (1) The above statements are hereby certified and declared to be true and correct.
- (2) The District hereby requests the encumbrance of funds within the Water Management Lands Trust Fund for budgeted expenditures for preacquisition; management, maintenance and capital improvements; and payments in lieu of taxes to qualified counties of lands previously acquired as specifically set forth in Exhibit A to this resolution.
- (3) The District hereby requests that unspent funds that remain as part of the District's Resolution 11-02, encumbering FY2011 preacquisition; management, maintenance and capital improvements; and payments in lieu of taxes costs be liquidated.

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

PASSED AND ADOPTED in Tampa, Hillsborough County, Florida on this 31st day of January, 2012.

Southwest Florida Water Management District

By: _____
H. Paul Senft, Jr., Chair

Attest: _____
Douglas B. Tharp, Secretary

(Seal)

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 31st day of January, 2012, by H. Paul Senft, Jr. and Douglas B. Tharp, 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.

(Seal)

Notary Public

(Name of Notary typed, printed or stamped)

Commission No: _____

My commission expires: _____

| APPROVALS | INITIALS | DATE |
|-------------------|------------|----------------|
| Attorney | <i>LM</i> | <i>1/12/12</i> |
| Manager | <i>ST</i> | <i>1/13/12</i> |
| Bureau Chief | <i>R</i> | <i>1/15/13</i> |
| Division Director | <i>MLN</i> | <i>1/17/12</i> |

Exhibit A to SWFWMD Resolution No. 12-01

**Southwest Florida Water Management District
Water Management Lands Trust Fund
Fiscal Year 2012 Budget**

| | |
|--|----------------------|
| Preacquisition Costs | \$ 1,380,580 |
| Management, Maintenance and Capital Improvements | \$ 14,666,092 |
| Payments in Lieu of Taxes | \$ 134,124 |
| Total Encumbrance | \$ 16,180,796 |

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NUMBER 12-02

**RESOLUTION REQUESTING ENCUMBRANCE OF FISCAL YEAR 2012 BUDGET
FROM THE WATER MANAGEMENT LANDS TRUST FUND
FOR SURFACE WATER IMPROVEMENT AND MANAGEMENT (SWIM) ACTIVITIES**

WHEREAS, the Southwest Florida Water Management District (District) has budgeted funds for Surface Water Improvement and Management (SWIM) activities consistent with Chapter 373, Florida Statutes, as set forth in the attached spending plan in the amount of \$7,214,441; and,

WHEREAS, these budgeted expenditures anticipate the use of prior year appropriation balances within the Water Management Lands Trust Fund; and,

WHEREAS, District will request from the Department of Environmental Protection monthly reimbursements from the Water Management Lands Trust Fund for Surface Water Improvement and Management (SWIM) activities.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Board of the Southwest Florida Water Management District:

- (1) The above statements are hereby certified and declared to be true and correct.
- (2) The District hereby requests the encumbrance of funds within the Water Management Lands Trust Fund for budgeted expenditures for Surface Water Improvement and Management (SWIM) activities as specifically set forth in Exhibit A to this resolution.

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

PASSED AND ADOPTED in Tampa, Hillsborough County, Florida on this 31st day of January, 2012.

Southwest Florida Water Management District

By: _____
H. Paul Senft, Jr., Chair

Attest: _____
Douglas B. Tharp, Secretary

(Seal)

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 31st day of January, 2012, by H. Paul Senft, Jr. and Douglas B. Tharp, 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.

(Seal)

Notary Public

(Name of Notary typed, printed or stamped)

Commission No: _____

My commission expires: _____

| APPROVED BY: | INITIALS | DATE |
|------------------|------------|----------------|
| Attorney | <i>HS</i> | <i>1/12/12</i> |
| NSR Bureau Chief | <i>SD</i> | <i>1/13/12</i> |
| Director | <i>MAI</i> | <i>1/17/12</i> |

Exhibit A
Southwest Florida Water Management District
Water Management Lands Trust Fund
FY2012 SWIM Spending Plan
Resolution 12-02

| Water Body | Category | Total Budget | Total WMLTF |
|---------------------------------|--|----------------------|---------------------|
| <u>Banana Lake</u> | | | |
| | Construction | 414,298.82 | 207,149.41 |
| | Total Banana Lake: | 414,298.82 | 207,149.41 |
| <u>Charlotte Harbor</u> | | | |
| | Construction | 2,150,104.00 | 1,075,052.00 |
| | Environmental Education | 7,031.00 | 3,515.50 |
| | Enforcement | 16,048.28 | 8,024.14 |
| | Planning and Research (includes non-construction mgmt actions) | 40,878.50 | 20,439.25 |
| | Total Charlotte Harbor: | 2,214,061.78 | 1,107,030.89 |
| <u>Crystal River</u> | | | |
| | Construction | 4,109.84 | 2,054.92 |
| | Total Crystal River: | 4,109.84 | 2,054.92 |
| <u>Lake Panasoffkee</u> | | | |
| | Construction | 61,772.18 | 30,886.09 |
| | Total Lake Panasoffkee: | 61,772.18 | 30,886.09 |
| <u>Rainbow River</u> | | | |
| | Construction | 135,065.66 | 67,532.83 |
| | Total Rainbow River: | 135,065.66 | 67,532.83 |
| <u>Sarasota Bay</u> | | | |
| | Construction | 2,319,332.78 | 1,159,666.39 |
| | Enforcement | 15,983.26 | 7,991.63 |
| | Planning and Research (includes non-construction mgmt actions) | 84,795.34 | 42,397.67 |
| | Total Sarasota Bay: | 2,420,111.38 | 1,210,055.69 |
| <u>Tampa Bay</u> | | | |
| | Construction | 8,466,516.64 | 4,233,258.32 |
| | Enforcement | 45,446.20 | 22,723.10 |
| | Total Tampa Bay: | 8,511,962.84 | 4,255,981.42 |
| <u>Lake Thonotosassa</u> | | | |
| | Planning and Research (includes non-construction mgmt actions) | 70,000.00 | 35,000.00 |
| | Total Lake Thonotosassa: | 70,000.00 | 35,000.00 |
| <u>Winter Haven</u> | | | |
| | Construction | 535,000.00 | 267,500.00 |
| | Planning and Research (includes non-construction mgmt actions) | 62,500.00 | 31,250.00 |
| | Total Winter Haven: | 597,500.00 | 298,750.00 |
| | Grand Total: | 14,428,882.50 | 7,214,441.25 |

Consent Agenda January 31, 2012

Operations and Land Management Committee

Budget Transfer and Execution Notice Pasco County – NAVD88 Vertical Control Densification (N374)

Purpose

To request approval of a \$100,000 budget transfer from Mapping & GIS (MGIS) surveying services (B134) to the MGIS contractual services (N374). The funds will be used for the Pasco County – NAVD88 Vertical Control Densification Project (N374). The total project cost is \$200,000 of which \$100,000 was not budgeted as revenue during the FY2012 budget process. The \$100,000 revenue will be returned to the District by Pasco County upon completion of the project in September 2012.

Background/History

The FY2012 Cooperative Funding project with Pasco County will establish additional North American Vertical Datum of 1988 vertical control benchmarks throughout the county. The data will serve as the basis for future elevation surveys done by Pasco County and the District. The effective date of the contract is November 14, 2011 and will remain in effect through December 31, 2013. The total cost for contractual services on this project is \$200,000. The District's share is \$100,000 with funding provided by the Governing Board. Pasco County will contribute \$100,000 to the project. Please refer to the write-up in the Projects section of this notebook for detailed information. The Executive Director signed this agreement and copies of the executed agreement and scope of work are available upon request.

Benefits/Costs

The surveying projects originally budgeted will be postponed into FY2013.

Staff Recommendation:

Authorize the transfer of \$100,000 from Mapping & GIS (MGIS) surveying services (B134) to the MGIS contractual services (N374) for the Pasco County – NAVD88 Vertical Control Densification Project (N374)

Presenter: Axel Griner, Interim Manager, Mapping & GIS

Consent Agenda January 31, 2012

Resource Management Committee

Five-Year Water Resource Development Work Program

Purpose

To approve revisions to the District's 2012 Five-Year Water Resource Development Work Program (Work Program) as requested by the Florida Department of Environmental Protection (DEP).

Background/History

The District is required by Florida Statutes (Subsection 373.536(6)) to prepare a Work Program each year. This Work Program describes the District's implementation strategy for the water resource development component of the approved Regional Water Supply Plan (RWSP). The currently proposed Work Program covers the period from fiscal year (FY) 2012 through FY2016, and is a comprehensive discussion of the District's water resource development activities intended to assist in meeting water supply demands over a 20-year planning horizon. The Work Program must be submitted to DEP and specified state and local government officials within 30 days after adoption of the District's final budget. The proposed Work Program was approved by the Governing Board at the October 25, 2011 meeting and forwarded to DEP for review.

DEP reviewed the Work Program and submitted minor comments to the District in a letter received November 28, 2011. The comments have been addressed in the revised Work Program.

The next step is for DEP to prepare a final evaluation report, including the District's responses, and submit this report to the Governor, President of the Senate and Speaker of the House of Representatives. The District's final Work Program will be resubmitted as part of the 2012 Consolidated Annual Report required by Florida Statutes (Subsection 373.037(7)).

Staff Recommendation:

See Exhibit

Approve the proposed revisions to the Five-Year Water Resource Development Work Program to be included in the 2012 Consolidated Annual Report.

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

Exhibit

SWFWMD Responses to Florida Department of Environmental Protection (DEP) Comments on the Draft FY2012 Water Resource Development Work Program:

1. **DEP comment:** *We noticed that although the District dropped two Water Resource Development projects from last year, the District added two new projects in their place. The District reported progress on all FY 2011 projects, except one, since last year's report. The report's text for the Institute of Food and Agricultural Services (IFAS) (Best Management Practices (BMP) project (page 20) is identical to last year's paragraphs under Status and Future Actions. We recommend the District provide new, updated information if progress has been made on this project.*

SWFWMD Response: The project description has been updated with additional information, including a table showing the number of the growers intending to implement BMPs in multiple categories. A new BMP program has recently been adopted for specialty fruit and nut operations.

2. **DEP comment:** *We appreciate the District's submitting additional information on Water Supply Development and updated water demands. We were interested to see the District's increased funding of reclaimed water and water conservation projects in FY2012.*

SWFWMD Response: The District appreciates the comment. In the FY2012 budget, water supply development funding assistance for conservation projects has increased 36 percent. Funding assistance for reclaimed water projects decreased by 7 percent. Conservation and reclaimed water reuse projects provide economic benefits by delaying the costly development of new water supplies, and reducing stress on natural systems.

3. **DEP comment:** *We were interested in the District's revised 2030 demand projection of 343 mgd, about a 20% decrease in demand since the 2010 Regional Water Supply Plan's published projection of almost 431 mgd. Given that the District's plan found that the District could meet the 431 mgd demand projection from 2010, it would seem that the District should be able to meet the new, lower demand projection. If the latter is true, the District may want to point this out in the report.*

SWFWMD Response: The District has revised the report summary to recommend the Regional Water Supply Plan be referenced as a more conservative and widely accepted source of 20-year water demand projections for planning purposes. The Appendix A Demands Update is provided as a snapshot based on recent available population projections and water use data. The demands update may be useful to gauge the continuous shifts in projected demands, but they have not been as thoroughly evaluated and peer-reviewed as the demand projections published in the District's 2010 Regional Water Supply Plan. The majority of the demand change in the update occurs in the planning period from base year 2005 to 2010. This planning period has been affected by economic events, and some caution may be warranted on predicting the pace of future recovery.

4. **DEP comment:** *Regarding the new 2030 demand projection, it is not clear from the report how this demand will be met. Page 37, paragraph 3 discusses the 174 mgd projected demand that is not yet under development, and then discusses what that quantity of water will be used for. (Of this quantity, water will be needed for environmental restoration -53.1 mgd, meeting the minimum aquifer level-38.2 mgd, and meeting certain MFLs - 14.9 mgd. Presumably, the other 106 mgd will go to the traditional water use sectors.) Although the report*

correctly uses the word "for," the reader anticipates that the sentences after the 174 mgd will discuss how this remaining demand will be met (i.e., where the water will come from). We recommend that the District revise this text to ensure that it is not unintentionally misleading.

SWFWMD Response: The paragraph was revised with a discussion of the potential conservation and reuse offsets, available groundwater, and alternative water supply options listed in the RWSP. The RWSP identifies a total of 937 mgd of additional water that is potentially available to water users in the District.

Consent Agenda January 31, 2012

Resource Management Committee

City of Bradenton Water Supply – Request to Credit Reimbursed Funds from Cancelled Project 580 MG Offstream Reservoir Expansion (H059) to a Future Aquifer Storage and Recovery Project

Purpose

To seek Governing Board approval for the City of Bradenton's request to credit District funds expended under the cancelled offstream reservoir expansion toward the District's share of a fiscal year (FY) 2013 request for an aquifer storage and recovery (ASR) cooperative funding project.

Background/History

The District entered into a cooperative funding agreement with the City of Bradenton on March 21, 2007, for the offstream reservoir expansion to develop alternative water supply by adding 580 million gallons of offstream storage capacity at the Bill Evers Reservoir. The proposed earthen dike facility would capture excess flows from the Braden River during the wet season and store them until needed in the City's water supply system. When the project was initiated, regulatory agencies had concerns about arsenic mobilization in ASR wells and the City decided that an offstream reservoir was the most certain alternative water supply option to meet their projected demand increases.

Through a separate cooperative funding project, the City and District recently demonstrated that arsenic mobilization can be controlled by removing dissolved oxygen prior to injection into the aquifer. As a result, the City re-evaluated their water supply plans and cancelled the offstream reservoir expansion to pursue further development of their ASR system. The ASR project is considered more cost-effective and flexible as it will be easier to permit and the supply can be brought on in incremental phases. The City anticipates saving approximately \$10 million by developing ASR wells rather than building the reservoir expansion.

The District reimbursed the City \$202,553 for preliminary design, survey, and geotechnical exploration on the offstream reservoir expansion. The project agreement requires the City to pay back any funding provided by the District if the project is not completed. In a letter dated November 8, 2011 (exhibit), the City explained that much of the data collected for the cancelled offstream reservoir expansion could be used for the City's proposed Surface Water ASR Feasibility Study (N435), submitted during the FY2013 cooperative funding application process. As an alternative for repayment of District funds required by the offstream reservoir expansion agreement, the City proposes crediting the expended money toward the District's funding portion of the City's FY2013 ASR cooperative funding request. The ASR feasibility study area overlaps the land previously sited for the reservoir.

From the cancelled reservoir project, excess budgeted funds will be returned to the Governing Board (\$2,579,723.50) and the Manasota Basin (\$2,579,723.50) fund balance for reserves or balance forward for FY2013 projects. The Governing Board can make that decision during the FY2013 budget process. Staff will request reallocation of Water Protection and Sustainability Trust Funds (\$43,541) from the cancelled reservoir project to an ongoing alternative water supply project at the February 2012 Governing Board meeting.

Benefits/Costs

The City's FY2013 cooperative funding application requests \$150,000 match from the District

Item 10

for the first year of the City's ASR feasibility study, including preliminary and final design of an exploratory well. If the ASR project funding is approved by the Governing Board, reimbursed funds from the offstream reservoir expansion would satisfy \$150,000 of the District's funding share for the upcoming fiscal year. The remaining \$52,553 would be credited toward the future funding of the ASR project.

Staff Recommendation:

See Exhibit

Approve the request by the City of Bradenton to credit funds totaling \$202,553 from the cancelled offstream reservoir expansion toward the District's share for the Surface Water ASR Feasibility Study if approved in the FY2013 cooperative funding process.

Presenter: Brian J. Armstrong, P.G., Manager, Water Supply

H059 - Conesp.



TELEPHONE:
941/708-6300

CITY OF BRADENTON

BRADENTON, FLORIDA

November 8, 2011

1411 9th STREET WEST
BRADENTON, FL 34205

Mr. Brian J. Armstrong, P.G.
Manager, Water Supply and resource Development
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604-6899

RE: Agreement No. 07CS0000031
City of Bradenton Reservoir Expansion (H059)

Dear Mr. Armstrong:

Please accept this letter as official notice that on October 26, 2011 the Bradenton City Council voted to terminate the above referenced agreement with the District. It is not the City's intent to abandon our goal of expanding potable water supply to meet current and future needs. We take this formal action for the sole purpose of meeting the contractual obligation of the existing agreement.

With the recent advancements in science and treatment we have come to the conclusion that the City's potable water supply needs can be better augmented through the use of ASR technology rather than an upland surface water reservoir. The ability to arrive at this conclusion is the direct result of the considerable efforts and success of the District and the City to jointly prove the viability of ASR as a water supply strategy. When the H059 project began in 2007, there were uncertainties about the ability of ASR to meet the regulatory requirements for water storage. We are proud to state that this issue has since been resolved through our joint efforts.

Given the above developments in ASR technology, we were able to reevaluate our water supply expansion project. We are convinced that ASR will be much easier to design, permit and construct than an upland surface water reservoir and at a significantly lower cost. We anticipate saving close to \$10,000,000 by constructing ASR well(s) rather than building the reservoir expansion. In addition, ASR allows the City to more readily adapt to uncertain economic times by bringing on supply in incremental phases. It is for these reasons that we wish to terminate the existing reservoir expansion project so that we can pursue an ASR project.

Please be assured that the work performed to date on the reservoir expansion project has not been in vain. We will be able to use much of the data collected and generated by the

RECEIVED

NOV 09 2011



PRINTED ON RECYCLED PAPER

reservoir project for the ASR project. Since we are not abandoning our goal of expanding the City's water supply – only changing course – we propose that any funds expended by the District under the existing agreement be credited back to the District against any future cooperative funding requests for the City's revised water supply plan utilizing ASR. We will submit our application for a new agreement on December 2, 2011 for FY 2013.

District staff has been wonderful to work with over the course of this project. They have been actively involved in all decisions; providing outstanding counsel on technical, regulatory, contractual and financial issues; keeping us on track even as the project regulatory parameters changed mid-stream. It has been a pleasure to work with you, Lisann Morris, Dr. Marty Kelly, Mike Hyel, Don Ellison and Terri Behling. We look forward to continuing our partnership through the proposed ASR agreement discussed above.

Sincerely,



Claude D. Tankersley, P.E.
Director, Public Works and Utilities
City of Bradenton

CC: Carl Callahan, City Clerk and Treasurer
Harold Bridges, Jones Edmunds & Associates

Consent Agenda January 31, 2012

Resource Management Committee

North Sarasota County Reclaimed Water Aquifer Storage and Recovery Project – Second Amendment (K269)

Purpose

To request the Board approve a second amendment to the cooperative funding agreement with Sarasota County for the North Sarasota County Reclaimed Water Aquifer Storage and Recovery (ASR) project to reduce the number of reclaimed water ASR wells in the agreement scope of work from three to one. Once the first ASR well and associated treatment and testing are complete, a decision can be made on whether to proceed with the other two ASR wells. This second amendment changes the scope and reduces funding, extends the contract expiration date, and adjusts the milestones in the project completion schedule.

Background/History

The District entered into a cooperative funding agreement on May 10, 2000, with Sarasota County (County) for the project consisting of the design, permitting, construction and testing of three 1.0 million gallons per day (mgd) reclaimed water ASR wells. These wells were originally planned to be developed in two phases over a six-year period, with one ASR well to be developed in the first phase and two ASR wells to be developed in the second phase.

This reclaimed water ASR system is being developed at the Sarasota County Central County Wastewater Treatment Facility and will provide wet-weather storage for the County's Northern Regional Reuse System, which consists of four interconnected County wastewater treatment facilities and the interconnection with the City of Sarasota's Reuse System. This reclaimed water wet-weather storage will allow the system to better serve existing reclaimed water users such as Palmer Ranch, Manor Care of Boynton Beach, Plaza Oaks, Silver Oak, and the Hamptons Development.

The County completed the first ASR well on May 31, 2006, and proposed to add ultraviolet disinfection equipment and additional funding for this project in a fiscal year (FY) 2006 cooperative funding initiative request. These changes were approved by the District and the first amendment to the cooperative funding agreement was executed on October 9, 2006. Following execution of the first amendment, the County and the District agreed to put this project on hold pending a resolution to the issue of arsenic mobilization in the aquifer which resulted in a five-year delay. The technology to prevent and control arsenic mobilization has now advanced to the point that this project can continue. The County will use methods such as Target Storage Volume and bisulfide treatment to reduce dissolved oxygen and prevent arsenic levels above the 10 µg/l regulatory limit. On February 28, 2011, the County obtained an Administrative Order and a revised permit from the Department of Environmental Protection that allowed the cycle testing phase of the project to proceed. Cycle testing began on September 23, 2011, and will take approximately three years to complete, which is beyond the project completion schedule in the existing cooperative funding initiative agreement.

The County plans to complete the cycle testing of the first ASR well and evaluate those test results before making a decision to proceed with the other two ASR wells. If a decision is made in the future to proceed with the other two ASR wells, a new cooperative funding request can be submitted to the District at that time.

Item 11

Benefits/Costs

The total cost of the original project was estimated to be \$6,443,546 with the District funding 50 percent of the costs up to \$3,221,773. The District budgeted \$2,011,743 from FY2000 to FY2007 from the Manasota Basin and \$164,864 from the Water Protection and Sustainability Trust Fund (WPSTF) for this project. This second amendment will reduce the total estimated project costs to \$3,207,900 and the District's share to \$1,686,382 (which includes the \$164,864 WPSTF). The excess budgeted funds of \$490,225 will be returned to the Manasota Basin fund balance for reserves or balance forward for FY2013 projects. The Governing Board can make that decision during the FY2013 budget process. To date, the District has reimbursed the County \$449,135 of Manasota Basin funds and \$74,631 WPSTF for the design and construction of the ASR well. The project will provide storage of approximately 1.0 mgd for 120 days or 120 million gallons stored per year, enabling enhanced service and increased utilization of reclaimed water by the County.

Staff Recommendation:

Recommend the Board approve the second amendment to the existing agreement with Sarasota County for the North Sarasota County Reclaimed Water Aquifer Storage and Recovery to modify the project by reducing the number of reclaimed water ASR wells in the scope of work from three to one; reduce the total cost of the project from \$6,443,546 to \$3,207,900 and reduce the District's funding obligation from \$3,221,773 to \$1,686,382; adjust the milestone schedule; extend the contract termination date from December 31, 2012 to December 31, 2015; and authorize the Resource Management Division Director to execute the amendment.

Presenter: Kenneth R. Herd, Bureau Chief, Water Resources

Consent Agenda January 31, 2012

Resource Management Committee

Authorize Submission of Preliminary Flood Insurance Rate Maps to the Federal Emergency Management Agency for Highlands County

Purpose

To request the Board's authorization to submit the preliminary Highlands County Flood Insurance Rate Maps (FIRMs) to the Federal Emergency Management Agency (FEMA). Following submittal of the preliminary FIRMs, FEMA will conduct their own technical review, take public input, and allow for a 90-day appeals period during the adoption process. Depending on public input, the FEMA process can take one to two years.

The Highlands Lakes detailed study, which included 17 lakes, was the only detailed watershed model developed for the FEMA process to update the FIRMs for Highlands County. The current effective FIRMs were updated to meet the FEMA specifications including adding FEMA approved Letters of Map Changes, and wetlands and water bodies. As detailed watershed models are developed for watersheds in Highlands County, the floodplain results will go through the District's process and can be submitted to FEMA for adoption through a separate process.

Background/History

The District initiated a partnership with FEMA to modernize FIRMs as part of its Watershed Management Program (WMP). Flood protection and floodplain information has been a priority at the District since the inception of the organization and that priority was renewed following the El Niño weather event in 1997-1998. 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 because either the initial studies were technically limited, or the maps are outdated due to significant land use changes since completion. To improve the floodplain information, develop regional scale flood routing models for alternative analysis, and improve local government's understanding of their flood protection level of service, the District reached out to local governments and initiated the WMP in the late 1990s.

The District recognized a potential funding partner in FEMA as they had mutual goals to improve and modernize the existing FIRMs to better identify risks of flooding within the District. The District and FEMA executed a Cooperating Technical Partners (CTP) Memorandum of Agreement on September 14, 2001, to formalize the relationship. 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 approximately \$12 million in federal funds from FEMA for countywide map modernization projects in Pasco, Sarasota, Hernando, Marion, Polk, Hardee, DeSoto, Citrus, Sumter, Levy, and Highlands counties. FEMA also includes federal funding for the Map Modernization Management Support (MMMS) program to ensure MMMS partners can support the map modernization effort through activities that do not directly result in production of new or revised flood hazard maps. The District has received \$1,013,860 in funding from FEMA since 2004 for the MMMS program.

In October 2007, staff provided a report to the Governing Board outlining staff's technical and procedural approach for development and professional oversight of watershed models. Since

Item 12

March 2008, staff provides the Board an update on the status of the District's WMP and FEMA Map Modernization as a routine report, including an update on the progress and activities associated with these issues. Since November 2008, the Governing Board has authorized staff to submit preliminary FIRMs to FEMA for 17 watersheds in Hernando County, four watersheds in Pasco County, three watersheds in Citrus County, one watershed in Manatee County, four watersheds in Sarasota County, one watershed in Polk County, two watersheds in DeSoto County, five watersheds in Hardee County, one watershed in Highlands County, and eleven watersheds in Marion County.

Staff Recommendation:

Authorize staff to submit the preliminary Highlands County FIRMs to FEMA.

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

Consent Agenda January 31, 2012

Resource Management Committee

FARMS – Classic Caladiums, LLC - Amendment (H540), Hardee County

Purpose

The purpose of this item is to request approval for an amendment to the existing Facilitating Agricultural Resource Management Systems (FARMS) project with Classic Caladiums, LLC. No additional funding is requested at this time. Total project cost remains as estimated at \$148,000 with a District reimbursement of \$74,000.

Project Proposal

The District entered into a FARMS agreement with Classic Caladiums, LLC in October of 2007 for their 330-acre caladium farm located 11 miles southeast of Zolfo Springs, in eastern Hardee County, within the Southern Water Use Caution Area (SWUCA). The Water Use Permit (WUP) authorizes an annual average groundwater withdrawal of 860,000 gallons per day (gpd) to irrigate 330 acres of caladiums with a variety of irrigation systems including seepage, center pivot, and drip irrigation with and without plastic mulch. Since January 2004, an average of 65 percent of the permitted quantities were used to irrigate the crop. The goal of the original project was to reduce Upper Floridan aquifer groundwater withdrawals used for bed preparation, crop establishment, and daily irrigation by efficiently controlling their irrigation events through FARMS project components, which consist of automated hydraulic valves, soil moisture sensors, and weather stations. The existing project is substantially complete and has been operational since October of 2009. Since that time, groundwater use has been reduced by an average of 178,000 gpd over the period of record. When the project was initially approved in October 2007, the estimated offset was 60,000 gpd.

The farm currently uses seepage irrigation for bed preparation and crop establishment, then a variety of irrigation methods for daily supplemental irrigation needs. The proposed amendment to the FARMS project consists of converting 60 acres of the farm from seepage irrigation to a portable overhead sprinkler system to further reduce groundwater use for bed preparation and crop establishment. Of the original FARMS not-to-exceed budget, \$28,679 has not yet been reimbursed, which was intended to be used for additional soil moisture sensors and a second weather station. The existing array of sensors and environmental monitoring equipment is performing adequately and Classic Caladiums, LLC would prefer to use the remaining funds for this irrigation system conversion amendment. The applicant has applied for funding assistance from the USDA-Natural Resource Conservation Service's Environmental Quality Incentive Program for this irrigation system conversion and meets the requirements of FARMS Rule 40D-26, Florida Administrative Code.

Benefits/Costs

The original project involved water quantity BMPs for bed preparation, crop establishment, and supplemental irrigation and qualified for a 50 percent cost-share reimbursement rate under the FARMS Program since it was expected to offset the use of groundwater by less than 50 percent of the permitted quantities. The original scope had an estimated seven percent savings of permitted quantities for bed preparation, crop plant establishment, and daily irrigation, or 60,000 gpd. The proposed change of scope should decrease quantities used for bed preparation and crop establishment by 4,000 gpd when annualized. By adding this to the existing estimated offset, the daily cost is decreased from \$1.55 to \$1.45 per thousand gallons of groundwater

Item 13

reduced over the proposed five-year contract term, and from \$0.47 to \$0.43 per thousand gallons of groundwater reduced over a thirty-year term. This value is within the FARMS Program guidelines for the generally accepted average cost savings per thousand gallons for the implementation of alternative supplies and improved irrigation techniques for row crop operations. No additional funding is requested for this change of scope. Upon approval, the Peace River Basin Funds and Governing Board will have \$1,548 and \$1,996,625, respectively, remaining in their FARMS Program budgets.

Staff Recommendation:

See Exhibit

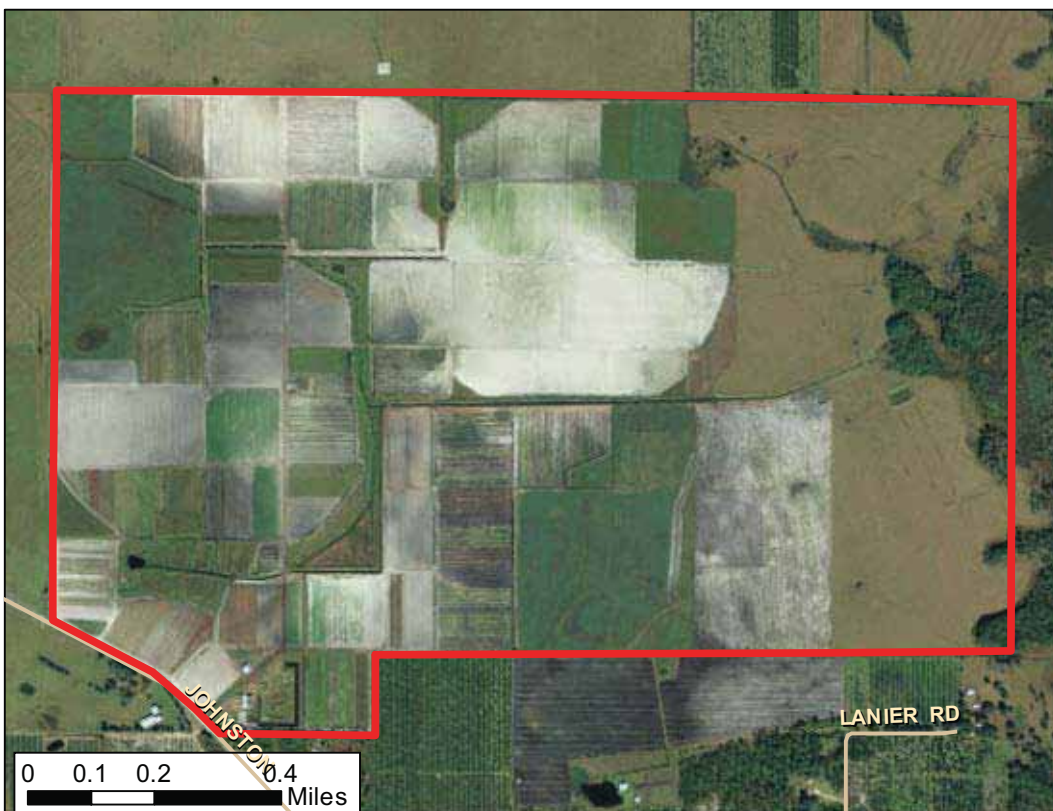
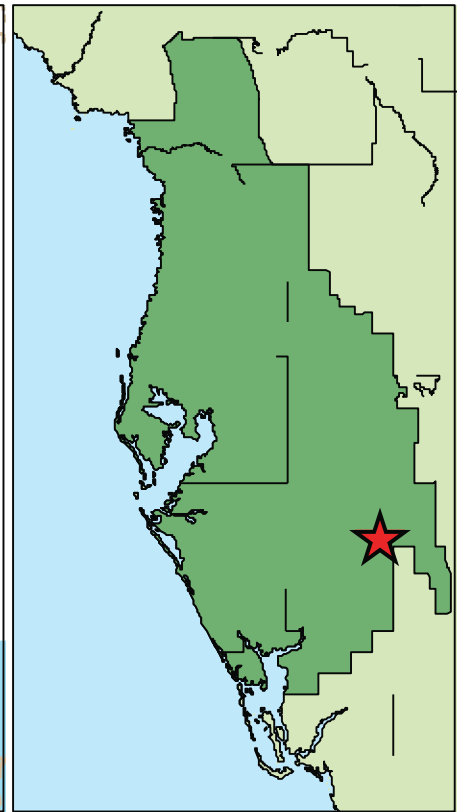
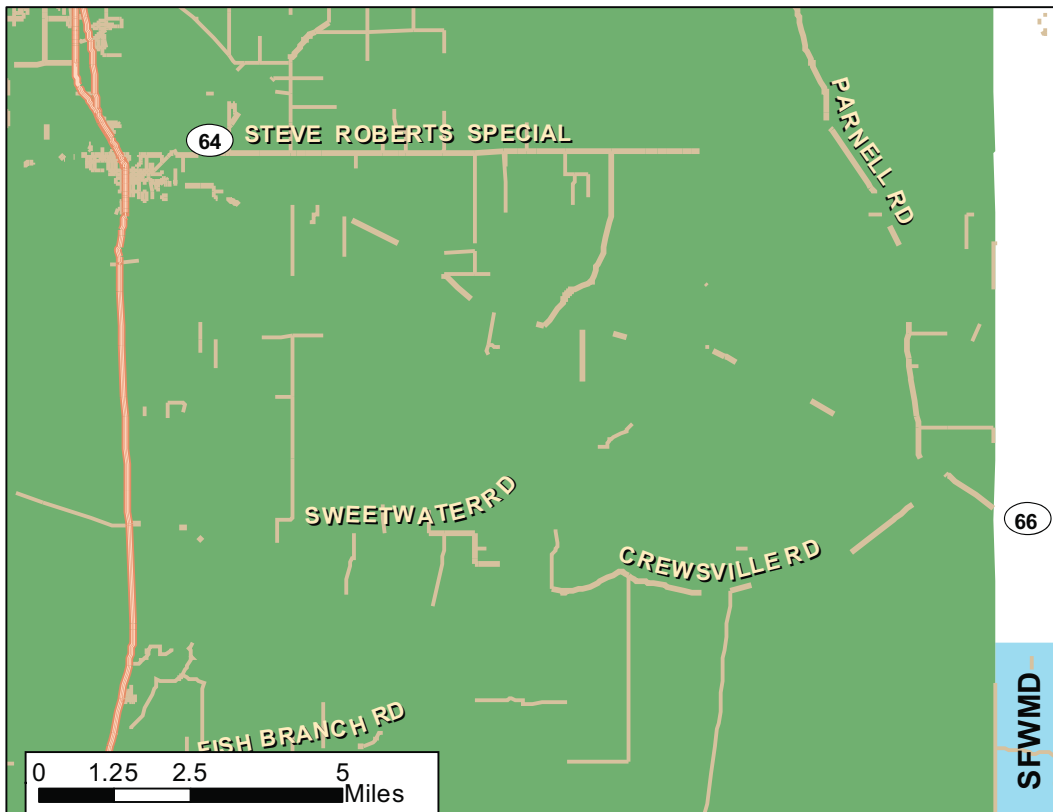
- (1) Approve the Classic Caladiums, LLC project for a change of scope with no additional funding requested; and
- (2) Authorize the Resource Management Division Director to execute the amendment to the agreement.

Presenter: Eric C. DeHaven, P.G., Bureau Chief, Natural Systems and Restoration

Location Map

Classic Caladiums

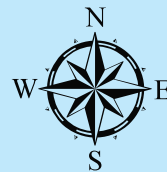
FARMS Project - (H540)



Legend

WUP 20012331

Hardee County



Southwest Florida
Water Management District

CE 11/08/2011
2010 Aerial
2009 NAVTEQ

Consent Agenda January 31, 2012

Finance and Administration Committee

Budget Transfer Report

Purpose

Request approval of the Budget Transfer Report covering all budget transfers made during the month of December 2011.

Background

In accordance with Board Policy No. 130-8, all transfers approved by the Executive Director and Finance Bureau Chief under delegated authority are regularly presented to the Finance and Administration 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:

See Exhibit

Request approval of the Budget Transfer Report covering all budget transfers for December 2011.

Presenter: Linda R. Pilcher, Assistant Bureau Chief, Finance

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Budget Transfer Report
December 2011

| --- TRANSFERRED FROM --- | | --- TRANSFERRED TO --- | | Reason For Transfer | Transfer Amount |
|---|---|--|---|---------------------|---------------------|
| Item No. | Bureau / Expenditure Category | Bureau / Expenditure Category | | | |
| <u>Executive Director Approved</u> | | | | | |
| General Fund: | | | | | |
| 1 | General Services Maint/Repair Bldgs Structures | Planning Consultant Services | Transfer of funds originally budgeted for maintenance & repair of buildings. Funds were needed for outside assistance to develop an assessment tool for the Surplus Lands Assessment project. | | 11,520 |
| Total Executive Director Approved | | | | | \$ 11,520 |
| <u>Finance Bureau Chief Approved</u> | | | | | |
| 1 | Natural Systems & Restoration Contracted Construction | Natural Systems & Restoration Consultant Services | Transfer of budgeted funds to the appropriate expenditure category for design and permit of the Terra Ceia Ecosystem Restoration project, phase 2. | \$ | 300,000 |
| 2 | Natural Systems & Restoration Grant - Financial Assistance | Natural Systems & Restoration Contracted Construction | Transfer of budgeted funds to the appropriate expenditure category for construction phase of the Palm River Restoration project. | | 288,622 |
| 3 | Natural Systems & Restoration Grant - Financial Assistance | Natural Systems & Restoration Contracted Construction | Transfer of budgeted funds to the appropriate expenditure category for construction phase of the Alligator Creek Habitat Restoration project. | | 75,385 |
| 4 | Natural Systems & Restoration Grant - Financial Assistance | Natural Systems & Restoration Contracted Construction | Transfer of budgeted funds to the appropriate expenditure category for construction phase of the River Tower Shoreline Restoration and Stormwater Treatment project. | | 77,978 |
| 5 | Water Resources Consultant Services | Water Resources Grant - Financial Assistance | Transfer of budgeted funds to the appropriate expenditure category for the Sarasota County Watershed Management Plan: Coastal Fringe project. | | 200,000 |
| 6 | Water Resources Consultant Services | Water Resources Grant - Financial Assistance | Transfer of budgeted funds to the appropriate expenditure category for the Alligator Creek In-Stream Restoration project. | | 300,000 |
| 7 | Water Resources Consultant Services | Water Resources Grant - Financial Assistance | Transfer of budgeted funds to the appropriate expenditure category for the Phillippi Creek In-Stream Restoration project. | | 400,000 |
| 8 | Water Resources Grant - Water Conservation | Natural Systems & Restoration Consultant Services | Transfer of budgeted funds to the appropriate bureau and expenditure category for the Restoration - Upper Myakka Flatford Swamp Restoration via Water Removal to Potential User project. The project feasibility study and preliminary design was transferred to the Surface Water Improvement and Management section for project management. | | 9,025 |
| 9 | Natural Systems & Restoration Grant - Agriculture | Natural Systems & Restoration Grant - Agriculture | Transfer of budgeted funds to the general Facilitating Agricultural Resource Management Systems (FARMS) budget appropriation for future allocation to specific FARMS projects. | | 7,290 |
| Total Finance Bureau Chief Approved | | | | | \$ 1,658,300 |
| Total Transfers for Governing Board Approval | | | | | \$ 1,669,820 |

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 Finance Bureau Chief consistent with Board Policy 130-8, and are presented for Governing Board approval on the consent agenda. Executive Director approved transfers are made for a purpose other than the original budget intent, but are limited to individual transfer amounts of \$50,000 or less. Finance Bureau Chief approved transfers are accounting type transfers with no change to the original budget intent.

Consent Agenda January 31, 2012

General Counsel's Report

Settlement Agreement – WUP No. 20010392.005 - Milmack, Inc. (Oakwood Golf Club) – Polk County

On January 1, 2003, the District issued Water Use Permit (“WUP”) No. 20010392.005 (the “Permit”) to Milmack, Inc. (“Permittee”) authorizing withdrawals of 259,900 gallons per day (“gpd”) on an annual average basis and 282,700 gpd on a drought annual average basis from one well for golf course irrigation in a community known as Oakwood, located in Polk County.

On February 18, 2009, District staff issued Permittee a Notice of Non-Compliance advising that the annual average quantity withdrawn for the 12-month period ending December 31, 2008 was 387,575 gpd, or approximately 30% in excess of the permitted quantity. Permittee responded to the Notice of Non-Compliance, claiming that it had initiated litigation with the developer and engineer of the community concerning damage to the golf course and its irrigation system allegedly caused by the surface water management system serving the development. Permittee's withdrawals continued to exceed its permitted quantity.

Accordingly, in an attempt to resolve this matter, on September 14, 2009, the District mailed a proposed Consent Order to Permittee calling for the payment of \$ 8,687.00 in penalties and costs for exceeding its permitted drought annual average quantities from April through July, 2009, which included the following:

- \$8,187.00 for the overpumpage of permitted quantities pursuant to the overpumpage formula; and
- \$500.00 in District enforcement costs.

Permittee responded to the proposed Consent Order on October 14, 2009, reiterating its involvement in litigation concerning the surface water management system. Permittee requested that the District impose no penalty for prior overpumpage, which request was rejected. While the District recognized that issues may exist concerning the project's design and construction, Permittee was notified that such issues did not excuse it from complying with the terms and conditions of its WUP, as issued. District staff met with Permittee and its representatives on October 26, 2009 to discuss possibilities for resolving the overpumpage, and agreed to a 90-day extension of time to calibrate the well's meters, to employ additional compliance measures, and to respond to the District's proposed Consent Order. District staff and Permittee were unable to reach a resolution of this matter.

This matter was then presented to the District's Governing Board at its June 2010 meeting, at which time staff requested authorization to initiate litigation against Permittee to resolve overpumpage and other permit condition violations. The Governing Board requested that District staff work with Permittee for 30 days in an attempt to make substantial progress in resolving the compliance matter, and report back to the Governing Board at its July meeting. The matter was again presented to the Governing Board at its July 2010 meeting. Because substantial progress had not been made in resolving this matter, the Governing Board authorized initiation of litigation against Permittee. On August 19, 2010, the District issued an Administrative Complaint and Order (ACO), which was served on Permittee on September 3,

Item 15

2010. Permittee did not respond to the ACO, which became final by operation of law on September 21, 2010.

On March 11, 2011, the District filed a Complaint and Petition for Enforcement in circuit court to enforce the terms of the ACO. During the pendency of litigation, District staff and Permittee have continued to diligently explore settlement negotiations and have exchanged several proposed settlement options in an attempt to resolve the litigation. On November 17, 2011, Permittee requested that the District consider offsetting the payment of monetary penalties in exchange for the completion of mandated irrigation system upgrades which would enhance water conservation and system efficiency at Oakwood. On November 30, 2011, the District proposed a Settlement Agreement to Permittee, which provides for payment of \$6,000 in penalties and costs as follows:

- \$2,000 in enforcement costs; and
- \$4,000 in penalties to the District. As an alternative to paying \$4,000 in penalties, Permittee may elect to implement consumption reduction-related irrigation system upgrades costing at least \$4,000 to assist in reducing total consumption. The cost of the irrigation system upgrades shall provide a dollar-for-dollar offset of the penalties. Should the cost of the irrigation system upgrades not provide a dollar-for-dollar offset of the penalties, Permittee shall pay to the District \$4,000 in penalties, minus any amounts expended in irrigation system upgrades.

Additionally, the proposed settlement agreement requires Permittee to submit a WUP renewal application to the District by March 1, 2012, which shall include a water use plan demonstrating how Permittee will come into and remain in compliance with state statutes, District rules, and the terms of its Permit.

On December 2, 2011, the District received a signed Settlement Agreement from Permittee.

Staff Recommendation:

Approve the Settlement Agreement, and authorize the initiation of litigation if necessary to obtain compliance with the Settlement Agreement.

Presenter: Amy Wells Brennan, Staff Attorney

**Consent Agenda
January 31, 2012**

Executive Director's Report

Approve Governing Board Minutes – December 20, 2011 Monthly Meeting

Staff Recommendation:

See Exhibit

Approve the minutes as presented.

Presenter: Blake C. Guillory, Executive Director

MINUTES OF THE MEETING

GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

HAINES CITY, FLORIDA

DECEMBER 20, 2011

The Governing Board of the Southwest Florida Water Management District (SWFWMD) met for its regular meeting at 9:00 a.m. on December 20, 2011, at the Lake Eva Community Center (Banquet Hall) located in downtown Haines City, Florida. The following persons were present:

Board Members Present

H. Paul Senft, Chair
Hugh Gramling, Vice Chair
Douglas B. Tharp, Secretary
Albert G. Joerger, Treasurer
Jeffrey M. Adams, Member
Michael A. Babb, Member
Carlos Beruff, Member
Bryan K. Beswick, Member
Jennifer E. Closshey, Member
Neil Combee, Member
Randall S. Maggard, Member
Todd Pressman, Member (*via teleconference*)
Judith C. Whitehead, Member

Staff Members

Blake C. Guillory, Executive Director
Laura J. Donaldson, General Counsel
David T. Rathke, Chief of Staff
Mark A. Hammond, Division Director
Michael L. Holtkamp, Division Director
Alba E. Más, Division Director
Kurt P. Fritsch, Acting Division Director

Board's Administrative Support

LuAnne Stout, Administrative Coordinator
Linda De Jonge, Sr. Administrative Asst.

Board Member(s) Absent – None

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.SFWMD.org).

PUBLIC HEARING (Video A – 00:00)

1. **Call to Order**

Chair Senft called the meeting to order and opened the public hearing. He thanked Mr. Ken Sauer, City of Haines City Manager, and his staff for their assistance in holding the Board's meeting in this area. He noted that Mr. Ron Tyler, Haines City's Mayor, will be in attendance later in the morning.

Mr. Tharp noted a quorum was present.

2. **Pledge of Allegiance and Invocation**

Chair Senft led the Pledge of Allegiance to the Flag of the United States of America and offered the invocation.

Public Hearing

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

Chair Senft 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 speaker's 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 Senft 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. **Additions/Deletions to Agenda**

Mr. Guillory noted for the record one deletion to the meeting's agenda.

FINANCE & ADMINISTRATION COMMITTEE

The following item is deleted from consideration:

42. District Fleet Reduction

Mr. Joerger moved, seconded by Mr. Beswick, to approve the amended agenda. Motion carried unanimously. (Track 1 – 00:00/07:35)

The agenda's order of consideration was altered slightly at this time.

CONSENT AGENDA (Video A – 08:26)

Mr. Beswick declared a conflict of interest for Item 11.c. Mr. Tharp requested Item 9 be moved for Resource Management Committee discussion.

Regulation Committee

5. **Initiation and Approval of Amendments to Rule 40D-1.1010, Florida Administrative Code (F.A.C.), to Delete Requirement for Permittees to Publish Notices of Agency Action**

Staff recommended to approve the proposed amendment and authorize staff to proceed with rulemaking to amend Rule 40D-1.1010, F.A.C., to delete the requirement for permittees to publish notices of agency action on permit applications.

6. **Individual Water Use Permits**

a. **WUP No. 20002983.011 – Hernando County Utilities – West Hernando County Service Area (Hernando County)**

Staff recommended to approve the proposed permit as included in the Board's meeting materials.

b. **WUP No. 2000939.012 – West Florida Agro Limited – West Florida Agro Farm 2 (Manatee County)**

Staff recommended to approve the proposed permit as included in the Board's meeting materials.

Resource Management Committee

7. **Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to Adopt Minimum and Guidance Levels for Lake Carroll in Hillsborough County**

Staff recommended to initiate and approve rulemaking to amend Rule 40D-8.624, F.A.C., to delete the previously adopted guidance level and add new guidance and minimum levels for Lake Carroll in Hillsborough County as included in the Board's meeting materials.

8. **Initiation and Approval of Rulemaking to Amend Rule 40D-8.041, F.A.C., to Adopt Minimum Flows (MFLs) for Lower Myakka River and Accept Report**

Staff recommended to initiate and approve rulemaking to amend Rule 40D-8.041, Florida Administrative Code, to adopt minimum flows for the Lower Myakka River; and accept the Minimum Flows report entitled, "The Determination of Minimum Flows for the Lower Myakka River" dated December 2011.

9. **Land Use and Management Plans for the Flying Eagle Preserve and Potts Preserve**

This item was moved for discussion during the Resource Management Committee portion of the agenda.

10. **Authorize Submission of Preliminary Flood Insurance Rate Maps (FIRMs) to the Federal Emergency Management Agency (FEMA)**

a. **Highlands County – Highlands Lakes Watershed**

Staff recommended to authorize submission of the preliminary FIRMs for the Highlands Lakes watershed in Highlands County to the FEMA. Preliminary floodplain information was presented for review and comment during a public workshop held October 27, 2011.

b. **Citrus County – Tsala Apopka Watershed**

Staff recommended to authorize submission of the preliminary FIRMs for the Tsala Apopka watershed, including portions of Tsala Apopka Outlet, Inverness, Floral City and Lake Bradley planning units, in Citrus County to the FEMA. Preliminary floodplain information was presented for review and comment during a public workshop held September 1, 2011.

11. **Facilitating Agricultural Resource Management Systems (FARMS)**

a. **Orange-Co, LP - Bermont Grove - Amendment (H593) – Charlotte County**

b. **J.R. Paul Properties, Inc. (H656) – DeSoto County**

c. **DeSoto Land Investment, LLC (H657) – DeSoto County**

d. **John Crum Lake McLeod Blueberries (H655) – Polk County**

This item was moved for consideration during the Resource Management Committee portion of the agenda.

Finance & Administration Committee

12. **Budget Transfer Report**

Staff recommended to approve the Budget Transfer Report covering all budget transfers for November 2011.

13. **Facilitating Agricultural Resource Management Systems (FARMS) Program (H017) – Budget Transfer**

Staff recommended to approve the transfer of \$2,500,000 from the cancelled City of Punta Gorda's Brackish Groundwater RO project (H087) budgeted in Governing Board funds to the FARMS Program (H017) for future funding of agricultural BMP's consistent with FARMS Rule 40D-26, F.A.C.

14. **Information Resources Bureau**

a. **Water Management Information System Development – Supplemental Contractual Services**

Staff recommended to authorize a transfer of \$227,000 in FY2012 funds from existing Information Resources Bureau operational accounts for a capital lease payment and \$120,000 of prior year contractual services funds for Lotus Notes/Domino decommissioning to Water Management Information System (WMIS) contractual services accounts with the intent to acquire additional contractual services to support the WMIS development.

b. **Information Technology Analysis and Review – Request for Funding**

Staff recommended to (1) authorize the transfer of up to \$200,000 from General Fund FY2012 Contingency Reserves to fund the Information Technology Analysis; and (2) authorize staff to enter into an agreement with the most qualified vendor responding to Request for Quotes 12-1202, Information Technology and Analysis in an amount not to exceed \$200,000.

Executive Director's Report

15. **Approve Governing Board Minutes – November 29, 2011 Monthly Meeting**

Staff recommended to approve the minutes as presented.

Mr. Combee moved, seconded by Mr. Beruff, to remove Items 9 and 11, and approve the amended Consent Agenda. Motion carried unanimously. (Track 1 – 07:35/09:00)

Chair Senft relinquished the gavel to Regulation Committee Chair Beswick who called the Committee meeting to order.

REGULATION COMMITTEE (Video A – 09:52)

Discussion Items

16. Consent Item(s) Moved for Discussion – None
17. Denials Referred to the Governing Board – None

Submit & File Reports – None

Routine Reports

The following items were provided for the Committee's information.

18. Southern Water Use Caution Area Quantities
19. Overpumpage Report
20. E-Permitting Metrics: Online vs. Paper Applications
 - Ms. Más noted that usage of on-line submittals has increased seven percent this month.
21. Individual Permits Issued by District Staff
22. Resource Regulation Significant Initiatives

Resource Regulation Committee Chair Beswick adjourned the Committee meeting and relinquished the gavel to Chair Senft for consideration of Item 4. (Track 1 – 00/10:10)

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

Chair Senft noted that one speaker card was submitted.

Mr. David Gore, resident of Davenport, addressed his concerns for local water resources, deterioration of water quality and reduction of aquifer pressure. (Track 1 – 10:10/10:15)

Chair Senft relinquished the gavel to Resource Management Committee Chair Gramling who called the Committee meeting to order.

RESOURCE MANAGEMENT COMMITTEE (Video A – 3:38)

Discussion Items

23. Consent Item(s) Moved for Discussion

9. Land Use and Management Plans for the Flying Eagle Preserve and Potts Preserve

In response to Mr. Tharp's queries, Mr. Will Miller, Land Use Manager, Operations Bureau, said \$155,000 is budgeted for public safety and to protect the District's assets with the understanding that staff is exploring partnerships for the Boy Scouts. He said the Boy Scouts have informed the District that it cannot meet the financial responsibilities of the lease. Mr. Miller said meetings have been held with the Florida Fish and Wildlife Conservation Commission (FWC) and the Boy Scouts. He said the FWC would like to partner with the Boy Scouts and the issue is what interest in the property FWC would have to acquire to expend funds. Mr. Miller said a decision is needed in February relative to the partnerships or reconfiguring the property.

Mr. Chris Winn, FWC Southwest Regional Director, said the Commission is interested in partnering with the District and the Boy Scouts to pursue the vision for Flying Eagle Preserve. He said the Commission is determining what type of instrument would allow a partnership and expend funds on the property. In response to Mr. Tharp's question, Mr. Winn indicated he may have a determination by the end of February.

Mr. Tharp requested this item be placed on the Board's February agenda.

Mr. Maggard requested the estimated costs associated with the stated goals for land management plans be provided for the plans' 10-year planning horizon. Mr. Miller said staff can include that information in future plans.

Staff recommended to approve the Executive Summaries and updated Land Use and Management Plans for the Flying Eagle Preserve and Potts Preserve.

Mr. Tharp moved, seconded by Mr. Beruff, to approve Consent Agenda Item 9, Land Use and Management Plans for the Flying Eagle Preserve and Potts Preserve, as presented. Motion carried unanimously. (Track 1 – 15:30/27:21)

11. Facilitating Agricultural Resource Management Systems (FARMS)

a. Orange-Co, LP - Bermont Grove - Amendment (H593) – Charlotte County

This project is for the construction and operation of a 5.0-acre tailwater recovery reservoir. Staff recommended to (1) approve the Orange-Co, LP – Bermont Grove project amendment for a not-to-exceed project reimbursement increase of \$96,464 (\$73,961 to \$170,425) with \$48,232 provided by the Peace River Basin, \$48,232 provided by the Governing Board; (2) authorize the transfer of \$48,232 from fund 020 H017 Peace River Basin FARMS funds, and \$48,232 from fund 010 H017 Governing Board FARMS funds to the H593 Orange-Co, LP – Bermont Grove project fund; and (3) authorize the Resource Management Division Director to execute the agreement.

b. J.R. Paul Properties, Inc. (H656) – DeSoto County

This project is for the construction and operation of a 5.15-acre tailwater recovery reservoir. Staff recommended to (1) approve the J.R. Paul Properties, Inc. project for a not-to-exceed reimbursement of \$128,000 with \$64,000 provided by the Peace River Basin and \$64,000 provided by the Governing Board; (2) authorize the transfer of \$64,000 from fund 020 H017 Peace River Basin FARMS funds, and \$64,000 from fund 010 H017 Governing Board FARMS funds to the H656 J.R. Paul Properties, Inc. project fund; and (3) authorize the Resource Management Division Director to execute the agreement.

c. DeSoto Land Investment, LLC (H657) – DeSoto County

This project is for the construction and operation of a 5.0-acre tailwater recovery reservoir. Staff recommended to (1) approve the DeSoto Land Investment, LLC project for a not-to-exceed project reimbursement of \$548,900 with \$96,337 provided by the Peace River Basin and \$452,563 provided by the Governing Board; (2) authorize the transfer of \$96,337 from fund 020 H017 Peace River Basin FARMS funds, and \$452,563 from fund 010 H017 Governing Board FARMS funds to the H657 DeSoto Land Investment, LLC project fund; and (3) authorize the Resource Management Division Director to execute the agreement.

d. John Crum Lake McLeod Blueberries (H655) – Polk County

This project is for the construction and operation of a 0.8-acre tailwater recovery reservoir. Staff recommended to (1) approve the John Crum project for a not-to-exceed project reimbursement of \$41,810 with \$20,905 provided by the Peace River Basin Funds and \$20,905 provided by the Governing Board; (2) authorize the transfer of \$20,905 from fund 020 H017 Peace River Basin FARMS funds and \$20,905 from fund 010 H017 Governing Board FARMS funds to the H655 John Crum project fund; and (3) authorize the Resource Management Division Director to execute the agreement.

Mr. Combee moved, seconded by Ms. Closshey, to approve Consent Agenda Items 11.a., 11.b., 11.c. and 11.d., as presented. The motion carried with Mr. Beswick abstaining from the vote. (Track 1 – 27:21/28:18)

24. Hydrologic Conditions Status Report (Video A – 29:08)

Mr. Granville Kinsman, Manager, Hydrologic Evaluation Section, said the District is now two months into the eight-month dry season (October through May) and rainfall totals

during November were significantly below-normal in all regions of the District. Rainfall received during the month was light, scattered and associated with several weak cold front systems that moved through the District. The District-wide provisional 12-month rainfall deficit worsened and was approximately 2.9 inches below the long-term historical average, while the 24-month deficit worsened to 3.0 inches below-average and the 36-month deficit improved to 8.3 inches below-average. (Track 1 – 28:18/32:51)

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

At this time, Mr. Pressman joined the meeting via teleconference. (Video A – 33:36)

25. **Hunting Opportunities on the Green Swamp West Non-Wildlife Management Area (WMA), Green Swamp East Non-WMA, Green Swamp East Hampton Tract, Lower Hillsborough Wilderness Preserve and Cypress Creek Preserve**

Mr. Will Miller, Land Use Manager, Operations Bureau, said staff received approximately 1,000 comments through various venues including email, letter and various public meetings. Staff, in collaboration with Florida Fish and Wildlife Conservation Commission (FWC), developed draft final proposals for the subject five properties, which were presented at a public meeting on December 5, 2011 in Plant City. Mr. Miller reviewed the proposed recommendations for the five properties.

Mr. Chris Winn, FWC Southwest Regional Director, said the FWC has been working for the past two years as a partner to support the District in determining possible recreational use expansions when appropriate. He said the FWC recognizes there are concerns and differences of opinion about how to share these resources. (Track 2 – 00:00/16:10)

Responding to Board member questions, Mr. Jen Miller, PHA Biologist, Northeast Region, said none of these areas are over-populated with wildlife and briefly reviewed guidelines. (Track 2 – 16:10/22:35)

Committee Chair Gramling said a number of requests to speak have been submitted. He opened the floor for public comments and limited each person to two minutes. (Track 2 – 22:35/23:40, Video A – 56:20)

Mr. John Sparks, resident of Summerfield, voiced his concerns regarding passive recreational users' safety not being conducive with hunting. (Track 2 – 23:40/26:45)

Ms. Sandra Switzer, resident of Lakeland, expressed her concerns for hunting on recreational use lands. She said passive users have been on the increase and expect to be able to use public lands without worry. Mr. Combee asked Ms. Switzer if she thinks the public would support a fee for passive uses like bird watching, hiking, horseback riding, etc., to offset costs for maintenance. Ms. Switzer replied affirmatively. (Track 3 – 00:00/03:28)

Mr. Joe Richards, representing the Pasco County Attorney's Office, said he was here on behalf of the Board of County Commissioners of Pasco County to speak in opposition to the hunting proposal for Cypress Creek Preserve because of extensive passive recreational use and nearby residential subdivisions and schools. (Track 4 – 00:00/01:53)

Ms. Katy Roberts, resident of Safety Harbor, thanked District staff for the hard work they do. She expressed her concerns for protecting lands, Florida's unique habitats, and recreational use. She noted that past land management plans show that these lands were designated non-hunting for good reasons. (Track 5 – 00:00/02:13)

Ms. Candace Arnold, resident of St. Petersburg, voiced her concerns since the previous site evaluations have shown that hunting is not appropriate for a number of reasons. (Track 6 – 00:00/02:32)

Mr. Shaun Beinstein, resident of Lutz, said he opposes hunting on the Cypress Creek Preserve because of the proximity to his neighborhood and safety for local families. (Track 7 – 00:00/00:33)

Mr. Brad Spacone, resident of Land O'Lakes, said he opposes hunting on the Cypress Creek Preserve due to the location and liability to schools, neighborhoods and the Tampa Bay Water infrastructure. (Track 8 – 00:00/02:25)

Mr. Andy Scaglione, resident of Tampa, said he opposes hunting on the Cypress Creek Preserve because of the proximity to schools and neighborhoods. He provided photographs of the area for the Board's information. (Track 8 – 02:25/05:27)

Mr. Dan Aprile, resident of Temple Terrace and representing several neighbors whose property is next to the Cypress Creek Preserve, voiced their opposition to the proposed hunting scenario. (Track 9 – 00:00/00:37)

Mr. Russell J. Watrous, resident of Land O'Lakes, spoke in opposition to the proposed hunting for the Cypress Creek Preserve. He provided photographs of the area for the Board's information. (Track 10 – 00:00/02:15)

Ms. Maureen George, resident of Lakeland, spoke in opposition to the proposed hunting for the Cypress Creek Preserve. (Track 11 – 00/02:14)

Mr. Warren Hogg, representing Tampa Bay Water, said he speaks on behalf of the TBW Board of Directors which voted on Monday to request the Governing Board to not allow hunting on the Cypress Creek Preserve to avoid the potential for conflicts between passive recreationists and hunters. (Track 12 – 00:00/00:43)

Mr. Dennis Dutcher, representing the United Water Fowlers of Florida, expressed support for the extension of hunting. (Track 13 – 00:00/02:38)

Mr. Truman Prevatt, resident of Brooksville and a Board member of the Back Country Horsemen of America, relayed an incident of an altercation with a hunter and voiced opposition to the extension of hunting. (Track 14 – 00:00/03:26)

Mr. Eugene Kelly, representing the Florida Native Plant Society (FNPS), said the FNPS submitted a letter to the Governing Board for the record. He noted that the FNPS is not anti-hunting but is for land management of the natural resources. He expressed concern that resources will be redirected away from land management and access reduced for non-hunting users. (Track 15 – 00:00/02:30, Video A – 90:50)

Board members discussed the proposed hunting scenarios. Messrs. Miller and Winn responded to questions and provided clarification. (Track 15 – 02:30/10:05)

Mr. Gregg Eason, FWC Law Enforcement Captain, answered questions regarding laws and local ordinances. He said officers are proactive in new areas and where complaints occur. He noted that officers are not necessarily assigned to a hunt because there are hundreds of hunts occurring simultaneously. (Track 15 – 10:05/13:00)

Mr. Warren Hogg said, for the record, since July 2011 TBW staff has discussed this proposal with District staff to address TBW staff's concerns but has never approved or disapproved of the proposal. He said, from a policy basis, the TBW Board of Directors says this agency does not support hunting because of the potential interaction and conflict between hunting and passive recreation; it is a public safety issue. He said the TBW Board of Directors has respectfully requested that the Governing Board consider its concerns and not allow hunting on the Cypress Creek property. (Track 15 – 13:00/14:38)

Board members continued asking questions for clarification by the appropriate District or FWC staff member. Ms. Closshey suggested significant signage be posted to give warning. Chair Senft asked whether there was policy which would prohibit signage. Mr. Miller said signage can be posted at an expense. (Track 15 – 14:38/28:34)

Mr. Miller presented each staff recommendation for the Board's consideration.

Staff recommended to (1) authorize staff to amend the Land Use and Management Plan for the Lower Hillsborough Flood Detention Area (FDA) to allow hunting, (2) authorize staff to enter into agreement with FWC to manage hunting on this tract, and (3) authorize the Bureau Chief to execute the agreement with FWC.

Mr. Combee moved, seconded by Mr. Beruff, to approve the staff recommendation for the Lower Hillsborough Flood Detention Area, as presented. Motion carried unanimously. (Track 15 – 28:34/29:11)

Staff recommended to (1) authorize staff to amend the Land Use and Management Plan for the Green Swamp West non-WMA lands to allow hunting, (2) authorize staff to enter into agreement with an entity to manage hunting on this tract, and (3) authorize the Bureau Chief to execute that agreement.

Mr. Combee moved, seconded by Ms. Closshey, to approve the staff recommendation for the Green Swamp West non-Wildlife Management Area properties, as presented. Motion carried unanimously. (Track 15 – 29:11/29:44)

Staff recommended to approve not increasing hunting opportunities on the Green Swamp East non-WMA lands.

Mr. Tharp moved, seconded by Mr. Combee, to approve not increasing hunting opportunities on the Green Swamp East non-Wildlife Management Area lands. Discussion ensued regarding budgetary concerns, fees for all users, and maintenance costs. **Motion carried unanimously.** (Track 15 – 29:44/35:52)

Staff recommended to approve not increasing hunting opportunities on the Green Swamp East Hampton Tract.

Mr. Tharp moved, seconded by Mr. Beruff, to approve not increasing hunting opportunities on the Green Swamp East Hampton Tract. Motion carried unanimously. (Track 15 – 35:52/36:34)

Staff recommended to (1) authorize staff to amend the Land Use and Management Plan for the Cypress Creek to allow hunting, (2) authorize staff to enter into agreement with FWC to manage hunting on this tract, and (3) authorize the Bureau Chief to execute the agreement with FWC.

Ms. Closshey moved, seconded by Mr. Pressman, to not accept the staff recommendation and to deny amending the Land Use and Management Plan for the Cypress Creek Preserve to allow hunting. Discussion ensued regarding TBW staff activities on the property, proximity to residents and schools, and reduction of days or trial period to see level of interest. **The motion carried with Messrs. Combee and Tharp voting in opposition.** (Track 15 – 36:34/56:45)

Mr. Tharp moved to accept the staff recommendation for the Land Use and Management Plan for the Cypress Creek Preserve to allow hunting, to reduce the number of hunt days to six; and, during that period of time, District staff are on-site to warn the general public that these are hunt days and they enter at their own risk.

Chair Senft seconded the motion. In response to the question whether staff time was budgeted to cover the expense, Mr. Miller said these activities will occur in FY2012-13 so can be budgeted. **The motion failed with two voting in favor (Messrs. Tharp and Senft) and eleven voting in opposition.** (Track 15 – 56:45/61:23)

Mr. Pressman ended participation via teleconference. (Video A – 149:45)

26. **Sustainable Water Resources Management Plan for the Peace Creek Watershed**

Mr. Mike Britt, Natural Resources Division Director for the City of Winter Haven, provided a presentation on the Peace Creek Watershed and the plan adopted by the City. The presentation included (1) the unique attributes of the Peace Creek Watershed, (2) the historical flow of water within the watershed, (3) the current condition of water resources within the watershed, and (4) recommendations within the Sustainable Water Resource Management Plan, including local objectives for water resources and the use of incentives and partnerships for future restoration. (Track 16 – 00:00/18:25)

Chair Senft complimented Mr. Britt and staff for the work being done. Ms. Closshey requested District staff review the plan for policy implications for presentation at a future meeting. Mr. Combee expressed his appreciation. (Track 16 – 18:25/27:23)

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

27. **Lake Eva Water Quality Improvement Project** (Video A – 177:10)

Mr. Keith Kolasa, Senior Environmental Scientist, Resource Projects Bureau, provided an overview of the Lake Eva project and an opportunity for the Board to tour the project site as it was located within walking distance of the Board's meeting location. (Track 17 – 00:00/10:23)

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

Committee Chair Gramling recessed the Committee meeting at 12:08 p.m. to provide a lunch break. (Track 17 – 00:00/10:23, Video A – 187:28). The site tour began at 12:45 p.m.

The meeting reconvened at 1:08 p.m. (Video B – 00:00)

28. **Facilitating Agricultural Resource Management Systems (FARMS) Program Update**

Mr. Eric DeHaven, Chief, Natural Systems and Restoration Bureau, reviewed the District's FARM program progress. The Program has made towards its five main goals:

- (1) Improvement of water quality affected by the use of mineralized groundwater for agricultural practices as documented in the Shell and Prairie Creek (SPJC) Watershed Management Plan – Reasonable Assurance Documentation;
 - (2) Improvement in natural systems in the Upper Myakka River Watershed (UMRW) – Flatford Swamp impacted by agricultural practices;
 - (3) Reductions in Upper Floridan aquifer agricultural withdrawals that will improve groundwater conditions as documented in the Southern Water Use Caution Area;
 - (4) Maintaining groundwater use for agricultural needs at sustainable levels within the Northern District region; and
 - (5) Reduction of agricultural frost/freeze groundwater pumping within the Dover/Plant City Water Use Caution Area as documented in the management plan for this region.
- (Track 18 – 00:00/13:27)

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

Committee Chair Gramling requested staff provide a report on land use fees at a future meeting.

Submit & File Reports

The following items were submitted for the Committee's information.

29. **Update on Proposed Minimum Flows for the Freshwater Portion of the Little Manatee River Prior to Independent Scientific Peer Review** (B181)
30. **Surplus Lands Assessment Update**

Routine Reports

The following items were provided for the Committee's information.

31. **Minimum Flows and Levels**
32. **Structure Operations**
33. **Watershed Management Program and Federal Emergency Management Agency Map Modernization**
34. **Significant Water Supply and Resource Development Projects**

Resource Management Committee Chair Gramling adjourned the Committee meeting and relinquished the gavel to Outreach and Planning Committee Chair Adams who called the Committee meeting to order. (Track 19 – 00:00/02:09)

OUTREACH & PLANNING COMMITTEE (Video B – 15:45)

Discussion Item

35. **Fiscal Year 2013 Cooperative Funding Policies, Procedures and Budget**
Ms. Lou Kavouras, Chief, Board & Executive Services and Ombudsman Bureau, summarized the cooperative funding applications received by region, reviewed the schedule for project evaluation and ranking, and described elements of the planned outreach efforts. The Cooperative Funding Public Meetings are proposed as follows:

| | | |
|------------------|---------------------|-------------------------|
| Northeast Region | February 7, 9 a.m. | District Headquarters |
| Tampa Bay Region | February 9, 9 a.m. | Tampa Service Office |
| Heartland Region | February 13, 1 p.m. | Bartow Service Office |
| Southeast Region | February 15, 1 p.m. | Sarasota Service Office |

Ms. Kavouras said the Board adopted Board Policy 130-4 for the purpose of implementing the District's Cooperative Funding Initiative and was last updated in December 2007. She noted the Policy also establishes Board policy and priorities, outlines types of projects to be considered, and provides specific direction for consideration of alternative water supply projects. Ms. Kavouras briefly reviewed suggested administrative amendments to Board Policy 130-4 reflecting the District's recent organizational changes.

Mr. Beruff moved, seconded by Mr. Maggard, to approve the amended Board Policy 130-4, Cooperative Funding Initiative, as presented. (Track 20 – 00:00/12:22)

In response to Ms. Closshey's concerns, Ms. Kavouras said there is wording in the procedure that, if the District is funding the planned development of a project, it is not eligible for reimbursement until actual construction of the project has occurred. Mr. Hammond noted that it is covered in contracts.

Motion carried unanimously. (Track 20 – 12:22/15:40)

Submit & File Report

The following item was submitted for the Committee's information.

36. **Legislative Update**

Routine Reports

The following items were provided for the Committee's information.

37. **Comprehensive Plan Amendment and Related Reviews**
38. **Development of Regional Impact Activity Report**
39. **Significant Activities**

Outreach and Planning Committee Chair Adams adjourned the Committee meeting and relinquished the gavel to Finance and Administration Committee Chair Joerger. (Track 20 – 15:40/16:00)

FINANCE & ADMINISTRATION COMMITTEE (Video B – 32:15)

Discussion Items

40. **Consent Item(s) Moved for Discussion** – None

41. **Preliminary Fiscal Year 2012-13 Budget**

Mr. Fritsch provided an overview of the preliminary budget for FY2012-13 prepared for submission to the Legislature. He said the Florida Department of Environmental Protection (FDEP) requested water management districts submit budgets to the Legislature prior to the start of session for an ad valorem cap-setting exercise. Mr. Fritsch said the budget has been prepared consistent with the Board's November 29, 2011 direction. He noted that, on December 5, District staff submitted a draft preliminary budget to FDEP for review and comment. (Track 20 – 16:00/26:46)

Discussion ensued regarding basin reserve funds and District reserves.

Staff recommended authorization to submit the preliminary budget for FY2012-13, as presented to the Board on December 20, 2011, to the Florida Legislature prior to the start of the session on January 10, 2012.

Ms. Closshey moved, seconded by Mr. Gramling, to authorize submission of the preliminary budget as presented for FY2012-13 to the Florida Legislature. Motion carried unanimously. (Track 20 – 26:46/33:25)

42. **District Fleet Reduction**

This item was deleted from consideration.

Submit & File Report

The following item was submitted for the Committee's information.

43. **Office of Inspector General – Annual Report for Fiscal Year 2011**

Routine Reports

The following items were provided for the Committee's information.

44. **Treasurer's Report, Payment Register and Contingency Funds Report**

45. **Monthly Financial Statement**

46. **Management Services Significant Activities**

Finance and Administration Committee Chair Joerger adjourned the Committee meeting and relinquished the gavel to Chair Senft. (Track 20 – 33:25/34:12)

GENERAL COUNSEL'S REPORT (Video B – 50:20)

Ms. Donaldson noted that she will schedule individual meetings with Board members to introduce herself. She briefly discussed a change being made in her office regarding how Division of Administrative Hearings will be handled.

Discussion Items – None

Submit & File Reports – None

Routine Reports

The following items were provided for the Board's information.

- 47. **Litigation Report**
- 48. **Rulemaking Update**
(Track 21 – 00:00/01:57)

COMMITTEE/LIAISON REPORTS (Video B – 52:17)

- 49. **Liaison Reports**
 - Chair Senft noted that a copy of the December Tampa Bay Regional Planning Council meeting report was provided to each Board member. (Track 22 – 00:00/00:17)

EXECUTIVE DIRECTOR'S REPORT (Video B – 00:00)

- 50. **Executive Director's Report**
 - Mr. Guillory noted that staff is continuing to work toward a paperless Board packet in the near future. (Track 23 – 00:00/01:00)

CHAIR'S REPORT (Video B – 53:27)

- 51. **Chair's Report**
 - In response to Chair Senft's request, Mr. Adams provided his analysis of retaining a Board legal counsel. He concluded that the Board does not need to establish a retainer arrangement for outside counsel and suggested addressing the need as it arises. **Ms. Closshey moved, seconded by Mr. Tharp, to accept Mr. Adam's report and recommendation. Motion carried unanimously.** (Track 23 – 01:00/13:55)
 - Chair Senft said, since staff duties have changed, he proposes establishing the Operations and Land Management Committee through the end of his term as Chair (May 2012). **Mr. Maggard moved, seconded by Mr. Beruff, to form the Operations and Land Management Committee. Motion carried unanimously.** Chair Senft requested Board members contact Ms. Kavouras if interested in serving on the Committee. (Track 23 – 13:44/14:08, Track 24 – 00:00/02:05, Video B – 66:30)

There being no further business to come before the Board, Chair Senft recessed the public hearing and adjourned the meeting at 2:15 p.m. (Track 24 – 02:05/02:27, Video – 69:20)

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 Director, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352) 796-7211, ext. 4702, or 1-800-423-1476 (FL only), ext. 4702; TDD (FL only) 1-800-231-6103; or email to ADACoordinator@swfwmd.state.fl.us.

Governing Board Meeting January 31, 2012

REGULATION COMMITTEE

Discussion Items

- 17. Consent Item(s) Moved for Discussion
- 18. Individual Water Use Permit No. 20009791.008 –
Citrus County Water Resources/Sugarmill Woods (10 minutes) 2
(Strategic Plan: Water Supply – Regulation)
- 19. Denial(s) Referred to the Governing Board 24

Submit & File Report

- 20. Public Supply Report 25

Routine Reports

- 21. Southern Water Use Caution Area Quantities 41
- 22. Overpumpage Report 42
- 23. E-Permitting Metrics: Online vs. Paper Applications 44
- 24. Individual Permits Issued by District Staff 45
- 25. Resource Regulation Significant Initiatives Report 46

**Regulation Committee
January 31, 2012**

Discussion Item

Individual Water Use Permit - WUP No. 20009791.008 - Citrus County Water Resources - Sugarmill Woods - Citrus County

This is a modification of an existing water use permit for public supply in Citrus County. The Annual Average quantity is 2,211,000 gallons per day (gpd) and the Peak Month quantity is 2,985,000 gpd. The Annual Average quantity increases by 147,000 gpd (from 2,064,000 to 2,211,000 gpd) and the Peak Month quantity decreases by 111,000 gpd (from 3,096,000 to 2,985,000 gpd). The authorized quantities are based on the District's modeled population projection and the five-year average per capita. The permit expires on February 24, 2015.

Special conditions on the permit include submission of metered groundwater withdrawal quantities from the production wells; preparation of an annual report describing the operations of the withdrawal facilities and assessment of the water resources and environmental systems; pumpage flexibility; water-quality sampling; water audit; continuation of the environmental monitoring program; adherence to the water conservation program received by the District in September 2011; and compliance with the per-capita rates.

This permit application meets all Rule 40D-2, Florida Administrative Code, criteria.

This item was provided to the District Governing Board for consideration on November 29, 2011. The Board requested that this item be brought back for further discussion at the January 31 meeting and that the applicant be invited to present and answer questions. The Board requested that water use per capita information also be presented at that time.

Staff Recommendation:

See Exhibits

Approve the proposed permit attached as exhibits.

Presenter: Bobby Lue, P.E., Director, Brooksville Regulation Department

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
INDIVIDUAL
PERMIT NO. 20 009791.008**

DRAFT

PERMIT ISSUE DATE: January 31, 2012

EXPIRATION DATE: February 24, 2015

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

TYPE OF APPLICATION: Modification

GRANTED TO: Citrus County Water Resources De c/o Robert Knight Director
1300 S Lecanto Highway
Lecanto, FL 34461

PROJECT NAME: Sugarmill Woods

WATER USE CAUTION AREA: NOT IN A WUCA

COUNTY: Citrus

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

| | |
|-------------------------|---------------|
| ANNUAL AVERAGE | 2,211,000 gpd |
| PEAK MONTH ¹ | 2,985,000 gpd |

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

ABSTRACT:

This is a modification of an existing public supply permit in Citrus County. The Annual Average quantity is 2,211,000 gallons per day (gpd) and the Peak Month quantity is 2,985,000 gpd. These quantities will be provided by eight existing wells (District ID Nos. 3, 4, 5, 6, 7, 8, 9, and 11/Permittee ID Nos. 5, 6, 8, 9, 10, 11, 12, and 14) and two proposed wells (District ID Nos. 10 and 12/Permittee ID Nos. 13 and 15). The Annual Average quantity increases by 147,000 gpd (from 2,064,000 to 2,211,000 gpd) from the previous permit. The Peak Month quantity decreases by 111,000 gpd (from 3,096,000 to 2,985,000 gpd). Quantities are changed from the previous permit because of modifications to population projections and per-capita rates.

Special conditions on the permit include submission of metered groundwater withdrawal quantities from the production wells; preparation of an annual report describing the operations of the withdrawal facilities and assessment of the water resources and environmental systems; pumpage flexibility; water-quality sampling; water audit; continuation of the environmental monitoring program; adherence to the water conservation program received by the District in September 2011; and compliance with the per-capita rate.

WATER USE TABLE (in gpd)

| <u>USE</u> | <u>ANNUAL AVERAGE</u> | <u>PEAK MONTH</u> |
|-------------------|----------------------------------|------------------------------|
| Public Supply | 2,211,000 | 2,985,000 |

USE TYPE

Residential Single Family

PUBLIC SUPPLY:

Population Served: 10,122
 Per Capita Rate: 218 gpd/person

WITHDRAWAL POINT QUANTITY TABLE

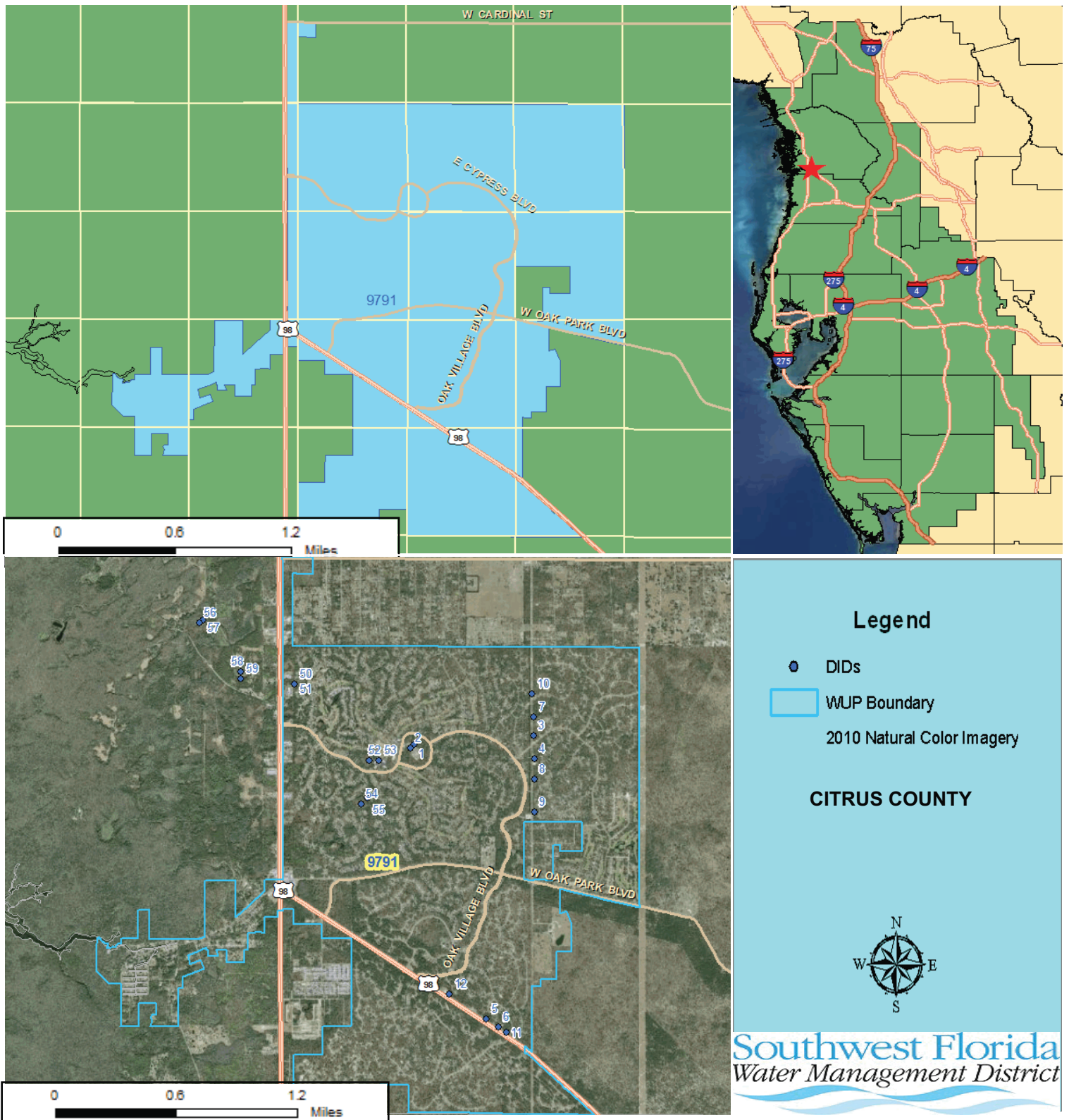
Water use from these withdrawal points are restricted to the quantities given below :

| <u>I.D. NO.</u> <u>PERMITTEE/ DISTRICT</u> | <u>DIAM (IN.)</u> | <u>DEPTH TTL./CSD.FT. (feet bls)</u> | <u>USE DESCRIPTION</u> | <u>AVERAGE (gpd)</u> | <u>PEAK MONTH (gpd)</u> |
|---|------------------------------|---|-------------------------------|---------------------------------|--|
| 5 / 3 | 10 | 250 / 158 | Public Supply | 108,000 | 117,500 |
| 6 / 4 | 10 | 312 / 203 | Public Supply | 108,000 | 117,500 |
| 8 / 5 | 10 | 450 / 175 | Public Supply | 211,500 | 300,000 |
| 9 / 6 | 10 | 165 / 113 | Public Supply | 211,500 | 300,000 |
| 10 / 7 | 12 | 340 / 173 | Public Supply | 248,000 | 315,000 |
| 11 / 8 | 12 | 280 / 225 | Public Supply | 248,000 | 315,000 |
| 12 / 9 | 12 | 265 / 152 | Public Supply | 280,000 | 400,000 |
| 13 / 10 | 12 | 325 / 170 | Public Supply | 248,000 | 360,000 |
| 14 / 11 | 12 | 207 / 176 | Public Supply | 300,000 | 400,000 |
| 15 / 12 | 12 | 250 / 150 | Public Supply | 248,000 | 360,000 |

WITHDRAWAL POINT LOCATION TABLE

| <u>DISTRICT I.D. NO.</u> | <u>LATITUDE/LONGITUDE</u> |
|---------------------------------|----------------------------------|
| 3 | 28° 44' 31.05"/82° 30' 59.67" |
| 4 | 28° 44' 20.90"/82° 30' 59.20" |
| 5 | 28° 42' 23.60"/82° 31' 23.40" |
| 6 | 28° 42' 19.90"/82° 31' 17.10" |
| 7 | 28° 44' 39.40"/82° 30' 59.60" |
| 8 | 28° 44' 11.53"/82° 30' 59.42" |
| 9 | 28° 43' 56.60"/82° 30' 59.20" |
| 10 | 28° 44' 49.73"/82° 31' 00.69" |
| 11 | 28° 42' 17.70"/82° 31' 13.20" |
| 12 | 28° 42' 34.67"/82° 31' 42.76" |

Location Map
Citrus County Water Resources De c/o Robert Knight Director
WUP No. 20 009791.008



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
Brooksville Regulation Department, Water Use Regulation
2379 Broad Street
Brooksville, Florida 34604-6899

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 average day and peak monthly, if applicable, quantities for all existing and proposed production wells, shown in the production withdrawal table are estimates based on historic and/or projected distribution of pumpage, and are for water use inventory and impact analysis purposes only. The quantities listed for these individual sources are not intended to dictate the distribution of pumpage from permitted sources. The Permittee may make adjustments in pumpage distribution as necessary up to 1.5 times on an average basis and on a peak monthly basis for the individual wells, so long as adverse environmental impacts do not result and the Permittee complies with all other conditions of this Permit. In all cases, the total average annual daily withdrawal and the total peak monthly daily withdrawal.(221)
3. The Permittee shall immediately implement the District-approved water conservation plan dated September 1, 2011, that was submitted in support of the application for this permit. Conservation measures that the Permittee has already implemented shall continue, and proposed conservation measures shall be implemented as proposed in the plan. Progress reports on the implementation of water conservation practices indicated as proposed in the plan as well as achievements in water savings that have been realized from each water conservation practice shall be submitted February 1, 2014.(449)
4. **ENVIRONMENTAL MANAGEMENT PLAN**

The Permittee shall continue the monitoring program in accordance with the Environmental Monitoring Plan received at the District on June 11, 2001, as specified below.

A. The Permittee shall maintain staff gages and piezometers in Wetlands A and B and the reference wetlands as indicated in the Environmental Management Plan. Water levels at the staff gages shall be recorded either when there is standing water in the wetlands or in the piezometers when there is not standing water in the wetlands. Water levels shall be recorded twice per month. The water level data associated with the wetlands indicated below in the table shall be submitted on a monthly basis. Water levels shall continue to be reported to the Brooksville Regulation Department, Water Use Regulation,

(on District forms) on or before the tenth day of the following month. All data shall be referenced to NGVD 1929. The frequency of recording may be modified by the Regulation Department Director, Resource Regulation, as necessary to ensure the protection of the resource.

| <u>District ID No.</u> | <u>Permittee ID No.</u> | <u>Monitoring Area/ Wetland</u> | <u>Re cording Frequency</u> |
|------------------------|-------------------------|-------------------------------------|---------------------------------|
| 52 or 53 | A-S or A-P | Wetland A | Twice per month |
| 54 or 55 | B-S or B-P | Wetland B | Twice per month |
| 56 or 57 | Ref1-S or Ref1-P | Re ference Wetland 1 | Twice per month |
| 58 or 59 | Ref2-S or Ref2-P | Re ference Wetland 2 | Twice per month |

To the maximum extent possible, water levels shall be recorded as indicated in the following Water Level Recording Timetable:

Twice per month: Same day of the first and third weeks of each month

B. The Permittee shall maintain the monitoring wells, District ID Nos. 50 and 51/Permittee ID Nos. SMW1 and SMW2. Water levels in the monitoring wells shall be recorded on a monthly basis as indicated in the table below and submitted on a monthly basis. Water levels shall be reported to the Brooksville Regulation Department, Water Use Regulation (on District forms) on or before the tenth day of the following month. All data shall be referenced to the NGVD. The frequency of recording may be modified by the Regulation Department Director, Resource Regulation, as necessary to ensure the protection of the resource.

| <u>District ID No.</u> | <u>Permittee ID No.</u> | <u>Monitoring Area/ Wetland</u> | <u>Re cording Frequency</u> |
|------------------------|-------------------------|-------------------------------------|---------------------------------|
| 50 | SMW1 | Northwest Area Monitor Well | Monthly |
| 51 | SMW2 | Northwest Area Monitor Well | Monthly |

To the maximum extent possible, water levels shall be recorded as indicated in the following Water Level Recording Timetable:

Monthly: Same week of each month

C. In April/May and September/October of each year, the Permittee shall perform wetland assessments as indicated in the Environmental Monitoring Plan. The wetland assessments shall include but not be limited to the following:

1. Quantitative and qualitative vegetative and faunal assessments of Wetlands A and B, and reference Wetlands 1 and 2;
2. Photographic documentation of the transect areas in each of those wetlands;
3. Soil subsidence monitoring.

D. By February 1 of each year, the Permittee shall submit an annual report on the water level monitoring and environmental assessments performed for the previous calendar year. The report must be signed and sealed by a qualified professional and shall include, but not be limited to the following:

1. Recent aerial maps of the Permittee's properties and surrounding area, including all monitored areas, with the following indicated:
 - a. A north arrow;
 - b. A scale designation;
 - c. Section, Township and Range lines;
 - d. The owned and leased property boundaries;
 - e. The location of all production wells labeled with District ID Nos.;
 - f. The outline of all monitored wetlands with identifying label;

- g. The location of all monitoring points labeled with District ID Nos.;
 - h. The outline of all other wetland and surface water bodies located on the maps;
2. Analysis of all water level data collected for the previous calendar year from monitor wells, staff gages, and piezometers, indicated above, which includes the following:
 - a. Graphs of water levels for each monitoring point;
 - b. An assessment of trends in water levels;
 - c. An assessment of how the water levels at the monitoring points relate to observed environmental conditions;
 3. Analysis of the two wetland assessments made during the previous calendar year, including the following:
 - a. A description of the environmental conditions of the previous year, including an evaluation of the rainfall data in the area;
 - b. An explanation of how the wetland assessments relate to the potable water production activity and environmental conditions of the previous years;
 - c. Photographic documentation;
 4. A complete description of any District approved mitigation activity which was required or necessary during that year;
 5. A summary of the relationships between the potable water production and the area water levels and environmental features.

E. A water level and water quality monitor well, staff gage, and piezometer maintenance program shall be ongoing for the life of the permit. This program shall be undertaken to insure the retrieval and reporting of accurate water level and water quality data. The Permittee shall also maintain the wellheads of the monitor wells and piezometers. Where water level recorders are not in use, this maintenance shall include secure, lockable, sliding or screw caps on all monitor wells. All monitor wells shall be maintained with a minimum of eighteen inches of casing above grade or ground surface.

F. If environmental impacts are observed, the Permittee shall submit for District approval, a proposed mitigation plan to mitigate the observed impacts. The mitigation plan shall be implemented immediately after District approval.

(512)

5. For the purpose of determining site-specific transmissivity of the Floridan aquifer system a step drawdown and constant rate specific capacity test shall be performed on District ID Nos. 10 and 12/Permittee ID Nos. 13 and 15, after the well has been fully developed. The test shall be performed in accordance with the specifications set forth in Part C - Water Use Design Aids, Design Aid 3, Section B, "Single Well Aquifer Test" on the District website, www.watermatters.org/permits/wup. Three copies of the testing methodology, recorded raw data and the results of the test shall be submitted to the Brooksville Regulation Department, Water Use Regulation, within thirty days of completion of the well if submitted in hardcopy or two copies are required if submitted on CD. Only one submission is required if submitted online via the District's data website; however, any color documentation shall also be scanned in color.

(530)

6. By 60 days after installation, the Permittee shall submit to the Brooksville Regulation Department, Water Use Regulation, the specific location of District ID Nos. 10 and 12/Permittee ID Nos. 13 and 15 on an original blue line aerial (the Permittee may use the District GIS maps from the website) with a minimum scale of 1-inch equals 800 feet or by latitude/longitude. If latitude and longitude are provided, the Permittee shall include instrumentation used to determine the data.

(537)

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(3)(a)(4), F.A.C. (568)

8. Beginning January 1, 2012, the Permittee shall comply with the following requirements:
 - A. Customer billing period usage shall be placed on each utility-metered, customer's bill.
 - B. Meters shall be read and customers shall be billed no less frequently than bi-monthly.
 - C. The following information, as applicable to the customer, shall be provided at least once each calendar year and a summary of the provisions shall be provided to the District annually as described in Section D, below. The information shall be provided by postal mailings, bill inserts, online notices, on the bill or by other means. If billing units are not in gallons, a means to convert the units to gallons must be provided.
 1. To each utility-metered customer in each customer class - Information describing the rate structure and shall include any applicable:
 - a. Fixed and variable charges,
 - b. Minimum charges and the quantity of water covered by such charges,
 - c. Price block quantity thresholds and prices,
 - d. Seasonal rate information and the months to which they apply, and
 - e. Usage surcharges
 2. To each utility-metered single-family residential customer - Information that the customer can use to compare its water use relative to other single-family customers or to estimate an efficient use and that shall include one or more of the following:
 - a. The average or median single-family residential customer billing period water use calculated over the most recent three year period, or the most recent two year period if a three year period is not available to the utility. Data by billing period is preferred but not required.
 - b. A means to calculate an efficient billing period use based on the customer's characteristics, or
 - c. A means to calculate an efficient billing period use based on the service area's characteristics.
 - D. Annual Report: The following information shall be submitted to the District annually by October 1 of each year of the permit term to demonstrate compliance with the requirements above. The information shall be current as of the October 1 submittal date.
 1. Description of the current water rate structure (rate ordinance or tariff sheet) for potable and non-potable water.
 2. Description of the current customer billing and meter reading practices and any proposed changes to these practices (including a copy of a bill per A above).
 3. Description of the means the permittee uses to make their metered customers aware of rate structures, and how the permittee provides information their metered single-family residential customers can use to compare their water use relative to other single-family customers or estimate an efficient use (see C.1 and 2 above).
- (592)
9. The Permittee shall maintain a water conserving rate structure for the duration of the permit term. Any changes to the water conserving rate structure described in the application shall be described in detail as a component of the next Annual Report on Water Rate, Billing and Meter Reading Practices of the year following the change. (659)
 10. The Permittee shall submit a "Water Use Annual Report" to the District by April 1 of each year on their water use during the preceding calendar year using the form, "Public Supply Water Use Annual Report Form" (Form No. LEG-R.047.00 (09/09)), referred to in this condition as "the Form," and all required attachments and documentation. The Permittee shall adhere to the "Instructions for Completion of the Water Use Annual Report" attached to and made part of this condition in Exhibit B. The Form addresses the following components in separate sections.

Per Capita Use Rate

A per capita rate for the previous calendar year will be calculated as provided in Part A of the Form using Part C of the Form to determine Significant Use deduction that may apply. Permittees that cannot achieve a per capita rate of 150 gpd according to the time frames included in the "Instructions for Completion of the Water Use Annual Report," shall include a report on why this rate was not achieved, measures taken to comply with this requirement, and a plan to bring the permit into compliance.

Residential Use

Residential use shall be reported in the categories specified in Part B of the Form, and the methodology used to determine the number of dwelling units by type and their quantities used shall be documented in an attachment.

Non-Residential Use

Non-residential use quantities provided for use in a community but that are not directly associated with places of residence, as well as the total water losses that occur between the point of output of the treatment plant and accountable end users, shall be reported in Part B of the Form.

Water Conservation

In an attachment to the Form, the Permittee shall describe the following:

1. Description of any ongoing audit program of the water treatment plant and distribution systems to address reductions in water losses.
2. An update of the water conservation plan that describes and quantifies the effectiveness of measures currently in practice, any additional measures proposed to be implemented, the scheduled implementation dates, and an estimate of anticipated water savings for each additional measure.
3. A description of the Permittees implementation of water-efficient landscape and irrigation codes or ordinances, public information and education programs, water conservation incentive programs, identification of which measures and programs, if any, were derived from the Conserve Florida Water Conservation Guide, and provide the projected costs of the measures and programs and the projected water savings.

Water Audit

If the current water loss rate is greater than 10 percent of the total distribution quantities, a water audit as described in the "Instructions for Completion of the Water Use Annual Report" shall be conducted and completed by the following July 1, with the results submitted by the following October 1. Indicate on Part A of the Form whether the water audit was done, will be done, or is not applicable.

Alternative Water Supplied Other Than Reclaimed Water

If the Permittee provides Alternative Water Supplies other than reclaimed water (e.g., stormwater not treated for potable use) to customers, the information required on Part D of the Form shall be submitted along with an attached map depicting the areas of current Alternative Water Use service and areas that are projected to be added within the next year.

Suppliers of Reclaimed Water

1. Permittees having a wastewater treatment facility with an annual average design capacity equal to or greater than 100,000 gpd:
The Permittee shall submit the "SWFWMD Annual Reclaimed Water Supplier Report" on quantities of reclaimed water that was provided to customers during the previous fiscal year (October 1 to September 30). The report shall be submitted in Excel format on the Compact Disk, Form No. LEG-R.026.00 (05/09), that will be provided annually to them by the District. A map depicting the area of reclaimed water service that includes any areas projected to be added within the next year, shall be submitted with this report.
2. Permittees that have a wastewater treatment facility with an annual average design capacity less than 100,000 gpd:
 - a. The Permittee has the option to submit the "SWFWMD Annual Reclaimed Water Supplier Report," Form No. LEG-R.026.00, as described in sub-part (1) above, or
 - b. Provide information on reclaimed water supplied to customers on Part E of the Form as described in the "Instructions for Completion of the Water Use Annual Report".

Updated Service Area Map

If there have been changes to the service area since the previous reporting period, the Permittee shall update the service area using the map that is maintained in the District's Mapping and GIS system. (660)

11. Water quality samples from the withdrawal points listed below shall be collected after pumping the withdrawal point at its normal rate for a pumping time specified below, or to a constant temperature, pH, and conductivity. The frequency of sampling per water quality parameter is listed in the table according to the withdrawal point. The recording and reporting shall begin according to the first sample date for existing wells and shall begin within 90 days of completion of any proposed wells. Samples shall be collected whether or not the well is being used unless infeasible. If sampling is infeasible, the Permittee shall indicate the reason for not sampling on the water quality data form or in the space for comments in the WUP Portal for data submissions. For sampling, analysis and submittal requirements see Exhibit B, Water Quality Sampling Instructions, attached to and made part of this permit.

Existing District ID No. 51/Permittee ID No. 51 for Chlorides, Sulfates, and Total Dissolved Solids after a minimum pumping time of 15 minutes, on a quarterly basis, with first sample due date of November 10, 2011.

(752)

12. Water quality samples shall be collected during reverse air drilling of the ground water wells listed below for the parameters specified at the depth intervals as well as from 150 feet to a maximum of 5 feet above the final depth of the well. Other appropriate methods of drilling that allow representative samples for each depth specified below to be collected may be used with prior approval by the Regulation Department Director, Resource Regulation. The Permittee's sampling procedure shall follow the handling and chain of custody procedures designated by the certified laboratory which will undertake the analysis. The results of the sampling program shall be due within 30 days of the completion of the construction of the well. For sampling, analysis and submittal requirements, see Exhibit B, attached to and made part of this permit.

District ID Nos. 10 and 12/Permittee ID No. 13 and 15 for Chlorides, Sulfates, and Total Dissolved Solids at a drilling interval of 30 feet or less.

(753)

13. This permit was issued Annual Average quantities based on a projected allowable per capita rate of 218 for a projected functional population of 10,122 in 2011. The Permittee shall reduce their actual compliance per capita rate to 193 by 2014, as reported in the Water Use Annual Report submitted April 1, 2015. The Permittee shall achieve an actual compliance per capita of 184 in 2015 based on the actual functional population in 10,974.

(65)

14. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Regulation Department Director: District ID Nos. 3, 4, 5, 6, 7, 8, 9, and 11/Permittee ID Nos. 5, 6, 8, 9, 10, 11, 12 and 14. Meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit. (719)

15. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID Nos. 10 and 12/Permittee ID Nos. 13 and 15. Meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit. (718)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

1. The Permittee shall provide access to an authorized District representative to enter the property at any reasonable time to inspect the facility and make environmental or hydrologic assessments. 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. The District shall collect water samples from any withdrawal point listed in the permit or shall require the permittee to submit water samples when the District determines there is a potential for adverse impacts to water quality.
4. 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.
5. The Permittee shall mitigate to the satisfaction of the District any adverse impact to environmental features or off-site land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Adverse impacts include the following:
 - A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other water courses; 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.
6. The Permittee shall mitigate, to the satisfaction of the District, any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Adverse impacts include the following:
 - 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 water courses; or
 - C. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of an aquifer or water body.
7. Notwithstanding the provisions of Rule 40D-1.6105, F.A.C., persons who wish to continue the water use permitted herein and who have acquired ownership or legal control of permitted water withdrawal facilities or the land on which the facilities are located must apply to transfer the permit to themselves within 45 days of acquiring ownership or legal control of the water withdrawal facilities or the land.
8. If any of the statements in the application and in the supporting data are found to be untrue and inaccurate, or if the Permittee fails to comply with all of the provisions of Chapter 373, Florida Statutes (F.S.), Chapter 40D, Florida Administrative Code (F.A.C.), or the conditions set forth herein, the Governing Board shall revoke this permit in accordance with Rule 40D-2.341, F.A.C., following notice and hearing.
9. Issuance of this permit does not exempt the Permittee from any other District permitting requirements.
10. 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.
11. 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.
12. The Permittee shall not deviate from any of the terms or conditions of this permit without written approval by the District.

13. 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.
14. 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.
15. In the event the District declares that a Water Shortage exists pursuant to Chapter 40D-21, F.A.C., the District shall alter, modify, or declare inactive all or parts of this permit as necessary to address the water shortage.
16. 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 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.
17. All permits issued pursuant to these Rules are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

Exhibit B
Instructions

METERING INSTRUCTIONS

The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter reading(s) shall be reported to the Permit Data Section, Performance Management Office on or before the tenth day of the following month. 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 Performance Management Office in Brooksville (352-796-7211) 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 Regulation Department Director.
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 percent different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.
6. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.
7. Broken or malfunctioning meter:
 - A. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
 - B. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
 - C. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.

8. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.
9. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

FLOW METER ACCURACY TEST INSTRUCTIONS

1. **Accuracy Test Due Date** - The Permittee is to schedule their accuracy test according to the following schedule:
 - A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.
 - B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.
 - C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.
 - D. For the Permittee's convenience, if there are multiple due-years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Permitting Department Director 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.
 - 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. with a notation of distances to these items.

WATER QUALITY INSTRUCTIONS

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

- 1. The sampling method(s) from both monitor wells and surface water bodies shall be designed to collect water samples that are chemically representative of the zone of the aquifer or the depth or area of the water body.
- 2. Water quality samples from monitor wells shall be taken after pumping the well for the minimum time specified (if specified) or after the water reaches a constant temperature, pH, and conductivity.
- 3. The first submittal to the District shall include a copy of the laboratory's analytical and chain of custody procedures. If the laboratory used by the Permittee is changed, the first submittal of data analyzed at the new laboratory shall include a copy of the laboratory's analytical and chain of custody procedures.
- 4. Any variance in sampling and/or analytical methods shall have prior approval of the Regulation Department Director, Resource Regulation.
- 5. The Permittee's sampling procedure shall follow the handling and chain of custody procedures designated by the certified laboratory which will undertake the analysis.
- 6. Water quality samples shall be analyzed by a laboratory certified by the Florida Department of Health utilizing the standards and methods applicable to the parameters analyzed and to the water use pursuant to Chapter 64E-1, Florida Administrative Code, "Certification of Environmental Testing Laboratories."
- 7. Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association-American Water Works Association-Water Pollution Control Federation (APHA-AWWA-WPCF) or Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency (EPA).
- 8. Unless other reporting arrangements have been approved by the Regulation Department Director, Resource Regulation, reports of the analyses shall be submitted to the Permit Data Section, Strategic Programs Office Department, online at the District WUP Portal or mailed in hardcopy on or before the tenth day of the following month. The online submittal shall include a scanned upload of the original laboratory report. The hardcopy submittal shall be a copy of the laboratory's analysis form. If for some reason, a sample cannot be taken when required, the Permittee shall indicate so and give the reason in the space for comments at the WUP Portal or shall submit the reason in writing on the regular due date.
- 9. Water quality samples shall be collected based on the following timetable for the frequency listed in the special condition:
- 10. The parameters and frequency of sampling and analysis may be modified by the District as necessary to ensure the protection of the resource.

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

ANNUAL REPORT SUBMITTAL INSTRUCTIONS

The "Public Supply Water Use Annual Report Form" (Form No. LEG-R.023.00 (01/09)), is designed to assist the Permittee with the annual report requirements, but the final authority for what must be included in the Water Use Annual Report is in this condition and in these instructions. Two identical copies of the "Public Supply Water Use Annual Report Form" and two identical copies of all required supporting documentation shall be included if submitted in hard copy. "Identical copy" in this instance means that if the original is in color, then all copies shall also be printed in color. If submitted electronically, only one submittal is required; however, any part of the document that is in color shall be scanned in color.

1. **Per Capita Use Rate** - A per capita rate for the previous calendar year will be progressively calculated until a rate of 150 gpd per person or less is determined whether it is the unadjusted per capita, adjusted per capita, or compliance per capita. The calculations shall be performed as shown in Part A of the Form. The Permittee shall refer to and use the definitions and instructions for all components as provided on the Form and in Part B, Chapter 3, Section 3.6 of the "Water Use Permit Information Manual." Permittees that have interconnected service areas and receive an annual average quantity of 100,000 gpd or more from another permittee are to include these quantities as imported quantities. Permittees in the Southern Water Use Caution Area (SWUCA) or the Northern Tampa Bay Water Use Caution Area (NTBWUCA), as it existed prior to October 1, 2007, shall achieve a per capita of 150 gpd or less, and those in these areas that cannot achieve a compliance per capita rate of 150 gpd or less shall include a report on why this rate was not achieved, measures taken to comply with this requirement, and a plan to bring the permit into compliance. Permittees not in a Water Use Caution Area that cannot achieve a compliance per capita rate of 150 gpd or less by December 31, 2019, shall submit this same report in the Annual Report due April 1, 2020.
2. **Residential Use** - Residential water use consists of the indoor and outdoor water uses associated with each category of residential customer (single family units, multi-family units, and mobile homes), including irrigation uses, whether separately metered or not. The Permittee shall document the methodology used to determine the number of dwelling units by type and the quantities used. Estimates of water use based upon meter size will not be accepted. If mobile homes are included in the Permittees multi-family unit category, the information for them does not have to be separated. The information for each category shall include:
 - A. Number of dwelling units per category,
 - B. Number of domestic metered connections per category,
 - C. Number of metered irrigation connections,
 - D. Annual average quantities in gallons per day provided to each category, and
 - E. Percentage of the total residential water use provided apportioned to each category.
3. **Non-Residential Use** - Non-residential use consists of all quantities provided for use in a community not directly associated with places of residence. For each category below, the Permittee shall include annual average gpd provided and percent of total non-residential use quantities provided. For each category 1 through 6 below, the number of metered connections shall be provided. These non-residential use categories are:
 - A. Industrial/commercial uses, including associated lawn and landscape irrigation use,
 - B. Agricultural uses (e.g., irrigation of a nursery),
 - C. Recreation/Aesthetic, for example irrigation (excluding golf courses) of Common Areas, stadiums and school yards,
 - D. Golf course irrigation,
 - E. Fire fighting, system testing and other accounted uses,-
 - F. K-through-12 schools that do not serve any of the service area population, and
 - G. Water Loss as defined as the difference between the output from the treatment plant and accounted residential water use (B above) and the listed non-residential uses in this section.
4. **Water Audit** - The water audit report that is done because water losses are greater than 10 percent of the total distribution quantities shall include the following items:
 - A. Evaluation of:
 - 1) leakage associated with transmission and distribution mains,

- 2) overflow and leakage from storage tanks,
- 3) leakage near service connections,
- 4) illegal connections,
- 5) description and explanations for excessive distribution line flushing (greater than 1 percent of the treated water volume delivered to the distribution system) for potability,
- 6) fire suppression,
- 7) un-metered system testing,
- 8) under-registration of meters, and
- 9) other discrepancies between the metered amount of finished water output from the treatment plant less the metered amounts used for residential and non-residential uses specified in Parts B and C above, and

B. A schedule for a remedial action-plan to reduce the water losses to below 10 percent.

5. **Alternative Water Supplied other than Reclaimed Water** - Permittees that provide Alternative Water Supplies other than reclaimed water (e.g., stormwater not treated for potable use) shall include the following on Part D of the Form:

- A. Description of the type of Alternative Water Supply provided,
- B. County where service is provided,
- C. Customer name and contact information,
- D. Customer's Water Use Permit number (if any),
- E. Customer's meter location latitude and longitude,
- F. Meter ownership information,
- G. General customer use category,
- H. Proposed and actual flows in annual average gallons per day (gpd) per customer,
- I. Customer cost per 1,000 gallons or flat rate information,
- J. Delivery mode (e.g., pressurized or non-pressurized),
- K. Interruptible Service Agreement (Y/N),
- L. Month/year service began, and
- M. Totals of monthly quantities supplied.

6. **Suppliers of Reclaimed Water** - Depending upon the treatment capacity of the Permittees wastewater treatment plant, the Permittee shall submit information on reclaimed water supplied as follows:

- A. Permittees having a wastewater treatment facility with an annual average design capacity equal to or greater than 100,000 gpd shall utilize the "SWFWMD Annual Reclaimed Water Supplier Report" in Excel format on the Compact Disk, Form No. LEG-R.026.00 (05/09). The "SWFWMD Annual Reclaimed Water Supplier Report" is described in Section 3.1 of Chapter 3, under the subheading "Reclaimed Water Supplier Report" and is described in detail in Appendix A to Part B, Basis of Review of the "Water Use Permit Information Manual."
- B. Permittees that have a wastewater treatment facility with an annual average design capacity less than 100,000 gpd can either utilize the "SWFWMD Annual Reclaimed Water Supplier Report," Form No. LEG-R.026.00, as described in sub-part (1) above or provide the following information on Part E of the Form:

- 1) Bulk customer information:
 - a) Name, address, telephone number,
 - b) WUP number (if any),
 - c) General use category (residential, commercial, recreational, agricultural irrigation, mining),
 - d) Month/year first served,
 - e) Line size,
 - f) Meter information, including the ownership and latitude and longitude location,
 - g) Delivery mode (pressurized, non-pressurized).
- 2) Monthly flow in gallons per bulk customer.
- 3) Total gallons per day (gpd) provided for metered residential irrigation.
- 4) Disposal information:
 - a) Site name and location (latitude and longitude or as a reference to the service area map),
 - b) Contact name and telephone,

- c) Disposal method, and
- d) Annual average gpd disposed.

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.

EXHIBIT B

Citrus County Water Resources - Sugarmill Woods Water Use Permit No. 20009791.008

| RECLAIMED WATER | | |
|--|--------------------------------|---|
| | CURRENT ¹ (2010) | PROJECTED ³ (2030) ⁴ |
| Total wastewater flow (gpd) WWTP | 480,000 | 930,000 |
| Reclaimed water available (gpd) ³ | 0 | 930,000 |
| Reclaimed water utilization (gpd) | 0 | 700,000 |
| Beneficially used (gpd) ² | 0 | 700,000 |
| Reclaimed water disposal (gpd) | 480,000 | 230,000 |
| Potable quality water offset (gpd) | 0 | 520,000 |
| Reclaimed water offset efficiency (%) | 0% | 75% |

¹ Florida Department of Environmental Protection Annual Report, (2010 data) for Sugarmill Woods WWTP.

² Sprayfields are excluded from the FDEP reported flows for this item.

³ Sugarmill Woods WWTP does not produce public access reclaimed water quality water and until it is upgraded, it cannot provide reuse to residential or golf course customers.

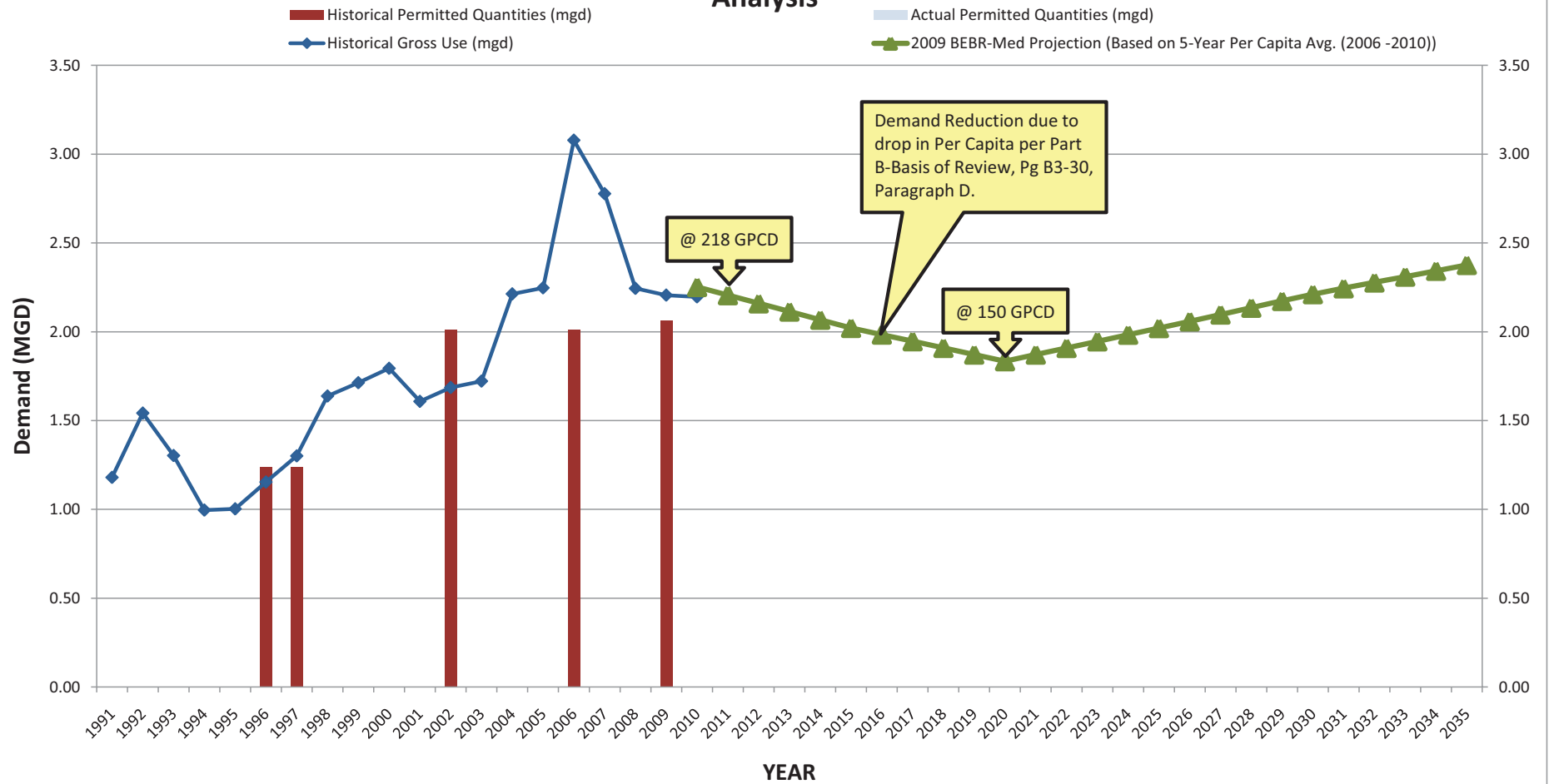
⁴ Per RWSP data (2010 version), contingent upon Citrus County upgrading Sugarmill Woods WWTP to Part III Public Access Reuse quality treatment.

| Water Conservation Information | |
|---|-----------------------------------|
| Category | Practice |
| <i>Single-Family Residential Rate Structures</i> | Inclined block - Water Conserving |
| Cost Region | 1 (Low) |
| Base Charge / Month | \$6.01 per month |

| Water Conservation Information | |
|---|---|
| Category | Practice |
| <i>Single-Family Residential Rate Structures</i> | Inclined block - Water Conserving |
| Block 1 range | 0 - 10,000 gallons: \$1.18 per 1,000 gallons |
| Block 2 range | 10,001 - 20,000 gallons: \$1.56 per 1,000 gallons |
| Block 3 range | 20,001 - 30,000 gallons: \$1.86 per 1,000 gallons |
| <i>Conservation Practices</i> | |
| <i>Permit Required</i> | Water Conservation Program Per Capita Rule |
| <i>Water Efficient Landscape and Irrigation Codes/Ordinances/ Administrative Regulations</i> | <p>Landscape/Irrigation Codes - Ordinance #2008-A24</p> <ul style="list-style-type: none"> • Florida friendly landscaping (Section 102-138) • Rain Sensor Ordinance (Section 102-138) <p>Water Shortage - Ordinance #2008-A09</p> <ul style="list-style-type: none"> • Declaration of Water Shortages (Section 66-36) • Duty to Enforce (Section 66-37) • Penalties (Section 66-38) • Citation Administrative Procedure (Section 66-39) <p>Water Restrictions – Ordinance #1991-03</p> <p>Florida friendly County Landscape Guidelines - AR:13.19-1</p> <p>Employee Water Conservation Education - AR: 12.10</p> <p>Stewardship Agreements for Drought Resistant Landscaping - AR: 13-14</p> |
| <i>Public Information and Education Programs</i> | <p>Since FY2001, Citrus County and the District have shared funding of a Florida-Friendly Landscaping™ (FFL) program — \$123,696 total with Citrus County and the District both providing \$61,848 for FY2012. FFL education outreach, which is conducted by two FFL staff includes: overseeing plant selection and landscape design for demonstration gardens at Sugarmill Woods entrances; producing the annual “Water Conservation and Management Workshop”; publishing and distributing a 20-page “FFL Guide for Community Associations and Residents to board members of 57 of the county’s largest deed-restricted communities; supporting the District’s “Skip a Week,” “Florida-Friendly Fertilizing” and “Watch the Weather, Wait to Water” promotions; guiding the builder of a model home in the Heritage community to create a FFL landscape for the home to the level of the District’s Florida Water Star criteria; and educating 9,508 people at 182 exhibiting of the FFL Consultation Tables at the Home Depot and Wal-Mart stores and other venues. In addition, the Citrus County Water Resources Department has promoted education on water conservation through outreach by community volunteers and the Citrus County Conservation Committee; the distribution of</p> |

| Water Conservation Information | |
|---|---|
| Category | Practice |
| <i>Single-Family Residential Rate Structures</i> | Inclined block - Water Conserving |
| | <p>information through newsletters, mailings, brochures and website and through the “Call before you install” customer service program that provides education on appropriate planting.</p> <p>In FY2011, the Water Resources Department began cooperating with the District on a Citrus County Water Conservation Education Pilot Program. This community-based social marketing project will be designed to reduce water use in Citrus County communities that have high water use such as, the Sugarmill Woods, Citrus Springs, and Pine Ridge communities. To date, the research stage, which included 12 focus groups comprised of residents, was recently concluded. The research report is due to the District by the end of December. The results will guide the education program.</p> |
| <i>Water Conservation Incentive Programs</i> | <ul style="list-style-type: none"> • N279 – Withlacoochee Regional Water Supply Authority (FY2011 CFI) • Citrus County Low-Flow Toilet Replacement Program • Citrus County Rain or Soil Moisture Sensor Rebate Program |
| <i>Alternative Water Supply Programs</i> | None |
| <i>Conserve Florida Guide (Y/N)</i> | Yes - Citrus County is in the process of developing a Conserve FL guide-based water conservation plan. A separate and comprehensive plan was submitted for this WUP renewal. |
| <i>Other</i> | As a condition of the District’s Consent Order with the county, in lieu of penalties for over-pumpage, the utility has agreed to hire water staff to administer a water conservation management and enforcement program throughout the county. |

Sugarmill Woods (WUP 9791) Historical Gross Use/Permitted Quantity/Projected Quantity Analysis



Regulation Committee January 31, 2012

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 for incompleteness, 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 E. Más, P.E., Director, Resource Regulation Division

Districtwide Major Utilities

Monthly Water Use 2010 through November 2011

This report shows the annual average and monthly water production for major public supply permittees throughout the District, including Tampa Bay Water; the cities of Tampa, Plant City, Dunedin, Clearwater and Temple Terrace and Pasco County in the Tampa Bay area; the Peace River/Manasota Regional Water Supply Authority and its member governments; the cities of Sarasota, Punta Gorda, Bradenton, Venice and the Englewood Water District in the southern region of the District; Polk County and the cities of Lakeland, Winter Haven, Haines City, Sebring and Auburndale in the "Heartland" area of the District; and The Villages, Marion, Citrus and Hernando counties, and On Top of the World communities in the northern District area.

Data from 2000 through 2010 is available on the District's website at <http://www.swfwmd.state.fl.us/documents/index.php#reports/>. The current data (previous year and current year to-date) will be included in the Governing Board packet on a quarterly basis (January, April, July and October).

TABLE OF CONTENTS

Tampa Bay Water 1

City of Tampa..... 3

Other Tampa Bay Area Permits..... 5

Peace River / Manasota Regional Water Supply Authority and Member Governments 7

Southern District 9

‘Heartland’ 11

Northern District 13

Tampa Bay Water Annual Average/Monthly Production (MGD)

Calendar Year 2010

| | Ground Water | | | | | | Surface Water | | | | | | | | | | | | | |
|------------|--------------|-------------|------------|-------------|------------|-------------|-------------------|-------------|-------------|-------------|------------|-------------|--|-------------|-----------------|-------------|----------------|-------------|--------------|-------------|
| | | | | | | | | | | | | | Tampa Bay Water Enhanced Surface Water Project | | | | | | | |
| | Consolidated | | SCHRWF | | BUDWF | | Tampa Hills. Int. | | US 301 Int. | | TBW Desal | | ESWP Total (1) | | TBC Middle Pool | | TBC Lower Pool | | Alafia River | |
| | Annual Avg | Monthly Avg | Annual Avg | Monthly Avg | Annual Avg | Monthly Avg | Annual Avg | Monthly Avg | Annual Avg | Monthly Avg | Annual Avg | Monthly Avg | Annual Avg | Monthly Avg | Annual Avg | Monthly Avg | Annual Avg | Monthly Avg | Annual Avg | Monthly Avg |
| Jan | 82.05 | 55.67 | 21.37 | 19.82 | 6.68 | 7.12 | 2.73 | 3.23 | 0.15 | 0.00 | 18.71 | 24.80 | 31.63 | 35.40 | 0.00 | 0.00 | 42.72 | 31.85 | 26.42 | 30.60 |
| Feb | 78.28 | 62.30 | 21.16 | 19.44 | 6.63 | 5.90 | 2.89 | 3.19 | 0.15 | 0.00 | 19.23 | 19.38 | 31.26 | 29.13 | 0.00 | 0.00 | 45.73 | 45.68 | 26.92 | 7.64 |
| Mar | 73.92 | 92.00 | 20.97 | 21.11 | 6.39 | 5.06 | 3.06 | 3.18 | 0.15 | 0.00 | 19.17 | 14.16 | 31.07 | 8.65 | 0.00 | 0.00 | 46.25 | 8.26 | 26.92 | 0.00 |
| Apr | 69.71 | 84.82 | 20.92 | 23.22 | 6.11 | 6.59 | 3.06 | 1.17 | 0.15 | 0.00 | 18.35 | 6.64 | 33.95 | 34.90 | 0.00 | 0.00 | 47.17 | 11.27 | 27.01 | 1.01 |
| May | 68.32 | 105.65 | 20.97 | 24.12 | 5.59 | 3.43 | 3.06 | 1.13 | 0.15 | 0.00 | 16.77 | 0.00 | 36.81 | 35.46 | 0.00 | 0.00 | 48.44 | 32.69 | 25.82 | 4.21 |
| Jun | 71.67 | 103.38 | 21.19 | 21.87 | 5.51 | 3.74 | 2.75 | 1.23 | 0.15 | 0.00 | 15.15 | 0.00 | 35.89 | 33.83 | 0.00 | 0.00 | 46.76 | 29.42 | 23.50 | 6.27 |
| Jul | 74.77 | 96.34 | 21.34 | 20.31 | 5.27 | 2.12 | 2.52 | 1.19 | 0.15 | 0.00 | 13.48 | 0.00 | 34.90 | 32.29 | 0.00 | 0.00 | 42.05 | 47.65 | 19.13 | 0.75 |
| Aug | 78.03 | 96.24 | 21.21 | 18.64 | 4.74 | 0.13 | 2.47 | 2.64 | 0.00 | 0.00 | 12.76 | 0.00 | 33.47 | 32.38 | 0.02 | 0.25 | 35.45 | 30.07 | 15.68 | 0.03 |
| Sep | 79.36 | 73.08 | 21.27 | 20.40 | 4.33 | 0.00 | 2.41 | 2.49 | 0.00 | 0.00 | 11.40 | 0.00 | 34.89 | 63.25 | 0.02 | 0.00 | 28.99 | 49.37 | 11.47 | 5.15 |
| Oct | 79.66 | 74.25 | 21.21 | 23.13 | 3.91 | 0.66 | 2.24 | 1.14 | 0.00 | 0.00 | 9.46 | 0.00 | 38.43 | 75.24 | 0.02 | 0.00 | 28.43 | 16.54 | 9.96 | 9.68 |
| Nov | 80.68 | 80.16 | 21.14 | 22.52 | 3.67 | 2.40 | 2.11 | 1.54 | 0.00 | 0.00 | 7.51 | 0.00 | 40.60 | 59.93 | 0.02 | 0.00 | 28.02 | 0.00 | 8.49 | 3.90 |
| Dec | 85.49 | 99.82 | 21.18 | 19.54 | 3.35 | 3.25 | 1.93 | 1.14 | 0.00 | 0.00 | 5.34 | 0.00 | 40.98 | 51.04 | 0.02 | 0.00 | 25.09 | 0.00 | 5.80 | 0.27 |

Tampa Bay Water Annual Average/Monthly Production (MGD)

Calendar Year 2011

| | Ground Water | | | | | | Surface Water | | | | | | | | | | | | | |
|-----|--------------|-------------|------------|-------------|------------|-------------|-------------------|-------------|-------------|-------------|------------|-------------|--|-------------|-----------------|-------------|----------------|-------------|--------------|-------------|
| | | | | | | | | | | | | | Tampa Bay Water Enhanced Surface Water Project | | | | | | | |
| | Consolidated | | SCHRWF | | BUDWF | | Tampa Hills. Int. | | US 301 Int. | | TBW Desal | | ESWP Total (1) | | TBC Middle Pool | | TBC Lower Pool | | Alafia River | |
| | Annual Avg | Monthly Avg | Annual Avg | Monthly Avg | Annual Avg | Monthly Avg | Annual Avg | Monthly Avg | Annual Avg | Monthly Avg | Annual Avg | Monthly Avg | Annual Avg | Monthly Avg | Annual Avg | Monthly Avg | Annual Avg | Monthly Avg | Annual Avg | Monthly Avg |
| Jan | 86.82 | 71.29 | 20.94 | 17.02 | 2.99 | 2.89 | 1.75 | 1.14 | 0.00 | 0.00 | 4.07 | 9.87 | 42.61 | 54.66 | 0.02 | 0.00 | 23.49 | 12.97 | 3.76 | 6.68 |
| Feb | 87.19 | 67.06 | 20.84 | 18.12 | 2.75 | 2.78 | 1.60 | 1.14 | 0.00 | 0.00 | 3.71 | 14.57 | 43.87 | 45.46 | 0.02 | 0.00 | 22.13 | 27.96 | 3.51 | 4.37 |
| Mar | 85.54 | 72.59 | 20.84 | 21.11 | 2.61 | 3.46 | 1.42 | 1.14 | 0.00 | 0.00 | 3.54 | 12.17 | 47.22 | 48.11 | 0.02 | 0.00 | 22.38 | 11.19 | 3.75 | 2.76 |
| Apr | 84.72 | 74.85 | 21.00 | 25.09 | 2.48 | 4.97 | 1.42 | 1.14 | 0.00 | 0.00 | 3.71 | 8.79 | 48.20 | 46.79 | 0.02 | 0.00 | 31.17 | 118.20 | 5.06 | 16.91 |
| May | 83.77 | 94.49 | 21.48 | 29.88 | 2.61 | 5.00 | 1.42 | 1.14 | 0.00 | 0.00 | 3.71 | 0.00 | 49.43 | 50.03 | 0.02 | 0.00 | 28.39 | 0.01 | 4.70 | 0.00 |
| Jun | 83.55 | 100.64 | 21.69 | 24.38 | 2.64 | 4.06 | 1.41 | 1.13 | 0.00 | 0.00 | 3.71 | 0.00 | 50.76 | 49.97 | 0.02 | 0.00 | 25.98 | 0.00 | 4.18 | 0.00 |
| Jul | 82.25 | 81.08 | 21.47 | 17.75 | 2.79 | 3.85 | 1.41 | 1.14 | 0.00 | 0.00 | 3.71 | 0.00 | 52.24 | 49.73 | 0.02 | 0.00 | 23.45 | 17.91 | 4.54 | 5.02 |
| Aug | 80.47 | 75.26 | 21.71 | 21.46 | 3.17 | 4.62 | 1.28 | 1.13 | 0.00 | 0.00 | 3.71 | 0.00 | 53.50 | 47.17 | 2.00 | 23.51 | 30.73 | 115.75 | 6.65 | 24.80 |
| Sep | 81.43 | 84.75 | 21.87 | 22.28 | 3.55 | 4.64 | 1.17 | 1.14 | 0.00 | 0.00 | 3.71 | 0.00 | 51.27 | 36.14 | 4.68 | 32.68 | 35.34 | 105.52 | 8.25 | 24.59 |
| Oct | 81.64 | 76.77 | 21.85 | 22.86 | 3.89 | 4.65 | 1.17 | 1.14 | 0.00 | 0.00 | 3.71 | 0.00 | 48.97 | 48.17 | 5.22 | 6.34 | 38.45 | 53.12 | 7.53 | 1.24 |
| Nov | 81.07 | 73.24 | 21.93 | 23.53 | 4.07 | 4.65 | 1.14 | 1.14 | 0.00 | 0.00 | 3.71 | 0.00 | 48.33 | 52.19 | 5.22 | 0.00 | 38.45 | 0.00 | 7.21 | 0.00 |

WUP

AAD: 90.00

24.10

6.00

85.00

17.51

Note:

Consolidated Permit - WUP 11771.001, Expiration Date=Jan. 25, 2021

SCHRWF - South Central Hillsborough Regional Wellfield - WUP 4352.006, Expiration Date=Dec. 31, 2020

BUDWF - Brandon Urban Dispersed Wellfield - WUP 11732.003, Expiration Date=Nov. 29, 2019

TBC - Tampa Bypass Canal - WUP 11796.002, Expiration Date=Dec. 31, 2030

Alafia River Project - WUP 11794.001, Expiration Date=Dec. 31, 2010 (Application In-House for .002)

ESWP - Enhanced Surface Water Project (Surface Water Delivered to the Regional TBW Water Treatment Plant)

(1) - TBC Middle Pool, TBC Lower Pool, and Alafia River may not sum to ESWP (does not include reservoir-filling quantities)

City of Tampa Annual Average/Monthly Production (MGD)

Calendar Year 2010

| | Hillsborough River SW | | Rome Avenue ASR GW * | | Imports from TBW System | | Aug from TBC to Hillsbor. River | | Aug from SSP to Hillsbor. River | |
|------------|-----------------------|--------------|----------------------|--------------|-------------------------|--------------|---------------------------------|--------------|---------------------------------|--------------|
| | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. |
| Jan | 61.72 | 67.91 | 2.46 | 0.00 | 7.32 | 0.00 | 8.39 | 0.00 | 0.99 | 0.00 |
| Feb | 63.58 | 65.90 | 1.98 | 0.00 | 5.53 | 0.00 | 6.84 | 0.00 | 0.86 | 0.00 |
| Mar | 66.01 | 64.26 | 1.21 | 0.00 | 3.26 | 0.00 | 4.84 | 0.00 | 0.59 | 0.00 |
| Apr | 68.77 | 65.78 | 0.52 | 0.00 | 1.45 | 0.00 | 3.14 | 0.00 | 0.33 | 0.00 |
| May | 70.95 | 65.76 | 0.56 | 6.62 | 0.00 | 0.00 | 1.76 | 0.00 | 0.07 | 0.00 |
| Jun | 70.00 | 67.03 | 1.12 | 6.76 | 0.00 | 0.00 | 1.74 | 0.00 | 0.07 | 0.00 |
| Jul | 69.78 | 75.85 | 1.12 | 0.00 | 0.00 | 0.00 | 1.74 | 0.00 | 0.00 | 0.00 |
| Aug | 69.39 | 75.46 | 1.12 | 0.00 | 0.00 | 0.00 | 1.74 | 0.00 | 0.00 | 0.00 |
| Sep | 69.27 | 73.64 | 1.12 | 0.00 | 0.00 | 0.00 | 1.74 | 0.00 | 0.00 | 0.00 |
| Oct | 69.63 | 78.14 | 1.12 | 0.00 | 0.00 | 0.00 | 3.03 | 16.10 | 0.00 | 0.00 |
| Nov | 69.52 | 69.05 | 1.12 | 0.00 | 0.31 | 3.83 | 3.57 | 25.36 | 0.00 | 0.00 |
| Dec | 68.20 | 49.43 | 1.12 | 0.00 | 1.89 | 18.54 | 5.26 | 21.24 | 0.00 | 0.00 |

City of Tampa Annual Average/Monthly Production (MGD)

Calendar Year 2011

| | Hillsborough River SW | | Rome Avenue ASR GW * | | Imports from TBW System | | Aug from TBC to Hillsbor. River | | Aug from SSP to Hillsbor. River | |
|------------|-----------------------|--------------|----------------------|--------------|-------------------------|--------------|---------------------------------|--------------|---------------------------------|--------------|
| | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. |
| Jan | 66.72 | 50.56 | 1.12 | 0.00 | 3.07 | 13.89 | 6.45 | 14.02 | 0.00 | 0.00 |
| Feb | 66.70 | 65.60 | 1.12 | 0.00 | 3.22 | 1.99 | 6.50 | 0.76 | 0.00 | 0.00 |
| Mar | 66.35 | 60.10 | 1.78 | 7.83 | 3.22 | 0.00 | 7.79 | 15.12 | 0.00 | 0.00 |
| Apr | 66.78 | 71.00 | 1.78 | 0.00 | 3.22 | 0.00 | 7.79 | 0.00 | 0.00 | 0.00 |
| May | 67.24 | 71.27 | 1.92 | 8.29 | 3.22 | 0.00 | 9.29 | 17.61 | 0.00 | 0.00 |
| Jun | 67.47 | 69.80 | 1.95 | 7.09 | 3.46 | 2.96 | 11.07 | 21.74 | 0.00 | 0.00 |
| Jul | 67.57 | 77.03 | 1.95 | 0.00 | 3.46 | 0.00 | 11.80 | 8.56 | 0.00 | 0.00 |
| Aug | 67.81 | 78.24 | 1.95 | 0.00 | 3.46 | 0.00 | 11.80 | 0.00 | 0.00 | 0.00 |
| Sep | 67.74 | 72.88 | 2.00 | 0.55 | 3.46 | 0.00 | 11.80 | 0.00 | 0.00 | 0.00 |
| Oct | 68.20 | 83.56 | 2.00 | 0.00 | 3.46 | 0.00 | 10.43 | 0.00 | 0.00 | 0.00 |
| Nov | 68.55 | 73.30 | 2.00 | 0.00 | 3.15 | 0.00 | 8.35 | 0.00 | 0.00 | 0.00 |

WUP

AAD: 82.00

2.74 *

20.00

Note: City of Tampa - WUP 2062.006, Expiration Date=Dec. 14, 2024

ASR - Aquifer Storage and Recovery (ground water recovery from ASR wells)

ASR storage volumes are subtracted from Hillsborough River Reservoir withdrawals to eliminate double accounting

SSP - Sulphur Springs withdrawal

* Injection/Withdrawal quantity based on FDEP permit (1-billion gallons in/1-billion gallons out per annual cycle)

Other Tampa Bay Area Permits Annual Average/Monthly Production (MGD)

Calendar Year 2010

| | City of Plant City GW | | City of Dunedin GW | | City of Clearwater GW | | Pasco County Utilities GW | | City of Temple Terrace GW | |
|------------|-----------------------|--------------|--------------------|--------------|-----------------------|--------------|---------------------------|--------------|---------------------------|--------------|
| | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. |
| Jan | 4.90 | 4.38 | 4.44 | 4.10 | 4.24 | 4.86 | 3.76 | 3.44 | 3.40 | 2.77 |
| Feb | 4.81 | 4.14 | 4.52 | 5.54 | 4.31 | 4.28 | 3.79 | 4.46 | 3.36 | 3.17 |
| Mar | 4.71 | 4.44 | 4.46 | 4.22 | 4.23 | 4.00 | 3.75 | 3.09 | 3.25 | 2.51 |
| Apr | 4.66 | 4.99 | 4.43 | 4.16 | 4.29 | 4.17 | 3.72 | 3.88 | 3.24 | 3.55 |
| May | 4.51 | 3.37 | 4.43 | 4.58 | 4.26 | 4.20 | 3.73 | 4.45 | 3.25 | 3.73 |
| Jun | 4.70 | 7.39 | 4.43 | 4.61 | 4.21 | 4.22 | 3.70 | 3.99 | 3.26 | 3.69 |
| Jul | 4.70 | 4.78 | 4.42 | 4.26 | 4.22 | 4.33 | 3.76 | 3.95 | 3.30 | 3.49 |
| Aug | 4.71 | 4.54 | 4.39 | 4.17 | 4.23 | 3.58 | 3.74 | 3.52 | 3.36 | 3.44 |
| Sep | 4.76 | 4.84 | 4.37 | 4.14 | 4.09 | 3.08 | 3.80 | 4.21 | 3.40 | 4.10 |
| Oct | 4.79 | 5.44 | 4.39 | 4.59 | 4.29 | 6.14 | 3.93 | 5.16 | 3.45 | 3.90 |
| Nov | 4.80 | 4.97 | 4.40 | 4.40 | 4.35 | 4.71 | 4.11 | 4.85 | 3.44 | 3.73 |
| Dec | 4.82 | 4.60 | 4.39 | 3.98 | 4.40 | 5.23 | 4.08 | 4.01 | 3.48 | 3.63 |

Other Tampa Bay Area Permits Annual Average/Monthly Production (MGD)

Calendar Year 2011

| | City of Plant City GW | | City of Dunedin GW | | City of Clearwater GW | | Pasco County Utilities GW | | City of Temple Terrace GW | |
|-----|-----------------------|--------------|--------------------|--------------|-----------------------|--------------|---------------------------|--------------|---------------------------|--------------|
| | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. |
| Jan | 4.81 | 4.26 | 4.39 | 4.14 | 4.40 | 4.77 | 4.09 | 3.50 | 3.53 | 3.38 |
| Feb | 4.84 | 4.48 | 4.31 | 4.53 | 4.39 | 4.26 | 4.02 | 3.66 | 3.56 | 3.54 |
| Mar | 4.89 | 5.04 | 4.34 | 4.59 | 4.47 | 4.87 | 4.12 | 4.18 | 3.66 | 3.73 |
| Apr | 4.93 | 5.43 | 4.37 | 4.51 | 4.55 | 5.15 | 4.12 | 3.97 | 3.69 | 3.93 |
| May | 5.15 | 6.00 | 4.38 | 4.62 | 4.55 | 4.19 | 4.09 | 4.08 | 3.74 | 4.34 |
| Jun | 5.02 | 5.80 | 4.37 | 4.56 | 4.65 | 5.42 | 4.16 | 4.86 | 3.76 | 3.95 |
| Jul | 5.03 | 4.89 | 4.01 | 0.00 | 4.56 | 3.28 | 4.20 | 4.34 | 3.74 | 3.25 |
| Aug | 5.04 | 4.71 | 4.35 | 8.17 | 4.52 | 3.17 | 4.31 | 4.83 | 3.75 | 3.52 |
| Sep | 5.02 | 4.61 | 4.32 | 3.76 | 5.08 | 9.88 | 4.34 | 4.58 | 3.71 | 3.64 |
| Oct | 4.96 | 4.67 | 4.39 | 5.47 | 4.58 | 0.19 | 4.27 | 4.39 | 3.69 | 3.68 |
| Nov | 4.94 | 4.80 | 4.35 | 3.91 | 4.59 | 4.83 | 4.26 | 4.66 | 3.70 | 3.78 |

WUP

AAD: 9.85 6.62 8.00 6.29 5.15

Note: City of Plant City - WUP 1776.010, Expiration Date=Jan. 28, 2013
City of Dunedin - WUP 2980.009, Expiration Date=Feb. 27, 2017
City of Clearwater - WUP 2981.017, Expiration Date=Sep. 27, 2021
Pasco County Utilities - WUP 11863, Expiration Date=Apr. 9, 2020
City of Temple Terrace - WUP 450.009, Expiration Date=Oct. 28, 2018

**Peace River/Manasota Regional Water Supply Authority and Member
Governments Annual Average/Monthly Production (MGD)**

Calendar Year 2010

| | PRMRWSA SW | | PRMRWSA ASR GW | | Charlotte Co. GW | | DeSoto Co. GW | | Sarasota Co. GW | | Manatee Co. SW | | Manatee Co. GW | |
|------------|-------------|--------------|----------------|--------------|------------------|--------------|---------------|--------------|-----------------|--------------|----------------|--------------|----------------|--------------|
| | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. |
| Jan | 30.25 | 30.80 | 2.91 | 1.24 | 0.54 | 0.61 | 0.45 | 0.45 | 8.31 | 3.23 | 23.02 | 23.28 | 16.52 | 12.05 |
| Feb | 33.67 | 58.13 | 2.89 | 2.81 | 0.53 | 0.61 | 0.44 | 0.29 | 7.60 | 2.49 | 22.89 | 22.98 | 15.97 | 6.34 |
| Mar | 34.96 | 15.32 | 1.94 | 2.96 | 0.52 | 0.56 | 0.43 | 0.37 | 6.75 | 2.82 | 22.41 | 22.75 | 15.75 | 14.68 |
| Apr | 36.06 | 13.38 | 1.24 | 2.76 | 0.51 | 0.55 | 0.43 | 0.46 | 5.72 | 2.64 | 22.47 | 24.20 | 15.43 | 15.70 |
| May | 35.69 | 0.00 | 0.80 | 0.03 | 0.51 | 0.51 | 0.44 | 0.50 | 4.62 | 3.76 | 22.73 | 26.36 | 15.21 | 15.02 |
| Jun | 34.05 | 0.00 | 0.86 | 0.64 | 0.52 | 0.54 | 0.44 | 0.47 | 4.07 | 3.32 | 23.06 | 24.13 | 15.34 | 16.77 |
| Jul | 34.14 | 47.95 | 0.85 | 0.00 | 0.52 | 0.42 | 0.44 | 0.46 | 3.79 | 1.98 | 23.41 | 22.84 | 14.81 | 12.75 |
| Aug | 32.37 | 46.24 | 0.85 | 0.00 | 0.52 | 0.42 | 0.44 | 0.54 | 3.35 | 1.75 | 22.95 | 17.81 | 14.66 | 15.88 |
| Sep | 27.48 | 31.10 | 0.85 | 0.00 | 0.52 | 0.51 | 0.45 | 0.55 | 2.95 | 1.25 | 22.24 | 19.47 | 14.82 | 17.46 |
| Oct | 25.55 | 9.73 | 0.85 | 0.00 | 0.53 | 0.54 | 0.45 | 0.52 | 2.45 | 1.28 | 22.59 | 29.01 | 15.01 | 17.37 |
| Nov | 25.74 | 4.08 | 0.85 | 0.00 | 0.53 | 0.56 | 0.45 | 0.36 | 2.34 | 1.24 | 22.82 | 26.17 | 15.21 | 17.38 |
| Dec | 21.53 | 4.00 | 0.85 | 0.00 | 0.53 | 0.52 | 0.45 | 0.42 | 2.37 | 2.63 | 23.43 | 22.19 | 14.65 | 13.93 |

**Peace River/Manasota Regional Water Supply Authority and Member
Governments Annual Average/Monthly Production (MGD)**

Calendar Year 2011

| | PRMRWSA SW | | PRMRWSA ASR GW | | Charlotte Co. GW | | DeSoto Co. GW | | Sarasota Co. GW | | Manatee Co. SW | | Manatee Co. GW | |
|------------|-------------|--------------|----------------|--------------|------------------|--------------|---------------|--------------|-----------------|--------------|----------------|--------------|----------------|--------------|
| | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. |
| Jan | 20.18 | 14.91 | 1.21 | 5.39 | 0.53 | 0.58 | 0.48 | 0.46 | 2.34 | 2.86 | 23.22 | 20.74 | 14.89 | 14.82 |
| Feb | 16.76 | 13.51 | 1.45 | 5.99 | 0.53 | 0.64 | 0.48 | 0.47 | 2.47 | 4.19 | 23.30 | 24.02 | 15.33 | 12.11 |
| Mar | 15.69 | 2.68 | 1.70 | 5.83 | 0.52 | 0.50 | 0.47 | 0.39 | 2.51 | 3.33 | 23.80 | 28.64 | 14.68 | 7.04 |
| Apr | 17.68 | 37.54 | 1.55 | 0.95 | 0.53 | 0.62 | 0.46 | 0.37 | 2.62 | 4.03 | 23.94 | 25.86 | 14.46 | 13.02 |
| May | 17.76 | 1.02 | 1.54 | 0.00 | 0.54 | 0.59 | 0.46 | 0.46 | 2.56 | 3.05 | 24.00 | 27.14 | 14.39 | 14.20 |
| Jun | 17.76 | 0.00 | 1.49 | 0.00 | 0.54 | 0.55 | 0.45 | 0.44 | 2.49 | 2.46 | 24.26 | 27.29 | 14.34 | 16.10 |
| Jul | 20.08 | 75.20 | 1.49 | 0.00 | 0.54 | 0.51 | 0.45 | 0.44 | 2.50 | 2.10 | 24.01 | 19.91 | 14.55 | 15.28 |
| Aug | 23.37 | 85.05 | 1.49 | 0.00 | 0.55 | 0.47 | 0.44 | 0.42 | 2.60 | 2.94 | 24.09 | 18.75 | 14.46 | 14.80 |
| Sep | 25.83 | 61.00 | 1.49 | 0.00 | 0.54 | 0.44 | 0.43 | 0.42 | 2.83 | 4.06 | 24.39 | 23.02 | 14.28 | 15.27 |
| Oct | 27.93 | 34.45 | 1.49 | 0.00 | 0.54 | 0.53 | 0.42 | 0.43 | 3.01 | 3.29 | 24.32 | 28.29 | 14.08 | 14.96 |
| Nov | 30.50 | 35.39 | 1.49 | 0.00 | 0.55 | 0.62 | 0.42 | 0.35 | 3.71 | 9.76 | 24.13 | 23.84 | 13.87 | 14.83 |

WUP

AAD: 32.70* 3.17 0.57 13.74 34.90 17.95

Note: PRMRWSA - Peace River/Manasota Regional Water Supply Authority - WUP 10420.006, Expiration Date=Mar. 26, 2016
 Manatee County is a Member of the PRMRWSA, however, no withdrawal quantities are transferred to Manatee County
 The data contained in this table for PRMRWSA represents the quantity of raw water being withdrawn from the river.
 * This quantity is not limited by the annual average but by a diversion schedule and maximum daily withdrawal
 Charlotte County Utilities - WUP 3522.010, Expiration Date=Sep. 26, 2012
 DeSoto County Utilities - WUP 6841.010, Expiration Date=Nov. 18, 2014; WUP 7056.004, Expiration Date=Aug. 6, 2011
 Sarasota County Utilities - WUP 8836.010, Expiration Date=Sep.29, 2018
 Manatee County Utilities - SW - WUP 5387.007, Expiration Date=Sep. 29, 2018
 GW - WUP 7345.005, Expiration Date=Dec. 18, 2017; WUP 7470.006, Expiration Date=Aug. 28, 2011

Southern District Annual Average/Monthly Production (MGD)

Calendar Year 2010

| | City of Sarasota GW | | City of Punta Gorda SW | | City of Bradenton GW | | City of Bradenton SW | | City of Venice GW | | Englewood Water District GW | |
|------------|---------------------|--------------|------------------------|--------------|----------------------|--------------|----------------------|--------------|-------------------|--------------|-----------------------------|--------------|
| | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. |
| Jan | 7.95 | 6.94 | 4.68 | 6.70 | 0.00 | 0.00 | 5.31 | 5.08 | 4.01 | 4.41 | 2.78 | 2.99 |
| Feb | 7.87 | 7.58 | 4.63 | 4.04 | 0.00 | 0.01 | 5.28 | 4.84 | 3.93 | 3.88 | 2.77 | 3.77 |
| Mar | 7.74 | 7.40 | 4.60 | 4.75 | 0.00 | 0.00 | 5.29 | 5.39 | 3.89 | 4.63 | 2.64 | 3.05 |
| Apr | 7.74 | 8.79 | 4.58 | 4.43 | 0.00 | 0.01 | 5.37 | 6.03 | 3.86 | 4.18 | 2.55 | 3.25 |
| May | 7.75 | 8.62 | 4.66 | 3.85 | 0.00 | 0.01 | 5.45 | 5.84 | 3.80 | 3.23 | 2.59 | 3.31 |
| Jun | 7.77 | 8.12 | 4.72 | 4.48 | 0.01 | 0.01 | 5.47 | 5.52 | 3.85 | 4.11 | 2.58 | 2.17 |
| Jul | 7.82 | 7.89 | 4.60 | 3.38 | 0.01 | 0.00 | 5.43 | 4.91 | 3.83 | 3.48 | 2.56 | 1.83 |
| Aug | 7.81 | 7.89 | 4.54 | 4.50 | 0.01 | 0.01 | 5.37 | 4.85 | 3.85 | 3.58 | 2.58 | 2.20 |
| Sep | 7.81 | 7.78 | 4.60 | 5.80 | 0.01 | 0.01 | 5.33 | 4.94 | 3.85 | 3.34 | 2.61 | 2.07 |
| Oct | 7.85 | 8.39 | 4.77 | 6.45 | 0.01 | 0.00 | 5.29 | 5.29 | 3.85 | 3.48 | 2.67 | 2.71 |
| Nov | 7.85 | 7.82 | 4.84 | 5.55 | 0.01 | 0.00 | 5.26 | 5.35 | 3.88 | 4.32 | 2.70 | 3.17 |
| Dec | 8.24 | 11.64 | 4.82 | 3.84 | 0.01 | 0.01 | 5.30 | 5.50 | 3.87 | 3.76 | 2.79 | 3.01 |

Southern District Annual Average/Monthly Production (MGD)

Calendar Year 2011

| | City of Sarasota GW | | City of Punta Gorda SW | | City of Bradenton GW | | City of Bradenton SW | | City of Venice GW | | Englewood Water District GW | |
|------------|---------------------|--------------|------------------------|--------------|----------------------|--------------|----------------------|--------------|-------------------|--------------|-----------------------------|--------------|
| | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. |
| Jan | 8.27 | 7.22 | 4.63 | 4.44 | 0.01 | 0.00 | 5.27 | 4.80 | 3.86 | 4.35 | 2.81 | 3.27 |
| Feb | 8.29 | 7.94 | 4.67 | 4.61 | 0.01 | 0.01 | 5.27 | 4.76 | 3.91 | 4.57 | 2.79 | 3.54 |
| Mar | 8.38 | 8.40 | 4.68 | 4.83 | 0.01 | 0.00 | 5.23 | 5.00 | 3.87 | 4.14 | 2.89 | 4.15 |
| Apr | 8.34 | 8.26 | 4.73 | 5.14 | 0.01 | 0.00 | 5.14 | 4.93 | 3.91 | 4.62 | 3.01 | 4.74 |
| May | 8.31 | 8.36 | 4.80 | 4.65 | 0.01 | 0.00 | 5.08 | 5.07 | 3.97 | 3.94 | 3.04 | 3.71 |
| Jun | 8.33 | 8.35 | 4.71 | 3.41 | 0.01 | 0.01 | 5.08 | 5.59 | 3.96 | 4.00 | 3.38 | 6.28 |
| Jul | 8.26 | 6.99 | 4.70 | 3.26 | 0.01 | 0.01 | 5.09 | 4.98 | 3.95 | 3.41 | 3.47 | 2.82 |
| Aug | 8.23 | 7.57 | 4.62 | 3.55 | 0.01 | 0.01 | 5.13 | 5.35 | 3.98 | 3.86 | 3.49 | 2.46 |
| Sep | 8.14 | 6.65 | 4.44 | 3.62 | 0.00 | 0.01 | 5.19 | 5.63 | 3.98 | 3.41 | 3.54 | 2.66 |
| Oct | 8.07 | 7.59 | 4.42 | 6.21 | 0.00 | 0.00 | 5.21 | 5.54 | 4.01 | 3.81 | 3.52 | 2.46 |
| Nov | 8.05 | 7.59 | 4.57 | 7.27 | 0.01 | 0.01 | 5.23 | 5.53 | 3.99 | 4.07 | 3.51 | 3.15 |

WUP

AAD: 12.04 8.09 0.23 6.95 6.86 5.36

Note:

City of Sarasota - WUP 4318.004, Expiration Date=Jun. 24, 2013; WUP 10224.003, Expiration Date=Nov. 10, 2020; WUP 10225.002, Expiration Date=Jan. 8, 2018
City of Punta Gorda - WUP 871.008, Expiration Date=Jul. 31, 2027
City of Bradenton - WUP 6392.004, Expiration Date=Apr. 28, 2018
City of Venice - WUP 5393.008, Expiration Date=Dec. 16, 2028
Englewood Water District - WUP 4866.009, Expiration Date=Dec. 18, 2019

'Heartland' Annual Average/Monthly Production (MGD)

Calendar Year 2010

| | City of Lakeland GW | | City of Winter Haven GW | | Polk Co. GW | | City of Haines City GW | | City of Sebring GW | | City of Auburndale GW | |
|------------|---------------------|--------------|-------------------------|--------------|-------------|--------------|------------------------|--------------|--------------------|--------------|-----------------------|--------------|
| | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. |
| Jan | 21.18 | 18.97 | 9.47 | 8.38 | 13.42 | 10.63 | 3.68 | 3.19 | 2.55 | 3.37 | 4.28 | 3.35 |
| Feb | 20.82 | 17.71 | 9.35 | 7.77 | 13.24 | 10.88 | 3.64 | 3.14 | 2.59 | 3.24 | 4.22 | 3.71 |
| Mar | 20.23 | 17.81 | 9.14 | 7.99 | 12.97 | 11.79 | 3.56 | 3.19 | 2.63 | 3.30 | 4.16 | 4.07 |
| Apr | 19.88 | 19.64 | 9.06 | 9.34 | 13.09 | 16.17 | 3.52 | 3.63 | 2.68 | 3.26 | 4.16 | 4.95 |
| May | 19.75 | 20.70 | 9.07 | 10.01 | 13.25 | 14.86 | 3.51 | 3.95 | 2.75 | 3.36 | 4.24 | 5.66 |
| Jun | 19.73 | 20.61 | 9.06 | 9.27 | 13.33 | 13.86 | 3.51 | 3.63 | 2.81 | 3.18 | 4.31 | 5.36 |
| Jul | 19.72 | 19.68 | 9.07 | 9.63 | 13.39 | 12.94 | 3.52 | 3.65 | 2.89 | 3.03 | 4.40 | 5.24 |
| Aug | 19.78 | 20.23 | 9.08 | 9.15 | 13.26 | 12.97 | 3.55 | 3.73 | 2.95 | 2.82 | 4.47 | 4.94 |
| Sep | 19.93 | 21.36 | 9.11 | 9.45 | 13.41 | 14.34 | 3.57 | 3.66 | 3.02 | 3.07 | 4.51 | 4.91 |
| Oct | 20.10 | 23.72 | 9.15 | 10.75 | 13.40 | 14.81 | 3.59 | 4.14 | 3.09 | 3.47 | 4.54 | 5.33 |
| Nov | 20.09 | 21.77 | 9.15 | 9.72 | 13.21 | 13.26 | 3.59 | 3.91 | 3.18 | 3.77 | 4.64 | 4.97 |
| Dec | 20.28 | 21.03 | 9.18 | 8.57 | 13.19 | 11.74 | 3.62 | 3.59 | 3.26 | 3.20 | 4.76 | 4.58 |

'Heartland' Annual Average/Monthly Production (MGD)

Calendar Year 2011

| | City of Lakeland GW | | City of Winter Haven GW | | Polk Co. GW | | City of Haines City GW | | City of Sebring GW | | City of Auburndale GW | |
|------------|---------------------|--------------|-------------------------|--------------|-------------|--------------|------------------------|--------------|--------------------|--------------|-----------------------|--------------|
| | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. |
| Jan | 20.25 | 18.60 | 9.05 | 6.85 | 13.20 | 10.73 | 3.62 | 3.23 | 3.26 | 3.40 | 4.83 | 4.20 |
| Feb | 20.55 | 21.64 | 8.98 | 6.92 | 13.25 | 11.51 | 3.65 | 3.52 | 3.27 | 3.45 | 4.89 | 4.46 |
| Mar | 21.00 | 23.04 | 8.95 | 7.65 | 13.66 | 16.58 | 3.69 | 3.64 | 3.29 | 3.54 | 4.96 | 4.94 |
| Apr | 21.52 | 25.93 | 8.92 | 8.93 | 13.56 | 14.94 | 3.71 | 3.86 | 3.31 | 3.42 | 5.01 | 5.45 |
| May | 21.92 | 25.43 | 8.97 | 10.61 | 13.49 | 14.08 | 3.72 | 4.08 | 3.33 | 3.60 | 5.06 | 6.27 |
| Jun | 22.28 | 25.00 | 9.06 | 10.38 | 13.62 | 15.46 | 3.76 | 4.14 | 3.33 | 3.23 | 5.06 | 5.34 |
| Jul | 22.38 | 20.91 | 9.04 | 9.38 | 13.49 | 11.39 | 3.80 | 4.03 | 3.33 | 3.03 | 5.00 | 4.64 |
| Aug | 22.38 | 20.17 | 8.95 | 8.12 | 13.36 | 11.41 | 3.73 | 2.98 | 3.35 | 3.02 | 4.91 | 3.87 |
| Sep | 22.26 | 19.92 | 8.82 | 7.89 | 13.11 | 11.31 | 3.79 | 4.35 | 3.35 | 3.13 | 4.82 | 3.70 |
| Oct | 21.99 | 20.55 | 8.58 | 7.91 | 12.76 | 10.73 | 3.73 | 3.41 | 3.32 | 3.09 | 4.67 | 3.61 |
| Nov | 21.91 | 20.79 | 8.54 | 9.21 | 12.58 | 11.08 | 3.70 | 3.59 | 3.29 | 3.39 | 4.58 | 3.94 |

WUP
AAD: 35.03 14.06 27.71 5.71 5.71 7.04

Note: City of Lakeland - WUP 4912.006, Expiration Date=Mar. 25, 2014
City of Winter Haven - WUP 4607.014, Expiration Date=Apr. 19, 2016
Polk County BOCC - WUP 6505.011, Expiration Date=Oct. 30, 2011; WUP 6506.007, Expiration Date=Mar. 26, 2012; WUP 6507.008, Expiration Date=Jul. 31, 2012;
WUP 6508.009, Expiration Date=Sep. 27, 2011; WUP 6509.012, Expiration Date=Jul. 31, 2027; WUP 8054.005, Expiration Date=Jan. 29, 2012
City of Haines City - WUP 8522.008, Expiration Date=Mar. 28, 2010 (Application In-House for .009)
City of Sebring - WUP 4492.012, Expiration Date=Mar. 5, 2030
City of Auburndale - WUP 7119.009, Expiration Date=Feb. 26, 2014

Northern District Annual Average/Monthly Production (MGD)

Calendar Year 2010

| | The Villages SW | | The Villages GW | | The Villages Reclaim | | Marion Co. Util. Dept. | | Citrus Co. Water Res./Util./Withla. | | Hernando Co. Util. Dept. | | On Top of the World Communities | |
|------------|-----------------|--------------|-----------------|--------------|----------------------|--------------|------------------------|--------------|--|--------------|--------------------------|--------------|------------------------------------|--------------|
| | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. |
| Jan | 2.73 | 3.52 | 11.34 | 7.01 | 2.19 | 2.39 | 5.76 | 7.04 | 8.66 | 6.61 | 18.65 | 15.60 | 3.10 | 1.77 |
| Feb | 2.86 | 2.65 | 10.91 | 6.67 | 2.11 | 1.59 | 5.80 | 4.67 | 8.50 | 5.91 | 18.33 | 14.40 | 3.02 | 1.65 |
| Mar | 3.21 | 4.34 | 10.11 | 6.96 | 2.05 | 1.84 | 5.71 | 4.93 | 8.20 | 6.60 | 17.81 | 15.93 | 2.88 | 1.89 |
| Apr | 3.74 | 7.34 | 9.76 | 10.50 | 2.05 | 2.36 | 5.78 | 6.97 | 8.14 | 9.51 | 17.65 | 19.96 | 2.88 | 3.72 |
| May | 3.90 | 3.36 | 10.13 | 17.46 | 2.09 | 2.09 | 5.73 | 6.47 | 8.29 | 10.82 | 17.95 | 21.82 | 2.94 | 3.89 |
| Jun | 3.97 | 4.73 | 10.88 | 17.15 | 2.09 | 2.07 | 5.80 | 7.11 | 8.39 | 10.65 | 17.96 | 20.15 | 2.99 | 4.11 |
| Jul | 4.00 | 5.29 | 11.47 | 14.54 | 2.09 | 2.01 | 5.90 | 6.68 | 8.57 | 10.13 | 18.13 | 19.30 | 3.08 | 4.00 |
| Aug | 4.00 | 3.78 | 11.83 | 11.78 | 2.10 | 2.27 | 5.93 | 5.42 | 8.49 | 7.98 | 17.96 | 16.70 | 3.05 | 3.13 |
| Sep | 4.08 | 7.30 | 12.05 | 11.19 | 2.11 | 2.07 | 6.09 | 7.48 | 8.63 | 10.10 | 18.05 | 18.83 | 3.14 | 4.13 |
| Oct | 4.14 | 2.63 | 12.43 | 20.84 | 2.12 | 2.10 | 6.14 | 6.82 | 8.78 | 11.41 | 18.21 | 21.33 | 3.20 | 4.43 |
| Nov | 4.26 | 1.73 | 12.49 | 17.43 | 2.13 | 2.34 | 6.15 | 6.03 | 8.84 | 9.21 | 18.27 | 19.42 | 3.21 | 3.33 |
| Dec | 3.93 | 0.53 | 13.09 | 15.07 | 2.13 | 2.37 | 6.18 | 4.51 | 8.97 | 8.57 | 18.39 | 16.93 | 3.21 | 2.33 |

Calendar Year 2011

| | The Villages SW | | The Villages GW | | The Villages Reclaim | | Marion Co. Util. Dept. | | Citrus Co. Water Res./Util./Withla. | | Hernando Co. Util. Dept. | | Bay Laurel Comm. Develop. District | |
|-----|-----------------|--------------|-----------------|--------------|----------------------|--------------|------------------------|--------------|-------------------------------------|--------------|--------------------------|--------------|------------------------------------|--------------|
| | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. | Annual Avg. | Monthly Avg. |
| Jan | 3.81 | 2.07 | 13.25 | 8.92 | 2.15 | 2.70 | 5.92 | 3.93 | 9.10 | 7.24 | 18.33 | 14.99 | 3.22 | 1.89 |
| Feb | 4.03 | 5.53 | 13.46 | 9.32 | 2.22 | 2.39 | 5.92 | 4.67 | 9.26 | 8.10 | 18.48 | 16.37 | 3.27 | 2.40 |
| Mar | 3.83 | 2.02 | 14.16 | 15.25 | 2.30 | 2.82 | 6.00 | 5.93 | 9.59 | 10.38 | 18.73 | 18.87 | 3.36 | 2.87 |
| Apr | 3.91 | 8.30 | 14.32 | 12.49 | 2.30 | 2.38 | 6.00 | 6.88 | 9.70 | 10.94 | 18.79 | 20.60 | 3.35 | 3.66 |
| May | 3.86 | 2.73 | 14.99 | 25.29 | 2.31 | 2.26 | 6.04 | 7.02 | 9.86 | 12.80 | 18.96 | 23.82 | 3.41 | 4.60 |
| Jun | 3.69 | 2.68 | 15.39 | 21.98 | 2.33 | 2.29 | 6.13 | 8.12 | 9.99 | 12.20 | 19.21 | 23.30 | 3.43 | 4.39 |
| Jul | 3.79 | 6.49 | 15.11 | 11.25 | 2.37 | 2.46 | 6.03 | 5.50 | 9.98 | 10.02 | 19.25 | 19.68 | 3.36 | 3.14 |
| Aug | 4.13 | 7.78 | 15.02 | 10.78 | 2.36 | 2.19 | 6.03 | 5.46 | 10.08 | 9.30 | 19.39 | 18.37 | 3.37 | 3.20 |
| Sep | 4.16 | 7.66 | 15.11 | 12.30 | 2.39 | 2.40 | 5.89 | 5.80 | 10.00 | 9.24 | 19.46 | 19.74 | 3.33 | 3.69 |
| Oct | 4.23 | 3.43 | 14.71 | 16.09 | 2.42 | 2.48 | 5.75 | 5.19 | 9.81 | 9.52 | 19.29 | 19.31 | 3.16 | 2.45 |
| Nov | 4.25 | 2.04 | 14.78 | 18.33 | 2.45 | 2.67 | 5.67 | 5.02 | 9.80 | 9.18 | 19.25 | 18.98 | 3.06 | 2.13 |

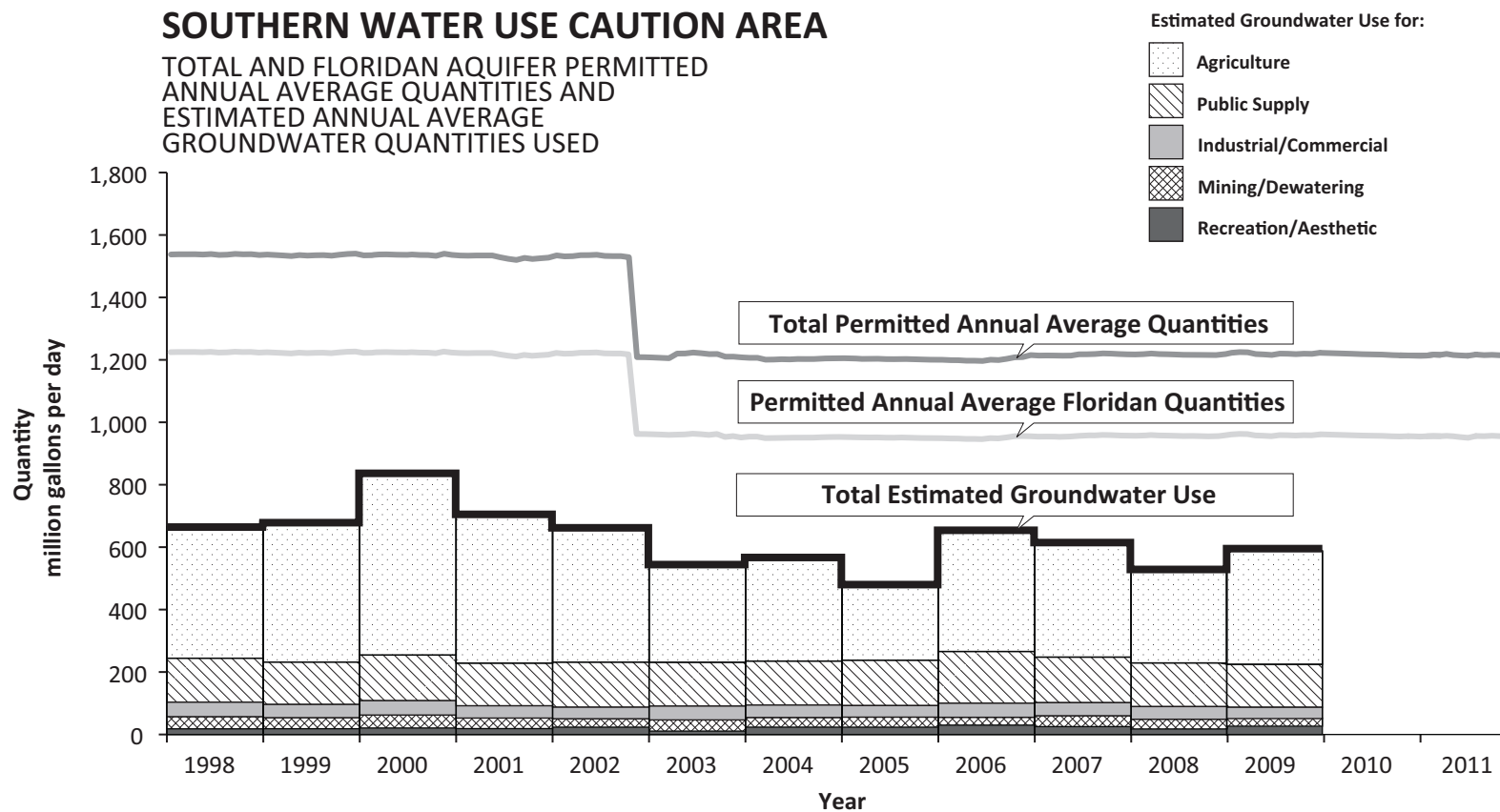
| | | | | | |
|------|-------|------|-------|-------|--------|
| AAD: | 23.06 | 9.70 | 12.14 | 27.00 | 2.56 * |
|------|-------|------|-------|-------|--------|

Note: The Villages - WUP 13005.003, Expiration Date=Mar. 26, 2017
Marion County Utilities Dept. - WUP 377.008, Expiration Date=Sep. 25, 2013; WUP 2999.004, Expiration Date=Jan. 14, 2015; WUP 6151.009, Expiration Date=Sep. 7, 2021;
WUP 6884.002, Expiration Date=Aug. 2, 2020; WUP 7849.004, Expiration Date=Mar. 5, 2017; WUP 8165.005, Expiration Date=Sep. 18, 2014;
WUP 8481.005, Expiration Date=Mar. 31, 2019; WUP 11752.001, Expiration Date=Jun. 12, 2018; WUP 12218.001, Expiration Date=Jun. 25, 2012
Citrus County Water Resources Dept./Withlacoochee Regional Water Supply Auth. - WUP 729.003, Expiration Date=May 21, 2014; WUP 2842.008, Expiration Date=
May 20, 2015; WUP 7121.005, Expiration Date=Jan. 27, 2010 (Application In-House for .006); WUP 7879.003, Expiration Date=Dec. 6, 2017; WUP 9791.007,
Expiration Date=Feb. 24, 2015 (Application In-House for .008)
Hernando County Utilities Dept. - WUP 2179.004, Expiration Date=June 2, 2019; WUP 2983.011, Expiration Date=Dec. 20, 2021; WUP 5789.006, Expiration Date=
Jan. 26, 2015; WUP 12011.002, Expiration Date=Sep. 10, 2014
Bay Laurel Community Development District (formerly On Top of the World Communities) - WUP 1156.012, Expiration Date=Oct. 28, 2021

* The AAD decreased from 5.82 to 2.56 when the new revision was issued Oct. 28, 2011, splitting the permit into 5 separate permits.

SOUTHERN WATER USE CAUTION AREA

TOTAL AND FLORIDAN AQUIFER PERMITTED
ANNUAL AVERAGE QUANTITIES AND
ESTIMATED ANNUAL AVERAGE
GROUNDWATER QUANTITIES USED



January 2012 Governing Board Meeting

Overpumpage Report November 2011

Preparing for Legal ⁽¹⁾

| Permit No. | Permit Holder | Use Type | Permitted Annual Average | Original Report Date Annual Avg. Use Percent Over | Current Report Date Annual Avg. Use Percent Over | Service Office |
|---|--------------------|--------------|--------------------------|---|--|----------------|
| <i>New Since Previous Report</i> | | | | | | |
| 6274.010 | Premier Citrus LLC | Agricultural | 522,800 gpd | 06/28/2011 1,125,129 gpd 115.20% | 11/28/2011 941,737 gpd 80.13% | Sarasota |

(1) Preliminary determination that permit is in non-compliance; file is being prepared for Legal or is under review by Regulation staff.

Overpumpage Report November 2011

Active Files in Legal ⁽²⁾ and Consent Order Monitoring ⁽³⁾

| Permit No. | Permit Holder | Use Type | Permitted Annual Average | Original Report Date Annual Avg. Use Percent Over | Current Report Date Annual Avg. Use Percent Over | Service Office | GB Approved CO Date |
|--|----------------------------|---|--------------------------|---|--|----------------|---------------------|
| Continuing From Previous Report | | | | | | | |
| 7704.005 | Country Club Utilities Inc | Public Supply | 183,000 gpd | 06/28/2011 259,063 gpd 41.60% | 10/27/2011 264,400 gpd 44.48% | Bartow | |
| 10392.005 | MILMACK INC | Recreation/ Aesthetic Golf Course | 259,900 gpd | 11/26/2008 338,393 gpd 30.20% | 11/28/2011 311,121 gpd 19.71% | Bartow | |
| 9791.007 | CITRUS COUNTY * | Public Supply Utility | 2,064,000 gpd | 06/28/2006 2,552,635 gpd 26.90% | 11/28/2011 2,460,303 gpd 19.20% | Brooksville | AUG11 |
| 12843.002 | VIKINGS LLC ** | Recreation/ Aesthetic Golf / Sports | 310,520 gpd | 06/27/2007 500,427 gpd 90.30% | 11/28/2011 282,403 gpd -9.10% | Brooksville | . |

(2) Regulation staff concur with non-compliance and file is in Legal for enforcement.

(3) Legal pursued enforcement action and a Consent Order has been signed; corrective actions are now being monitored for compliance.

* WUP 9791 - Citrus County had a Permitted Annual Average of 2,010,000 gpd until February 24, 2009 (new revision issued)

** WUP 12843 - Vikings LLC had a Permitted Annual Average of 263,000 gpd until March 4, 2009 (new revision issued)

E-Permitting Performance Metrics

January 2012

| PERMIT | NOVEMBER 2011 | DECEMBER 2011 | SIX MONTH AVERAGE | ONE YEAR AVERAGE |
|--|------------------|------------------|----------------------|---------------------|
| Well Construction Permits Public on-line use for applications and completion report submission | 91% (503) | 89% (542) | 90% (3,261) | 89% (7,082) |
| Water Use Permits Public on-line use for applications | 30% (33) | 24% (24) | 30% (200) | 29% (394) |
| Environmental Resource Permits Public on-line use for applications | 26% (56) | 24% (50) | 18% (230) | 14% (360) |

GOAL: Reach online utilization of 80% for each category by October 1, 2013. This will be based on the annual average.

INDIVIDUAL PERMITS ISSUED: ERPS

| PERMIT NUMBER | PROJECT NAME | COUNTY | DESCRIPTION | TOTAL PROJECT ACRES | WETLAND ACRES | WETLAND ACRES IMPACTED | WETLAND MITIGATION ACRES |
|---------------|---|--------------|---|---------------------|---------------|------------------------|--------------------------|
| 43031609.002 | Highlands Co Old St Rd 8 Improvements | Highlands | Modification authorizes replacement mitigation plan to offset the wetland impacts identified in the previous permit (.000) | 23.70 | 15.74 | 1.30 | 23.70 |
| 43029826.003 | County Line Farms | Hillsborough | Industrial | 420.24 | 94.97 | 11.06 | 20.05 |
| 49040640.001 | Waters Center Site | Hillsborough | Conceptual ERP application to quantify and lock in existing impervious area | 17.30 | 0.00 | 0.00 | 0.00 |
| 43040159.001 | The Woods | Pasco | Construction of a new surface water management system to serve a 413.58-acre residential development | 413.58 | 234.40 | 0.08 | 0.20 |
| 43008209.002 | CR 296 (118 th Ave/ Future SR 690) from E of SR 55 to E of Roosevelt | Pinellas | Roadway widening improvement (wetland mitigation re Ch. 373.4137, F.S. – Senate Bill) | 78.32 | 6.35 | 5.93 | 0.00 |
| 43040341.000 | City of Winter Haven – South Lake Connie | Polk | Construction of Phase 1 improvements for wetland enhancement and stormwater treatment project for portion of a 247.0-acre urbanized drainage basin discharging to Lake Connie | 35.30 | 26.20 | 21.00 | 15.70 |
| 43029222.001 | Polk County – Itchepackessasa Creek Regional Storm Water Facility | Polk | Construction of a water quality improvement and wetland enhancement project for a 263.00-acre government drainage project | 263.00 | 74.21 | 1.01 | 89.90 |

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

| PERMIT NUMBER | PERMITTEE NAME / PROJECT NAME | COUNTY | DESCRIPTION | USE TYPE | PREVIOUS PERMITTED QUANTITY | NEW PERMITTED QUANTITY | DURATION (YEARS) |
|---------------|-------------------------------|--------|-------------|----------|-----------------------------|------------------------|------------------|
| None | | | | | | | |

Regulation Committee January 31, 2012

Routine Report

Resource Regulation Significant Initiatives Report

This report provides information regarding significant activities within the Resource Regulation Division. Recent activity within each of the District's major permitting programs is provided, followed by information regarding other significant activities.

- **Central Florida Water Initiative (CFWI)** – The District continues to coordinate with the St. John's River and South Florida Water Management Districts, the Florida Department of Environmental Protection (DEP) and Agriculture and Consumer Services (DACS), and public water supply utilities on the assessment of groundwater sustainability and development of water supply solutions, including regulations, for the Central Florida Coordination Area (CFCA). The initiative, now known as the Central Florida Water Initiative (CFWI) to reflect the emphasis on stakeholder involvement, is focused on a single model solution, creating a consistent definition of environmental impact/harm, agreement on the baseline reference condition and a basis of review for all technical decisions. Once these milestones are achieved, the emphasis will shift to determining groundwater availability and the potential necessity of alternative water supplies to meet the regional water supply demand. A decision-making process has been established featuring an Executive Steering Committee comprised of one Governing Board member from each district, senior level staff representatives from DEP and DACS, and a public water supply utilities representative. A Management Oversight Committee and a Technical Oversight Committee form the next level of governance. These committees supervise the technical teams that perform hydrologic modeling, environmental assessments, planning and analysis and development of resource management options for consideration by the Steering Committee. **New activities since last meeting:** The technical teams continue to meet bi-weekly and all tasks are on schedule or experiencing only minor delays. Development of consistent definitions of harm and significant harm continues to be a key issue. Several of the teams are collaborating to resolve the issue which is necessary as a basis for much of the substantive technical work of the CFWI. The Technology Transfer Protocol, which will enable water management district staff to begin training on the use the regional groundwater model, has been slightly delayed but is expected to be complete by mid-January. The next Steering Committee meeting is scheduled for January 27, 2012. Agenda items include finalizing the reference condition for the regional groundwater model, integrating the Regional Water Supply Plan effort into the CFWI, and a presentation by a representative of myregion.org.
- **Reclaimed Water Policy Workgroup Reclaimed Water Policy Workgroup** – During the 2008 legislative session, a number of reuse issues prompted proposed legislation. The proposals raised several areas of concern regarding the respective roles of local governments, utilities and the water management districts related to reclaimed water. In lieu of legislation, the Florida Department of Environmental Protection (DEP) agreed to review emerging reclaimed water issues, particularly those related to the regulation of reuse under the consumptive use permitting program. Since that time, representatives of the five water management districts, local governments, utilities and DEP have formed a Reclaimed Water Policy Workgroup that meets approximately monthly to discuss impediments, conflicts and concerns, and to develop incentives, policy clarifications and legislation regarding local government, utilities and water management district programs to optimize the use reclaimed water. The Workgroup has drafted legislation that has been enacted and has other proposals that may become bills. Additionally, the Workgroup has developed solutions that reclaimed water providers and water management districts can use in continuing collaborative efforts to increase the use of reclaimed water in lieu of other higher quality water supplies. **New activities since last meeting:** The Workgroup last met on November 18, 2011. The DEP will coordinate with the WMDs to evaluate the comments and draft the next version of

the reuse feasibility guidelines. The Workgroup desires to prepare a paper that documents all the positions, recommendations and legislation formulated by the Workgroup. One of the participants was asked to prepare a draft of that paper. The next meeting is scheduled for May 3, 2012, to allow for completion of the next draft of the feasibility guidelines and the paper and the adjournment of the 2012 legislative session.

- **Establishment of Numeric Water Quality Standards for Nutrients** – Under the Clean Water Act (CWA) Section 303, states are required to establish water quality standards, which define the amounts of pollutants (in either numeric or narrative form) that waters can contain without impairment of their designated beneficial uses. Florida currently uses a narrative nutrient standard to guide the management and protection of its waters. In July 2008, the Florida Wildlife Federation and other environmental groups sued the Environmental Protection Agency (EPA) in an attempt to compel the prompt adoption of numeric nutrient criteria in Florida. EPA signed a consent decree (subsequently revised) which obligates them to adopt final numeric nutrient standards for Florida's fresh water lakes and streams by November 2010 and estuaries and coastal systems by November 2012. EPA published draft fresh water numeric nutrient criteria in the Federal Register on January 26, 2010. District staff submitted formal written comments to EPA on April 26, 2010. District comments have also been posted on the District's website. EPA received over 22,000 comments on the proposed rule. The final rule for lakes and flowing waters was published in the Federal Register on December 6, 2010. The rule takes effect 15 months after publication except for the Site-Specific Alternative Criteria (SSAC) provision, which was effective starting March 2011. EPA held several meetings of their Science Advisory Board (SAB) to discuss its draft report on the development of numeric nutrient criteria for Florida's estuarine and coastal waters, and southern canals. Due to extensive public concerns regarding the cost of implementation, EPA agreed to task the National Academy of Sciences with an independent review of the estimated cost of compliance with the new water quality standards. The committee will issue their final report in late February 2012. On April 22, 2011, the FDEP filed a petition requesting the EPA withdraw its January 2009 determination, that numeric criteria are necessary in Florida, and restore to the state its responsibility for the control of excess nutrients. In a June 13, 2011 response, EPA did not grant or deny the petition. EPA noted they will repeal the existing federally promulgated freshwater numeric criteria if FDEP adopts and EPA approves of protective criteria. EPA also noted they will not propose or promulgate criteria for any as yet unaddressed waters (estuarine, coastal, south Florida canals) if FDEP adopts legally effective criteria under Florida law. EPA stated they would seek an extension to the deadlines in the consent decree so that Florida can continue to focus on completing its own rulemaking provided FDEP has made substantial progress toward adoption of approvable standards. As a result of the EPA response, FDEP is pursuing rule development of criteria for fresh water lakes, springs and streams. In June, July and August 2011, FDEP held public meetings on potential revisions to Chapters 62-302 and 62-303, Florida Administrative Code, regarding nutrient standards. The existing narrative criteria would continue to apply to all water bodies; however numeric interpretations would be applied based on the scientific information available. The narrative will be implemented using a systematic structure that numerically interprets the narrative nutrient criteria for each water body in a hierarchical manner giving preference to site specific analyses. On October 19, 2011, FDEP published a *Statement of Estimated Regulatory Costs (SERC)* related to their water quality standards rulemaking. The SERC concludes that the rules are not likely to impact economic growth, private-sector employment or have an adverse impact on business competitiveness. It also states the rule is likely to increase regulatory costs and may impact greater than 5,000 small businesses. It states the cost to implement the rules will likely be borne by large entities, such as wastewater dischargers, agricultural and urban stormwater dischargers. On November 2, 2011, FDEP Secretary Vinyard received preliminary approval of FDEP's draft numeric nutrient criteria rule from EPA. On December 1, 2011, the Florida Wildlife Federation and other environmental groups filed suit against FDEP to invalidate the existing and proposed rules relating to nutrient criterion in Chapter 62-302, Florida Administrative Code. The petitioners claim the rules are not designed to protect state waters from nutrient over-enrichment. **New activities since last meeting:** On December 6, 2011, Florida State University published *The Economic Impact of the FDEP Proposed Numeric Nutrient Criteria in Florida*. The report estimates the final

median annual costs associated with the FDEP rule are \$80,523,041. No costs were calculated for facilities discharging in the South Nutrient Watershed Region. On December 7, 2011, a number of industry groups, including the American Farm Bureau and the Fertilizer Institute wrote a letter to Congress supporting H.R. 2548 (Section 452) that would prohibit EPA from using funds to implement, administer or enforce their December 2010 inland waters rule. On December 8, 2011, the State's Environmental Regulation Commission (ERC) approved FDEP's proposed rules with additional amendments. The following day, FDEP submitted them to the Florida Legislature for ratification during the 2012 session. On December 22, 2011, in the Federal Register EPA published a proposed extension of the effective date of their inland waters rule from March 6, 2012 to June 4, 2012. This extension was proposed in order to avoid the confusion and inefficiency that may occur if Federal criteria become effective while State criteria are being finalized.

- **Watershed Model Review and Maintenance** – This is an information item regarding Resource Regulation's role in an inter-divisional initiative to enhance and support the District's Watershed Management Program and associated Federal Emergency Management Agency (FEMA) Map Modernization, including the District's role in the FEMA process. Resource Regulation is providing assistance to the Resource Projects Division in several ways, including the review of watershed models prior to submittal to FEMA, the maintenance of the GIS Geodatabase which will be the platform for future watershed models, and maintenance of final watershed models. Six full time engineering positions were transferred from Resource Regulation to Resource Projects in February 2011 to assist in this initiative. The number of transferred positions was determined using the District's Resource Regulation Staffing Model. For the remainder of this year, Resource Regulation staff will continue to support the watershed initiative by continuing to review assigned watershed studies. **New Activities since last meeting:** Currently, 84 watersheds are listed (69 completed, 9 assigned, 3 in review, 1 to be assigned and 2 reviews that have been suspended).
- **Conserve Florida Statewide Public Supply Water Conservation Initiative** – Conserve Florida is the name of the collaborative effort to fulfill the requirements of Chapter 373.227, Florida Statutes to develop a comprehensive statewide water conservation program for public suppliers that provides them with utility-specific options. Regulation (Demand Management Program and other Water Use Permit Bureau staff) and Office of the General Counsel staff have been involved in this initiative since its inception because there are many regulatory implications. Executive, Communications and Water Resources (Water Supply Section) staffs have also been involved, as appropriate. The main product of this initiative, to date, is a tool for utilities to use when developing or updating their water conservation plans; the current version is a web-based computer application known as "EZ Guide 2.0" that helps identify optional elements to include in a water conservation plan based on each utility's service area characteristics. To use this tool, the utility needs a GIS shapefile of its service area and a list of the potable water system identification numbers that it uses to report data to the Florida Department of Environmental Protection (DEP). The tool combines that information with parcel-specific data from the Florida Department of Revenue, county tax collector and other public databases to develop a water use profile unique to the utility. That "uncalibrated" profile can be refined with optional utility-provided data, such as the results of a recent system water audit or an inventory of automatic irrigation systems and commercial accounts. The tool then uses the refined profile and goals set by the utility, such as a per capita requirement or a limited water conservation program budget, to select the appropriate water conservation best management practices (BMPs) and identify the optimal number of units of implementation for each BMP (such as how many toilet rebates to offer). A Steering Committee (including the Regulation Division Director) now provides policy-level oversight and a Technical Advisory Group (including Demand Management and Water Supply staff) provides draft product review and other as-needed technical input to the Florida Department of Environmental Protection (DEP) staff that manage the Conserve Florida Clearinghouse. The Clearinghouse, currently hosted by the University of Florida (UF) under contract from DEP, provides technical support for the EZ Guide, an on-line water conservation library, and other core services. The District's financial contribution to DEP's current \$325,000 two-year contract with UF is \$75,000, all of which is from Fiscal Year 2011, for a scope of work that focuses on keeping basic

Item 25

Clearinghouse services available while also making targeted fixes and adding priority functions to the EZ Guide so that more public suppliers will use it for permitting, compliance and planning processes. The District budgeted an additional \$75,000 for Fiscal Year 2012 to fund the programming associated with additional BMPs and other features which would only benefit public suppliers within the District, such as calculations consistent with rule-required per capita formulas. In October 2011, public suppliers from three water management districts attended a hands-on workshop regarding the EZ Guide that was held at the Tampa Service Office. This workshop was taught by UF staff and graduate students; it resulted in each utility participant leaving with access to pre-populated profiles for their service areas, so that they can refine the profiles and use them to develop a water conservation plan for each water use permit or combination of permits, and UF representatives receiving valuable feedback regarding how to continue improving the EZ Guide. On November 9, 2011, District staff and the DEP contract manager had a conference call to discuss priorities for the District-specific Fiscal Year 2012 funding. The contract manager agreed to seek clarification from UF regarding the cost and effort associated with these priorities. **New activities since last meeting:** The second hands-on workshop regarding the EZ Guide has been scheduled for January 26, 2012, in Tallahassee. At least one utility from the District's northern counties will be invited.

- **Water Shortage Plan Update** – Revisions to previously-approved amendments to Rule 40D-21, F.A.C. were approved by the Governing Board during its October 2011 meeting. **New activities since last meeting:** The Office of the General Counsel is preparing rulemaking packages for submittal to the Governor's Office of Financial Accountability and Regulatory Review, the Joint Administrative Procedures Committee and Florida Administrative Weekly.
- **Water Restriction Hotline** – Demand Management staff continues to maintain a toll-free telephone number (1-800-848-0499) and e-mail address (water.restrictions@watermatters.org) that citizens and local officials can use to ask questions, report possible violations, and request information about water shortage restrictions, year-round water conservation measures and associated local government ordinances. **New activities since last meeting:** The hotline answered 193 calls and 116 e-mails during the five-week period that ended December 30, 2011. Hotline activity resulted in two first-time violation letters being sent to a property owner or manager, but only one repeat-violation situation required referral to a local enforcement agency for investigation. One variance (request for a special watering schedule that abides by the basic intent of year-round water conservation measures and any applicable water shortage restrictions) was also approved or otherwise resolved during that time period.

Staff Recommendation:

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

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

Item 25

| TYPE OF PERMIT | DEPARTMENTS | | | | | AVERAGES | |
|--|---------------|---------------|-----------------|---------------|-----------------|-----------------|------------------|
| ENV RES PERMITS ISSUED NOV 11 | BAR | BVLLE | SAR | TPA | MONTHLY TOTAL | 6 MONTH AVERAGE | 12 MONTH AVERAGE |
| General Minor System | 4 | 3 | 3 | 11 | 21 | 23 | 24 |
| Noticed General | 1 | 0 | 0 | 3 | 4 | 7 | 6 |
| General | 12 | 23 | 13 | 27 | 75 | 71 | 71 |
| Individual | 1 | 0 | 2 | 0 | 3 | 7 | 6 |
| Exemption | 4 | 17 | 13 | 27 | 61 | 60 | 57 |
| Formal Wetland Determination | 1 | 0 | 1 | 1 | 3 | 5 | 4 |
| ERP Conceptual | 0 | 0 | 0 | 0 | 0 | 1 | 1 |
| ERP Site Condition | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Letter Modification | 9 | 8 | 14 | 10 | 41 | 38 | 35 |
| TOTALS | 32 | 51 | 46 | 79 | 208 | 212 | 204 |
| ENV RES ACRES PERMITTED NOV 11 | BAR | BVLLE | SAR | TPA | MONTHLY TOTAL | 6 MONTH AVERAGE | 12 MONTH AVERAGE |
| General Minor System | 5.24 | 7.41 | 3 | 11.42 | 27.28 | N/A | N/A |
| Noticed General | 5 | 0 | 0 | 1 | 5.79 | N/A | N/A |
| General | 34.06 | 421.21 | 183.95 | 201.42 | 840.64 | N/A | N/A |
| Individual | 35.30 | 0 | 189.59 | 0 | 224.89 | N/A | N/A |
| Exemption | 208.52 | 9.93 | 539.61 | 359.17 | 1,117.23 | N/A | N/A |
| Formal Wetland Determination | 204.50 | 0 | 524 | 88 | 816.16 | N/A | N/A |
| ERP Conceptual | 0.00 | 0 | 0 | 0 | 0.00 | N/A | N/A |
| ERP Site Condition | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | N/A | N/A |
| Letter Modification | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| TOTALS | 492.37 | 438.55 | 1,440.51 | 660.56 | 3,031.99 | | |
| WATER USE PERMITS ISSUED NOV 11 | BAR | BVLLE | SAR | TPA | MONTHLY TOTAL | 6 MONTH AVERAGE | 12 MONTH AVERAGE |
| Small General | 33 | 7 | 4 | 5 | 49 | 47 | 48 |
| General | 9 | 4 | 5 | 6 | 24 | 22 | 21 |
| Individual | 0 | 1 | 1 | 0 | 2 | 5 | 5 |
| Letter Modification | 7 | 1 | 4 | 2 | 14 | 23 | 18 |
| TOTALS | 49 | 13 | 14 | 13 | 89 | 97 | 92 |
| WELL CONSTRUCTION PERMITS ISSUED NOV 11 | BAR | BVLLE | SAR | TPA | MONTHLY TOTAL | 6 MONTH AVERAGE | 12 MONTH AVERAGE |
| Well Construction | 83 | 104 | 31 | 189 | 407 | 461 | 480 |
| COMPLIANCE ACTIVITIES NOV 11 | BAR | BVLLE | SAR | TPA | MONTHLY TOTAL | 6 MONTH AVERAGE | 12 MONTH AVERAGE |
| Water Use Inspection (Includes Well Tag Installations) | 9 | 2 | 45 | 19 | 75 | 55 | 69 |
| ERP/WUP Permit Condition Violation | 4 | 9 | 3 | 5 | 21 | 32 | 38 |
| ERP/WUP Expired/Expiring | 3 | 13 | 24 | 3 | 43 | 124 | 103 |
| ERP/WUP Permit Ownership Trnsfr | 4 | 1 | 0 | 15 | 20 | 31 | 40 |
| ERPs Re-certification Received | 122 | 85 | 100 | 123 | 430 | 456 | 473 |
| ERP/WUP Complaints Received | 6 | 15 | 4 | 19 | 44 | 55 | 69 |
| ERP Construction Inspection | 82 | 230 | 177 | 210 | 699 | 817 | 832 |
| ERP As-Built Activities | 26 | 67 | 28 | 26 | 147 | 171 | 171 |
| ERP Transfer to Operation | 26 | 30 | 25 | 33 | 114 | 140 | 141 |
| Well Abandonments/Grouting | 9 | 4 | 4 | 11 | 28 | 38 | 44 |
| Other Well Construction Inspections | 3 | 9 | 3 | 41 | 56 | 74 | 81 |
| TOTALS | 294 | 465 | 413 | 505 | 1,677 | 1,993 | 2,068 |
| AGRICULTURAL GROUND & SURFACE WATER MGT PROJECT DESIGNS (AGSWM) - NOV 11 | | | | | MONTHLY TOTAL | 6 MONTH AVERAGE | 12 MONTH AVERAGE |
| Ordinary Farming | | | | | 2 | 2 | 1 |
| Temporary Farming | | | | | 0 | 1 | 1 |
| Permanent Farming | | | | | 2 | 2 | 2 |
| TOTALS | | | | | 4 | 5 | 4 |

Governing Board Meeting January 31, 2012

OPERATIONS & LAND MANAGEMENT COMMITTEE

Discussion Items

26. Consent Item(s) Moved for Discussion
27. Hydrologic Conditions Status Report (10 minutes) 2

Submit & File Reports

28. Pasco County – Topographic Mapping (N267) – Completion Notice 4
29. Surplus Lands Assessment Update 5

Routine Reports

30. Structure Operations 6
31. Significant Activities 20

Operations and Land Management Committee January 31, 2012

Discussion Item

Hydrologic Conditions Status 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. 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 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/hydro.htm>.

Rainfall

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

- The northern region received an average of 0.34 inch of rainfall, equivalent to the 5th percentile
- The central region received an average of 0.38 inch of rainfall, equivalent to the 7th percentile.
- The southern region recorded an average of 0.18 inch of rain, equivalent to the 4th percentile.
- District-wide, average rainfall was 0.30 inch, equivalent to the 3rd percentile.

Streamflow

December streamflow data indicates that flow in regional index rivers decreased in all three regions of the District, compared to the previous month. Streamflow conditions ended the month below-normal in the northern and southern regions, while they were within the normal range in the central region. Normal streamflow is defined as falling 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 4th percentile.
- The monthly average streamflow measured in the Hillsborough River near Zephyrhills in the central region was in the 37th percentile.
- The monthly average streamflow measured in the Peace River at Arcadia in the southern region was in the 20th percentile.

Groundwater Levels

December groundwater data indicate levels in the Floridan/Intermediate aquifer decreased in all three regions of the District, compared to last month. Groundwater conditions ended the month below-normal in the northern and southern regions, while they were within the normal range in the central region. Normal groundwater levels are defined as those falling on or between the 25th and 75th percentiles.

- The average groundwater level in the northern counties was in the 15th percentile.
- The average groundwater level in the central counties was in the 41st percentile.
- The average groundwater level in the southern counties was in the 23rd percentile.

Item 27

Lake Levels

Water-level data for December indicates average lake levels decreased in all four regions of the District. The Northern, Polk Uplands, and Lake Wales Ridge regions ended the month below the base of the annual normal range, while the Tampa Bay region ended the month above the base of the annual normal range. Normal lake levels are generally considered to be levels that fall between the minimum low management level and the minimum flood level.

- Average levels in the Northern region decreased 0.27 foot and were 4.13 feet below the base of the annual normal range.
- Average lake levels in the Tampa Bay region decreased 0.18 foot and were 0.73 foot above the base of the annual normal range.
- Average lake levels in the Polk Uplands region decreased 0.12 foot and were 0.59 foot below the base of the annual normal range.
- Average lake levels in the Lake Wales Ridge region decreased 0.13 foot and were 2.90 feet below the base of the annual normal range.

Issues of Significance

December historically marks the third month of the 8-month (October through May) dry season and provisional rainfall totals for the month were below-normal in all regions of the District. Rainfall received during the month was light, scattered and associated with cold front systems moving through the District. Analysis of partial dry-season (October-December) rainfall indicates totals were below the historic mean in all regions of the District. The District-wide provisional 12-month rainfall deficit worsened and was approximately 3.5 inches below the long-term historical average, while the 24-month and 36-month deficits worsened to 6.7 and 9.1 inches, respectively, below the long-term averages.

NOAA climate forecasts continue to predict below-normal rainfall conditions for January and the remaining winter and coming spring months, due to existing La Niña conditions in the Pacific Ocean. Extended drier-than-normal rainfall conditions during the winter/spring months would worsen overall hydrologic conditions.

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

Staff Recommendation:

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

Presenter: Granville Kinsman, Manager, Hydrologic Data Section

Operations and Land Management Committee January 31, 2012

Submit & File Report

Pasco County – Topographic Mapping (N267) – Completion Notice

In response to a cooperative funding request from Pasco County, the District's Governing Board included funding of \$350,000 for the Pasco County – Topographic Mapping Project in its fiscal year 2011 budget. The project was originally estimated at a total cost of \$700,000. This recap is to inform the Governing Board that this project has been completed at a total cost of \$431,870, which is under the budgeted funds for this project. The District's share was \$215,935 and Pasco County's share was \$215,935.

Several areas within Pasco County have experienced significant increases in population, landscape modifications, and substantial infrastructure improvements of state and local highways since 2004 when the most recent countywide topographic information was collected. In these areas such changes have rendered existing topographic data inaccurate. Additionally, the 2004 topographic mapping was done using technologies that do not allow the production of commonly-requested topographic mapping products such as contours. Through the Cooperative Funding Initiative the County requested that the 2004 topographic information be updated to reflect changes in the landscape. This project consisted of mapping approximately 294 squares of high priority areas that include the Anclote River, South Lakes, Cypress Creek, Trout Creek, Upper Hillsborough and New River Watersheds.

Staff Recommendation:

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

Presenter: Michael L. Holtkamp, Director, Operations, Maintenance and Construction Division

**Resource Management Committee
January 31, 2012**

Submit and File Report

Surplus Lands Assessment Update

The final two Surplus Lands Assessment public information meetings took place on January 10 and 11, 2012, in Tampa and Sarasota, respectively. The meetings featured a presentation on the project's land assessment process, the Governing Board Subcommittee review process, the Governing Board review process and surplus options. There were 12 people in attendance at the Tampa meeting and 105 in Sarasota. After hearing the presentation, the audience was encouraged to ask questions and speak directly with staff where their questions could be answered and documented by staff. All relevant questions were recorded, compiled and will be posted on the project web page.

Staff has initiated the land evaluation process and is formulating recommendations for consideration by the Governing Board Subcommittee. The next Governing Board Subcommittee meeting will be March 7, 2012, at the Sarasota Service Office where staff will be making recommendations on parcels in Charlotte, DeSoto, Highlands, Manatee and Sarasota Counties. The District does not own land in Hardee County. The March 7 meeting is three weeks later than originally planned; as staff has pushed the original project schedule back three weeks to have more time to prepare the documents relating to the parcel evaluation.

Staff Recommendation:

This item is submitted for the Committee's information, and no action is required. Staff welcomes any input or direction on this item.

Presenter: Roy Mazur P.E., AICP, Chief, Operations and Land Management Bureau

Operations and Land Management Committee January 31, 2012

Routine Report

Structure Operations

December historically marks the third month of the 8-month (October through May) dry season and provisional rainfall totals for the month were below-normal in all regions of the District. Rainfall received during the month was light, scattered and associated with cold front systems moving through the District. Analysis of partial dry-season (October-December) rainfall indicates totals were below the historic mean in all regions of the District. The District-wide provisional 12-month rainfall deficit worsened and was approximately 3.5 inches below the long-term historical average, while the 24-month and 36-month deficits worsened to 6.7 and 9.1 inches, respectively, below the long-term averages.

NOAA climate forecasts continue to predict below-normal rainfall conditions for January and the remaining winter and coming spring months, due to existing La Niña conditions in the Pacific Ocean. Extended drier-than-normal rainfall conditions during the winter/spring months would worsen overall hydrologic conditions.

Updated weather forecasts will be available in mid-January. 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.

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- The northern region received an average of 0.34 inch of rainfall, equivalent to the 5th percentile
- The central region received an average of 0.38 inch of rainfall, equivalent to the 7th percentile.
- The southern region recorded an average of 0.18 inch of rain, equivalent to the 4th percentile.
- District-wide, average rainfall was 0.30 inch, equivalent to the 3rd percentile.

A summary of the operations made in December is as follows:

- Inglis Water Control Structures: The Inglis Bypass Spillway was operated during the month of December in order to maintain water levels in Lake Rousseau and provide flow to the lower Withlacoochee River. The average monthly water level for Lake Rousseau was 27.53' NGVD. The recommended maintenance level for the reservoir is 27.50' NGVD.
- Withlacoochee River Basin: All water conservation structures in the Tsala Apopka Chain of Lakes are closed with the exception of the Moccasin Slough Structure, which remains open allowing for the natural flow of the slough between the Inverness and Floral City Pools. The Wysong-Coogler Water Conservation Structure main gate was fully inflated to 39.00' NGVD aiding in the regulation of the Lake Panasoffkee water level. The low flow gate was inflated to 36.40' NGVD providing minimum flow requirements to the Withlacoochee River downstream of the structure. The average monthly water level for Lake Panasoffkee was 37.93' NGVD.
- Alafia River Basin: During the first week of December the Medard Reservoir Structure was operated to assist in maintaining recommended maintenance levels. The average monthly water level for the reservoir is 59.92' NGVD compared to the recommended maintenance level of 60.00' NGVD.

Item 30

- Hillsborough River Basin: The Lake Pretty and Lake Armistead structures were operated during the month of December to assist in maintaining recommended maintenance levels. The average monthly water level for Lake Thonotosassa was 36.15' NGVD compared to the recommended maintenance level of 36.50' NGVD.
- Pinellas-Anclote River Basin: The Sawgrass Lake Structure was operated during the month of December. A water level of 2.50' NGVD was maintained on Sawgrass Lake in order to facilitate the Sawgrass Lake Restoration Project. The average monthly water level for Lake Tarpon was 3.19' NGVD compared to the recommended maintenance level of 3.20' NGVD.
- Peace River Basin: The P-11 Structure (Lake Hancock) was operated during the month of December. Lake Hancock's water level was lowered to 98.30' NGVD to aid in the construction of the diversion canal for the P-11 Structure Replacement Project. The average monthly water level for Lake June-in-Winter was 73.13' NGVD compared to the recommended maintenance level of 74.50' NGVD.
- Green Swamp Basin: There were no structure operations made during the month of December. The average monthly water level for Lake Gibson was 142.85' NGVD. The recommended maintenance level for the Lake Gibson is 143.00' NGVD.

Staff Recommendation:

See Exhibit

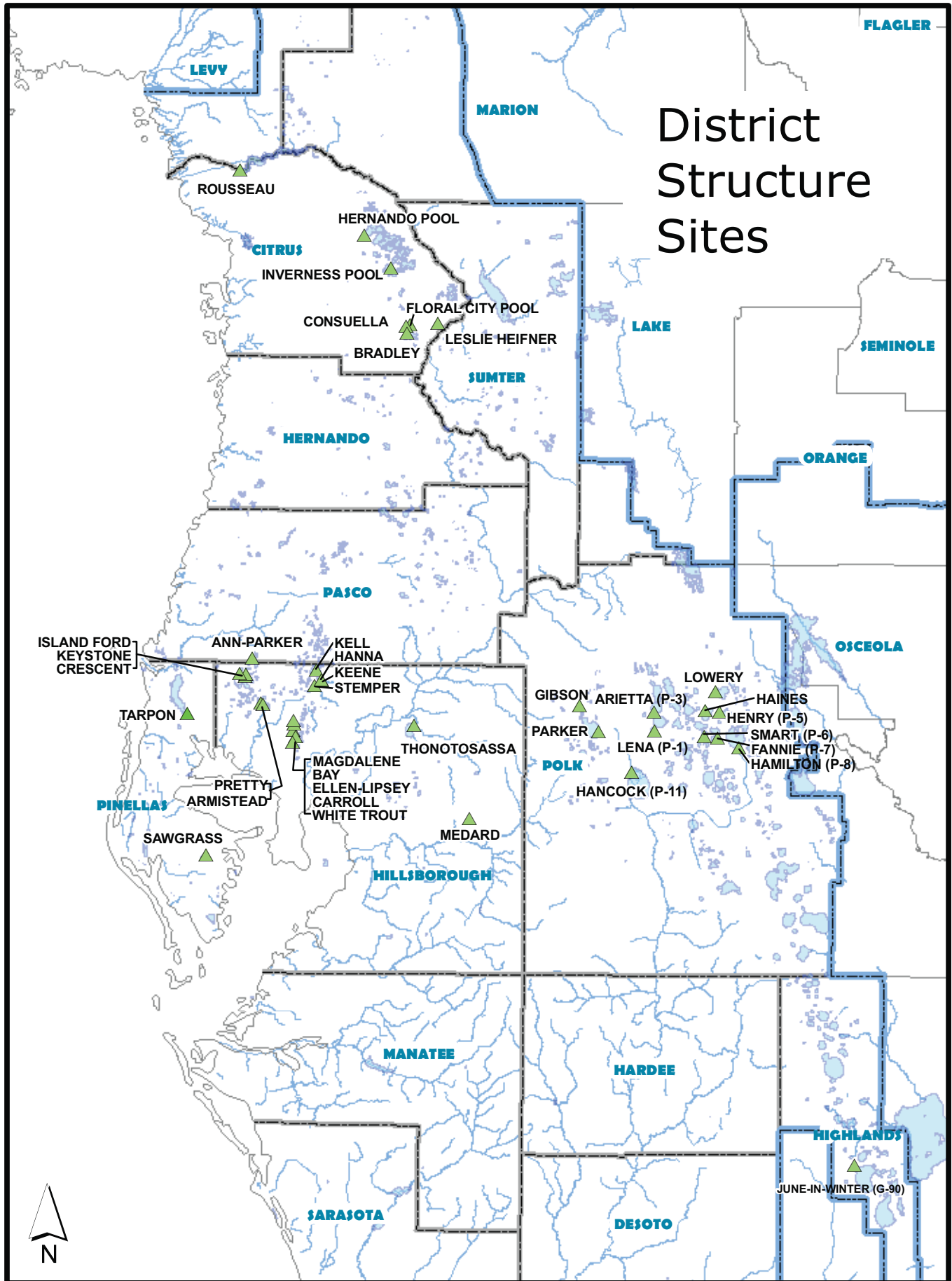
This item is provided for the Committee's information, and no action is required.

Presenter: David Crane, Manager, Structure Operations Section

STRUCTURE OPERATIONS SECTION HYDROLOGIC REPORT

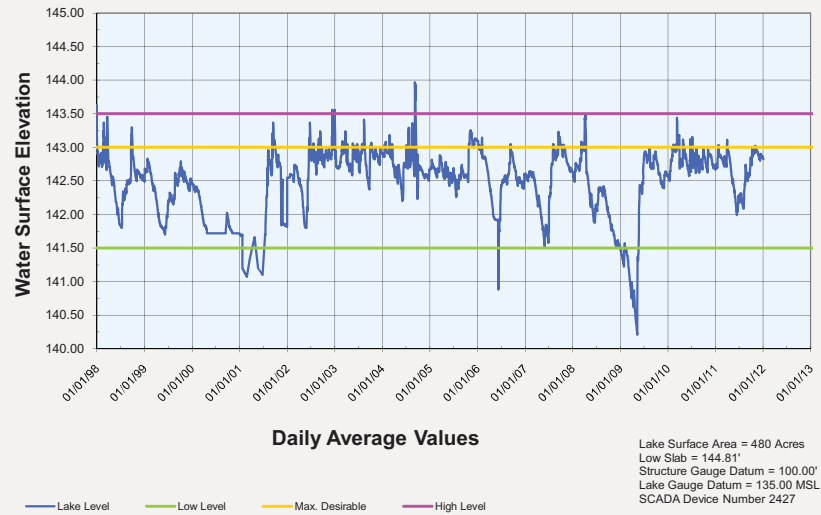
January 3, 2012

| STRUCTURE | ELEVATION LEVELS | ELEVATION DIFFERENCE | CURRENT LEVEL | POSITION OF STRUCTURE | STRUCTURE | ELEVATION LEVELS | ELEVATION DIFFERENCE | CURRENT LEVEL | POSITION OF STRUCTURE |
|--|---|--|--|--|--|---|--|---|--|
| FLINT CREEK HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 37.00 36.50 34.50 | -0.93 -0.43 1.57 | 36.07 <i>invert 32.9'</i> | Gate 1 Closed Gate 2 Closed All drop gates: 36.00' MSL | FLORAL CITY POOL HIGH GUIDE LEVEL HIGH MIN LEVEL MIN LAKE LEVEL LOW GUIDE LEVEL | 41.80 41.20 39.80 39.60 | -3.35 -2.75 -1.35 -1.15 | 38.45 <i>Golf Course invert 38.0'</i> | Leslie Heifner Fully Closed Floral City Fully Closed Golf Course All Gates Closed Moccasin Slough Open |
| KELL HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 66.00 65.50 63.50 | -0.66 -0.16 1.84 | 65.34 <i>invert 64.66'</i> | Open (No Boards) | INVERNESS POOL HIGH GUIDE LEVEL HIGH MIN LEVEL MIN LAKE LEVEL LOW GUIDE LEVEL | 40.30 40.10 38.70 37.80 | -3.57 -3.37 -1.97 -1.07 | 36.73 <i>Brogden Bridge invert 34.25'</i> | Brogden Bridge Gate 1 Closed Brogden Bridge Gate 2 Closed Brogden Culvert Closed Bryant Slough gates Closed |
| KEENE HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 63.00 62.50 60.50 | -0.78 -0.28 1.72 | 62.22 <i>1-invert 61.6'</i> <i>2-invert 61.6'</i> | Keene 1: Closed 12" of Board Keene 2: Open 12" of Board Keene 3: Open (No Boards) Sherry's Brook: Open 18" of Board | HERNANDO POOL (S353) HIGH GUIDE LEVEL HIGH MIN LEVEL MIN LAKE LEVEL LOW GUIDE LEVEL Two Mile Prairie (max) | 39.00 38.70 37.30 35.90 35.00 | -4.37 -4.07 -2.67 -1.27 -11.71 | 34.63 <i>S-353 invert 36.5'</i> 23.29 | Van Ness Closed S-353 Gates Closed |
| STEMPER HIGH GUIDE LEVEL HIGH MIN LEVEL MIN LAKE LEVEL LOW GUIDE LEVEL | 61.20 60.80 59.40 59.10 | -0.79 -0.39 1.01 1.31 | 60.41 <i>invert 60.25'</i> | Open 8" of Tapered Board | LESLIE HEIFNER UPSTREAM DOWNSTREAM | 40.04 40.03 | 0.01 | 38.25 38.46 <i>invert 35.0'</i> | Upstream (RIVER level) Downstream (POOL level) Gate Fully Closed |
| HANNA HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 62.50 61.75 59.50 | -1.47 -0.72 1.53 | 61.03 <i>invert 60.28'</i> | Open 18" of Boards | WYSONG-COUGLER UPSTREAM DOWNSTREAM | 39.50 39.50 | -2.05 | 37.45 36.06 | Main Gate Fully Up Low Flow Gate at 36.08 62 USGS cfs flow |
| CYPRESS CREEK WORTHINGTON GARDENS | Flood Stage 8.00 | -3.65 | 4.35 | Drop Gate Open 3.0'. | INGLIS HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 28.00 27.50 26.50 | -0.48 0.02 1.02 | 27.52 <i>invert 11.3'</i> | By-pass Gates Open 1.21' Main Gates Closed 397 Total Bypass cfs flow |
| SAWGRASS LAKE HIGH LEVEL LOW LEVEL | 5.00 3.80 | -2.35 -1.15 | 2.65 | Gate 1 Closed Gate 2 Open 3.17' Gate 3 Open 0.60' | LAKE BRADLEY MAXIMUM DESIRABLE | 42.50 | -4.90 | 37.60 | Gate Open 1.00' |
| TARPON (S551) HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 3.80 3.20 2.20 | -0.53 0.07 1.07 | 3.27 | Main Gates 1, & 4 Closed Main Gates 2, & 3 Closed Drop Gates 1,2,3,4 Closed | LAKE CONSUELLA MAXIMUM DESIRABLE | 41.50 | -6.67 | 34.83 | All Logs in Closed |
| ANNE PARKER HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 48.75 48.25 45.75 | -1.64 -1.14 1.36 | 47.11 <i>invert 46.40'</i> | 36" of Board Installed | MEDARD RESERVOIR MAXIMUM DESIRABLE | 60.00 | -0.21 | 59.79 | Gate Closed |
| WHITE TROUT HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 36.50 36.00 34.00 | -1.62 -1.12 0.88 | 34.88 <i>invert 32.94'</i> | 18" of Board Installed | HANCOCK (P11) HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 99.00 98.50 96.00 | -0.64 -0.14 2.36 | 98.36 98.30 <i>invert 91.7'</i> | Gauge at structure Gauge on lake All Gates Closed |
| KEYSTONE HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 42.00 41.75 39.75 | -0.45 -0.20 1.80 | 41.55 <i>invert 37.2'</i> | Gate 1 Closed Gate 2 Closed | HENRY (P5) HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 126.50 126.00 124.00 | -1.21 -0.71 1.29 | 125.29 <i>invert 122.0'</i> | Gate Closed |
| CRESCENT HIGH GUIDE LEVEL HIGH MIN LEVEL MIN LAKE LEVEL LOW GUIDE LEVEL | 41.90 41.30 40.30 39.80 | -0.18 0.42 1.42 1.92 | 41.72 <i>invert 38.5'</i> | Gate Closed | SMART (P6) HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 128.75 128.50 126.50 | -2.37 -2.12 -0.12 | 126.38 <i>invert 127.2'</i> | Gate Closed |
| ISLAND FORD HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 41.50 41.00 39.00 | -0.91 -0.41 1.59 | 40.59 <i>invert 35.0'</i> <i>crest 41.25'</i> | All Gates Closed | FANNIE (P7) HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 125.75 125.50 123.50 | -4.47 -4.22 -2.22 | 121.28 <i>invert 119.5'</i> | Gates Closed |
| PRETTY HIGH GUIDE LEVEL HIGH MIN LEVEL MIN LAKE LEVEL LOW GUIDE LEVEL | 44.30 43.90 42.50 42.20 | 0.15 0.55 1.95 2.25 | 44.45 <i>invert 38.0'</i> | Lift Gate 2&3 Closed Drop 1&4 Closed | HAMILTON (P8) HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 121.50 121.25 119.00 | -2.27 -2.02 0.23 | 119.23 <i>invert 113.0'</i> | Gates Closed |
| MAGDALENE HIGH LEVEL MAXIMUM DESIRABLE LOW MANAGEMENT | 50.00 49.50 47.50 | -0.95 -0.45 1.55 | 49.05 49.06 <i>invert 45.6'</i> | Lake gauge Structure gauge Gates Closed | LENA (P1) HIGH LEVEL MAXIMUM DESIRABLE LOW MANAGEMENT | 137.00 136.75 134.50 | -2.50 -2.25 0.00 | 134.50 <i>invert 134.47'</i> | Gate closed |
| BAY HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 46.75 46.00 44.00 | -1.43 -0.68 1.32 | 45.32 <i>invert 44.0'</i> | Gates Closed | JUNE-IN-WINTER (G90) HIGH GUIDE LEVEL HIGH MIN LEVEL MIN LAKE LEVEL LOW GUIDE LEVEL | 74.70 74.50 74.00 73.20 | -1.64 -1.44 -0.94 -0.14 | 73.06 <i>invert 65.37'</i> | Gates Closed Overflow at 75.00' NGVD |
| ELLEN-LIPSEY HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 41.50 41.00 39.00 | -1.15 -0.65 1.35 | 40.35 40.37 <i>invert 37.6'</i> | Structure Gauge Lake Gauge Both Gates Closed Drops: At 41.00' | ARIETTA (P3) HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 144.00 142.50 141.00 | -4.60 -3.10 -1.60 | 139.40 <i>invert 137.4'</i> | Gate Closed |
| CARROLL HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 37.00 36.50 34.50 | -0.84 -0.34 1.66 | 36.16 <i>invert 34.17'</i> | 30" of Board Installed | GIBSON HIGH LEVEL MAXIMUM DESIRABLE Low Level | 143.50 143.00 141.50 | -0.67 -0.17 1.33 | 142.83 <i>invert 141.4'</i> | Gate Closed Stop log bays at 142.64' crest |
| ARMISTEAD HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 44.00 43.00 40.50 | -2.08 -1.08 1.42 | 41.92 | Gate Closed | PARKER HIGH LEVEL MAXIMUM DESIRABLE LOW LEVEL | 131.00 130.75 128.75 | -0.81 -0.56 1.44 | 130.19 <i>invert 129.15'</i> | Gate Closed |
| HILLSBOROUGH RIVER MORRIS BRIDGE FOWLER | Flood Stage 32.00 29.00 | -7.32 -6.72 | 24.68 22.28 | S-155 is open | PEACE RIVER BARTOW ZOLFO SPRINGS ARCADIA | Flood Stage 8.00 16.00 11.00 | -4.00 -9.85 -8.32 | 4.00 6.15 2.68 | |
| WITHLACOCHEE R. TRILBY CROOM HIGHWAY. 48 LAKE PANASOFFKEE HOLDER | Flood Stage 61.27 47.94 40.70 35.52 | -11.57 -7.83 -2.90 -7.70 | 49.70 40.11 38.23 37.80 27.82 | | LITTLE MANATEE RIVER WIMAUMA | Flood Stage 11.00 | -7.10 | 3.90 | |
| ANCLOTE RIVER ELFERS | Flood Stage 20.00 | -9.95 | 10.05 | | ALAFIA RIVER LITHIA | Flood Stage 13.00 | -9.12 | 3.88 | |
| | | | | | MYAKKA RIVER MYAKKA STATE PARK | Flood Stage 7.00 | -3.02 | 3.98 | |
| | | | | | MANATEE RIVER MYAKKA HEAD | Flood Stage 11.00 | -7.84 | 3.16 | |

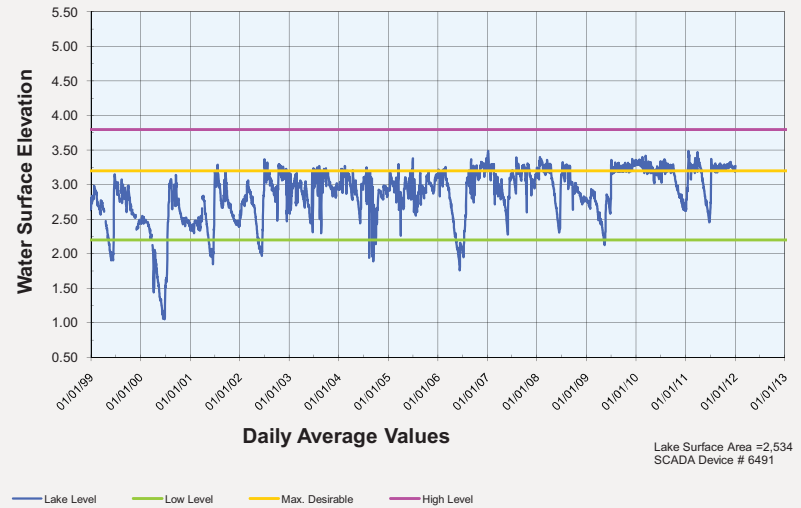


District Structure Sites

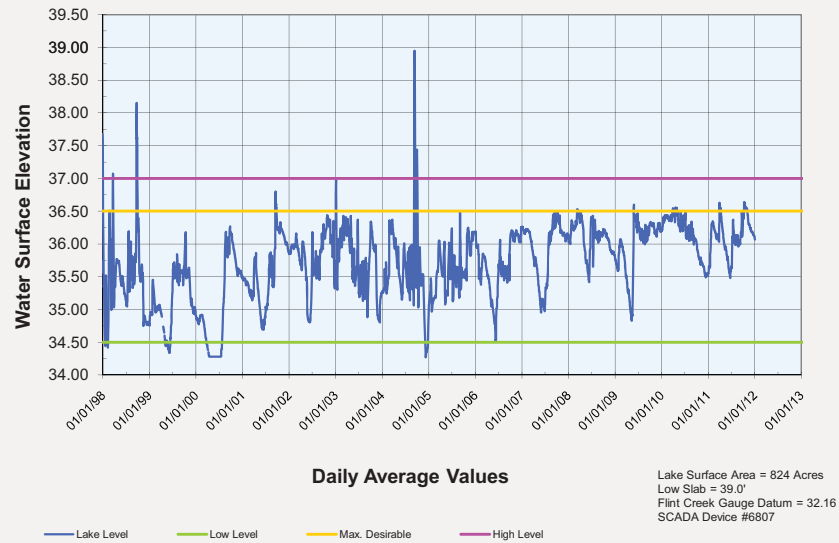
Lake Gibson



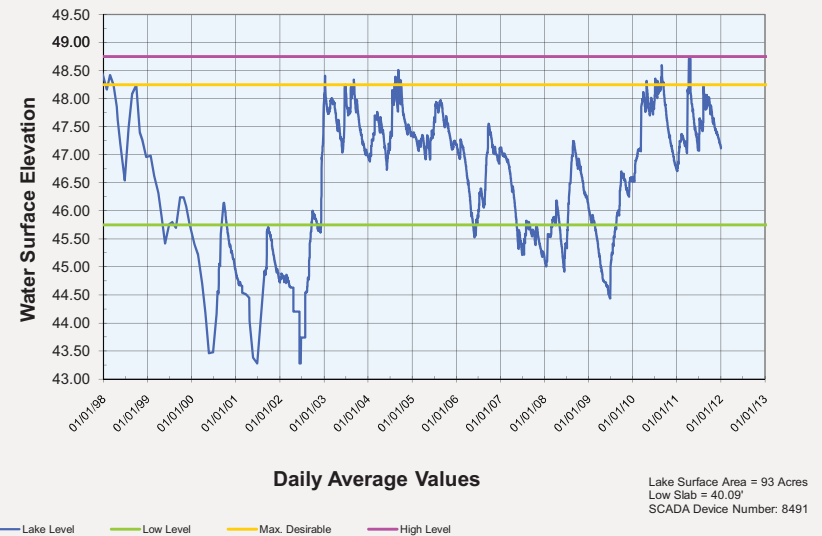
Lake Tarpon, S-551



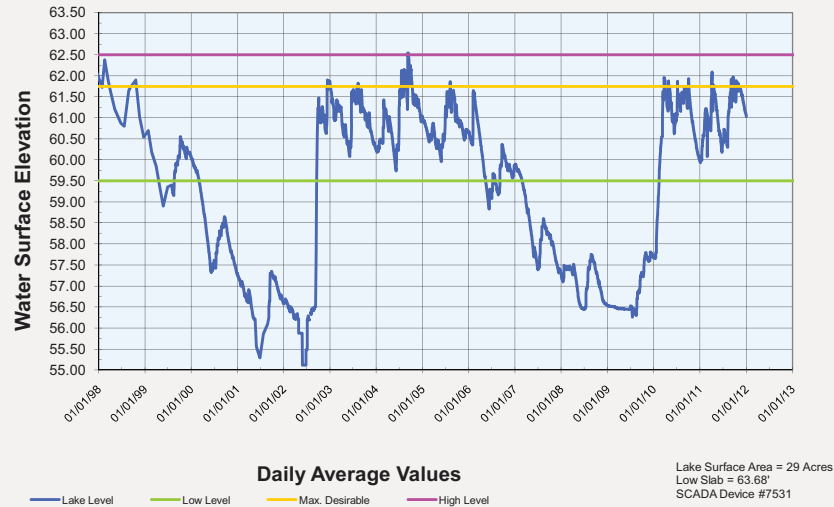
Lake Thonotosassa



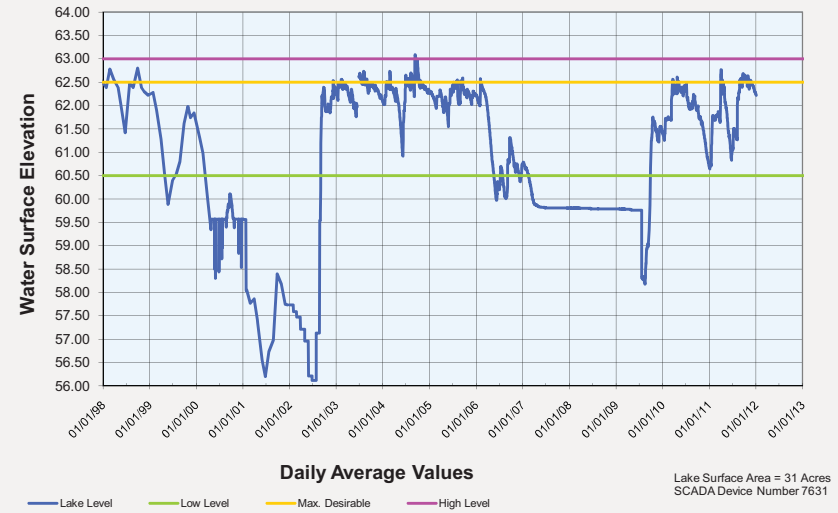
Lake Anne Parker



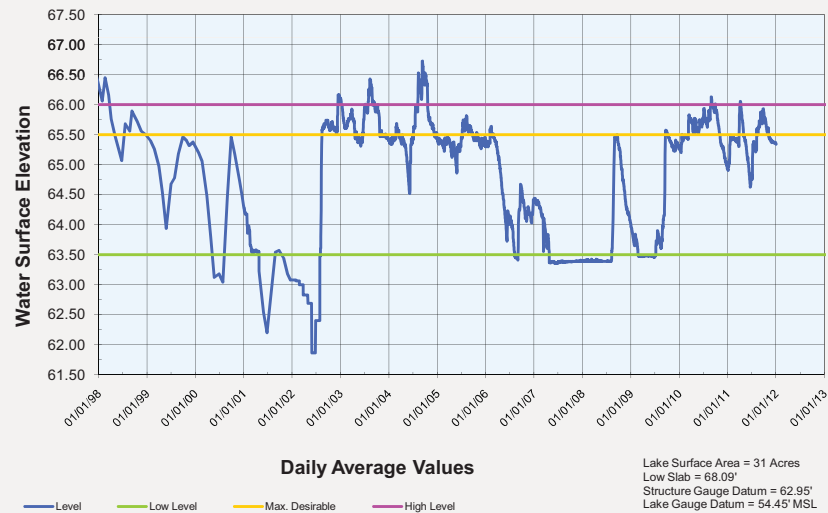
Lake Hanna



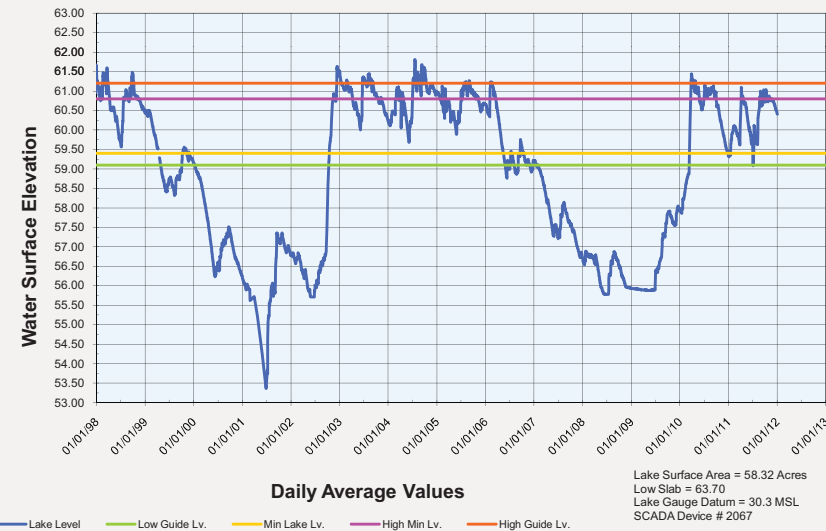
Lake Keene



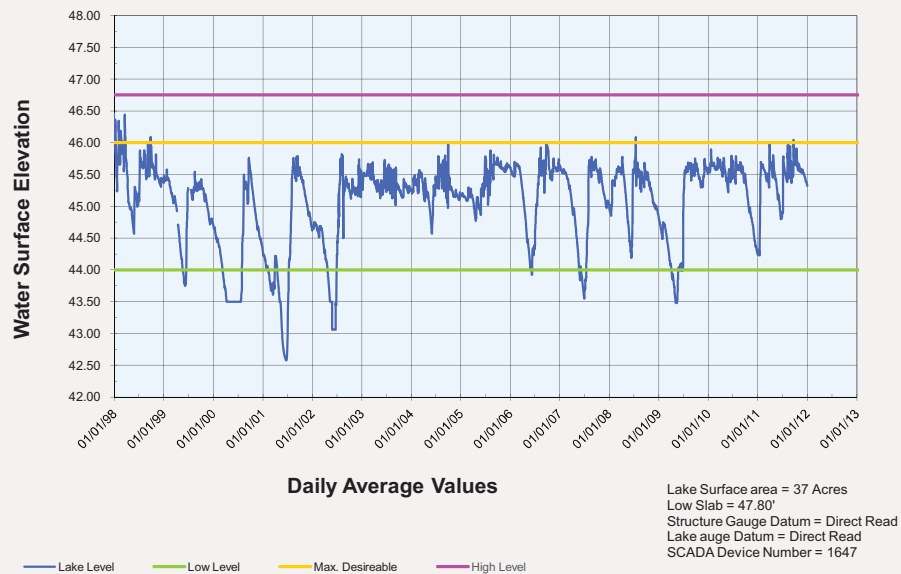
Lake Kell



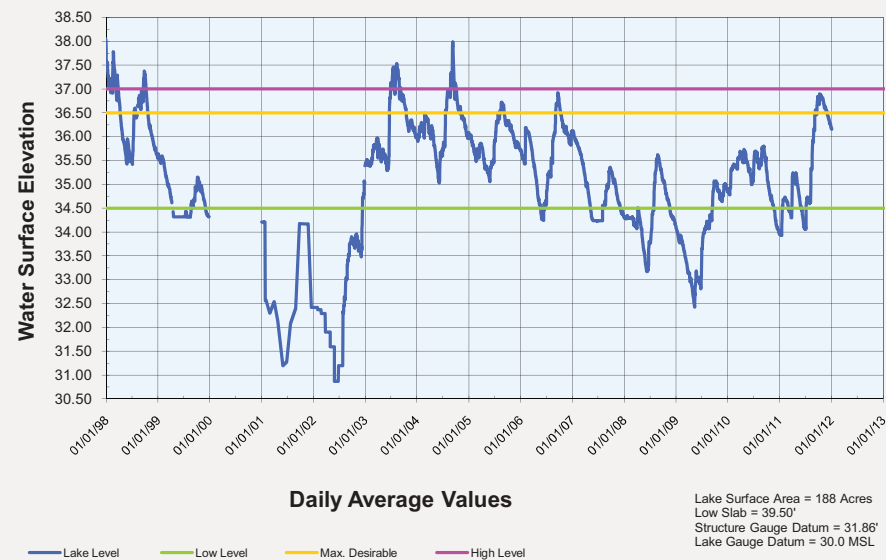
Lake Stemper



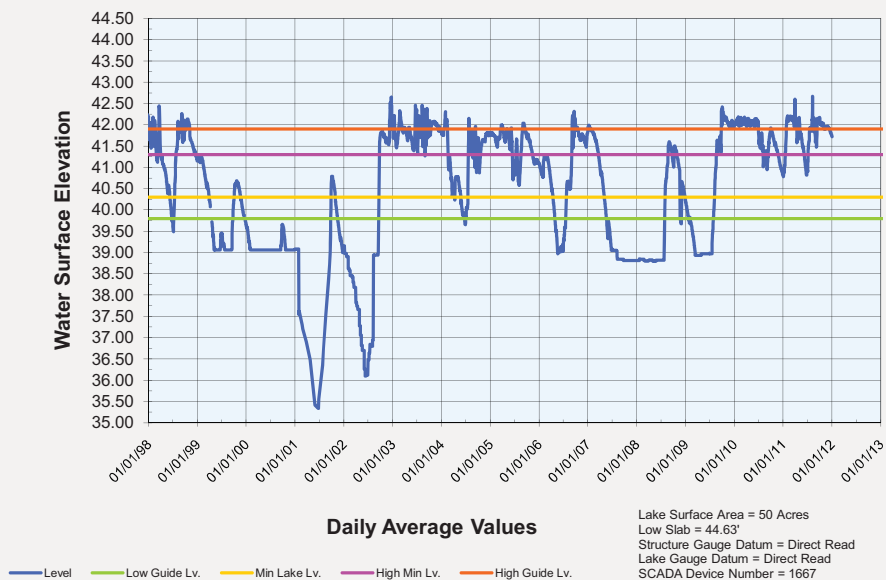
Bay Lake



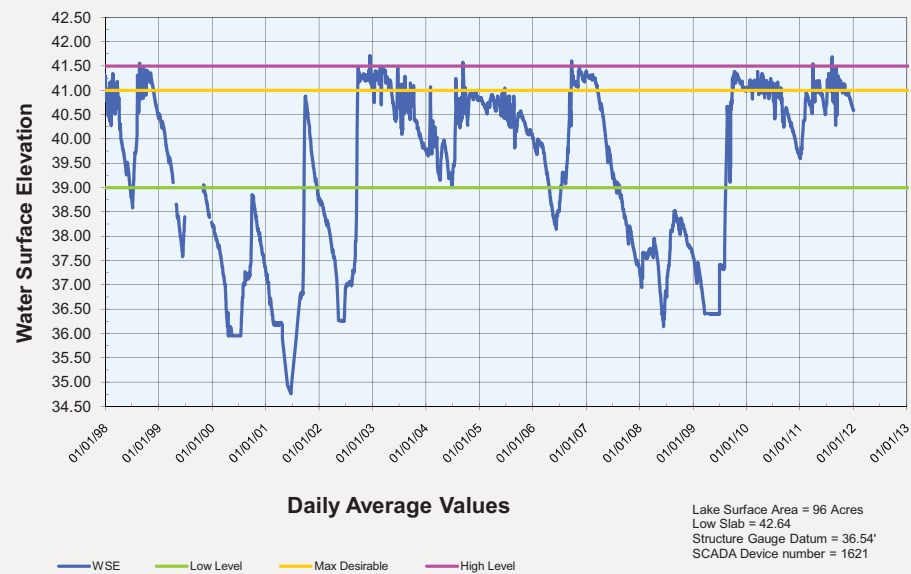
Lake Carroll

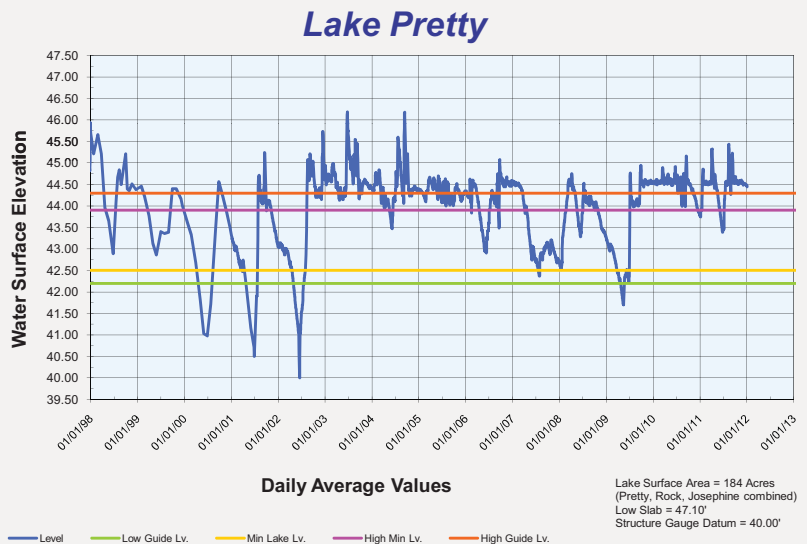
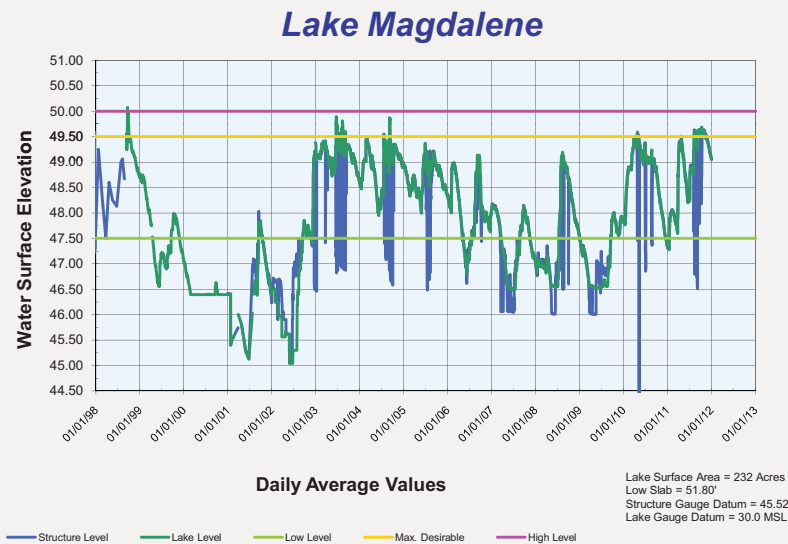
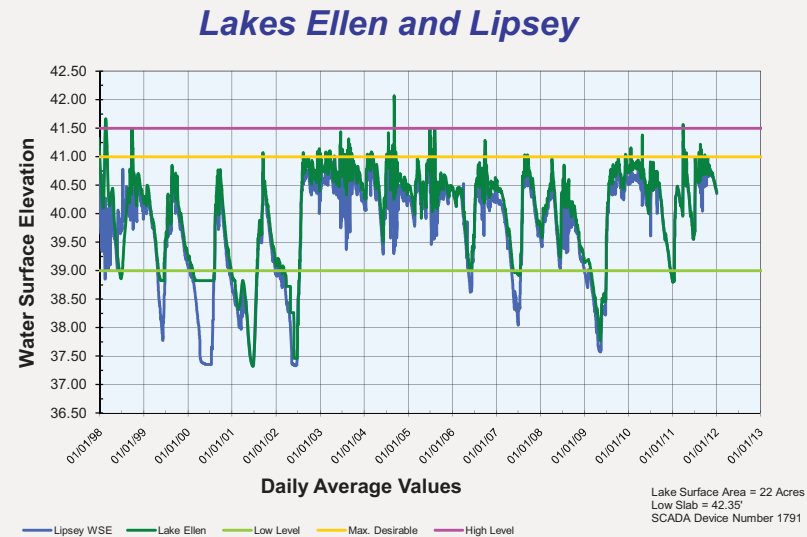
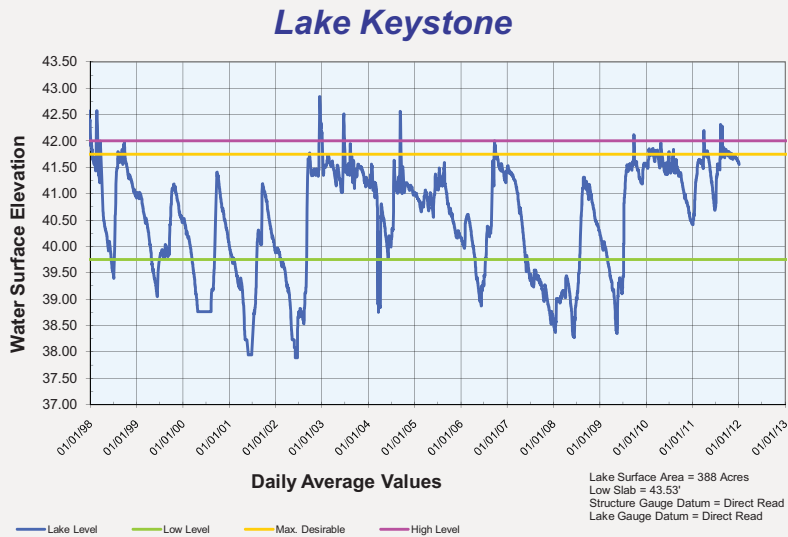


Crescent Lake

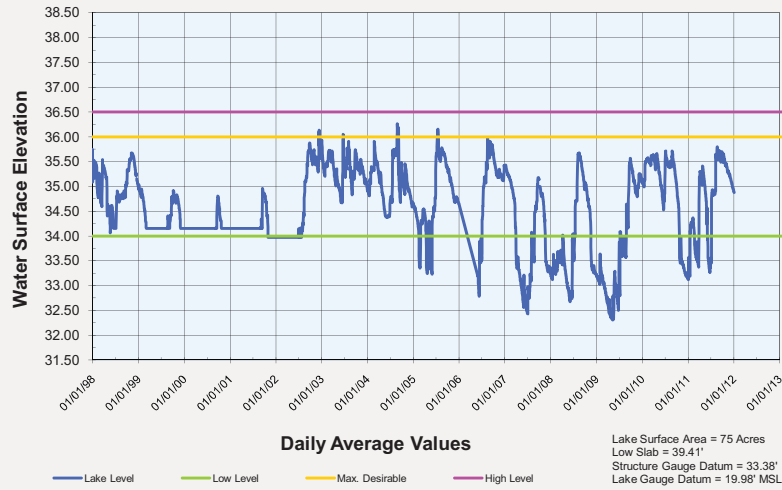


Lake Island Ford

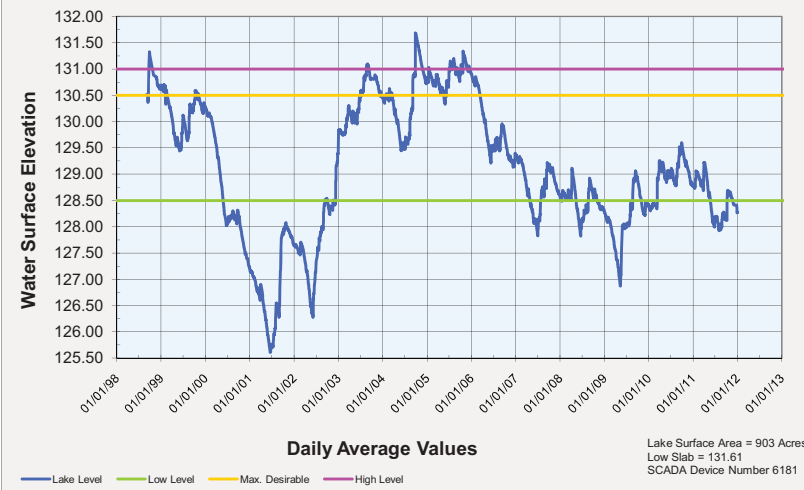




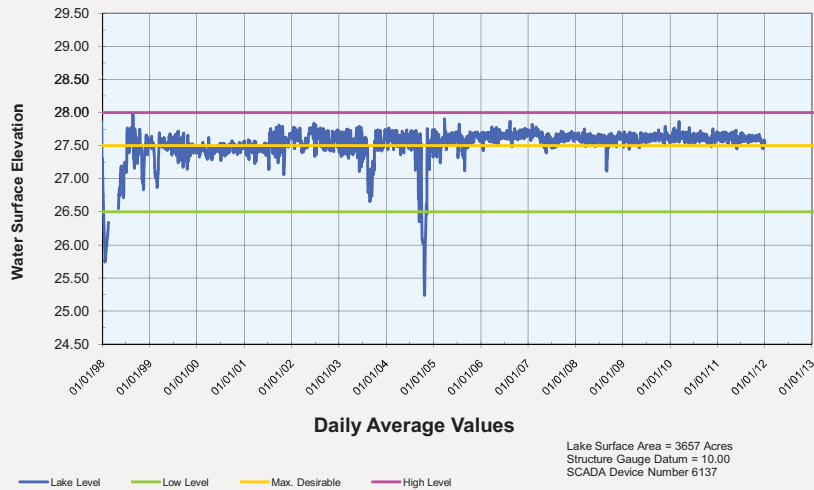
Lake White Trout



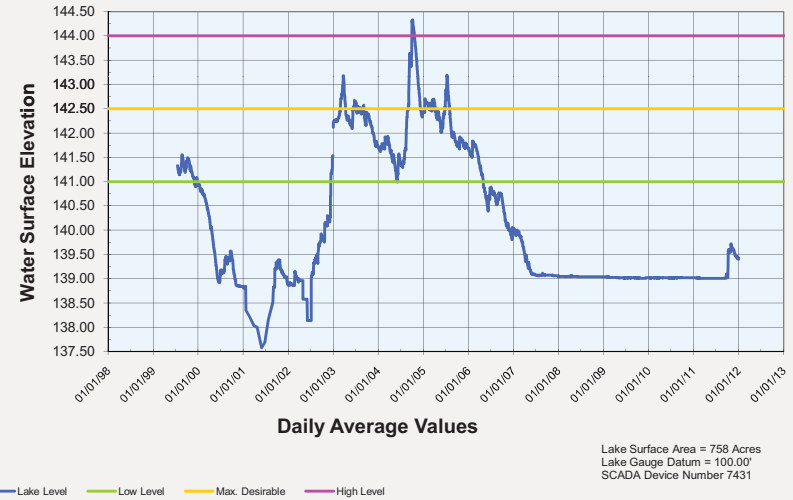
Lake Lowery



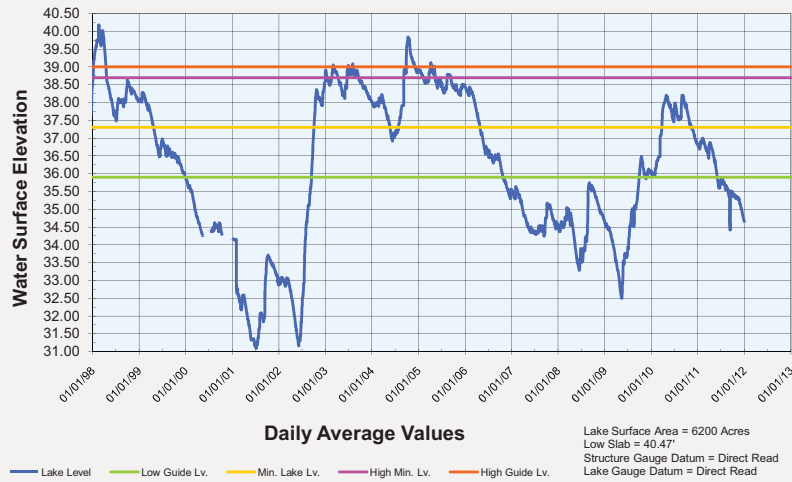
Lake Rousseau



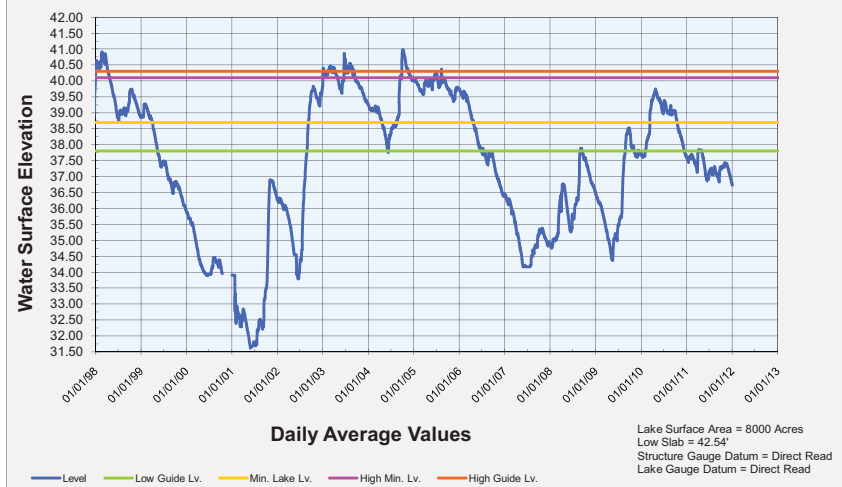
Lake Arietta (P-3)



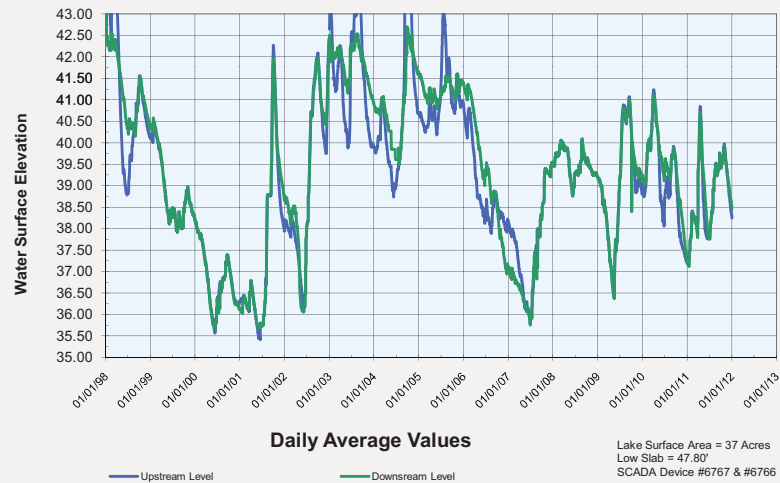
Hernando Pool



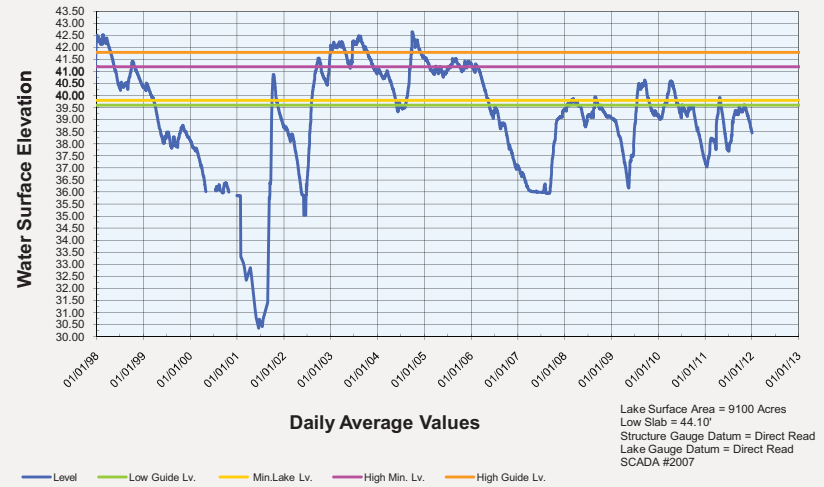
Inverness Pool



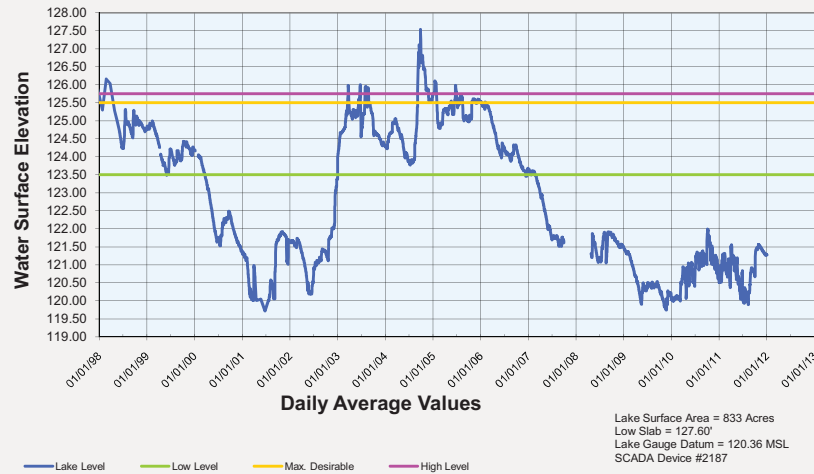
Leslie Heifner



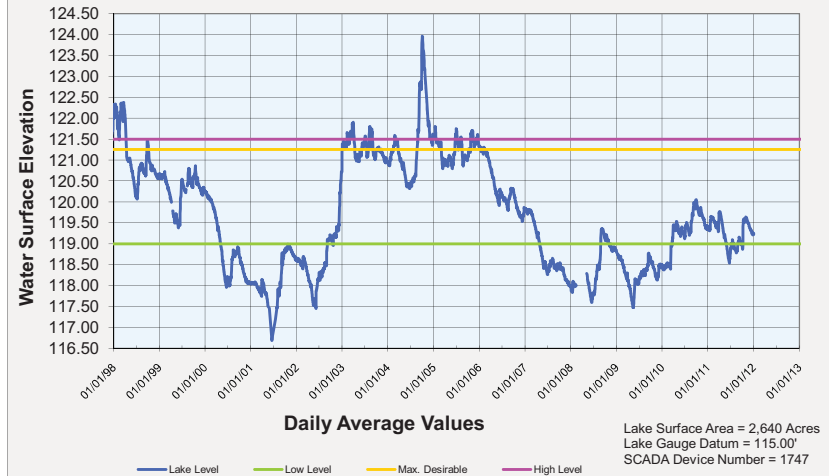
Floral City Pool



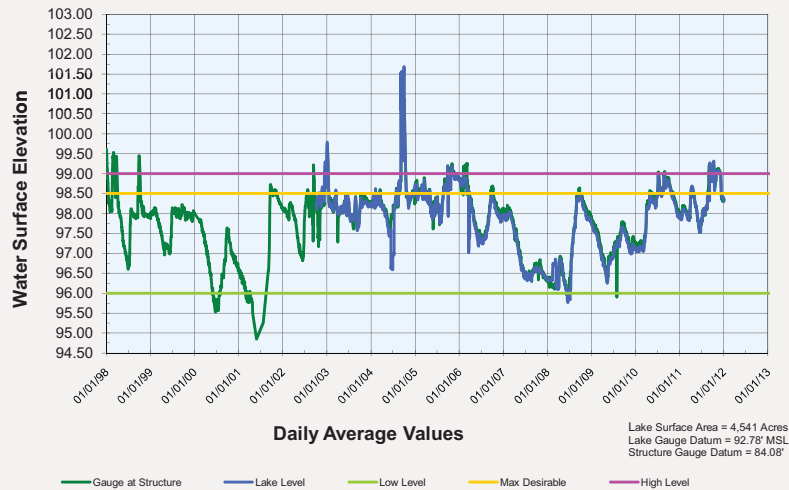
Lake Fannie (P-7)



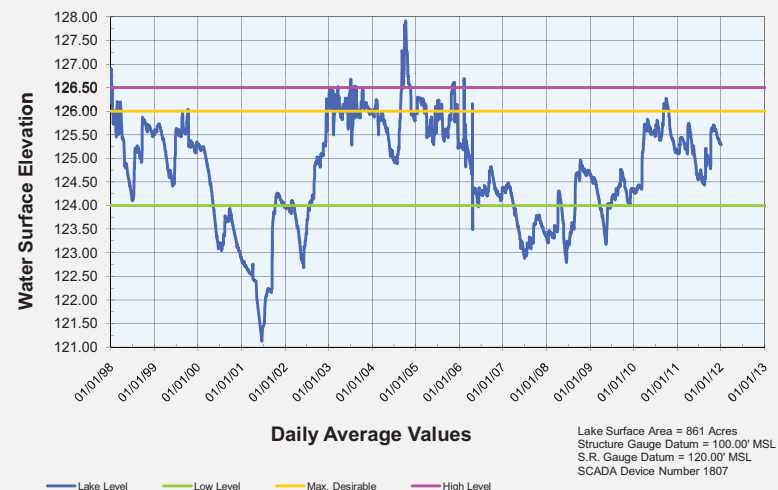
Lake Hamilton (P-8)



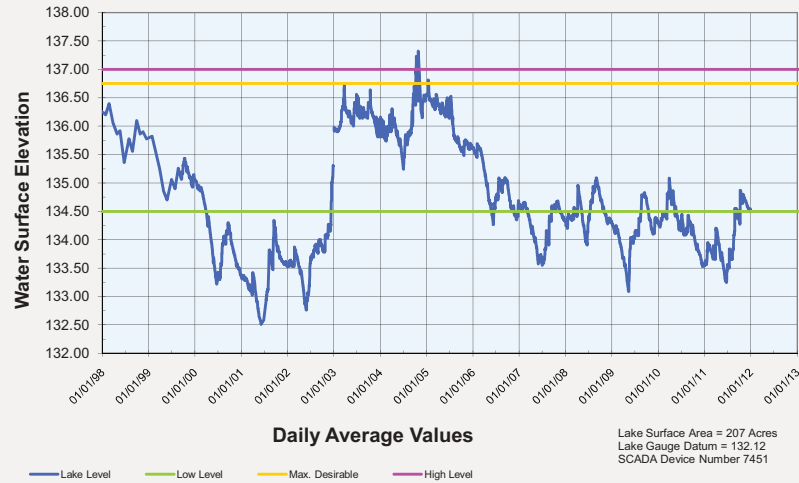
Lake Hancock (P-11)



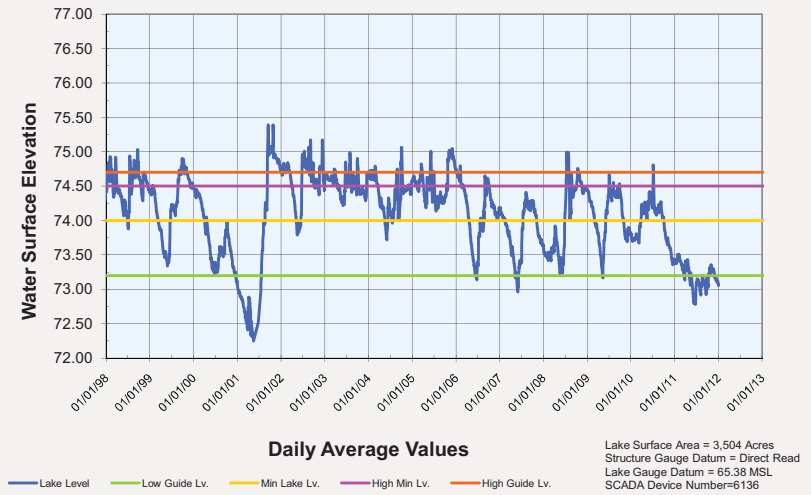
Lake Henry (P-5)



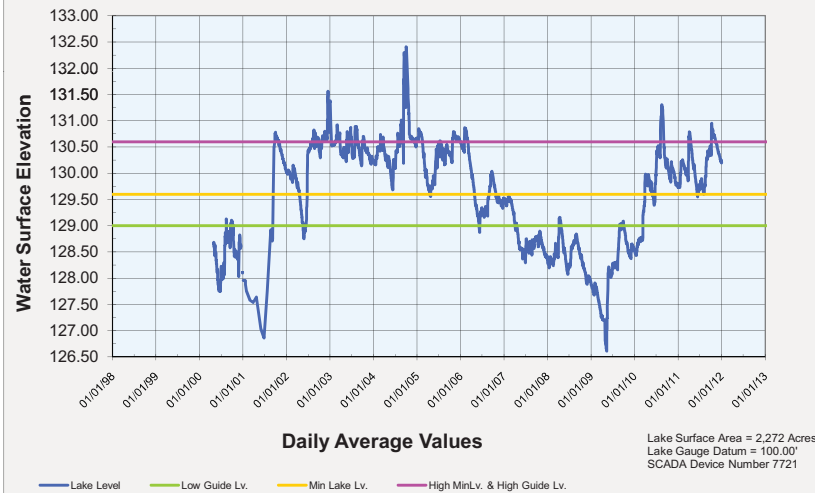
Lake Lena (P-1)



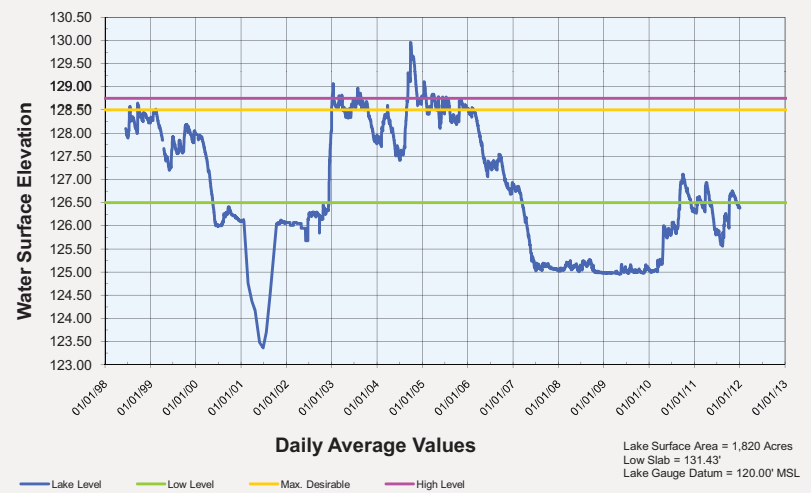
Lake June-in-Winter (G-90)



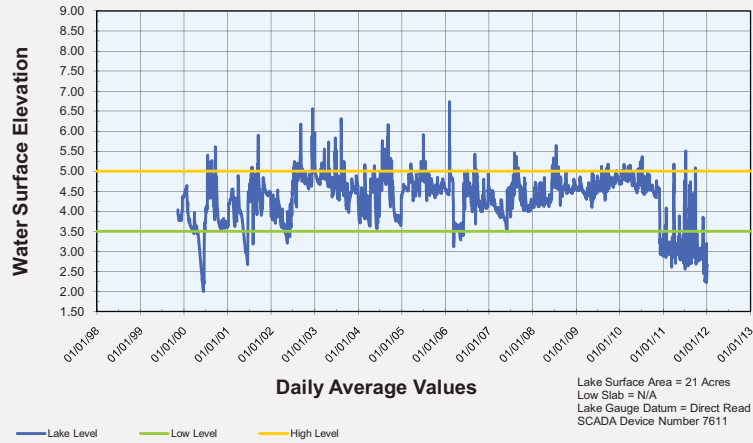
Lake Parker



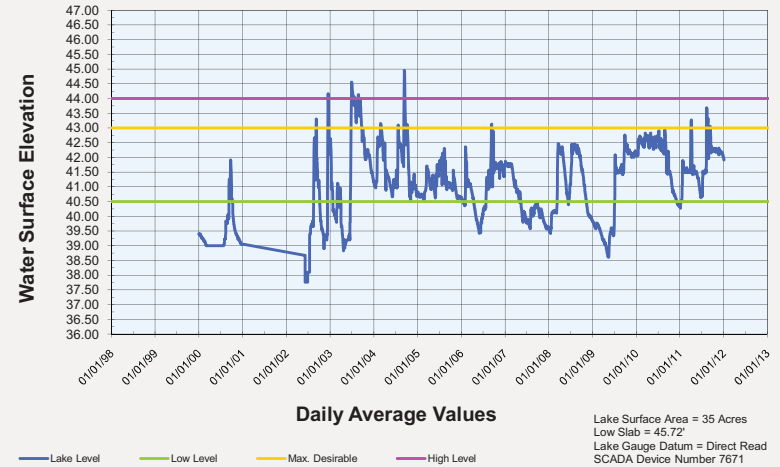
Lake Smart (P-6)



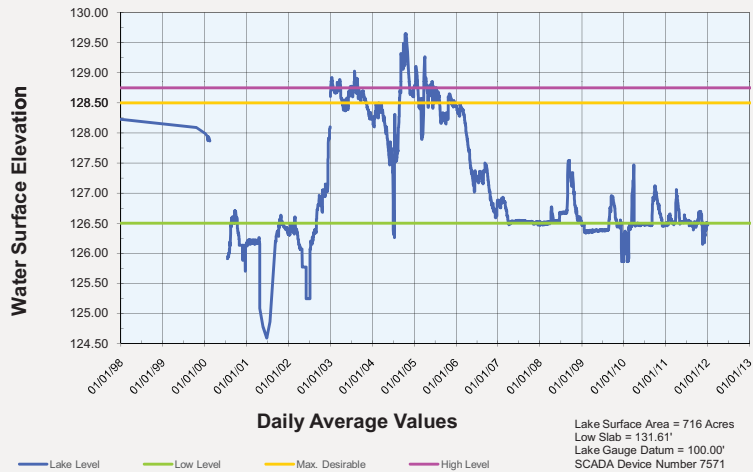
Sawgrass Lake



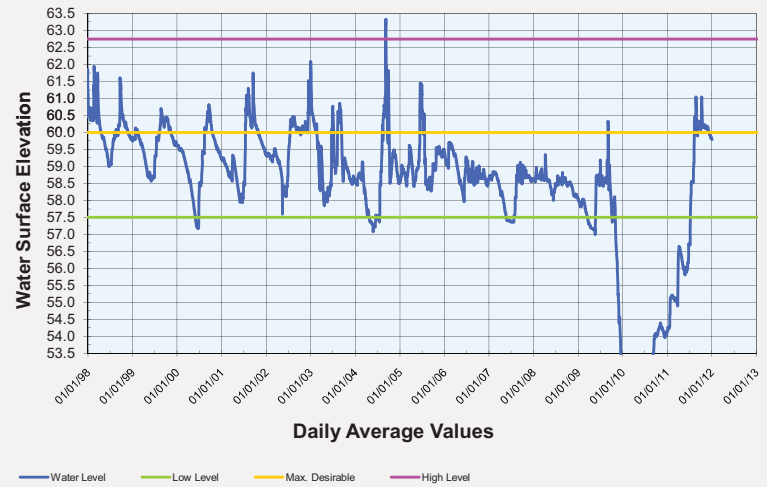
Lake Armistead

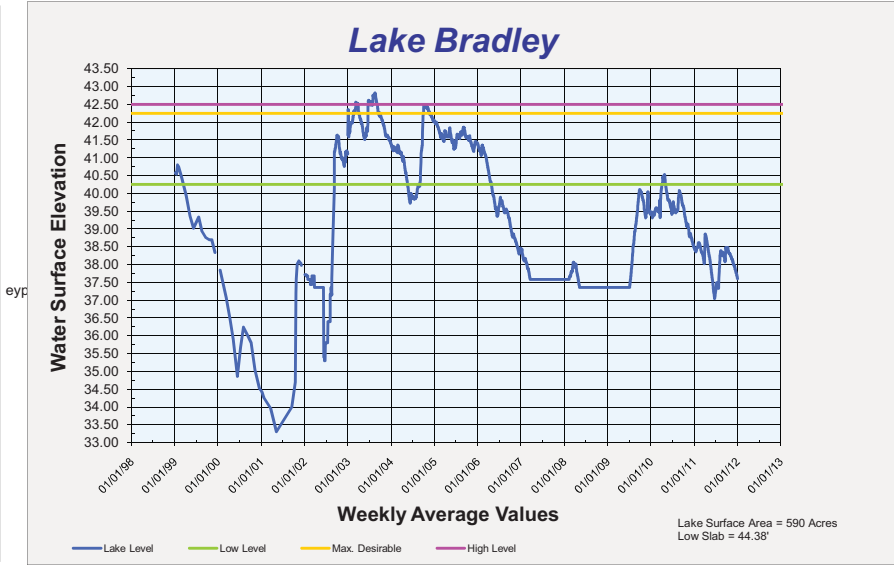
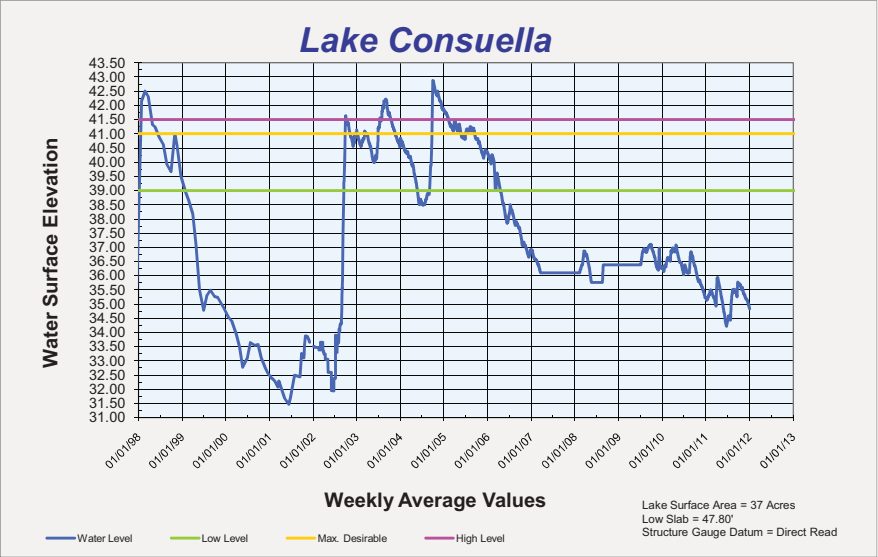


Lake Haines



Medard





Operations and Land Management Committee January 31, 2012

Routine Report

Significant Activities

This report provides information on significant Operations and Land 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. For greater detail, refer to the Project Information Management System (PIMS) write-ups or request information directly from the project manager identified with the project.

Land Resources

In December 2011, the following events were held on District land or attended by Land Resources staff:

- Staff facilitated a portion of the overall Audubon Society Aripeka-Bayport Christmas Bird Count on the Weekiwachee Preserve. Four Audubon participants and one District staff member observed 86 species. American Disability Adventures hosted a disabled hunt for 12 hunters at the Alston Tract within the Upper Hillsborough Preserve.

- **Flying Eagle Youth Center**

The Flying Eagle Youth Center is located within the Flying Eagle Preserve. A no-cost lease of 580 acres was entered into with the Gulf Ridge Council of the Boy Scouts of America (Scouts) in 2006. The lease requires the Scouts to maintain and operate the Project Lands as a youth center including all buildings, facilities, site security, and any other management actions necessary to protect the Project Lands. In 2010, the Scouts contacted the District regarding renovation of facilities and expanding use. They indicated they did not have the financial resources to address renovation costs and requested the District consider providing funding. As part of these discussions, the District, Florida Fish and Wildlife Conservation Commission (FWC), Wildlife Foundation of Florida (WFF), and the Scouts evaluated options to expand the utilization and functionality of the property. In April 2011, the District, FWC, and WFF entered into a Memorandum of Understanding, which memorialized the intent of the parties to develop a partnership. At the August 2011 Governing Board meeting, the Board allocated \$150,000 in the FY2012 budget to be used for renovation of facilities for public safety or demolition, if required. The Board approved a six-month period for the Scouts, FWC, and WFF to evaluate their options before the District would recommend a final disposition of the facilities. The Board also approved expending a portion of the funds for safety and demolition without seeking Board approval. Staff met with representatives of the Scouts, FWC, and WFF on September 16, 2011, and informed them of the Board's recommendations. **New Activities Since Last Meeting:** Staff continues to communicate with FWC and the Scouts. FWC has determined that it must have sufficient interest in the property in order to expend capital improvement funds and is determining whether a leasehold interest or some other interest would meet their requirements. The Scouts continue to indicate that the partnership is something they would support financially. Staff anticipates a resolution in February.

- **Fire Activity**

During FY2011, District staff conducted prescribed burns on approximately 29,000 acres of District lands and responded to 12 wildfires on District lands totaling 1,876 acres. During the first three months of FY2012, staff burned 1,156 acres. A 185-acre prescribed burn done on December 4, 2011 at Potts Preserve escaped the burn unit and ignited several dry swamps, where surface litter continues to smolder as of this report. District and Florida Forest Service staff are coordinating efforts to contain the fire and minimize the smoke effects.

Item 31

Staff Recommendation:

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

Presenter: Michael L. Holtkamp, Director, Operations, Maintenance & Construction Division

**Governing Board Meeting
January 31, 2012**

| |
|--------------------------------------|
| RESOURCE MANAGEMENT COMMITTEE |
|--------------------------------------|

Discussion Items

32. Consent Item(s) Moved for Discussion
33. Rocky Creek Lake Enhancement Project Update (10 minutes) 2
(Strategic Plan: Natural Systems – MFL Establishment & Recovery)

Submit & File Reports – None

Routine Reports

34. Minimum Flows and Levels 4
35. Watershed Management Program and Federal Emergency
Management Agency Map Modernization 8
36. Significant Water Supply and Resource Development Projects 11

Resource Management Committee January 31, 2012

Discussion Item

Rocky Creek Lake Enhancement Update

Purpose

To provide the Governing Board an update on the Rocky Creek Lake Enhancement project that will help achieve the minimum levels established for Horse Lake; and to enhance water levels in lakes Raleigh and Rogers, which are on the Priority List for establishment of minimum levels. This is an information item and no action is required.

Background/History

Within the Northern Tampa Bay Water Use Caution Area (NTBWUCA) certain wetlands, lakes, streams, springs, and aquifer levels have been impacted by lower groundwater levels resulting from groundwater withdrawals and do not meet the established minimum flows or levels. Minimum levels are water levels at which further withdrawals would be significantly harmful to the water resources of the area. Florida law requires the District to set MFLs for certain water bodies; and also requires that where a water body is not meeting its minimum flow or level, the District adopt and implement a recovery strategy that will achieve the minimum flow or level. The Governing Board adopted by rule two phases of an MFLs recovery strategy for the NTBWUCA. The first phase was adopted in 2000 and extended through 2010; the second phase was adopted in 2010 and extends through 2020. The goal of the second phase (the MFLs Recovery Strategy and the Environmental Resources Recovery Plan or Comprehensive Plan) for the NTBWUCA is to achieve recovery of MFL water bodies to their established MFLs and avoidance and mitigation of unacceptable adverse impacts to wetlands, lakes, streams, springs, and aquifer levels when they are adopted.

During the first phase of the recovery strategy, the Board adopted minimum levels for Horse Lake. Establishment of minimum levels is currently in process for lakes Raleigh and Rogers. Water levels on Horse Lake do not meet minimum levels specified in the adopted rule. Lakes Raleigh and Rogers are stressed, and it is anticipated that their levels will not meet minimum levels when they are adopted.

In order to help achieve recovery to minimum levels as required by statute, the District is implementing the Rocky Creek Lake Enhancement project to divert water from Pretty Lake, which is part of the Rocky Creek system, to Horse Lake. During wet periods when Pretty Lake and downstream Lake Armistead are above normal operating levels, a small portion of water, which would otherwise flow downstream into Tampa Bay, is proposed to be diverted into nearby Horse Lake which will eventually flow into lakes Raleigh and Rogers.

At the October 2011 Governing Board meeting, staff presented a request to reserve water from Rocky Creek that: meets diversion limits; is sufficient to enhance water levels in lakes Horse, Raleigh, and Rogers; and will protect fish and wildlife. The reservation process would be implemented through rulemaking and would reserve water from future use by any permit applicants. Pretty Lake residents raised concerns regarding the project at the October and November Governing Board meetings. The Board directed staff to continue public meetings with the residents and come back to the Board in December or January.

Item 33

A public meeting was held January 18, 2012, consistent with Governing Board direction during the October 2011 Governing Board meeting. Staff will provide the Board with a summary of the public meeting and the project status.

Staff Recommendation:

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

Presenter: Tamera McBride, P.G., Project Manager, Water Resources Bureau

Resource Management Committee January 31, 2012

Routine Report

Minimum Flows and Levels

District staff continues to work on various phases of Minimum Flows and Levels (MFLs) development for water bodies on the District's MFLs priority list. Attached for the Board's use and information is the current Minimum Flows and Levels Priority List and Schedule – Water Body Timelines report that identifies the status of each water body in regard to our five-phase process of MFLs establishment. Rule adoption, the final phase in the MFLs establishment process, will be delayed for the Chassahowitzka River System and Springs, Gum Springs, and the Homosassa River System and Springs to allow time for additional data analysis and public comment on the proposed minimum flows.

Staff Recommendation:

See Exhibit

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

Presenter: Doug Leeper, Chief Environmental Scientist, Resource Projects Bureau

*Board Adopted 2012 Priority List
Schedule and Timeline
Exhibit A*

RIVERS, SPRINGS and ESTUARIES

| | Phase 1 Data Collection | Phase 2 Data Analysis & Internal Draft MFL Report | Phase 3 Rpt to Board / Peer Review | Phase 4 Recovery Strategy | Phase 5 Rule Adoption |
|--|----------------------------|---|---------------------------------------|---------------------------------|--------------------------|
| 2011 | | | | | |
| Chassahowitzka River System and Springs | completed | completed | completed | NN | Jan 2012 |
| Gum Springs Group | completed | completed | completed | TBD | Dec 2011 |
| Homosassa River System and Springs | completed | completed | completed | NN | Jan 2012 |
| Lower Myakka River System | completed | completed | completed | NN | completed |
| 2012 | | | | | |
| Brooker Creek | completed | May 2012 | Jul 2012 / Oct 2012 | TBD | Nov 2012 |
| Crystal River System & Kings Bay Springs | completed | May 2012 | Jul 2012/ Oct 2012 | TBD | Dec 2012 |
| Lower Withlacoochee River System | completed | May 2012 | Jul 2012/ Oct 2012 | TBD | Dec 2012 |
| Little Manatee River System | completed | completed | May 2012/ Aug 2012 | TBD | Oct 2012 |
| Manatee River System | completed | Feb 2012 | Apr 2012/ Jul 2012 | TBD | Sep 2012 |
| North Prong Alafia River | completed | May 2012 | Jul 2012 / Oct 2012 | TBD | Nov 2012 |
| Pithlachascotee River System | completed | May 2012 | Jul 2012 / Oct 2012 | TBD | Nov 2012 |
| Rainbow River and Springs | completed | Mar 2012 | Apr 2012/ Jul 2012 | TBD | Aug 2012 |
| Shell Creek Estuary | completed | completed | completed | Recovery | Nov 2012 |
| South Prong Alafia River | completed | May 2012 | Jul 2012 / Oct 2012 | TBD | Nov 2012 |
| Upper and Middle Withlacoochee River System | completed | completed | completed | NN | Apr 2012 |
| Upper Peace River "Middle" and "High" Minimum Flows | completed | Jun 2012 | Jul 2012 / Oct 2012 | TBD | Dec 2012 |
| 2013 | | | | | |
| Charlie Creek (Peace River drainage) | Jan 2013 | May 2013 | Jul 2013 / Oct 2013 | TBD | Nov 2013 |
| Horse Creek (Peace River drainage) | Jan 2013 | May 2013 | Jul 2013 / Oct 2013 | TBD | Nov 2013 |
| Prairie Creek (Peace River drainage) | Jan 2013 | May 2013 | Jul 2013 / Oct 2013 | TBD | Nov 2013 |
| Shell Creek (Peace River drainage) | Jan 2013 | May 2013 | Jul 2013 / Oct 2013 | TBD | Nov 2013 |
| 2014 | | | | | |
| Cypress Creek | Jan 2014 | May 2014 | Jul 2014/ Oct 2014 | TBD | Nov 2014 |
| Bullfrog Creek | Jan 2014 | May 2014 | Jul 2014/ Oct 2014 | TBD | Nov 2014 |
| 2015 | | | | | |
| Lower Peace River (reevaluation) | Jan 2015 | May 2015 | Jul 2015/ Oct 2015 | TBD | Nov 2015 |

At the Board's direction, staff have added projected dates on which: we expect to have internal draft reports complete, presentation of draft to Board, report of peer review to Board, and return for rule establishment.

** NN = not needed TBD = to be determined*

*** Waterbodies completed through Phase 5 will be removed from this list and added to the *Minimum Flows and Levels Established to Date* list when the priority list is updated each year.*

Updated December 29, 2011

*Board Adopted 2012 Priority List
Schedule and Timeline
Exhibit A*

| LAKES | | | | | |
|---------------------------|----------------------------|--|------------------------|---------------------------------|--------------------------|
| | Phase 1 Data Collection | Phase 2 Data Analysis & Draft MFL Report | Phase 3 Peer Review | Phase 4 Recovery Strategy | Phase 5 Rule Adoption |
| 2011 | | | | | |
| Hillsborough County Lakes | | | | | |
| Carroll | completed | completed | NA | TBD * | completed |
| Hooker | completed | Dec 2011 | NA | TBD | Feb 2012 |
| Wimauma | completed | completed | NA | TBD | completed |
| Marion County Lakes | | | | | |
| Bonable | completed | Dec 2011 | NA | TBD | Feb 2012 |
| Little Bonable | completed | Dec 2011 | NA | TBD | Feb 2012 |
| Tiger | completed | Dec 2011 | NA | TBD | Feb 2012 |
| 2012 | | | | | |
| Hillsborough County Lakes | | | | | |
| Hanna | June 2012 | Aug 2012 | NA | TBD | Dec 2012 |
| Keene | June 2012 | Aug 2012 | NA | TBD | Dec 2012 |
| Kell | June 2012 | Aug 2012 | NA | TBD | Dec 2012 |
| Raleigh | completed | Aug 2012 | completed | completed | Dec 2012 |
| Rogers | completed | Aug 2012 | completed | completed | Dec 2012 |
| Starvation | completed | Aug 2012 | completed | completed | Dec 2012 |
| Hernando County Lakes | | | | | |
| Tooke | June 2012 | Aug 2012 | NA | TBD | Dec 2012 |
| Whitehurst | June 2012 | Aug 2012 | NA | TBD | Dec 2012 |
| Polk County Lake | | | | | |
| Hancock | completed | completed | NA | completed | Jun 2012 |
| 2013 | | | | | |
| Highland County Lakes | | | | | |
| Damon | June 2013 | Aug 2013 | NA | TBD | Dec 2013 |
| Pioneer | June 2013 | Aug 2013 | NA | TBD | Dec 2013 |
| Pythias | June 2013 | Aug 2013 | NA | TBD | Dec 2013 |
| Viola | June 2013 | Aug 2013 | NA | TBD | Dec 2013 |
| Polk County Lakes | | | | | |
| Amoret | June 2013 | Aug 2013 | NA | TBD | Dec 2013 |
| Aurora | June 2013 | Aug 2013 | NA | TBD | Dec 2013 |
| Bonnet | June 2013 | Aug 2013 | NA | TBD | Dec 2013 |
| Easy | June 2013 | Aug 2013 | NA | TBD | Dec 2013 |
| Effie | June 2013 | Aug 2013 | NA | TBD | Dec 2013 |
| Little Aurora | June 2013 | Aug 2013 | NA | TBD | Dec 2013 |
| Josephine | June 2013 | Aug 2013 | NA | TBD | Dec 2013 |
| Lowery | June 2013 | Aug 2013 | NA | TBD | Dec 2013 |
| Trout | June 2013 | Aug 2013 | NA | TBD | Dec 2013 |
| 2015 | | | | | |
| Polk County Lake | | | | | |
| Eva | June 2015 | Aug 2015 | NA | TBD | Dec 2015 |

* NN = not needed TBD = to be determined

** Waterbodies completed through Phase 5 will be removed from this list and added to the *Minimum Flows and Levels Established to Date* list when the priority list is updated each year.

Minimum Flows and Levels Already Adopted

- Alafia River (upper freshwater segment)
- Alafia River Estuary (includes Lithia and Buckhorn Springs)
- Anclote River (estuarine and freshwater segments)
- Braden River (freshwater segment)
- Citrus County Lakes – Ft. Cooper, Tsala Apopka – Floral City, Inverness and Hernando Pools
- Dona Bay/Shakett Creek System
- Dover/Plant City Water Use Caution Area Minimum Aquifer Level
- Hernando County Lakes – Hunters, Lindsey, Mountain, Neff, Spring and Weekiwachee Prairie
- Highland County Lakes – Angelo, Anoka, Denton, Jackson, Little Lake Jackson, June-in-Winter, Letta, Lotela, Placid, Tulane and Verona
- Hillsborough County Lakes – Alice, Allen, Barbara, Bird, Brant, Calm, Charles, Church, Crenshaw, Crescent, Crystal, Cypress, Dan, Deer, Dosson, Echo, Ellen, Fairy [Maurine], Garden, Halfmoon, Harvey, Helen, Hobbs, Horse, Jackson, Juanita, Little Moon, Merrywater, Mound, Platt, Pretty, Rainbow, Reinheimer, Round, Saddleback, Sapphire, Stemper, Strawberry, Sunset, Sunshine, Taylor and Virginia.
- Hillsborough River (lower segment)
- Hillsborough River – upper segment (including Crystal Springs)
- Levy County Lake – Marion
- Peace River (middle segment)
- Peace River (three upper segments – "low" minimum flows)
- Lower Peace River
- Northern Tampa Bay – 41 Wetland sites
- Northern Tampa Bay – 7 Wells – Floridan Aquifer/Saltwater Intrusion
- Pasco County Lakes – Bell, Big Fish, Bird, Buddy, Camp, Clear, Green, Hancock, Iola, Jessamine, King, King [East], Linda, Middle, Moon, Padgett, Parker aka Ann, Pasadena, Pasco, Pierce, and Unnamed #22 aka Loyce
- Polk County Lakes – Annie, Bonnie, Clinch, Crooked, Crystal, Dinner, Eagle, Lee, Mabel, McLeod, North Lake Wales, Parker, Starr, Venus and Wales
- Myakka River (upper freshwater segment)
- Sulphur Springs (Hillsborough County)
- Sumter County Lakes – Big Gant, Black, Deaton, Miona, Okahumpka and Panasoffkee
- SWUCA – Floridan Aquifer
- Tampa Bypass Canal
- Weekiwachee River System and Springs (includes Weeki Wachee, Jenkins Creek, Salt, Little Weeki Wachee and Mud River springs)

**Resource Management Committee
January 31, 2012**

Routine Report

Watershed Management Program and Federal Emergency Management Agency Map Modernization Status Report

District staff continues to work on various steps of the District's Watershed Management Program and Federal Emergency Management Agency Map Modernization. Attached for the Board's information is the current schedule that identifies the status of each watershed for the topographic information, watershed evaluation, watershed management plan, and Flood Insurance Rate Maps (FIRMs). The list also indicates whether the updated FIRMs will be a redelineation of the existing FIRMs or based on a detailed study.

Staff Recommendation:

See Exhibit

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

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

**Exhibit – Watershed Management Program and FEMA Map Modernization Schedule
January 2012**

| Year | County | Watershed | Topographic Information | Watershed Model | Public Meetings | Present to Board | Submit Preliminary DFIRMs to FEMA |
|-------------|-----------------|---------------------------|--------------------------------|------------------------|------------------------|-------------------------|--|
| 2009 | Hernando | Blue Sink | complete | complete | complete | complete | complete |
| | | Bystre Lake | complete | complete | complete | complete | complete |
| | | Centralia | complete | complete | complete | complete | complete |
| | | Chassahowitzka River | complete | complete | complete | complete | complete |
| | | Croom | complete | complete | complete | complete | complete |
| | | Little Withlacoochee | complete | complete | complete | complete | complete |
| | | Lizzie Hart Sink | complete | complete | complete | complete | complete |
| | | McKethan | complete | complete | complete | complete | complete |
| | | Oman Quarry/Indian Creek | complete | complete | complete | complete | complete |
| | | Powell | complete | complete | complete | complete | complete |
| | | Spring Hill Lakes/Aripeka | complete | complete | complete | complete | complete |
| | | Toachodka | complete | complete | complete | complete | complete |
| | | Tooke | complete | complete | complete | complete | complete |
| | | Weeki Wachee Prairie | complete | complete | complete | complete | complete |
| | | Willow Sink | complete | complete | complete | complete | complete |
| | Pasco | Wiscon | complete | complete | complete | complete | complete |
| | | Eastern Hernando | complete | complete | complete | complete | complete |
| | | Anclole - E. of Suncoast | complete | complete | complete | complete | complete |
| | | Cypress Creek | complete | complete | complete | complete | complete |
| | Sarasota | East Pasco | complete | complete | complete | complete | complete |
| | | Trout Creek | complete | complete | complete | complete | complete |
| | | Island Of Venice | complete | complete | complete | complete | Aug 2012 |
| | | Whitaker Bayou | complete | complete | complete | complete | Aug 2012 |
| | | Hudson Bayou | complete | complete | complete | complete | Aug 2012 |
| | | Roberts Bay | complete | complete | complete | Feb 2012 | Aug 2012 |
| | | Alligator Creek | complete | complete | complete | complete | Aug 2012 |
| | | Big Slough - Northport | complete | complete | complete | Aug 2012 | Aug 2012 |

Note: FEMA will start their formal appeals period for adoption after the District submits the preliminary DFIRMS to FEMA.

**Exhibit – Watershed Management Program and FEMA Map Modernization Schedule
January 2012**

| Year | County | Watershed | Topographic Information | Watershed Model | Public Meetings | Present to Board | Submit Preliminary DFIRMs to FEMA |
|-------------|------------------|--|--|--|--|--|--|
| 2010 | Polk | Upper Peace River Christina Peace CreekCanal Polk City | complete complete complete complete | complete complete complete complete | Mar 2012 complete Apr 2012 complete | May 2012 complete Jun 2012 Mar 2012 | Jul 2012 Jul 2012 Jul 2012 Jul 2012 |
| | DeSoto | Thornton Branch Deep Creek Gully | complete complete | complete complete | complete complete | complete complete | complete complete |
| | Hardee | Buzzards Roost Run City of Wauchula Horse Creek Alligator Branch Thompson Branch | complete complete complete complete complete | complete complete complete complete complete | complete complete complete complete complete | complete complete complete complete complete | complete complete complete complete complete |
| | Highlands | Limited Detailed Studies | complete | complete | complete | complete | Jan 2012 |
| | Citrus | East Citrus Crystal River Tsala Apopka Cardinal Lane Homosassa River Center Ridge | complete complete complete complete complete complete | complete complete complete complete Mar 2012 complete | Mar 2012 complete complete complete Jun 2012 complete | May 2012 complete complete Feb 2012 Aug 2012 complete | Aug 2012 Aug 2012 Aug 2012 Aug 2012 Aug 2012 Aug 2012 |
| | Manatee | Buffalo Canal/Frog Creek | complete | complete | completed | complete | complete |

Note: FEMA will start their formal appeals period for adoption after the District submits the preliminary DFIRMS to FEMA.

**Resource Management Committee
January 31, 2012**

Routine Report

Significant Water Supply and Resource 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. For greater detail, refer to the Project Information Management System (PIMS) write-ups or request information directly from the project manager identified with the project.

Lake Hancock Lake Level Modification Project

This project is being implemented as part of the adopted Southern Water Use Caution Area (SWUCA) Recovery Plan for restoring minimum flows in the upper Peace River. The project began in 2002 with preliminary feasibility and development of a scope of work to raise the water level in the lake. The District received the conceptual environmental resource permit (CERP) for the project from the Florida Department of Environmental Protection (DEP) in June 2007 with an operating level of up to 100 feet (currently the District operates the P-11 structure at an elevation of 98.7 feet). In response, the Governing Board in September 2007 authorized the project to go forward with final design, permitting, and construction; adopted the Resolution Authorizing Proceedings in Eminent Domain, including a Declaration of Taking; amended the 2007 Update to the Florida Forever Work Plan to include all lands identified as necessary for the project, designating \$41 million in Florida Forever Trust Funds; and designated and encumbered \$79 million in General Fund Water Supply and Resource Development Reserves for the project. Seventy-three parcels were identified as necessary to acquire in fee (40 parcels) or a lesser interest (33 easement parcels). At the September 2007 meeting, the Governing Board instructed staff to exhaust all negotiations prior to filing eminent domain proceedings. All property owners have been contacted and offers made. On June 12, 2009, DEP approved the District's request to extend the CERP commence construction deadline to June 14, 2011. In September 2010, the District received eight bids for construction of the new P-11 structure. The District rejected all bids and issued a new request for bid based upon ambiguities in the bid documents on April 15, 2011. The District awarded the bid on October 18, 2011, and provided the notice to proceed for the construction of the P-11 water control structure to CenState Contractors, Inc. ***New Activities Since Last Meeting:*** The District's construction contractor, CenState, has completed the bypass channel to divert creek flow away from the new P-11 water control structure site. The lake level has been lowered by 0.4 feet in preparation of construction and to allow for construction of the coffer dams. On December 12, 2011, the District's consultant, Amec-BCI, Inc., submitted the ERP application package for the SR540/Jacque Lee Lane mitigation project to the District's Bartow Service Office. District staff attended the mandatory pre-bid meeting for the Oak Hill Burial Park mitigation project in Lakeland on December 13, 2011. ***Acquisition Status:*** Of the 73 parcels necessary for the project, 68 parcels (8,337 acres) have been acquired. The remaining five parcels involve four owners (126 acres) and are comprised of partial easement acquisitions. District staff has made offers on all acquisitions necessary for the project. All of the acquisitions that remain are being handled through the District's special counsel who has initiated legal proceedings. District staff and the special counsel continue to evaluate opportunities for settlement that would avoid litigation. As of October 25, 2011, Resolution 08-27 for the project was supplemented by Resolution 11-20 to modify the easement language related to the remaining acquisitions. The District has maintained the Old Florida Plantation Development of Regional Impact (DRI) and made changes to the Development Order, as necessary, through the City of Bartow, Central Florida Regional Planning Council, and the Department of Community Affairs. The changes to the DRI allow the proposed development to accommodate the District's Lake Hancock minimum flows and levels (MFLs) and other proposed land use projects. Those portions of the DRI not needed for District projects will be considered surplus. Before proceeding with the disposition of

property, the District will prepare a DEP application for their approval. At the request of Polk County and upon receiving DEP approval, the District conveyed approximately 12 acres of the Old Florida Plantation property necessary for the construction of the Bartow Northern Connector Road on November 15, 2011. *Project Managers: Scott Letasi/Michael Peck/Steve Blaschka*

Lake Hancock Outfall Treatment Project

The intent of the Lake Hancock Outfall Treatment project is to improve water quality discharging from Lake Hancock to the Peace River and Charlotte Harbor. At the February 2006 Governing Board meeting, the Board approved the staff recommendation to adopt a 27 percent nitrogen load reduction goal and to utilize wetlands as the primary treatment component. The selection of wetlands as the treatment option was based on a comprehensive consultant investigation into alternative treatment technologies. Project construction commenced on September 26, 2011.

New Activities Since Last Meeting: Construction activities continue as significant progress has been made on dike construction, site clearing, and cell grading. The contractor continues concrete work on the internal water control structures. Site work has commenced at the pump station. Project commencement was featured in the January 3, 2012 issue of the Lakeland Ledger. The Environmental Protection Agency (EPA) informed the District that a total of \$288,700 in addition to the \$485,000 was a available in grant funding due to an error in the rescission total. District staff revised the grant application to apply for a total of \$773,700 and EPA is processing the District's application for these funds. *Project Manager: Janie Hagberg*

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 has been a priority at the District since the inception of the organization, and that priority was renewed following the El Niño weather event in 1997 -1998. 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, the District reached out to local governments and initiated the WMP in the late 1990s. 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 Map Modernization Program also includes federal funding for management support. FEMA began FIRM updates for Hillsborough and Marion counties before the District became a CTP. FEMA issued its letter of determination finalizing the FIRMs for Hillsborough and Marion counties, and the FIRMs became effective on August 28, 2008. Typically, the map modernization process includes the following steps: The community and District assess the mapping needs, the project is scoped, topographic data is acquired and watershed modeling is completed. 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 and mapping is initiated. ***New Activities Since Last Meeting:*** Hernando County: The anticipated effective date for the FEMA FIRMs is February 2, 2012. Pasco County: The countywide preliminary maps and Flood Insurance Study reports have been submitted to FEMA for post-preliminary processing. Sarasota County: Input was collected from residents at the December 6, 2011 open house for the North Port/Big South watershed model and revisions are ongoing. Polk County: Work continues in the county; Polk City, Peace Creek and Upper Peace River-Homeland watersheds

are currently being reviewed and refined. Hardee County: FEMA has approved the draft FIRM maps and is preparing the maps to be sent to the County, City of Wauchula, City of Bowling Green, and the Town of Zolfo Springs. The District is preparing the communities for preliminary map release. DeSoto County: Detailed studies for Deep Creek and Thornton Branch are being incorporated into the FIRMs for DeSoto County. The District is preparing the communities for preliminary map release. Sumter County: A workshop with the City of Bushnell was held on November 7, 2011. The consultant is making corrections to the draft preliminary FIRMs based on comments received from FEMA, the District and The Villages. Citrus County: Watershed models are being developed for East Citrus/Withlacoochee and Homosassa River by consultants. Tsala Apopka watershed was presented to the Board for approval in December 2011. Cardinal Lane watershed will be presented to the Board in the next few months. All remaining watersheds where detailed studies were conducted have been approved by the Board and provided to the FIRM mapping consultant. Levy County: Post-preliminary processing continues and notification of approval of the Levy County base flood elevation was published in the Federal Register on December 29, 2010. Notifications were published in the local newspaper on February 17 and 24, 2011. The "90-Day Appeal and Protest Period" was completed on May 25, 2011. Responses to the appeals have now been provided to FEMA. Marion County: Modernized FIRMs were adopted in August 2008. The County and District are updating the watershed models to account for infiltration in deep sandy soils. Gum Swamp, Big Jones Creek, Flemington, Hog Prairie, and Northwest Ocala were approved by the Board in October 2011. Blichton, Cotton Plant 1, Martel, State Road 200, Cotton Plant 2, and Cotton Plant 3 watersheds were presented to the Board in November 2011. The floodplain results from these watersheds are available to FEMA and may be used to update the FIRMs by the County and FEMA. Manatee County: Buffalo Canal/Frog Creek has been approved by the Board and provided to the FIRM mapping consultant. FEMA will manage the production of the FIRMs and the map adoption process. Highlands County: The District's mapping consultant, Dewberry & Davis, LLC, is merging the Highlands Lakes data, SWFWMD Highlands County data and SWFWMD Highlands County data into the countywide FIRMS. *Project Manager: Gordon McClung*

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 for environmental restoration alternatives. A primary focus of the initiative is the Flatford Swamp area. The overall objective of this initiative 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 SWUCA. 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. This information was provided to the Peace River Manasota Regional Water Supply Authority (Authority) for use in its latest water supply master plan. 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 has been executed. The District will act 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. A field visit to tour portions of Flatford Swamp and Mosaic's Wingate Mine was held on November 29, 2011. ***New Activities Since Last Meeting:*** Potential pipeline routes from Flatford to Wingate Mine are under review by the District and Mosaic. The contractor, Ardaman & Associates, presented those potential routes to the District and Mosaic at a January 26, 2012 meeting. An additional soil transect was added in the natural systems evaluation to help develop a baseline of soil conditions before restoration activities take place. *Project Managers: Lisann Morris/Mary Szafraniec*

Tampa Bay Water

- **System Configuration II Project:** The Governing Board approved the agreement with Tampa Bay Water (TBW) for the System Configuration II project at its February 2007 meeting; the cooperative agreement was executed May 1, 2007. The project is expected to provide up to 25 million gallons per day (mgd) of alternative water to the regional system. The estimated total project cost is \$247,694,339 with the District committing to half of eligible costs of \$232 million, which is \$116 million. The project seeks to increase TBW's overall system capacity by drawing more water from the Hillsborough River during high flows via the Tampa Bypass Canal (TBC), in combination with increasing the allowable percentage of withdrawals from the TBC. The project components are primarily associated with improvements to the regional systems treatment, transmission, and storage infrastructure. Specifically, this project includes six surface water pumping projects and four system interconnects that will allow TBW to deliver the new alternative water supply to its member governments. The Surface Water Treatment Plant (SWTP) Expansion, TBC Pump Station Expansion, TBW Regional High Service Pump Station Expansion, SWTP Repump Station Expansion, South Central Hillsborough Intertie Booster Pumping Station, and Offstream Reservoir Pump Station are all project components that contribute to the downstream enhancements. The South Central Hillsborough Infrastructure Project (SCHIP) Phases I B and II, Northwest Hillsborough Pipeline, Morris Bridge Booster Station Expansion, and Cypress Creek Pump Station Expansion are part of the system interconnects. ***New Activities Since Last Meeting:*** The project has been completed on schedule, with all ten project components reaching final completion by December 31, 2011. As such, this will be the final report on this project. *Project Manager: Alison Ramoy*
- **Surface Water Expansion Project:** This is a four-year feasibility study to determine the availability of surface water withdrawals from surface water supply sources (including the Alafia River and Bullfrog Creek), evaluate expanding TBW's reservoir, and perform cost analyses. ***New Activities Since Last Meeting:*** Ongoing activities include surface water modeling, analyses and cost estimating. Due to TBW's decision to expand their reservoir, the modeling runs and assessments have been reduced to include Bullfrog Creek and alternative treatment locations only. This will allow TBW to evaluate the possibility of withdrawing additional surface water from Bullfrog Creek as part of their long-term planning efforts. The project is currently ahead of schedule and is anticipated to be complete in June 2012. The next status meeting will be held in early 2012. *Project Manager: Sandie Will*

Peace River Manasota Regional Water Supply Authority

- **Regional Integrated Loop System Project:** The Integrated Loop System Feasibility and Routing Study recommended four main phases to interconnect the water supply and distribution systems of Authority members and non-member customers. **Phases 1 and 1A** connect the Peace River Water Treatment Plant (WTP) to the City of Punta Gorda's Shell Creek WTP. **Phase 1** would extend the Authority's existing transmission line in DeSoto County along US 17 southward. Design was completed in 2007, but the project has been indefinitely postponed in favor of constructing Phase 1A. **Phase 1A** will provide additional service to developed portions of Charlotte County near I-75. The project includes approximately 12 miles of pipeline with a capacity of 6 mgd and a subaqueous crossing of the Peace River. A cooperative funding agreement between the District and Authority for Phase 1A was executed in September 2008. Design was completed in October 2009. A construction contract was awarded to Garney Companies in August 2010. Construction commenced in March 2011 and is scheduled for completion by June 2012. Total cost is estimated at \$19,015,000 with the District providing up to \$12,007,500, which includes \$5 million in West-Central Florida Water Restoration Action Plan funding. The **Phase 2** interconnect will run from the Peace River WTP to a connection with the City of North Port near Serris Boulevard. Future sub-phases may extend to the City's WTP, then branch westward to the Englewood Water District and northward to establish a rotational link with the Carlton WTP. The first 7-mile, 42-inch diameter segment is being developed by the Authority to deliver the City's allocated share from the Peace River WTP. The City and the Authority executed an Interlocal Agreement to develop Phase 2 in June 2009. The cooperative funding agreement for Phase 2 was executed in May 2010. The construction contract was awarded in May 2011. The total project cost provided in the funding agreement is \$15,400,000. The

District's share of eligible costs is \$7,783,015 and includes \$166,031 in Water Protection and Sustainability Trust Funds (WPSTF). **Phases 3 and 4** will eventually interconnect the Carlton WTP to water supply systems in Manatee County. Preliminary engineering for Phase 3 was completed in March 2008. The first portion of this pipeline, Phase 3A, extends the Authority's existing regional transmission line that currently terminates at the Carlton WTP. Phase 3A provides an additional water delivery point to Sarasota County and creates a potential intertie to the City of Venice. This project includes 8.5 miles of 48-inch diameter pipeline with a design capacity of 37 mgd and includes a subaqueous crossing of the Myakka River. The cooperative funding agreement for Phase 3A was executed in November 2008. Construction commenced in February 2010 and is scheduled for completion in March 2012. The total project cost is estimated to be \$31,879,240. The District's share of eligible costs is \$13,825,135 and includes \$166,031 in WPSTF. The future expansion of Phase 3B northward will join long-term components of Phase 4 in Manatee County and will connect to the surface water treatment facility on Lake Manatee and a WTP on University Parkway. **New Activities Since Last Meeting:** The Phase 1A marine wet-trench construction has progressed halfway across the Peace River. The construction contractor's schedule is running close to the milestone completion date in the funding agreement and it is likely that the Authority will request a task schedule amendment. The Phase 2 pipeline installation is ongoing from the Peace River facility southwestward. Jack-and-Bore casings have been completed under Kings Highway, Price Boulevard, and under culverts along the border of the RV Griffin Reserve. The Authority rebid the construction of a 0.3-mile segment of Phase 2 that extends into Charlotte County. Bids were received through January 23, 2012. The Phase 3A project has been substantially completed ahead of schedule, although a few close-out activities remain. *Project Manager: John Ferguson*

- **Aquifer Storage and Recovery – Arsenic Research**

This project is investigating methods for controlling the mobilization of arsenic occurring during aquifer storage and recovery (ASR) activities. Beginning in 2008, the District initiated a pilot project with the City of Bradenton for the design, permitting, and construction of a degasification system to remove dissolved oxygen (DO) from water for potable supply prior to injection and storage in the aquifer. The project is co-funded by the Southwest Florida, South Florida, and St. Johns River water management districts, and the Peace River Manasota Regional Water Supply Authority and City of Bradenton. The pilot project is being performed at the City of Bradenton's ASR site and is capable of processing water at 700 gallons per minute with 99.96 percent removal of DO. Construction of the degasification system was completed in June 2008 at a cost of \$700,000. Preliminary operation cost is estimated at approximately 10 cents per thousand gallons. The first attempt at running a full-cycle test with deoxygenated water began on December 2, 2008. The system, however, was shut down on December 17, 2008, due to equipment failure. Repairs to the degasification system were made in January 2009 and the test was restarted in August 2009. The recharge portion of the test was completed in May 2010 with an optimal storage volume of 160 million gallons (mg) of treated water having been injected, exceeding the minimum goal of 140 mg. Recovery of the stored water started on September 7, 2010. The 160 mg cycle test with pre-treated water was successfully completed on February 23, 2011, and all the recovered water was well within the arsenic drinking water standard of 10 ug/l. The results showed that the pre-treatment process of removing dissolved oxygen does control arsenic mobilization. The system is now being operated by City staff and recharge for the next 160 mg cycle started in June 2011. **New Activities Since Last Meeting:** The City is preparing a final report documenting the pre-treatment system performance during the last and current cycle tests; and will use this information to support a request for a DEP operating permit. It is anticipated that the permit application will be ready for submittal at the end of the current cycle test in September 2012. Approximately 95 of the 160 mg goal have been injected so far this year at an average rate of 0.75 mgd. The pretreatment system continues to be effective at controlling DO levels but is still experiencing small nuisance issues that reduce flow rates. The City has been active in finding a solution to these issues. Recharge is anticipated to continue until March 2012. Recovery will begin May 2012 and continue for three months. The District met with the City to discuss possible permanent improvements to the system that would increase the system performance and reliability. The District also initiated tests of three new pretreatment techniques as part of our effort to find economical methods for removal of dissolved oxygen as

well as disinfection of microorganisms. These tests are being performed at two cooperatively funded ASR projects. *Project Manager: Don Ellison*

Lower Hillsborough River MFL Recovery Strategy – Implementation

At the August 2007 meeting, the Governing Board established the minimum flow for the lower Hillsborough River (LHR). As required by statute, if the actual flow of a water course is below the proposed minimum flow or is projected to fall below the proposed minimum flow over the next 20 years, a "recovery strategy" must be developed as part of the minimum flow development process. In the case of the LHR, a recovery strategy was needed. The proposed recovery strategy was approved by the Governing Board at the August 2007 meeting. The recovery strategy includes a number of projects to divert water from various sources to help meet the minimum flow. Projects that are planned under the recovery strategy include diversions of water from Sulphur Springs, Blue Sink, the TBC, and Morris Bridge Sink. Pursuant to the recovery strategy, 75 percent of the 11 cubic feet per second (cfs) (8.2 cfs or 5.3 mgd) transferred to the reservoir from the TBC is being pumped to the base of the dam. This amount of fresh water, in combination with 10 cfs supplied from Sulphur Springs to the base of the dam by the City of Tampa (COT), indicates an actual minimum flow of 18.2 cfs (11.8 mgd) or 70-to-80 percent of the adopted minimum flow is now being supplied to the LHR, depending on season. A COT request for a variance to deadlines for completion of recovery strategy projects was approved at the June 2011 Governing Board meeting. The deadlines for project completion were extended as follows: Lower Weir – December 1, 2011; Upper Weir and Pump House – October 1, 2012; 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 is complete.

New Activities Since Last Meeting: The consultant for the Morris Bridge Sink permanent pumping facility project is completing planned modifications to facilitate permitting so that the request for bid can be released when permits are issued in early 2012. There was flow over the dam from July through early December 2011. However, in mid-December, the COT and the District had to resume diversions from Sulphur Springs and the TBC to the base of the dam to meet minimum flows. *Project Managers: Sid Flannery/David Crane*

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

- **Reuse Project:** This project, consisting of transmission pipelines and a deep injection well, will provide reclaimed water from several domestic wastewater treatment facilities to Tampa Electric Company's (TECO) power facility in southwest Polk County. TECO will be expanding the power generation capacity at its Polk Power Station with the addition of Unit 6. Phase I of the project was anticipated to provide 6 mgd of reclaimed water from the City of Lakeland for the first TECO expansion. TECO entered into a Reclaimed Water Supply Agreement with Polk County after it was approved by the Board of County Commissioners on October 25, 2011. Once the Reclaimed Water Supply Agreement between TECO and Mulberry is finalized, District staff will prepare an amendment to the cooperative funding agreement to incorporate both the Mulberry and Polk County portions of the project. With the additional quantities that will be provided by Polk County and the City of Mulberry, approximately 7 mgd will now be available. Phase I of the project was expected to utilize reclaimed water by 2013. Due to the economic downturn and reduced demands, TECO has delayed the addition of Unit 6. However, TECO intends to replace, to the greatest extent possible, existing groundwater uses with reclaimed water before the expansion is complete, as required by the cooperative funding agreement. While the reclaimed water infrastructure and deep injection well are still expected to be complete by 2013, the project will not use the full 7 mgd until Unit 6 is operational. In order to utilize the reclaimed water, additional treatment is necessary, consisting of filtering and possible reverse osmosis to reduce dissolved solids to an acceptable level. The reverse osmosis reject water (concentrate by-product) will be mixed with other facility discharge water and pumped to one of two proposed deep injection wells for final disposal. While the wells are being drilled as part of this project, only one will be eligible for cooperative funding. Phase I is estimated to cost \$72,686,800 which includes the portion of the project that will provide TECO with reclaimed water from the City of Mulberry. Plans for Phase II, originally estimated to be underway by 2012, have also been delayed. Initial estimates indicate that 6 mgd of reclaimed water will be needed for TECO's second phase of expansion, although the source has not

been identified. **New Activities Since Last Meeting:** A step injection (recirculation) test at injection well (IW-1) will resume in January to determine capacity. While not included in the scope of work for the cooperative funding agreement, construction at the second injection well site continues. AECOM is developing the pipeline alignment along 15 miles of SR37, and the design is 90 percent complete. The final geotechnical borings along the pipeline are being completed. Additional borings are planned for the Polk Power Station treatment plant location. The City of Lakeland has reviewed the equipment and building layout proposed at the treatment wetlands. Equipment procurement continues with TECO releasing several Request for Proposal packages. *Project Manager: Alison Ramoy*

- **Aquifer Recharge Projects:** In 2009, the District funded a 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. 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.

- **Currently-Funded Aquifer Recharge Projects – FY2010/2011/2012 Cooperative Funding**

- **City of Clearwater - Groundwater Replenishment Project**

This is an indirect potable reuse desktop feasibility study and pilot testing project to evaluate the viability of using 3 mgd of highly treated reclaimed water to increase water levels within the northeast portion of the City and provide possible future water supplies at their existing wellfield. The feasibility study was completed in May 2011 at a cost of \$450,000 (\$225,000 from the City; \$225,000 from the District). The results showed that water level improvements from direct recharge into the brackish zone of the UFA can potentially provide additional water supplies to the City and that water treatment requirements could be met with current available technologies. The study also showed that preliminary cost estimates for the full-scale facility would be \$ 4.07 per thousand gallons. Therefore, the City is moving forward with pilot testing to confirm the findings. The pilot testing program includes permitting, installing a recharge well and associated monitor wells, evaluating aquifer characteristics, testing water treatment and recharge, and conducting public outreach. The project began on November 14, 2011, and will be completed by February 28, 2014, at a total cost of approximately \$1.5 million (\$770,000 each). **New Activities Since Last Meeting:** District staff attended a pre-application meeting on December 20, 2012, to discuss the well construction permit with DEP. The permit will allow the City to install a test recharge well and monitor wells and perform pilot treatment testing. The consultant will be submitting the permit application to DEP in early February 2012. A status meeting will also be held in February 2012. *Project Manager: Sandie Will*

- **City of Winter Haven - Reclaimed Water for Recharge Feasibility Study**

This is a desktop feasibility study to evaluate using 4 mgd of highly treated excess reclaimed water for indirect aquifer recharge to benefit water levels in the area. **New Activities Since Last Meeting:** District staff has been attending monthly status meetings. The consultant submitted the first technical memorandum that summarizes the results of the background screening of potential recharge locations on January 9, 2012. The City will select properties for further evaluation during a status meeting on February 1, 2012. *Project Manager: Sandie Will*

- **Pasco County - Reclaimed Water Natural Systems Treatment and Restoration Project**

A desktop feasibility study to assess using 10 mgd of highly treated reclaimed water to indirectly recharge the UFA via constructed wetlands and/or rapid infiltration basins (RIB) in the Crews Lake and central Pasco 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 is planned to be completed by the end of January 2012 and will include a screening analysis for potential RIB locations, as well as cost analyses refinements. Phase

III will include field testing, design, and permitting. The agreement for the Phase II feasibility study has been executed and work has begun. A meeting was held on December 22, 2011, to discuss the initial results of Phase II. District staff met with Pasco County staff and their consultant on November 8, 2011, to review the initial draft of the Phase III scope of work. **New Activities Since Last Meeting:** Several follow-up meetings are scheduled. It is anticipated that work will begin on Phase III in February 2012. *Project Manager: Mike Hancock*

■ **Polk County - Groundwater Recharge Investigation**

This is an indirect aquifer recharge desktop feasibility study and pilot testing project to evaluate improvements to UFA water levels from applying varying quantities of reclaimed water flows into existing RIB systems in the County's Northeast Regional Utilities Service Area. Sites being evaluated include the Northeast Regional Wastewater Treatment Facility and Polo Davenport. Tasks include performing a site characterization, installing monitoring wells, performing a quifer and RIB characterization activities, and conducting recharge testing for one year. The County's consultant completed the preliminary site assessment report and detailed testing plan on December 15, 2011. **New Activities Since Last Meeting:** It was determined that the Northeast Regional Wastewater Treatment Facility would be the primary focus for the study; and the plan includes specifics on the well installations, soil borings, and aquifer and RIB testing. Water level monitoring and soil characterization will also be performed at Polo Davenport. District staff attended a status meeting on January 5, 2012. Field activities began on January 2, 2012. The next status meeting is scheduled for February 2, 2012. *Project Manager: Sandie Will*

■ **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 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. **New Activities Since Last Meeting:** 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. It is anticipated that the County will receive the permit by July 2012. District staff attended a status meeting with the County and their consultant on January 17, 2012. The next status meeting will be held in February 2012. *Project Manager: Sandie Will*

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

At the June 2011 Governing Board meeting, the Board reviewed the Dover/Plant City Water Use Caution Area (DPCWUCA) Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program (program) and authorized staff to encumber \$1,394,980 from FY2011 into FY2012 to implement the program. The program administration will be guided by a District procedure that is divided into two distinctive steps: (1) installation of flow meters, and (2) installation of AMR equipment. The program is being implemented as a result of several groundwater drawdown events related to frost/freeze protection of agricultural commodities in the Dover/Plant City area. In January 2010, this area experienced a record number of well failures (760) related to groundwater drawdown associated with irrigation used for crop frost/freeze protection. The magnitude of the 2010 frost/freeze event brought into focus the need to further enhance the collection of hydrogeological data, including water use information, to better understand and manage the relationship between pumping and groundwater drawdown. As part of the District's response to these events, a series of Stakeholder and Technical Work Group meetings were held to develop management strategies. Potential management strategies were also discussed by the Governing Board at several Board meetings in spring 2010. At the June 2010 Governing Board meeting, the Board directed staff to proceed with the establishment of the DPCWUCA and a recovery strategy that included the expansion of data collection activities through the installation of flow meters and AMR equipment. The Board also authorized the use of \$50,000 in contingency funds to begin AMR implementation. At the December 2010 Governing Board meeting the Board adopted a minimum aquifer level in the

Item 36

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 AMR installations to reduce resource impacts from future frost/freeze pumping events. The rules went into effect on June 16, 2011. 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 per cent 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 are estimated to be \$5.5 million for flow meter and AMR equipment installation with approximately \$300,000 required annually to support the program. The implementation schedule is to complete all flow meter installations within three years (September 2014) and AMR installations within five years (September 2016). **New Activities Since Last Meeting:** Staff continues to work with a group of 26 permittees that have begun flow meter installations as a trial to test program procedures. Installations began in early August 2011 on the 46 affected withdrawal locations. By the end of December 2011, all but two locations either had meters installed or were in the process of being installed. Flow Meter Reimbursement Claim Forms are being processed and payment made for the meter installations. In January 2012, a second group of approximately 50 permittees were contacted to participate in the flow meter reimbursement program. A Request for Proposal was advertised on December 30, 2011, to obtain a qualified consultant to install AMR equipment. AMR installations are anticipated to begin in early 2012. *Project Manager: Paul Yosler*

Staff Recommendation:

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

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

F. Outreach & Planning

**Governing Board Meeting
January 31, 2012**

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| OUTREACH & PLANNING COMMITTEE |
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Discussion Items – None

Submit & File Reports

| | |
|--|---|
| 37. Legislative Update | 2 |
| 38. 2012 Consolidated Annual Report Status | 3 |
| 39. Fiscal Year 2012-13 Cooperative Funding Process Update | 4 |

Routine Reports

| | |
|---|----|
| 40. Comprehensive Plan Amendment and Related Reviews Report | 6 |
| 41. Development of Regional Impact Activity Report | 12 |
| 42. Significant Activities | 16 |

Outreach and Planning Committee January 31, 2012

Submit and File Report

Legislative Update

The regular session began January 10, 2012. District staff is meeting weekly with the Office of the Governor, DEP, and the other water management districts to coordinate legislative activities throughout the Session.

There are a number of bills related to water and natural resources that the District is tracking. These include streamlining of ERP permitting, 30-year consumptive use permits for alternative water supply, DOT mitigation, conceptual permits for urban redevelopment, interagency coordination, and reclaimed water. Further, legislation has been filed related to replacing the cap on ad valorem revenue that can be collected by the water management districts with a lower cap on the overall millage rate that a district could levy. There is also additional legislative oversight built into this legislation, but at this time the bill does not have a House companion.

The Governor has recommended a budget of \$1.3 billion for the Department of Environmental Protection. This includes \$208 million for Water Resource and Restoration programs, \$40 million for Everglades Restoration and \$22.5 million for Land Acquisition (Florida Forever). Additionally, as it relates to budget, staff has provided the District's preliminary 2012-2013 budget to the Legislature. The Senate General Government Appropriations Committee has requested presentations on those preliminary budgets at its January 19th meeting.

Four District Governing Board members are currently moving through the confirmation process in the Senate and to date, all four confirmations have been favorably recommended by both the Senate Environmental Preservation and Conservation Committee and Subcommittee on Ethics and Elections. Those confirmations now move to the floor for consideration. The Executive Directors from all five water management districts are also under consideration for confirmation during the regular session.

Staff Recommendation:

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

Presenter: Colleen Thayer, Bureau Chief, Public Affairs

**Outreach and Planning Committee
January 31, 2012**

Submit and File Report

Status of the 2012 Consolidated Annual Report

Purpose

To provide the Board information on the preparation of the District's Consolidated Annual Report and to solicit input prior to the February 29nd Board meeting.

Background/History

Section 373.036, Florida Statutes (F.S.) requires the water management districts to prepare a "Consolidated Water Management District Annual Report." The agency formerly produced these components individually and brought them to the Governing Board for approval at various times of the year. The Consolidated Annual Report aims to streamline these required reporting documents so that they now come forward in one package.

The eight chapters that make up the Report are substantially complete and are provided as exhibits. Staff will finalize all required document components and the finished report will be a part of the Board packet for the February meeting. The report includes the following components:

***The Water Management District Performance Measures Annual Report
The Minimum Flows and Levels Annual Priority List and Schedule
The Annual Five-Year Capital Improvements Plan
The Alternative Water Supplies Annual Report
The Five-Year Water Resource Development Work Program
The Florida Forever Work Plan
The Mitigation Donation Annual Report
The Strategic Plan Annual Work Plan Report***

This consolidated report is a significant communication tool for the District. Florida Statute requires the report be submitted by March 1st of each year to the Governor, the Department of Environmental Protection, the President of the Senate and the Speaker of the House of Representatives. In addition, copies must be provided to the chairs of all legislative committees having substantive or fiscal jurisdiction over the districts and the governing body of each county in the district having jurisdiction, or deriving any funds for operations of the district. Copies of the consolidated annual report must be made available to the public, either in printed or electronic format.

Staff Recommendation:

See Report

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

Presenter: Mikel Renner, Planning Manager, Public Affairs Bureau

Outreach and Planning Committee **January 31, 2012**

Submit & File Report

Fiscal Year 2012-13 Cooperative Funding Process Update

Purpose

To update the Board on the fiscal year 2012-13 Cooperative Funding process and timeline, distribute copies of the raw applications submitted by the cooperators by region (see regional application booklets), and prepare the Board members for their upcoming February sub-regional public meetings.

Background

In November 2011 the Governing Board discussed options for reviewing Cooperative Funding applications and mechanisms for receiving public and stakeholder input. The Board voted to divide into four sub-regional committees matching the District's regional water supply planning areas. The sub-regional committees will hold local public meetings to ensure the applicants, the public, stakeholders, former Basin Board members, local governments and others have access to the Board during their evaluation and ranking process.

During its December 2011 meeting, the Board approved modifications to the Cooperative Funding Policy 130-4 which were primarily administrative in nature due to the merging of the Basin Boards. The Board also approved the February meeting schedule for the four sub-regional committees as follows:

| PLANNING REGION | MEETING DATE | MEETING TIME | LOCATION |
|-----------------|--------------|--------------|-------------|
| Northern | February 7 | 9 am | Brooksville |
| Tampa Bay | February 9 | 9 am | Tampa |
| Heartland | February 13 | 1 pm | Bartow |
| Southern | February 15 | 1 pm | Sarasota |

The Cooperative Funding Initiative application deadline was Friday, December 2, at 5:00 p.m. At the close of the application window, the District had received 146 cooperative funding completed applications District-wide. Approximately \$100 million has been requested from the District for fiscal year 2012-13.

Projected balances and reserves available in the former Basins total over \$60 million (see table below) and must be spent for projects that benefit the basin in which the ad valorem revenue was collected.

| PLANNING REGION | PRIOR YEAR BALANCES (MILLIONS) | PROJECT RESERVES (MILLIONS) | TOTAL (MILLIONS) |
|-----------------|--------------------------------|-----------------------------|------------------|
| Northern | \$2.6 | \$1.8 | \$4.4 |
| Tampa Bay | 12.2 | 40.5 | 52.7 |
| Heartland | 1.5 | 0.0 | 1.5 |
| Southern | 2.5 | 0.1 | 2.6 |
| TOTAL | \$18.8 | \$42.4 | \$61.2 |

Item 39

In addition, the Governing Board has general District revenue and project reserves that may be utilized to help fund the fiscal year 2012-13 Cooperative Funding requests.

Discussion

The fiscal year 2012-13 applications were distributed to staff for preliminary review to ensure each submittal was complete and an in-depth review for ranking purposes has begun. The raw applications have been compiled by region, distributed to the Governing Board members (see exhibit) and posted on the District's website. Board members are asked to familiarize themselves with the applications in preparation of the February public meetings. The following topics are proposed for the Board's discussion at the February meetings:

- Summarize Funding Applications Received by Region
- Discuss Past Budgeted Expenditures by Region
- Receive Public/Stakeholder Input
- Select Projects to Review in April
- Review Timeline and Next Steps
- Select Dates for April Public Meeting

The February meetings are the Board's opportunity to ask questions of staff and the applicants, and to hear public and stakeholder input from non-applicants. During the February meetings, each sub-regional committee will be asked to identify proposals for presentation and further discussion at the April meetings. Staff rankings will also be provided in April, and the sub-regional committees will be asked to prepare their final rankings and recommendations at that time.

Staff Recommendation:

See Regional Application Booklets

<http://www.swfwmd.state.fl.us/business/coopfunding/>

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

Presenter: Lou Kavouras, Bureau Chief, Board and Executive Services

**Outreach and Planning Committee
January 31, 2012**

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 District provides 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 all aspects of water resource management, including water supply, flood protection, water quality and natural systems, and is intended to support sound land use decisions. A number of statutory provisions direct the District in the provision of this assistance, particularly Section 373.0391, Florida Statutes (F.S.), Technical Assistance to Local Governments. As a part of the District's efforts to ensure that appropriate water resource information and policy direction is reflected in local government comprehensive plans, the District conducts reviews of local government proposed plan amendments. The state land planning agency, the Department of Community Affairs (DCA), administers this review process. Comments submitted by the District typically become a part of DCA's "objections, recommendations, and comments" report to the local government. In addition, the District will often perform informal reviews of draft plan updates working directly with local governments.

Benefits/Costs

The benefits of the District's local government technical assistance program are to ensure local government elected officials has 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:

See Exhibit

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 December 31, 2011

| Project | Amendment Type | Assigned | Completed | Description | 10YWSFWP |
|--------------------------|----------------|------------|------------|---|--------------------------|
| Anna Maria 12-1ESR | ESR | 11/23/2011 | 12/22/2011 | No substantive comments. | <input type="checkbox"/> |
| Auburndale 11-1ACSC | Regular | 8/24/2011 | 9/6/2011 | Text amendment to make EAR process consistent with recent legislative changes. No comment letter. | <input type="checkbox"/> |
| Bowling Green 11-1ER | EAR-based | 8/26/2011 | 9/22/2011 | Various text amendments identified in EAR. | <input type="checkbox"/> |
| Bradenton 11-1 | Regular | 1/6/2011 | 1/28/2011 | Two plan amendments. | <input type="checkbox"/> |
| Bronson EAR | EAR | 1/13/2011 | 2/15/2011 | Review of proposed EAR, provided comments on watershed modeling, LID, water shortage enforcement & water conservation practices; FDCA request for review of adopted EAR received 04/05/2011, comments sent 05/03/2011 reiterating previous recommendations. | <input type="checkbox"/> |
| Bushnell 11-1ESR | Regular | 10/12/2011 | | Rewrite of Comprehensive plan, adding two new FLUM categories, amending and updating various elements. | <input type="checkbox"/> |
| Charlotte 11-1 | Regular | 3/2/2011 | 3/22/2011 | 2 FLUM amendments. | <input type="checkbox"/> |
| Charlotte 11-2ESR | ESR | 9/2/2011 | 9/22/2011 | FLUM change 13.07 acres Low Density Residential to Commercial. | <input type="checkbox"/> |
| Charlotte County 11-3ESR | ESR | 11/4/2011 | | The County is proposing to several FLUM related changes. | <input type="checkbox"/> |
| Citrus 11-1ESR | ESR | 6/7/2011 | 6/30/2011 | Proposed FLUM change from Agricultural to Recreation for a 40-acre site to accommodate church recreational facilities. | <input type="checkbox"/> |
| Citrus 11-2ESR | Regular | 8/4/2011 | 8/31/2011 | Proposed FLUM change Low Intensity Coastal Lakes (CL) to Recreational Vehicle Park (RVP); approximately 206-acre site south of SR44 adjacent to Lake Tsala Apopka; provided comments related to potential impacts to OFW waterbody. | <input type="checkbox"/> |
| Citrus 11-3ESR | CIE | 9/29/2011 | 11/3/2011 | Text amendments to remove concurrency language from Transportation, Future Land Use and Capital Improvements Elements; annual update of Capital Improvements Element; no comments on proposed amendments. | <input type="checkbox"/> |
| Citrus County 11-2ESR | ESR | 8/1/2011 | | Proposed FLUM change for an approximately 200-acre site from Coastal and Lakes to RV Park to accommodate 439 lot RV park facility. | <input type="checkbox"/> |

| Project | Amendment Type | Assigned | Completed | Description | 10YWSFWP |
|---------------------------|----------------|------------|------------|--|--------------------------|
| Clearwater 11-1ESR | AR | 5/23/2011 | 6/23/2011 | The City of Clearwater proposed Amendments to the Future Land Use Map and the Conservation and Capital improvements Elements of the Comprehensive Plan under the Expedited State Review Process. | <input type="checkbox"/> |
| Clearwater 11-2ESR | ESR | 9/21/2011 | 10/18/2011 | This city is proposing to amend the present Future Land Use Map designations from Residential Medium (RM) and Residential/Office/Retail (R/O/R) to Residential/Office Limited (R/OL) on 39.79 acres. | <input type="checkbox"/> |
| Dunedin 12-1ESR | ESR | 12/19/2011 | | This amendment proposes to revise Policy G-5 of the FLUE to include reference to the most recently adopted Countywide Plan and the City's land development regulation. | <input type="checkbox"/> |
| Dunnellon 11-1ESR | ESR | 6/10/2011 | 7/12/2011 | Proposed FLUM change for 986 acre site from Agricultural to Residential. | <input type="checkbox"/> |
| Eagle Lake 11-1ER | EAR-based | 1/6/2011 | 2/3/2011 | Text and map amendments; minor comments. | <input type="checkbox"/> |
| Fort Meade 12-1ER | EAR-based | 11/4/2011 | 11/22/2011 | Text and map amendments identified in EAR. | <input type="checkbox"/> |
| Hernando 11-1ESR | Regular | 7/26/2011 | 8/10/2011 | FLUM land use designation amendment. | <input type="checkbox"/> |
| Highland Park 11-1ESR | ESR | 11/10/2011 | 11/22/2011 | FLUM request to change several properties (<2 acres) to Historic Multi-family, consistent with actual existing use. | <input type="checkbox"/> |
| Hillcrest Heights 11-1ER | EAR-based | 7/21/2011 | 8/17/2011 | Text amendments. No 10YWSFWP adopted. Proposed potable water LOS 210 gpcd. | <input type="checkbox"/> |
| Hillsborough 11-1 | Regular | 3/15/2011 | 4/12/2011 | Proposed plan amendments. DCA decided not to review on 4/18/11. | <input type="checkbox"/> |
| Hillsborough 11-2ESR | Regular | 8/9/2011 | 9/2/2011 | Plan amendment for Lutz community plan update. Amendment included a number of text changes. No substantive comments were made. | <input type="checkbox"/> |
| Holmes Beach 11-1 | Regular | 5/20/2011 | 6/10/2011 | Review plan amendment material. No substantive review comments. Adopted amendment received 09/27/11. | <input type="checkbox"/> |
| Indian Rocks Beach 11-1AR | AR | 2/18/2011 | 3/9/2011 | City of Indian Rocks Beach CPA #11-1 Capital Improvement Element Update. | <input type="checkbox"/> |
| Kenneth City 11-1AR | AR | 2/22/2011 | 3/17/2011 | The City of Kenneth City is proposing to amend the Future Land Use Element of the Comprehensive Plan. | <input type="checkbox"/> |
| Lake Hamilton 11-1ER | EAR-based | 5/2/2011 | 6/6/2011 | EAR-based - FLUM and text amendments and CIP annual update. | <input type="checkbox"/> |

| Project | Amendment Type | Assigned | Completed | Description | 10YWSFWP |
|--|----------------|------------|------------|--|--------------------------|
| Lake Wales 11-1 | Regular | 4/13/2011 | 5/12/2011 | Future Land Use Map Amendments. | <input type="checkbox"/> |
| Lakeland 11-1CPA | Regular | 4/29/2011 | 5/25/2011 | Certified community, no comment. | <input type="checkbox"/> |
| Lakeland 11-2ESR | ESR | 10/4/2011 | 10/25/2011 | FLU change on 95.2 acres near Linder Airport. Recently annexed into the city, propose changing county land use to city land use. | <input type="checkbox"/> |
| Largo 11-1AR | AR | 4/21/2011 | 5/19/2011 | The City is updating several elements of the Comprehensive Plan to create Multimodal Activity Centers. | <input type="checkbox"/> |
| Largo 11-2ESR | ESR | 7/7/2011 | 8/3/2011 | The City of Largo proposes to amend their comprehensive plan by updating 4 school facilities maps. | <input type="checkbox"/> |
| Largo 11-3ESR | ESR | 10/31/2011 | 11/22/2011 | The City of Largo proposes to update the level of service standards for the sanitary sewer system that are contained in the Public Facilities and Capital Improvements elements. | <input type="checkbox"/> |
| Largo 11-4ESR | ESR | 11/16/2011 | 12/16/2011 | The City annexed 90 parcels (123.35 acres) and portions of right of way along Ulmerton Rd. into the City limits and is updated the FLUM to reflect the changes. | <input type="checkbox"/> |
| Levy 11-1 | Regular | 3/18/2011 | 4/21/2011 | Proposed change to FLUM from Commercial to Urban Low Density Residential for a 14 acre site; no District comments required. | <input type="checkbox"/> |
| Levy 11-1ESR | Regular | 3/22/2011 | 4/20/2011 | Proposed FLUM change from Commercial to Urban Low Density Residential for a 14-acre site; change proposed to allow for development of one home site; no staff comments. | <input type="checkbox"/> |
| Longboat Key 11-2 | Regular | 3/24/2011 | 4/6/2011 | FLUM and text amendments. | <input type="checkbox"/> |
| Longboat Key 12-1ESR, 12-2ESR (proposed) | ESR | 11/28/2011 | 12/27/2011 | Provided comments for development of the 10-year water supply facilities work plan and promoted LID implementation in a proposed redevelopment area. | <input type="checkbox"/> |
| Manatee 11-1 | Regular | 5/25/2011 | 6/20/2011 | Material includes map/text amendments for coastal planning areas. Response letter complimented Manatee on its coastal planning. | <input type="checkbox"/> |
| Manatee 12-1ESR | ESR | 12/9/2011 | 1/6/2012 | Encouraged limited, if any, encroachment in Myakka River's wetland/floodplains and the implementation of LID practices when possible. | <input type="checkbox"/> |

| Project | Amendment Type | Assigned | Completed | Description | 10YWSFWP |
|--|----------------|------------|------------|--|-------------------------------------|
| Ocala EAR | EAR | 2/11/2011 | 3/15/2011 | Preliminary City-identified issues of economic development, mobility/community connectivity, and water use and conservation; District comments provided on water supply planning and water conservation. | <input checked="" type="checkbox"/> |
| Pasco 11-1 | Regular | 4/7/2011 | 4/21/2011 | Proposed FLUM change for the Pasco County Government Complex from ROR to Public/Semi-Public. Category 1 wetlands on site are protected. | <input type="checkbox"/> |
| Pasco 11-2ESR-CPA 11(04); 11-3ESR-CPA 11(05); 11-4ESR-CPA11(06); 11-5ESR-CPA11(07) | Regular | 10/18/2011 | 11/14/2011 | Proposed changes to market overlay areas. Made comments relating to wetlands, water supply and flood prone areas. | <input type="checkbox"/> |
| Pasco 12-1ESR | ESR | 11/29/2011 | 12/22/2011 | No substantive comments | <input type="checkbox"/> |
| Pasco 12-2ESR | ESR | 12/22/2011 | | | <input type="checkbox"/> |
| Pinellas County 12-1ESR | ESR | 12/30/2011 | | Through this amendment, the County proposes to revise several Objectives and Policies of the Transportation Element related to the St. Petersburg Clearwater International Airport. | <input type="checkbox"/> |
| Pinellas Park 11-1ESR | ESR | 11/2/2011 | 11/17/2011 | The City is proposing to redefine the "Coastal Storm Area" of the City. | <input type="checkbox"/> |
| Plant City 12-1ESR | ESR | 12/29/2011 | | | <input type="checkbox"/> |
| Plant City 12-1ESR (proposed) | ESR | 12/29/2011 | | | <input type="checkbox"/> |
| Polk 11-2ESR | ESR | 8/19/2011 | 9/6/2011 | CF Industries FLUM change from PM to IND. Text amendments relating to solar power generation, transit supportive development area and scenic highways. | <input type="checkbox"/> |
| Polk 11-3ACSC | Regular | 8/19/2011 | 9/6/2011 | FLUM change from Ag-Rural to Commercial Enclave on 2.53 acres in the Green Swamp to correct non-conforming land use for an existing structure. | <input type="checkbox"/> |
| Polk County 11-1 | Regular | 3/3/2011 | 4/1/2011 | | <input type="checkbox"/> |
| Punta Gorda EAR | EAR | 5/9/2011 | 6/3/2011 | | <input type="checkbox"/> |
| Sarasota County 11-1ESR | ESR | 9/28/2011 | 10/20/2011 | This Amendment consists of the functional reclassification of Lockwood Ridge Rd from a major collector to a minor collector. | <input type="checkbox"/> |
| Seminole 11-1AR | AR | 1/21/2011 | 2/17/2011 | Revise 59.79 acres of the City of Seminole's Future Land Use Map from Residential Medium, Water/Drainage Feature and Commercial General to Residential/Office/Retail. | <input type="checkbox"/> |

11

| Project | Amendment Type | Assigned | Completed | Description | 10YWSFWP |
|------------------------|----------------|------------|------------|---|--------------------------|
| Seminole 11-2ER | EAR-based | 4/22/2011 | 5/19/2011 | The City of Seminole proposed Evaluation and Appraisal Report (EAR) and Growth Management Legislation based amendments. | <input type="checkbox"/> |
| St. Petersburg 11-1AR | AR | 4/25/2011 | 5/10/2011 | The City is updating text in several elements of their Comp Plan. | <input type="checkbox"/> |
| St. Petersburg 11-1ESR | ESR | 6/17/2011 | 7/17/2011 | This comprehensive plan amendment proposes to update the Future Land Use Map and Official Zoning Map. | <input type="checkbox"/> |
| Tarpon Springs 11-2ESR | ESR | 11/8/2011 | 12/5/2011 | The City is proposing to amend the FLUM from R/OS to RL on .23 acres of unused area on the City's golf course. | <input type="checkbox"/> |
| Venice 11-1ESR | ESR | 11/4/2011 | | The City proposes to revise several text related amendments. | <input type="checkbox"/> |
| Wauchula 11-1ER | EAR-based | 2/2/2011 | 3/7/2011 | Text and FLUM amendments. No comments. | <input type="checkbox"/> |
| Wildwood EAR | EAR | 3/21/2011 | 4/15/2011 | Limited proposed changes due to the recently adopted 2035 Wildwood Comprehensive Plan; recognizes need for incorporation of recent joint planning agreement with Sumter County and water supply planning. | <input type="checkbox"/> |
| Williston 11-1ESR | Regular | 9/19/2011 | 10/19/2011 | Proposed FLUM change from COM, MDR and R/OS to HDR and R/OS for RV park expansion; project currently in for ERP permitting; staff had no comments on proposed amendment. | <input type="checkbox"/> |
| Winter Haven 11-1ER | EAR-based | 5/16/2011 | 6/9/2011 | EAR-based amendments. | <input type="checkbox"/> |
| Zephyrhills 11-1ESR | ESR | 10/25/2011 | 11/22/2011 | Land use change involving 17.5 acres. Commented on flood hazard areas. | <input type="checkbox"/> |
| Zolfo Springs 11-1ER | EAR-based | 9/27/2011 | 10/25/2011 | Various text amendments and map series update based upon 2009 EAR. | <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
- PSFE Public School Facilities Element
- Remedial NOI-Not In Compliance
- WSFWP Water Supply Facilities Work Plan

Outreach and Planning Committee January 31, 2012

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 District participates in the review of Developments of Regional Impact (DRIs) pursuant to Section 380.06, Florida Statutes. DRI's are large-scale development projects that exceed statutorily specified thresholds such that the project is assumed to have potential impacts that transcend multiple local government jurisdictions. The District is one of several agencies that are required to participate in the review process, which is administered by the regional planning councils. 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 benefits of the District's DRI review program are to ensure regional planning councils and local government elected officials have sound water resource technical and policy information as they consider large scale development proposals. This helps to ensure these 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:

See Exhibit

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 December 31, 2011

| Project | DRI Location | DRI App Type | Date Assigned | Date Completed | Description |
|--|----------------|------------------------|---------------|----------------|---|
| Bayonet Point Shopping Mall | Pasco | NOPC | 5/1/2009 | 11/2/2009 | Mixed Use. Add 3.96 acres, establish land use equivalency matrix, exchange for 500 residential units. |
| Bexley Ranch | Pasco | NOPC | 1/5/2009 | | Mixed Use. Extension request, Transportation analysis changes. |
| Big Bend Transfer Co. Sulfur Handling Facility | Hillsborough | NOPC | 5/11/2009 | 6/9/2009 | Industrial. Proposes combining several DRIs, extend construction date and revise concept development plan. |
| CF Industries South Pasture Mine Extension | Hardee | SD - 1st Sufficiency | 5/20/2011 | | 7,513 acre addition to existing phosphate mine. |
| CF South Pasture Mine Extension | Hardee | SD | 8/20/2010 | 4/14/2011 | Additional land to be added to CF Industries' existing South Pasture Phosphate Mine in Hardee County. 7,513 acres. |
| Cooper Creek | Manatee County | NOPC | 8/30/2011 | 9/27/2011 | Application proposes several changes to the existing development scenario. No substantive issues were identified made due to close coordination with developer during the development review process. |
| Equity Southbend | Hillsborough | NOPC | 4/27/2010 | 5/19/2011 | Mixed Use. Proposal includes the addition of land for surface water management, build-out extension and changes to the location of office development. |
| Four Corners Mine Addition S/D (aka G&D Farms) | Manatee County | ADA - 1st Sufficiency | 2/2/2011 | 3/3/2011 | Application review. |
| Four Corners Mine Addition S/D (aka G&D Farms) | Manatee County | ADA - 2nd Sufficiency | 8/1/2011 | 8/26/2011 | Examined materials. Review completed 8/26/11. No substantive comments made. |
| Heron Creek | North Port | NOPC - 2nd Sufficiency | 3/11/2010 | 8/5/2010 | Mixed Use. Conversion matrix changes - housing trade offs - no comments. Formerly Marsh Creek. 2nd suff - conversion matrix changes - housing trade offs. |

| Project | DRI Location | DRI App Type | Date Assigned | Date Completed | Description |
|--|---------------------|------------------------|---------------|----------------|---|
| Lake Hutto | Hillsborough County | NOPC - 1st Sufficiency | 11/10/2010 | 12/7/2010 | Mixed Use Development: 1,856 residential units; 207,500 sf retail; 219,000 sf office; 36,000 sf medical and school. |
| Lake Hutto | Hillsborough County | NOPC - 2nd Sufficiency | 4/7/2011 | 4/21/2011 | No substantive comments. |
| Lake Hutto | Hillsborough County | NOPC - 3rd Sufficiency | 7/22/2011 | 8/12/2011 | No substantive comments made. Made earlier comment re: reclaimed water availability. |
| Lake Hutto | Hillsborough County | NOPC - 4th Sufficiency | 10/4/2011 | | No substantive comments. Application dealt with a number of transportation issues. |
| Mosaic Fertilizer Hillsborough County Mines | Hillsborough | NOPC | 9/25/2009 | 10/20/2009 | Mining. Proposes addition of 77 acres to existing DRI. |
| Mosaic Fertilizer, Wingate (DRI 273) | Manatee County | ADA | 2/9/2011 | 3/10/2011 | Initial review of material, processing for submittal to review team. Application proposes to re-classify 705 acres within the existing mine to "approved for mining." |
| Mosaic Fertilizer, Wingate Creek Mine | Manatee County | ADA - 1st Sufficiency | 7/15/2011 | 8/3/2011 | No substantive comments. |
| Mosaic Fertilizer, Wingate Extension (DRI 272) | Manatee County | ADA | 2/9/2011 | 3/10/2011 | Initial review of material, processing for submittal to review team. Application proposes the addition of 661 acres to existing mine. |
| Mosaic Riverview Phosphogypsum Stack Expansion | Hillsborough | NOPC | 10/14/2009 | 10/29/2009 | Mining. Proposes construction of a process-water loading station and transport of process water to Polk County facility. |
| Old Florida Plantation | Bartow | NOPC | 6/14/2010 | 6/14/2010 | District Project/Not Reviewed. |
| Ona Mine | Hardee | Pre App | 10/16/2009 | | Phosphate Mining. 20,676 acres. Re-submittal of previous DRI in Hardee County. Next major project for Mosaic. Still no application submittal as of 4-6-11. |
| Paddock Park | Ocala | Abandonment | 8/13/2010 | 9/2/2010 | Abandonment of substantially completed commercial/office/residential mixed use project. 272 acres. |
| Palmer Ranch Isles of Sarasota Phase 3 | Sarasota County | NOPC | 7/11/2011 | | Increment XVII NOPC to add 38.4 acres with no increase in density. |

| Project | DRI Location | DRI App Type | Date Assigned | Date Completed | Description |
|---------------------------------|----------------|-----------------------|---------------|----------------|---|
| Parrish Lakes | Manatee County | ADA - 2nd Sufficiency | 1/7/2011 | 2/8/2011 | No substantive comments made. |
| Parrish Lakes | Manatee County | Final DRI Review | 2/28/2011 | 3/22/2011 | Final Recommended Comments for development - Mixed Use - 1,155 acres. Proposes 3300 residential units, 400,000 sf of retail and office and a mixed-use town center. |
| Robinson Gateway | Manatee County | ADA - Initial Review | 12/29/2010 | 1/21/2011 | Conducting ADA review. |
| Robinson Gateway | Manatee County | ADA - 1st Sufficiency | 7/11/2011 | | Packet incomplete; waiting for additional materials. This was the first review of materials on file to date. |
| Southbend | Hillsborough | NOPC | 5/4/2010 | 6/1/2011 | Mixed use. |
| Tampa Bay Center | Hillsborough | NOPC | 5/13/2010 | 6/9/2011 | Commercial. |
| The Villages of Sumter | Sumter | NOPC | 9/12/2010 | 1/5/2010 | Mixed Use. 13,489 acres. Reduction in retail and office uses; increase in residential based on land use matrix exchange. |
| The Villages of Wildwood | Sumter | NOPC | 9/15/2010 | 10/8/2010 | Mixed Use. 13,477 acres. Addition of 4.71 acres to Town Center. |
| Villages of Wildwood - 3rd NOPC | Sumter County | NOPC | 5/3/2011 | | Several proposed changes to Map H and Map H-1 regarding land use types and intensities. |

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

Outreach and Planning Committee January 31, 2012

Routine Report

Significant Activities

Water Conservation Activities

The District promotes water conservation and protection year-round using a variety of methods including public service advertising, news media outreach, the District's website, special events, utility bill stuffers, outreach to existing partners and social media efforts such as the online *WaterMatters.org Newsletter*, Facebook and Twitter. ***New Activities Since Last Meeting*** — ***"Skip a Week"***: Staff is promoting the District's annual "Skip a Week" campaign from December through February using existing materials from previous years. Campaign components include a homepage banner, webpage, news release and social media messaging. Cooperators have been provided advertisements, web banners and the news release to use for their own outreach efforts. ***Water Conservation Month***: Staff is continuing to develop materials in advance of the "Fix It for Less" integrated campaign in April. A "Fix It for Less" utility bill stuffer and how-to brochure are currently being developed. Other campaign components will include a new webpage, four how-to videos, news release, social media messaging, email blast, web banners and cooperator outreach.

Research

The Communications Bureau uses research to enhance education program design, plan communications strategies and evaluate programs. For example, focus groups have been used in the development of campaigns, and public opinion surveys have been used to evaluate these campaigns. A database of the District's social research is available at *WaterMatters.org/SocialResearch/*. ***New Activities Since Last Meeting*** — ***Citrus County Water Conservation Education Pilot Program***: The District will partner with the Citrus County Utilities Department to conduct a community-based social marketing project to help reduce the amount of potable water used outdoors by residents of the Sugarmill Woods development and the Citrus Springs/Pine Ridge communities. The project will be part of a larger ongoing District effort to reduce water use in Citrus County communities that have high water use. Communications Bureau staff will coordinate the education outreach in cooperation with the Water Resources, Public Affairs and Water Use Permit bureaus. The project's working group met on Dec. 7 to review the recommendations for outreach. An education/communication plan is being drafted and will be shared with Citrus County water resources staff for review. ***Water Quality/Springs Protection Focus Groups***: Staff has scheduled 18 focus groups that are taking place Nov. 2011–Jan. 2012 in Marion, Citrus and Hernando counties. Six different groups have been selected to determine their knowledge, attitude and behavior regarding proper fertilizing practices and how fertilizer affects water quality in springs. Groups will include homeowners association and non-homeowners association residents who live near the water and hire someone to fertilize their lawns, homeowners association and non-homeowners association residents who live in a recharge area and hire someone to fertilize their lawns, and landscape company owners and employees who apply fertilizer. Focus group results will be used to create a springs protection education campaign.

Water Conservation Hotel and Motel Program (Water CHAMPSM) and Water Program for Restaurant Outreach (Water PROSM)

Water CHAMPSM promotes water conservation in hotels and motels by encouraging guests to use their towels and linens more than once during their stay. Participating hotels and motels receive program materials free of charge. In 2008, the Districtwide five-year water audit confirmed Water CHAMP participants saved an average of 17 gallons of water per occupied room per day. Based on these audit findings, the cost benefit for the program, using the total cost amortized over five years, is \$0.47 per thousand gallons of water saved. ***Water PROSM*** educates both restaurateurs and guests through free materials such as table tents, children's

coloring sheets, coasters and self-audit checklists. “We serve water only upon request” buttons are also available for wait staff. The program is being promoted through one-on-one visits with restaurant managers, partnerships with utility companies, networking at industry meetings and direct mail. ***New Activities Since Last Meeting*** — (1) Water CHAMP currently has 456 participants, or 49% of all hotels and motels in the District. Of the 474 hotels/motels within the District with 50 or more rooms, 70% are Water CHAMP properties. (2) Water PRO has 283 restaurants in the District participating.

Florida Water StarSM (FWS) Certification Program

FWS is a voluntary certification program for builders, which encourages water efficiency in appliances, plumbing fixtures, irrigation systems and landscapes, as well as water quality benefits from best management practices (BMPs) in landscapes. The program includes certifications for new homes, existing homes, commercial properties and communities. This is the program’s third year in the District; the first house was certified March 25, 2009. ***New Activities Since Last Meeting*** — Agreements: Builders who intend to incorporate FWS criteria in current or future projects sign nonbinding participation agreements with the District. To date, 23 agreements have been signed, representing approximately 484 properties. Certifications: As of Dec. 28, this District has certified 130 properties.

Florida-Friendly LandscapingTM

Recognizing the potential of water conservation and water quality protection through promotion of Florida-Friendly LandscapingTM (FFL) practices, the District began partnering with the University of Florida in FY2001 to support FFL education. Education on landscaping best management practices is provided to homeowners, students, builders, landscape and irrigation professionals, property managers, and members and boards of community associations in 11 counties. ***New Activities Since Last Meeting*** — Eleven county extension offices have requested funding to continue FFL programs in FY2013.

Watershed/Water Quality Education

The District’s watershed education efforts focus on water quality, stormwater runoff, water conservation and natural systems. Through these efforts, the District encourages specific behaviors such as reducing fertilizer and pesticide use, maintaining septic systems, conserving water, disposing of trash appropriately and picking up and properly disposing of pet waste. ***New Activities Since Last Meeting*** — (1) The Science and Environment Council of Sarasota (SEC) recently completed a series of six watershed videos. These videos provide ideas for exploration of Sarasota’s natural areas, as well as places to visit to learn more about watershed protection. The videos will be posted on the discovernaturalsarasota.org and SEC member web sites. (2) Staff has completed the creation of the Alafia River Watershed Excursion. This is the sixth in a series of websites featuring the history, significance and beauty of watersheds within our District. You can take a virtual journey down the Alafia River at WaterMatters.org/Alafia.

Community Education Grant Program

The Community Education Grant (CEG) program is in its fifteenth year and is funded through Initiatives for Public Education (P268). The CEG program provides reimbursement up to \$5,000 per project for individuals, service groups, community associations and others to implement a water resources education project. Projects take place between March and July each year. ***New Activities Since Last Meeting*** — (1) The deadline for FY2012 applications was Aug. 19. Staff is reviewing the 32 applications that were received. (2) The Citrus County Extension’s “Get Out and Explore Citrus Waters” project provided hands-on education to 388 residents about water quality best management practices through four day-long events that included nature hikes, boat tours and workshops. (3) Rotonda West Homeowners Association’s “Fertilizer Buffer Zone” project educated 50 Charlotte County residents about water quality best management practices through a workshop, aquatic planting and educational sign. (4) The Barrier Island Parks Society hosted six wading adventures in Charlotte County where 102 participants learned about human impacts to water resources, plants and wildlife.

Youth Education

More than half the students and teachers in the District are reached through the Youth Water Resources Education program in a typical year. The program offers Splash! school grants, field studies programs, educational resources for students and educators, and teacher training to county school districts, charter schools, private schools, homeschool groups and nonformal educators. Several types of teacher training workshops are coordinated by staff throughout the District's 16 counties: Project WET (Water Education for Teachers), The Great Water OdysseySM and Healthy Water, Healthy People. Kindergarten through twelfth-grade educators attending workshops receive curricula as well as District materials. ***New Activities Since Last Meeting*** — (1) On Dec. 13, a Youth Education Team member from the Bartow Service Office provided 6 groundwater model presentations for approximately 106 middle school students at Lakeland Christian School. (2) Youth Education staff provided a presentation regarding District educational resources at one District teacher training event in December. Details about the workshop are included in the Teacher Training update below. **Splash! School Grants**: This competitive grant program provides funding up to \$3,000 per school to enhance student knowledge of freshwater resources issues. The District has awarded grants to 157 teachers for school year 2011–2012 in the following 12 counties: Charlotte, Citrus, Hernando, Highlands, Hillsborough, Manatee, Marion, Pasco, Pinellas, Polk, Sarasota and Sumter. Information on the program is available at WaterMatters.org/schoolgrants. **Teacher Training**: (1) A Great Water OdysseySM workshop for eight upper-elementary teachers and one school district curriculum specialist was held Dec. 1 at Twin Lakes Elementary in Tampa. (2) During the first quarter of fiscal year 2012, a total of 65 educators and 100 preservice teachers have been trained through 11 workshops. **School District Coordination**: (1) The District provides funding through school board agreements to implement water resources education programs for K–12 students and educators. During the 2011–2012 school year, agreements are in place for Charlotte, Citrus, DeSoto, Hernando, Highlands, Hillsborough, Levy, Manatee, Marion, Pasco, Pinellas, Polk, Sarasota and Sumter school districts. (2) On Dec. 13, Youth Education staff participated in the Helios Education Foundation Science, Technology, Engineering and Mathematics (STEM) District Advisory Committee of Hillsborough County. The purpose of the meeting was to support the school district's efforts to assist teachers with integration of District teacher and student resources into the STEM curriculum of targeted middle and high schools. **Publications**: Approximately 68,900 pieces of youth education materials have been distributed during FY2012, and more than 533,700 pieces were distributed during calendar year 2011. **Videos**: A new watershed education video is being produced for high school teachers to use to address various Next Generation Sunshine State Science Standards. The video will also be promoted through the District's Facebook page, website and YouTube channel and distributed to government and public access television stations.

Strategic Communications Planning

The Media & Outreach Section works with staff from various bureaus to plan outreach efforts related to projects and programs that directly impact residents. This is done by analyzing any communications challenges that may exist and creating plans to address those challenges. Media & Outreach staff assist with the planning, execution and evaluation of these efforts. ***New Activities Since Last Meeting*** — (1) Staff continues to work with members of the Ecologic Evaluation Section of the Resource Projects Bureau to assist with public outreach to residents and other key stakeholders regarding the Springs Coast MFLs development process. Staff assisted with the planning, preparation and execution of the June, July and September public workshops as well as the stakeholder workshop held on Oct. 26. Staff also developed a webpage for the program and a frequently asked questions document for distribution to residents. Staff continues to update the webpage with new information and a new comments page was added for external stakeholder groups to provide District staff with feedback and information. (2) Staff is working with the Resource Projects Bureau to plan public outreach to residents living in Polk, Pasco and Hillsborough counties and the cities of Winter Haven and Clearwater in response to the six cooperatively funded reclaimed water aquifer recharge projects. A working copy of the communications plan has been completed and distributed to appropriate District staff. Currently, outreach options and key stakeholder tools are being discussed. Planned outreach includes a public survey, internal and external stakeholder toolkit, outreach to key organizations, and social media and traditional media engagement. Staff is also

Item 42

attending project kickoff meetings with the cooperators to discuss the communications plan. (3) Staff continues to work with the Operations and Land Management Bureau on public outreach for the District's ongoing hunting evaluation. Staff updated the evaluation webpage to include new draft proposals and meeting information for the northern properties. Staff wrote and distributed a news release to local media about the Jan. 5 public meeting and also assisted with the planning and preparation of the meeting. (4) Staff is continuing working with the Hydrologic Evaluation Section to plan public outreach to residents living on or near Pretty Lake in Odessa. The District is planning a project that will divert high-flow water from Rocky Creek at Pretty Lake to three nearby lakes that have been negatively affected by groundwater withdrawals and insufficient rainfall. Staff is assisting with planning a public meeting for January 18 and with creating presentations and messages to address citizens' concerns. (5) Staff is working with the Operations and Land Management Bureau on public outreach to residents and property owners on or near Big Lake Gant in Sumter County. The District is planning a project that will upgrade the existing S-11 Flood Control Structure that manages the water levels on the lake. Staff assisted with a letter to residents that was mailed the week of December 26 and with the creation of a sign that will be posted at the local boat ramp at the lake.

Visual Communications — Print

The print team provides prepress layout, illustration and design of publications and displays for the Communications Bureau and staff at large. ***New Activities Since Last Meeting*** — Planning regions/water supply maps for staff presentations; *WaterMatters* magazine, Nov.–Dec. issue; covers for multiple technical documents; posters for water quality improvement at Lake Eva; reprint and modify prepress materials for WRWSA Evaluation flier, WaterReuse brochures *Child at Play* and *Trace Contaminants in Water*, reclaimed water brochure; display for Areas of Responsibility.

Visual Communications — Web

The web team designs and develops website content and code. ***New Activities Since Last Meeting*** — Permitting Rules updates; Community Sheets for Regional Water Supply Plan pages; Demographics updates; WaterMatters e-newsletter; WaterMatters online magazine; Regulatory restructure with question/answer section; Executive holiday email card. **Monthly Web Trends**: Site traffic was down 28% from last month, but up 6% from same period last year.

Most popular webpages were: Recreation (36,896 page views; down 23% from last month; up 48% from same period last year); Education (10,858 page views; down 50% from last month, up 12% from same period last year); Data (9,945 page views; down 24% from last month, down 9% from same period last year). **Most increased traffic** (excluding “most popular webpages”): Recreation Areas (21,829 page views, up 52% from last month); Hog Hunt site (2,240 page views, up 96% from last month); Youth Education (3,687 page views, up 85% from last month); and ePermitting (6,652 page views, up 77% from last month).

Public Affairs Bureau

As part of the District's reorganization, the Community & Legislative Affairs Department has been merged with the Planning Department into the Public Affairs Bureau. The two departments compliment one other in their responsibilities and it was a natural fit to merge the departments.

The Community & Legislative Affairs section will continue to support the District's mission through a broad range of activities. Staff serves as liaisons with local, state and federal government officials and represents the District with a number of community organizations. Staff also advocates the District's legislative priorities and develops and implements strategies to acquire state and federal appropriations.

The Planning section will continue to provide government and agency assistance, economic and demographic analysis, Board and Advisory Committee support, and outreach and strategic planning for the District.

Planning

- **Regional Water Supply Plan Community Technical Assistance Program** - The purpose of the RWSP Community Technical Assistance Program is to assist counties and municipalities in producing their 10-Year Water Supply Facilities Work Plans, as required by statute, by providing a variety of tools such as the Community Sheets. Staff, in coordination with the regional planning councils, will facilitate workshops throughout the District to further assist local government planners' use of the data, contained in the Community Sheets to complete their Work Plans. The four Technical Assistance workshops have been scheduled in different locations throughout the District and will be held in February and March. The Work Plan data and Community Sheets are now posted and available for download on the RWSP web site.
- **Regional Planning Council Updates**
 - Tampa Bay Regional Planning Council (December 12, 2011) – Mr. Doug Coward provided an update on the Solar Energy Loan Fund, a non-profit corporation that provides low interest loans in St. Lucie County to help reduce energy bills and provide access to clean energy solutions. The program currently offers only residential loans, but plans are underway to expand it to commercial development. Mr. Coward stated it makes sense to grow the program regionally, as opposed to developing one for each county, and there was considerable interest in this program. Additional discussions are planned among members of the Council's leadership and staffs of all the regional planning council.
 - Central Florida Regional Planning Council (December 14, 2011) - In addition to re-electing the slate of officers for 2012 and re-appointing the finance committee and FRCA Policy Board members, the CFRPC heard several presentations relating to various transportation funding programs. Additionally, Jennifer Stultz (FDOT) provided the Council with an updated transportation work program for the region. The CFRPC will not meet again until February. Pat Huff, Chair and Mayor of Bartow and Minor Bryant, Vice-Chair and Chair of the Hardee County BOCC were re-elected in their same positions.
 - Withlacoochee Regional Planning Council (December 8, 2011) - Two new Board members were announced: Stan McClain, Marion County Commission and Wilma Loar, Belleview City Commission. The Board also recognized two outgoing Board members: Charlie Stone, Marion County Commission and Fred Ward, Dunnellon City Council. The Board reviewed the Nominating Committee's report on Board officer recommendations and approved the following Board members for Executive Committee positions:
 - ♦ Chair – Dennis Damato, Citrus County Commission
 - ♦ Vice-Chair – Martha Hanson, Marion County Gubernatorial Appointee
 - ♦ Secretary - James Adkins, Hernando County Commission
 - ♦ Member – Ed Nowe, Sumter County Gubernatorial Appointee
 - ♦ Member – Whitney "Stoney" Smith, Levy County Gubernatorial Appointee
 - ♦ Member – Suzy Heinbockel, Ocala City Council
- **District Land Valuation** - The District has engaged a consultant to review the District's land holdings and evaluate the extent to which they support water supply, flood protection, water quality and natural systems, as well as provide recreational opportunities, generate revenue, and support economic activity. This project is designed to develop the framework and underlying data that will support a comprehensive analysis of benefits and costs of District landholdings with the end goal to provide staff and the Governing Board with an easily understandable working tool that can be used to measure the total and marginal economic value of different land parcels owned by the District under various sets of assumptions. In addition to a final written report, the consultant will produce a spreadsheet tool that District staff may use to value different land parcels based on ecosystem services and revenue generating values.

Local Government Outreach

- **Pasco County Commissioner Meetings (12/2/11)** - Staff met with Pasco County Commissioners Pat Mulieri and Ann Hildebrand regarding Cypress Creek Watershed conceptual BMPs. Due to significant flooding in the Cypress Creek Watershed, District staff worked with Pasco County staff and citizens to design BMPs that will reduce some flooding in the area. Both Commissioners were pleased with the progress and understood that the majority of the BMPs would require funding.

Item 42

- **City of North Port Big Slough Watershed Public Meeting (12/6/11)** - District staff, along with staff from the City of North Port and Sarasota County, assisted more than 500 residents during a seven-hour floodplain open house. The public was invited to view the preliminary floodplain maps and information for the Big Slough watershed. The District had distributed more than 17,000 letters to residents impacted by the new floodplain information. City Commissioners and the City Manager were pleased with the turnout and the overall format of the open house.
- **Citrus County Board of County Commission (12/6/11)** – Staff attended the Citrus County BOCC public hearing, held for the purpose of creating a special assessment to pave roads and provide associated drainage in Inverness Village. This has been a long standing issue between Citrus County and the developer due to the developer not fulfilling a commitment to pave the roads. Citrus County staff thanked the District for working with them over the years to help solve permitting issues pertaining to the roads. Several residents spoke at the public meeting in favor of the special assessment which was unanimously approved by the Board. The Board also approved the county's financial commitment to funding the county's portion of the FY2013 Florida Yards and Neighborhoods (FY&N) program. County Administrator Brad Thorpe expressed that cost-sharing the FY&N program with the District shows that the county is committed to water conservation and aids in the county's conservation goals.
- **Citrus County BOCC (12/13/11)** – Staff attended the Citrus County BOCC meeting for December. Dr. Todd Kincaid (GeoHydros, LLC) was invited by Commissioner Rebecca Bays to make a presentation on the water budget approach to water management in regards to MFLs. The presentation was very technical and the main message was that we have stressed our springs with over pumping of ground water and that current ground water models may overestimate the amount of ground water available. Commissioner Bays stated she would like the Citrus County Commission to take a position regarding MFLs. There were no additional comments from the Commission.
- **Pasco County Commissioner Meeting (12/14/11)** – Staff met with Pasco County Commissioner Ted Schrader regarding Cypress Creek Watershed conceptual BMPs. Previously staff had met with Pasco County Commissioners Pat Mulieri and Ann Hildebrand on this same issue. Commissioner Schrader stated concern over spending \$14 million to minimize flooding to a few homes when buying them would total \$1.2 million. Pasco County staff discussed the FEMA grant program for homes with multiple flooding events and ordinances that the county can utilize to prevent future development in the area from flooding.

Legislation and Policy

The Legislative Session began January 10, 2012. Prior to the start of the session, staff provided the Office of the Governor, DEP and legislative staff the District's preliminary 2012-2013 budget. District staff will present its preliminary budget to the Senate General Government Appropriations Committee on January 19. The District meets with the Office of the Governor, DEP, and the other water management districts' weekly throughout the Session to coordinate on legislation and budget issues. The District is tracking a number of bills related to water and natural resources. This includes urban redevelopment, mitigation banking, reclaimed water, 30-year permits, and water management district consistency. Further, legislation has been filed to replace the cap on ad valorem revenues that the districts' can collect with a reduction in the overall millage rate districts' can levy. This legislation also instills additional oversight by the Legislature.

Community Outreach

- **Hunt Evaluation Public Meeting – Plant City (12/05/11)** - Staff held a public meeting regarding staff's evaluation of potential hunting opportunities on District-owned properties in the central portion of the District. About 40 members of the public requested the opportunity to speak and another 50 filled out comment cards. Residents who opposed any additional hunting opportunities outnumbered proponents by a margin of 4 to 1. During a previous meeting in Plant City, most attendees opposed any additional hunting on the Hampton Tract. Now, staff recommended "No" changes to the current operation on the Hampton Tract. During the December 5 meeting, many in the audience were opposed to any changes at Cypress Creek Preserve citing concerns because of residential areas around the property.

Item 42

- **Hillsborough County Agriculture Economic Development Council – (AEDC) (12/14/11) -** At their regularly scheduled meeting the AEDC voted to approve their 2012 Legislative recommendations and elected a chair and vice chair. Continuing in the same positions are Hugh Gramling, Chair and Dennis Carlton, Vice-Chair. The council also received an update on the state's effort on EPA's Numeric Nutrient Criteria.
- **Surplus Lands Public Meetings (12/13/11 & 12/14/11) -** Approximately 130 people attended the Surplus Lands Public Meeting in Lecanto. Senator Dean and Representative Smith sent staff to the meeting and Citrus County Commissioner Rebecca Bays was there. The main sentiment of the public was that they did not want to see any public land sold. There were a few people that stated they would be agreeable to selling off a parcel that was of lesser environmental benefit, only to buy something of increased environmental value. Twelve people attended the Surplus Lands Public Meeting at the Bartow Service Office. In addition to the public, one staff member from Polk County attended but no elected officials (or representatives) attended. Questions included how to ensure that parcels the District would surplus would not fragment current corridors, and the purchase of additional parcels in uplands to help with recharge.

Staff Recommendation:

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

Presenter: David T. Rathke, Chief of Staff

Special Events

No events currently scheduled through the end of March.

**Governing Board Meeting
January 31, 2012**

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| FINANCE & ADMINISTRATION COMMITTEE |
|---|

Discussion Items

43. Consent Item(s) Moved for Discussion
44. Fiscal Year 2012-13 Budget Development Process –
Acceptance of Assumptions (10 minutes) 2
(Strategic Plan: Mission Support)
45. Bartow Service Office Options (10 minutes) 7
(Strategic Plan: Mission Support)

Submit & File Reports – None

Routine Reports

46. Treasurer's Report, Payment Register, and Contingency Funds Report 8
47. Monthly Financial Statement 13

**Finance and Administration Committee
January 31, 2012**

Discussion Item

Fiscal Year 2012-13 Budget Development Process – Acceptance of Assumptions

Purpose

Review and approve general budget preparation assumptions for fiscal year (FY) 2012-13 budget development.

Background

On November 29, 2011, the Governing Board approved initial budget assumptions needed to prepare a preliminary FY2012-13 budget to be submitted to the Legislature by the start of session, January 10, 2012. The Governing Board authorized staff to prepare the budget based on a 10 percent reduction from FY2011-12 budget levels, except for Cooperative Funding and contracted services for projects. The Governing Board authorized staff to increase the Cooperative Funding (and contracts for projects) budget levels to allow the Governing Board flexibility in developing the District's final budget by utilizing reserves if warranted based on FY2012-13 funding requests and prior year commitments. At that time, staff advised that more refined budget assumptions would be brought back to the Governing Board in January 2012.

On December 20, 2011, the Governing Board authorized staff to submit the District's preliminary FY2012-13 budget to the Florida Legislature before the start of the session.

Discussion

At the January 31 meeting, staff is requesting the Governing Board approve proposed general budget preparation assumptions for FY2012-13 budget development. Staff is recommending the ad valorem revenue budget remain at \$103.4 million (96 percent of \$107.8 million statutory cap), same as FY2011-12. With the anticipated decrease in property values, this will require an increase in the millage rate (an estimated increase from 0.3928 mill to 0.4049 mill). The millage rate will be below the rolled-back rate and will not represent a tax increase.

Regarding expenditures, staff is recommending targeting a 15 percent reduction in salaries and benefits resulting from staff restructuring, including the reduction of approximately 150 full-time equivalent positions from the FY2011-12 budget, and targeting a 20 percent reduction in the remaining operating categories, which include: (1) other personal services (i.e., temporary contracted positions); (2) operating expenses; (3) operating capital outlay; and (4) contracted services for operational support and maintenance. Staff is recommending budget assumptions for Cooperative Funding and contracted services for projects based on the amounts (as not to exceed) that were included in the preliminary FY2012-13 budget of \$91 million for Cooperative Funding and \$19 million for contracted services for projects. The final budgeted amounts will be based on projects approved by the Governing Board for funding and the Governing Board's allocation of any reserve funds necessary to fund the approved projects.

The approved budget assumptions become the Governing Board's guidance to staff for the development of the budget. The budget calendar for FY2012-13 and the general budget preparation assumptions are attached as exhibits.

Staff Recommendation:

See Exhibits

Approve the general budget preparation assumptions for FY2012-13 budget development as presented on this date.

Presenters: Kurt P. Fritsch, Director, Administrative & Management Services Division
Linda R. Pilcher, Assistant Bureau Chief, Finance Bureau

Southwest Florida Water Management District
Fiscal Year 2012-13 Budget Calendar
January 18, 2012

| <u>Date</u> | <u>Activity</u> |
|-----------------------------|--|
| October 26, 2011 | FY2012-13 Cooperative Funding workshop |
| November 29, 2011 | FY2012-13 Governing Board review of preliminary budget assumptions for legislative budget submission |
| November 29, 2011 | Initiate Governing Board discussion of Process for Review, Evaluation and Selection of Requests, Prioritization of Requests and Allocation of Resources for FY2012-13 |
| December 5, 2011 | Preliminary FY2012-13 budget submittal to Department of Environmental Protection (DEP) for review |
| December 20, 2011 | Governing Board authorize submission of preliminary FY2012-13 budget to Legislature |
| December 20, 2011 | Continue Governing Board discussion of Process for Review, Evaluation and Selection of Requests, Prioritization of Requests and Allocation of Resources for FY2012-13, and approve Cooperative Funding policy 130-4, as amended |
| January 1-31, 2012 | Review FY2012-13 Cooperative Funding applications |
| January 6, 2012 | DEP submit water management district budgets to Executive Office of the Governor (EOG), Office of Policy and Budget |
| January 10, 2012 | Start of 2012 Florida Legislature Regular Session |
| January 10, 2012 | Water management districts submit preliminary FY2012-13 budgets to Legislature |
| January 17-February 3, 2012 | Develop FY2012-13 Budget Preparation Guidelines |
| January 20, 2012 | Provide Governing Board Cooperative Funding applications for FY2012-13 |
| January 31, 2012 | Governing Board finalize Process for Review, Evaluation and Selection of Requests, Prioritization of Requests and Allocation of Resources for FY2012-13, and finalize agendas for sub-regional committee meetings |
| January 31, 2012 | Governing Board approve FY2012-13 General Budget Preparation Assumptions |
| February 6-10, 2012 | Performance Budgeting training and distribution of FY2012-13 Budget Preparation Guidelines |
| February 7-15, 2012 | Governing Board holds 4 regional public meetings for review of Cooperative Funding applications (Brooksville, Tampa, Sarasota and Bartow) |
| February 22, 2012 | Staff ranking of FY2012-13 Cooperative Funding applications |
| February 24, 2012 | Recurring Budget requests due |
| March 2012 | Initiate comprehensive review of project budgets and encumbrances |
| March 2, 2012 | Initial estimate of carry forward balances for FY2012-13 due |
| March 2, 2012 | New & Non-Recurring Budget Requests and staff resource allocations due |
| March 9, 2012 | Capital Improvements Plan requirements and General Services/Information Technology Bureaus New & Non-Recurring Budget requests due |
| March 9, 2012 | Last day of 2012 Florida Legislature Regular Session |
| March 12, 2012 | Preliminary budget summary prepared |
| March 16, 2012 | Provide Governing Board Project Information Management System (PIMS) sheets for FY2012-13 |
| March 19, 2012 | Initiate Executive Review of budget submissions |
| March 27, 2012 | Governing Board reviews PIMS sheets for FY2012-13 Cooperative Funding requests and agendas for sub-regional committee meetings |
| March 27, 2012 | Presentation to Governing Board of FY2012-13 Budget Update (Report staff progress towards operating reductions & revenue estimates following 2012 Florida Legislature Regular Session) |
| April 2, 2012 | Departmental follow-up review initiated (Executive adjustments) |
| April 2-20, 2012 | Governing Board holds 4 regional public meetings for review of Cooperative Funding applications and project rankings (Brooksville, Tampa, Sarasota and Bartow) |
| April 9, 2012 | Executive budget summary prepared |
| April 24, 2012 | Presentation to Governing Board of FY2012-13 Budget Update (Salaries & Benefits, Operating Expenses, Operating portion of Contracted Services, Operating Capital Outlay, and receive final project recommendations from sub-regional committee meetings) |
| May 22, 2012 | Presentation to Governing Board of FY2012-13 Budget Update (Contracted Services for Projects, Grants, Fixed Capital Outlay, and review of Draft Five-Year Capital Improvements Plan) |
| May 25, 2012 | Refined estimate of carry forward balances for FY2012-13 due |
| June 1, 2012 | Estimates of Taxable Value from 16-county property appraisers due |
| June 4, 2012 | Executive review of FY2012-13 Recommended Annual Service Budget completed (picture-in-time) |

Southwest Florida Water Management District
Fiscal Year 2012-13 Budget Calendar
January 18, 2012

| <u>Date</u> | <u>Activity</u> |
|-----------------------|---|
| June 26, 2012 | Presentation to Governing Board of FY2012-13 Recommended Annual Service Budget, including the Draft Five-Year Technology Plan, FY2012-13 through FY2016-17, consistent with the results of the information technology review and analysis study; and online program budget tool |
| July 1, 2012 | Certifications of Taxable Property Value from the 16-county property appraisers due |
| July 31, 2012 | Presentation to Governing Board of FY2012-13 Budget Update & adopt proposed millage rate for District |
| August 1, 2012 | Final estimate of carry forward balances for FY2012-13 due |
| August 1, 2012 | Submit Standard Format Tentative Budget to Governor, President of the Senate, Speaker of the House, Legislative Budget Commission, Secretary of the DEP, and each County Commission |
| August 2012 | EOG, DEP and Legislative Budget Commission budget review |
| August 3, 2012 | Submit proposed millage rate & preliminary disclosure of maximum millage levied to the 16-county property appraisers/tax collectors |
| August 28, 2012 | Presentation to Governing Board of FY2012-13 Budget Update |
| September 2012 | Legislative Budget Commission meeting |
| September 7, 2012 | Post FY2012-13 tentative budget on District's web site (at least 2 business days before public hearing) |
| September 11, 2012 | Public hearing (tentative budget) - Tampa Service Office |
| September 18, 2012 | EOG & Legislative Budget Commission comments due on review of tentative budget and any written disapprovals |
| September 20-23, 2012 | Advertise millage rate and budget |
| September 25, 2012 | Public hearing (final budget) - Tampa Service Office |
| September 28, 2012 | Forward resolution to 16-county property appraisers/tax collectors and Department of Revenue (DOR) |
| October 2012 | Formal update of Water Supply & Water Resource Development Funding Plan of the Regional Water Supply Plan through 2030 |
| October 5, 2012 | Issue FY2012-13 Budget-in-Brief to Governor, President of the Senate, Speaker of the House, the chairs of all legislative committees and subcommittees having substantive or fiscal jurisdiction over the districts, Secretary of the DEP, and each County Commission |
| October 25, 2012 | Post FY2012-13 final budget on District's web site (30 days after adoption) |
| October 25, 2012 | Certify Truth in Millage (TRIM) compliance to DOR (Including the DR-487, DR-420s, DR-422s, DR-420MM & DR-487V) |
| December 15, 2012 | EOG Report on Review of Water Management District Budgets for FY2012-13 |
| December 31, 2012 | Certify TRIM compliance to Department of Financial Services |
| March 1, 2013 | Submit Consolidated Annual Report to Governor, President of the Senate, Speaker of the House, the chairs of all legislative committees and subcommittees having substantive or fiscal jurisdiction over the districts, Secretary of the DEP, and each County Commission |

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Fiscal Year 2012-13 General Budget Preparation Assumptions

Revenues

- Taxable property values – 3 percent decrease (net of new growth). Actual change will be determined following receipt of Certifications of Taxable Value from the 16-county property appraisers, due July 1, 2012.
- Millage rate assumption – It is anticipated that the District's millage rate will increase from the FY2011-12 rate of 0.3928 mill to a millage rate that will levy the same amount of revenue as this year. This equates to \$107,766,957, the tax levy allowed pursuant to Section 373.503(4)(b), Florida Statutes. The FY2012-13 budget would include \$103.4 million in property tax revenue, same as the current year, which is 96 percent of the maximum levy based on the historical collection rate.

When taxable property values decrease, the millage rate required to levy the same amount of tax revenue increases. With the assumption of a 3 percent decrease in taxable property values, the FY2012-13 millage rate needed to levy \$107.8 million in ad valorem revenue would be 0.4049 mill (3 percent higher). This rate will be below the rolled-back rate and will not represent a tax increase as defined by statute.

The final millage rate will be determined following receipt of the Certifications of Taxable Value from the 16-county property appraisers, due July 1, 2012, and subject to any statutory changes made by the Florida Legislature during the 2012 session regarding water management district ad valorem tax revenue.

- Comprehensive review of project budgets and encumbrances to be initiated in March 2012, to ensure that all project funds including encumbered funds continue to be needed for the board authorized purposes. Any project funds including encumbrances not needed as authorized will be liquidated and recognized as a source of funding for budget development (i.e., Balance from Prior Years) or placed in reserves as directed by the Governing Board.
- No increase in permit fees, projected at \$1.9 million (based on actual fees collected), no change expected from FY2011-12.
- Interest earnings based on 0.50 percent rate of return on investments, no change expected from FY2011-12.
- Balance from Prior Years is expected to be \$40 million for FY2012-13 budget requirements. This represents the unassigned and unallocated funds in fund balance as of September 30, 2011 per the draft financial statements. Any additional monies resulting from projects cancelled during FY2011-12 or completed under budget will be added to the proposed FY2012-13 budget as Balance from Prior Years for use in funding projects. This would reduce any reserve requirements accordingly that may be directed by the Governing Board.
- State's Florida Forever Trust Fund – Anticipate no new funding for FY2012-13. If an appropriate land purchase is identified and approved according to the DEP-approved land acquisition process, staff will present a budget amendment to the Governing Board to drawdown money from the trust fund. There is currently \$14.7 million in prior year funds in the Florida Forever Trust Fund allocated to this District.
- State's Water Management Lands Trust Fund (WMLTF) – Anticipate no new funding for FY2012-13. All prior year trust funds are currently allocated to projects.
- State's Water Protection and Sustainability Trust Fund – Anticipate no new funding for FY2012-13. All prior year trust funds are currently allocated to projects.
- Reserves will be utilized only if required to fund Cooperative Funding grants or contracted services for projects approved by the Governing Board. The preliminary budget submitted to the Florida Legislature indicated the amount of reserves required to fund projects for FY2012-13 could be up to \$65.6 million. If this amount is adjusted for additional balance from prior years of \$10 million, the amount of reserves would be \$55.6 million.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Fiscal Year 2012-13 General Budget Preparation Assumptions (continued)

Expenditures

- During FY2011-12, the District undertook a major restructuring of its organization and workforce. Through the offering of a Voluntary Employee Separation Program and subsequent involuntary separation, the number of full-time equivalent (FTE) positions will be reduced from 710 FTE employee positions budgeted for FY2011-12 to approximately 580 FTE employee positions (a reduction of 130 FTEs, approximately 20 percent). The FY2012-13 budget for salaries and benefits will initially be based on approximately 580 district employee FTE positions, subject to final adjustment following completion of the District's restructuring.
- The restructuring also considers the number of temporary contracted FTE positions. The FY2011-12 budget includes 54 temporary contracted FTE positions. This number will be reduced to approximately 34 FTE positions by the end of FY2011-12. These positions will be budgeted for FY2012-13, subject to final adjustment following completion of the District's restructuring.
- Further implementation of District workload and staffing analysis recommendations for consideration by Governing Board as to impacts on final budget development.
- Merit increases of \$500,000 will be budgeted to retain and reward eligible personnel. Eligible personnel must have demonstrated "outstanding" performance during the period of January 1, 2012 through December 31, 2012. Merit increases were not budgeted for the previous four budget years.
- All recurring and non-recurring operating expenditures (excluding salaries and benefits) will be targeted for planning purposes, subject to reduction or reallocation, at 20 percent below FY2011-12 levels, including contracted services for operational support and maintenance, computer hardware and software, and other operating capital outlay. All contracted services for operational support and maintenance, computer hardware and software, and other operating capital outlay will be zero based and separately justified.
- All non-recurring expenditures for contracted services for projects, Cooperative Funding grants, and fixed capital outlay projects will be zero based and separately justified.
- Information technology budget requests will be consistent with the results of the current Information Technology review and analysis study and the draft Five-Year Technology Plan, FY2012-13 through FY2016-17.
- Water Supply and Resource Development (WSRD) program funding to continue consistent with the Long-Range Water Supply and Water Resource Development Funding Plan of the Regional Water Supply Plan through 2030, and estimated long-term funding requirements for projects.
- Per prior Board approval, reserves for contingencies will be budgeted at 7 percent of ad valorem revenue sources. The Government Finance Officers Association recommends between 5 percent – 15 percent of General Fund revenues.
- High priority will be given to projects that can be expedited as a means to stimulate Florida's economy.

**Finance and Administration Committee
January 31, 2012**

Discussion Item

Bartow Service Office Options

Purpose

This is an action item. Staff will request the Board confirm the recommendation of the Bartow Service Office Subcommittee.

Background

Staff presented three options to the Board regarding renovations to Bartow Building No. 1 at its August 2011 meeting. As a result, the Board formed a subcommittee to review and further evaluate the best and most effective options available to the District. The Subcommittee met at the Bartow Service Office on January 26, 2012. The results of the Subcommittee meeting will be presented at the January Governing Board meeting.

Staff Recommendation:

Staff recommends the results and direction of the subcommittee.

Presenter: Lloyd A. Roberts, Bureau Chief, General Services

**Finance and Administration Committee
January 31, 2012**

Routine Report

Treasurer's Report, Payment Register, and Contingency Funds Report

Purpose

Presentation of the Treasurer's Report, Payment Register, and Contingency Funds Report

Background

In accordance with Board Policy 130-3, *District Investment Policy*, a monthly report on investments shall be provided to the Governing Board. Attached is a copy of the Treasurer's Report as of December 31, 2011, which reflects total cash and investments at a market value of \$687,884,941.

As reflected on the December 31, 2011, Treasurer's Report, the investment portfolio had \$111.5 million or 16.6 percent invested with the State Board of Administration (SBA) of which \$105.1 million is invested in the Florida PRIME (formerly the Local Government Investment Pool) and \$6.4 million in the Fund B Surplus Funds Trust Fund (Fund B). The District has received \$94,838 of Pool A interest earnings during the first three months of fiscal year (FY) 2012. Fund B is not distributing interest earnings. The District is managing its short-term and daily liquidity needs through the use of the Florida PRIME and the Federated Government Obligations Fund/Institutional money market fund. Consistent with Board Policy 130-3, the maximum percent of the portfolio that will be invested in any one money market fund is 25 percent.

Fund B consists of assets that had defaulted on a payment, paid more slowly than expected, or had any significant credit and liquidity risk. Fund B cash holdings are being distributed to participants as they become available monthly from maturities, sales and received income. The investment objective for Fund B is to maximize the present value of distributions. At December 31, 2011, the District's investment in Fund B was \$6.4 million, down from the initial investment of \$40.7 million. The market value of the Fund B investments is estimated at \$4.7 million or approximately 74.2 percent of cost, reflecting \$1.6 million at risk. District staff is not aware of any plans by the SBA to liquidate Fund B investments below cost.

On January 6, 2012, the SBA released another \$90,000 from Fund B. Therefore, subsequent to December 31, 2011, the balance of \$6.4 million has been reduced by \$90,000 which further reduces the \$1.6 million at risk.

Staff will continue to monitor the SBA activities to determine how this will impact the District's current investment in the Florida PRIME, and affect the District's investment strategy going forward.

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 funds transfers (EFTs).

Item 46

The FY2012 Contingency Funds Report (District only) follows:

| | | |
|--|-------------|-------------------------|
| ORIGINAL BUDGET AMOUNT: | \$7,100,000 | Date of Board Action |
| Less Approved Transfers | | |
| Information Technology Analysis and Review | 200,000 | December 20, 2011 |
| BALANCE: | \$6,900,000 | |

Staff Recommendation:

See Exhibit

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

Presenter: Daryl F. Pokrana, Chief, Finance Bureau

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
TREASURER'S REPORT TO THE GOVERNING BOARD
December 31, 2011

AGENCY SECURITIES

| CUSIP NUMBER | EFFECTIVE INTEREST RATE | CALLABLE/ BULLET | PURCHASE DATE | MATURITY DATE | DURATION (YRS) OF SECURITY | DAYS TO MATURITY | PURCHASE COST | MARKET VALUE | ACCRUED INTEREST | % OF PORTFOLIO |
|---|-------------------------------|---------------------|------------------|------------------|-------------------------------|---------------------|----------------------|----------------------|---------------------|-------------------|
| FEDERAL FARM CREDIT | | | | | | | | | | |
| 31331kgd6 | 1.43 | Callable | 04/07/2011 | 03/28/2014 | 2.98 | 818 | \$19,970,000 | \$20,053,200 | \$71,042 | |
| 31331kpn4 | 1.05 | Callable | 06/27/2011 | 06/27/2014 | 3.00 | 909 | 20,000,000 | 20,044,200 | 2,333 | |
| 31331kzm5 | 0.63 | Callable | 09/29/2011 | 09/29/2014 | 3.00 | 1003 | 20,000,000 | 19,988,200 | 32,200 | |
| TOTAL FEDERAL FARM CREDIT | | | | | | | \$59,970,000 | \$60,085,600 | \$105,575 | 8.93 |
| FEDERAL HOME LOAN BANK | | | | | | | | | | |
| 313373h54 | 1.50 | Bullet | 04/15/2011 | 05/15/2014 | 3.08 | 866 | \$20,000,000 | \$20,451,000 | \$38,333 | |
| 313374cq1 | 1.00 | Callable | 06/30/2011 | 06/30/2014 | 3.00 | 912 | 20,000,000 | 20,027,200 | 556 | |
| 313374rp7 | 1.00 | Bullet | 07/18/2011 | 07/18/2014 | 3.00 | 930 | 20,000,000 | 20,212,800 | 90,556 | |
| 313375qz3 | 0.60 | Callable | 09/29/2011 | 09/29/2014 | 3.00 | 1003 | 20,000,000 | 19,969,600 | 30,667 | |
| TOTAL FEDERAL HOME LOAN BANK | | | | | | | \$80,000,000 | \$80,660,600 | \$160,112 | 11.91 |
| FEDERAL HOME LOAN MORTGAGE CORPORATION | | | | | | | | | | |
| 3134g2dp4 | 1.59 | Callable | 04/18/2011 | 04/18/2014 | 3.00 | 839 | \$20,000,000 | \$20,066,000 | \$64,483 | |
| 3134g2h39 | 0.80 | Callable | 09/29/2011 | 09/29/2014 | 3.00 | 1003 | 20,000,000 | 19,969,000 | 40,889 | |
| 3134g2t28 | 0.75 | Callable | 10/17/2011 | 10/17/2014 | 3.00 | 1021 | 20,000,000 | 19,997,800 | 30,833 | |
| 3134g2w40 | 0.80 | Callable | 10/24/2011 | 10/24/2014 | 3.00 | 1028 | 20,000,000 | 19,874,000 | 29,778 | |
| TOTAL FEDERAL HOME LOAN MORTGAGE CORPORATION | | | | | | | \$80,000,000 | \$79,906,800 | \$165,983 | 11.91 |
| FEDERAL NATIONAL MORTGAGE ASSOCIATION | | | | | | | | | | |
| 31398a4s8 | 1.05 | Callable | 12/08/2010 | 10/22/2013 | 2.87 | 661 | \$20,000,000 | \$20,210,600 | \$40,250 | |
| 3135g0bg7 | 1.55 | Callable | 04/18/2011 | 04/18/2014 | 3.00 | 839 | 19,970,000 | 20,068,800 | 60,833 | |
| 3135g0dy6 | 0.70 | Callable | 10/17/2011 | 10/17/2014 | 3.00 | 1021 | 20,009,375 | 20,045,400 | 30,833 | |
| 3136ftct4 | 0.60 | Callable | 10/20/2011 | 10/20/2014 | 3.00 | 1024 | 20,000,000 | 20,015,400 | 23,667 | |
| 3135g0ef6 | 0.80 | Callable | 10/24/2011 | 10/24/2014 | 3.00 | 1028 | 20,000,000 | 20,017,200 | 29,778 | |
| 3136ftfz7 | 0.65 | Callable | 10/24/2011 | 10/24/2014 | 3.00 | 1028 | 20,000,000 | 19,997,000 | 24,194 | |
| 3135g0em1 | 1.00 | Callable | 11/07/2011 | 11/07/2014 | 3.00 | 1042 | 20,000,000 | 20,052,400 | 30,000 | |
| TOTAL FEDERAL NATIONAL MORTGAGE ASSOCIATION | | | | | | | \$139,979,375 | \$140,406,800 | \$239,555 | 20.84 |
| TOTAL AGENCY SECURITIES | | | | | | | \$359,949,375 | \$361,059,800 | \$671,225 | 53.59 |

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
TREASURER'S REPORT TO THE GOVERNING BOARD
December 31, 2011

CASH EQUIVALENTS

| CUSIP NUMBER | EFFECTIVE INTEREST RATE | PURCHASE DATE | MATURITY DATE | DURATION (YRS) OF SECURITY | DAYS TO MATURITY | PURCHASE COST | MARKET VALUE | ACCRUED INTEREST | % OF PORTFOLIO |
|--|-------------------------------|------------------|------------------|-------------------------------|---------------------|---------------------|---------------------|---------------------|-------------------|
| UNITED STATES TREASURY BILLS | | | | | | | | | |
| 9127955p2 | 0.06 | 11/29/2011 | 05/24/2012 | 0.48 | 145 | \$19,994,592 | \$19,994,592 | \$1,008 | |
| 9127955t4 | 0.03 | 12/22/2011 | 06/21/2012 | 0.50 | 173 | 19,996,967 | 19,996,967 | 167 | |
| 9127955c1 | 0.05 | 12/20/2011 | 09/20/2012 | 0.75 | 264 | 19,992,361 | 19,992,361 | 333 | |
| TOTAL UNITED STATES TREASURY BILL | | | | | | \$59,983,920 | \$59,983,920 | \$1,508 | 8.93 |

STATE BOARD OF ADMINISTRATION (SBA) & OTHER 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 | 0.29 | \$63,856,497 | \$63,856,497 | | |
| 271411 | SBA Workers' Compensation | 0.29 | 1,467,827 | \$1,467,827 | | |
| 271414 | SBA Land Resources | 0.29 | 6,815,589 | \$6,815,589 | | |
| 271415 | SBA Advanced State Funding (Eco System Trust Fund) | 0.29 | 7,340,069 | \$7,340,069 | | |
| 271416 | SBA Advanced State Funding (FDOT) | 0.29 | 12,449,214 | \$12,449,214 | | |
| 271417 | SBA Advanced State Funding (WRAP) | 0.29 | 8,533,588 | \$8,533,588 | | |
| 271418 | SBA Advanced State Funding (WPSTF AWS) | 0.29 | 4,672,525 | \$4,672,525 | | |
| | | | \$105,135,309 | \$105,135,309 | | |
| <u>Fund B Surplus Funds Trust Fund (1)</u> | | | | | | |
| 271413 | SBA General Investments | 0.00 | \$5,783,186 | \$4,289,389 | | |
| 271415 | SBA Advanced State Funding (Eco System Trust Fund) | 0.00 | 572,463 | 424,596 | | |
| | | | \$6,355,649 | \$4,713,985 | | |
| TOTAL STATE BOARD OF ADMINISTRATION (SBA) ACCOUNTS | | | | | | 16.60 |

(1) Fund B commingles investments from participants in a portfolio of securities with the objective to maximize the present value of distributions to participants, to the extent reasonable and prudent, net of fees. This objective emphasizes both the timeliness and extent of the recovery of participants' original principal. This is according to Investment Policy Guidelines, Local Government Investment Fund B, Part III. Investment Objective (effective 12/21/07). The District is not receiving interest earnings distributions from the SBA-Fund B accounts.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
TREASURER'S REPORT TO THE GOVERNING BOARD
December 31, 2011

| ACCOUNT NUMBER | ACCOUNT DESCRIPTION | EFFECTIVE INTEREST RATE | PURCHASE COST | MARKET VALUE | ACCRUED INTEREST | % OF PORTFOLIO |
|--|------------------------|-------------------------------|-----------------------------|-----------------------------|---------------------|-------------------|
| <i>FEDERATED GOVERNMENT OBLIGATIONS FUND / INSTITUTIONAL</i> | | 0.01 | 140,275,122 | 140,275,122 | | 20.88 |
| <i>TOTAL INVESTMENTS</i> | | | <u>\$671,699,375</u> | <u>\$671,168,136</u> | | 100.00 |
| <i>CASH, SUNTRUST DEMAND ACCOUNT</i> | | | <u>16,716,805</u> | <u>16,716,805</u> | | |
| <i>TOTAL CASH AND INVESTMENTS</i> | | | <u><u>\$688,416,180</u></u> | <u><u>\$687,884,941</u></u> | | |

Weighted average yield on portfolio at December 31, 2011 is 0.57%.

EQUITY - CASH AND INVESTMENTS

DISTRICT AND BASINS

| | | | | |
|---|------------------------------|--|-----------------------------|-----------------------|
| 12 | District General Fund | | \$351,021,785 | 50.99% |
| | Alafia River Basin | | 18,491,935 | 2.69% |
| | Hillsborough River Basin | | 84,243,403 | 12.24% |
| | Coastal Rivers Basin | | 14,121,580 | 2.05% |
| | Pinellas-Anclote River Basin | | 121,446,407 | 17.64% |
| | Withlacoochee River Basin | | 13,158,856 | 1.91% |
| | Peace River Basin | | 25,366,773 | 3.68% |
| | Manasota Basin | | 43,433,901 | 6.31% |
| | FDOT Mitigation Program | | 12,332,944 | 1.79% |
| | Florida Forever Fund | | 4,798,596 | 0.70% |
| <i>TOTAL EQUITY IN CASH AND INVESTMENTS</i> | | | <u><u>\$688,416,180</u></u> | <u><u>100.00%</u></u> |

**Finance and Administration Committee
January 31, 2012**

Routine Report

Monthly Financial Statement

Purpose

Presentation of the December 31, 2011, monthly financial statement.

Background

In accordance with Sections 373.536(4)(d) and 215.985, 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 Three Months Ended December 31, 2011."

Staff Recommendation:

See Exhibit

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

Presenter: Daryl F. Pokrana, Chief, Finance Bureau

**Statement of Sources and Uses of Funds
For the Three Months Ended December 31, 2011**

The attached "Statement of Sources and Uses of Funds" statement is provided for your review. This report provides a summarized snapshot of high level District financial activity of revenue by sources and expenditure summaries (uses) by program. **This unaudited financial statement is provided as of December 31, with 25 percent of the fiscal year completed.**

This financial statement compares revenues recognized and encumbrances/expenditures made against the District's FY2012 available budget of \$509.2 million. Encumbrances represent orders for goods and services which have not yet been received.

Revenues (Sources) Status:

- Overall, as of December 31, 2011, 81 percent (including fund balance) of the District's budgeted revenue has been recognized.
- As of December 31, 2011, the District has received \$77.5 million of ad valorem tax revenue representing 75 percent of the budget, which is typical for the first three months of any fiscal year as the majority of the ad valorem tax revenue is collected in the months of December and January. The budget represents 96 percent of the tax levy based on the historical collection rate.
- Intergovernmental Revenues are recognized at the time related expenditures are incurred. For FY2012, \$2.2 million in revenues have been recognized, representing 3 percent of the budget. From year to year, the budgeted amount of intergovernmental revenue compared to the recognized amount can fluctuate for various reasons; projects can be in the planning stages and have not incurred a significant amount of expenditures, or anticipated projects may be canceled (i.e., a land acquisition, cooperative funding projects, etc.). In comparison to last month, please note that in accordance with resolution # 11-19 the final budget was revised to reflect the outside revenue associated with the encumbrances that have been automatically re-appropriated and incorporated into the final budget, resulting in an increase to the intergovernmental revenues budget with an offsetting decrease to fund balance.
- The FY2012 interest earnings budget was based on a 0.5 percent expected rate of return. The District's investment portfolio was generating 0.57 percent at December 31, 2011. Due to the higher than budgeted interest rate (for the first three months of the fiscal year) and varying cash balances related to project timing, interest earnings on invested funds are 43 percent of the budget. The District historically budgets investment earnings conservatively.
- 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 is 21 percent of budget as of December 31, 2011.
- As of December 31, 2011, other revenue collected is 27 percent of budget. Each year, items that fall within the "Other" revenue category are budgeted conservatively due to the uncertainty of the amounts to be collected.

- Fund Balance represents funds carried over from prior years that are allocated for expenditures, or are reserved or designated to fund outstanding encumbrances or board designations that were re-appropriated for expenditure in FY2012.

Expenditures (Uses) Status:

Overall, as of December 31, 2011, at the time this report was prepared, the District had obligated 80 percent of its total budget. This indicates that most major projects are in progress and will be accomplished.

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)(d)4, Florida Statutes). Provided below is a discussion of the expenditures by program.

- The **Water Resources 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 \$59.8 million budgeted for this program, the District has obligated 66 percent of the budget (6 percent expended and 60 percent encumbered).
- The **Acquisition, Restoration and Public Works Program** includes the development and construction of all capital projects (except for those contained within the Operation and Maintenance of Lands and Works Program), including water resource development projects/water supply development assistance, water control projects, and support and administrative facilities construction; land acquisition; and the restoration of lands and water bodies. Of the \$354.4 million budgeted for this program, the District has encumbered 94 percent of the budget (1 percent expended and 93 percent encumbered).
- The **Operation and Maintenance of Lands and Works Program** includes all operation and maintenance of facilities, flood control and water supply structures, lands, and other works authorized by Chapter 373, Florida Statutes. Of the \$21 million budgeted for this program, the District has obligated 44 percent of the budget (14 percent expended and 30 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 and enforcement, and any delegated regulatory program. Of the \$18.5 million budgeted for this program, the District has obligated 31 percent of the budget (17 percent expended and 14 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, including public service announcements and advertising in any media. Of the \$6.2 million budgeted for this program, the District has obligated 53 percent of the budget (9 percent expended and 44 percent encumbered).

- The **Management and Administration Program** includes all governing board support; executive support; management information systems; annual contingency funds; and general counsel, ombudsman, human resources, finance, audit, risk management, and administrative services. Of the \$49.3 million budgeted for this program, the District has obligated 34 percent of the budget (17 percent expended and 17 percent encumbered).

Of the \$49.3 million budgeted, \$7.1 million was budgeted as annual contingency funds.

Based on the financial activities for the three months ended December 31, 2011, 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 Three Months Ended December 31, 2011
(Unaudited)

| | Available Budget | Actuals Through 12/31/2011 | Variance (under)/Over Budget | Actuals As A % of Budget |
|----------------------------|-----------------------------|---|---|-------------------------------------|
| Sources | | | | |
| Ad Valorem Property Taxes | \$ 103,449,973 | \$ 77,524,910 | \$ (25,925,063) | 75% |
| Intergovernmental Revenues | 68,792,285 | 2,174,372 | (66,617,913) | 3% |
| Interest on Invested Funds | 2,615,000 | 1,126,943 | (1,488,057) | 43% |
| License and Permit Fees | 1,900,000 | 406,708 | (1,493,292) | 21% |
| Other | 752,369 | 206,542 | (545,827) | 27% |
| Fund Balance | 331,696,221 | 331,696,221 | - | 100% |
| Total Sources | \$ 509,205,848 | \$ 413,135,696 | \$ (96,070,152) | 81% |

| | Available Budget | Expenditures | Encumbrances ¹ | Available | %Expended | %Obligated ² |
|--|-----------------------------|----------------------|----------------------------------|-----------------------|------------------|--------------------------------|
| Uses | | | | | | |
| Water Resources Planning and Monitoring | \$ 59,825,649 | \$ 3,815,859 | \$ 35,507,649 | \$ 20,502,141 | 6% | 66% |
| Acquisition, Restoration and Public Works | 354,381,946 | 3,624,213 | 328,526,299 | 22,231,434 | 1% | 94% |
| Operation and Maintenance of Lands and Works | 21,038,179 | 2,906,729 | 6,387,513 | 11,743,937 | 14% | 44% |
| Regulation | 18,477,434 | 3,132,332 | 2,611,388 | 12,733,714 | 17% | 31% |
| Outreach | 6,171,830 | 542,356 | 2,722,712 | 2,906,762 | 9% | 53% |
| Management and Administration | 49,310,810 | 8,618,206 | 8,251,904 | 32,440,700 | 17% | 34% |
| Total Uses | \$ 509,205,848 | \$ 22,639,695 | \$ 384,007,465 | \$ 102,558,688 | 4% | 80% |

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

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

This unaudited financial statement is prepared as of December 31, 2011, and covers the interim period since the most recent audited financial statements and is for the sole purpose of management.

**Governing Board Meeting
January 31, 2012**

| |
|---------------------------------|
| GENERAL COUNSEL’S REPORT |
|---------------------------------|

Discussion Items

48. Consent Item(s) Moved for Discussion
49. Annual Sunshine Law Refresher (10 minutes) 2
(Strategic Plan: Mission Support)

Submit & File Report – None

Routine Reports

50. Litigation Report 19
51. Rulemaking Update 31

**General Counsel's Report
January 31, 2012**

Discussion Item

Annual Sunshine Law Refresher

It is the policy of the State of Florida that all government meetings where public business is transacted are to be noticed and open to the public. It is further the policy of the State of Florida that every person has the right to inspect or copy any public record made or received in conjunction with the official business of any government entity.

Towards those ends, the District and the Governing Board are subject to Florida's open-government laws, including the Government-In-the-Sunshine Act and the Florida Public Records Act. Governing Board members have the personal responsibility to comply with these and other laws in the conduct of their official business, and failure to do so could result in both criminal and non-criminal penalties against them, as well as invalidation of official Board action.

New issues arise from time to time concerning Florida's open-government laws. For the information of current and newly-appointed Governing Board members, the District's Office of General Counsel provides and will be providing orientation and other training concerning compliance with these laws, including this Annual Sunshine Law Refresher. Current topics of interest include the expanding use of Information Technology and Communications Media Technology in the daily conduct of District business, and how open-government laws operate to shape how these technologies are used.

Staff Recommendation:

See Exhibit

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

Presenter: Lori A. Tetreault, Senior Attorney, Government Operations/Administration

Annual Sunshine Law Refresher:

Practical Sunshine

**Southwest Florida Water Management District
Office of the General Counsel
January 2012**



Basic Sunshine

“All **meetings** of any board or commission . . . at which **official acts** are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting.

286.011(1), *Fla. Stat.*

What is a “Meeting”?

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il,

What does this mean practically?

Please refrain from:

- ☐ Writing;
- ☐ Visiting;
- ☐ Calling;
- ☐ E-mailing;
- ☐ Texting;
- ☐ Tweeting; or
- ☐ “Friending”

a fellow Board member if you’re going to talk about
official business -

Because you won’t be “In-The-Sunshine”

What does this mean practically

- ☐ Please wait for a noticed meeting; or
- ☐ One-way communications are allowed, but please use them sparingly; or
- ☐ You can speak freely with the Executive Director or the Board & Executive Services Bureau Chief.
- ☐ Remember - liaisons are prohibited

What is “Official Business”

Anything reasonably anticipated to
come before the Board
in the foreseeable future

~

No matter where it is
in the discussion process or

~

Whether or not it's up for official vote



Sunshine and Technology

Communications Media Technology:

6 The Governing Board may conduct meetings by means of Communications Media Technology (CMT) in accordance with the Uniform Rules of Procedure.

373.079(7), *Fla. Stat.*



Sunshine and Technology

- ❑ This means that you may attend Board meetings and vote by phone, regular video or digital video (like Skype), even when a quorum is not otherwise physically present
- ❑ A meeting may be held entirely by CMT but only if the District provides noticed access points for members of the public and the technology is sufficient to allow full public participation
- ❑ It may be possible to use electronic bulletin boards for limited purposes, provided a number of conditions are met including providing sufficient public access



Penalties

Sunshine Law Violations – Misdemeanor of the Second Degree:

1. Fine not exceeding \$500.00 and/or
2. Imprisonment not to exceed 60 days
3. Invalidation of official action



Basic Public Records

All records, **including electronic records**, if made or received in conjunction with official District business are public records and open to the public for inspection and copying. 119.07, *Fla. Stat.*



Basic Public Records

- ❑ The District maintains and manages all hard copy communications to and from all Board members
- ❑ The District archives and manages all E-mails that pass through the District's servers
- ❑ If you use your personal E-mail system to conduct District business, please "cc" the District so that we may also archive and retain those E-mails

Public Records and Technology

Sunshine Technology Team:

- ❑ 2009 -2010 Fact-Finding Group
- ❑ Former Attorney General McCollum;
- ❑ Blackberry PINs, Microsoft Communications Platforms, Instant Messaging, Facebook and Twitter can and should be maintained as public records



What You Might Not Know:

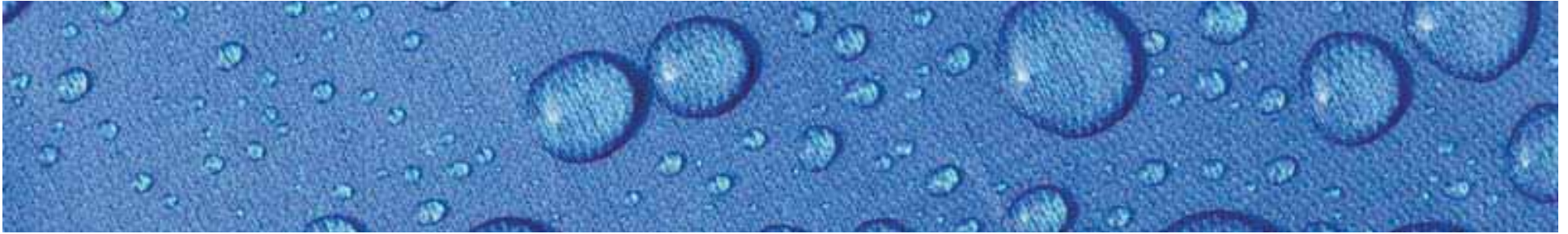
- ❑ The District prohibits employees from phone-to-phone messaging, like texting and Blackberry PINs, because these messages don't go through the District's servers and **can't be archived**
- ❑ We also advise Board members against the use of this kind of messaging in conjunction with District business
- ❑ The District uses both Twitter and Facebook, and archives the tweets and pages as public records



Penalties

Public Records Act Violations: Misdemeanor of the First Degree:

1. Noncriminal fine not to exceed \$500.00;
and
2. Imprisonment not to exceed 1 year



QUESTIONS

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT LITIGATION REPORT

December 2011

(Changes in status since last month are in boldface type)

| <u>STYLE/CASE NO.</u> | <u>COURT/JUDGE</u> | <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>STATUS (current as of 12/05/11)</u> |
|---|---|-----------------|---|--|
| <u>ENFORCEMENT CASES</u> (Including Administrative Complaints) | | | | |
| SWFWMD v. Robert Barfield/ Case No. 10-CA- 020317 | 13 th Judicial Circuit Hillsborough County/R. Foster | A. Vining | Complaint and Petition for Enforcement | 10/4/10 – Complaint and Petition for Enforcement filed. 10/19/10 Respondent served. 10/24/10 – Letter to Clerk of Court captioned Answer served. |
| SWFWMD v. Robert Barfield | | A. Vining | Administrative Complaint and Order | 2/21/11 – Respondent served. 3/28/11 – Administrative Complaint and Order No. SWF 11-004 entered. |
| SWFWMD v. Dollar Golf, Inc. and The Trails at Rivard Homeowners' Association, Inc. | | C. Felice | Administrative Complaint and Order | 9/23/11 - Respondent, The Trails at Rivard Homeowners' Association, Inc. served. 10/4/11 - Respondent, Dollar Golf, Inc. served. 10/6/11 - Respondent The Trails at Rivard Homeowners' Assn., Inc.'s Request for Hearing served. 10/6/11 - Dollar Golf, Inc.'s Request for Hearing served. 10/13/11 - Order of Dismissal Without Prejudice (Trails at Rivard); Order of Dismissal Without Prejudice (Dollar Golf) served. 10/19/11 - (The Trails at Rivard HOA's) Amended Request for Administrative Hearing served. 11/3/11 - Final Order of Dismissal With Prejudice (as to Dollar Golf, Inc.) (SWF 11-022) entered; Notice of Entry of Final Order served. 11/7/11 - (Trails at Rivard's) Notice of Withdrawal of Amended Request for Administrative Hearing served. 11/9/11 - Administrative Complaint and Order No. SWF 110-023 entered. |
| SWFWMD v. Fatimah Corporation | | A. Vining | Administrative Complaint and Order | 10/18/10 – Respondent served. 11/1/10 – Respondent's Answer to Administrative Complaint and Request for Administrative Hearing and Referral to Mediation served. |
| SWFWMD v. Peter Geraci and Sheila Geraci/ Case No. 11- 004509 | Division of Administrative Hearings/D.R. Alexander | A. Brennan | Administrative Complaint and Order | 3/17/11 – Respondent Sheila Geraci served. 4/13/11 – Respondent Peter Geraci served. 4/22/11 – Respondents' Motion for Extension of Time to Respond to the Administrative Complaint and Order served. 5/4/11 – Respondent's Answer to Administrative Complaint and Order and Petition for Formal Administrative Hearing served. 5/5/11 – Order Granting Request for Extension of Time as to Peter Geraci and Denying Request for Extension of Time as to Sheila Geraci entered. 5/12/11 – Order of Dismissal Without Prejudice as to Peter Geraci entered. 5/19/11 – Amended Answer to Administra- tive Complaint and Order and Petition for Formal Administrative Hearing served. 5/25/11 – Final Order of Dismissal as to Sheila Geraci entered. 5/27/11 – Notice of Entry of Final Order entered. 9/1/11 – Referral to DOAH served. 9/7/11 – Initial Ordered entered. 9/20/11 – Notice of Service of Interrogatories and First Request for Production of Documents served. 11/7/11 - Joint Motion for |

| <u>STYLE/CASE NO.</u> | <u>COURT/JUDGE</u> | <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>STATUS (current as of 12/05/11)</u> |
|---|--|-----------------|--|--|
| | | | | Continuance served. 11/8/11 – Order Granting Continuance and Re-Scheduling Hearing entered. |
| SWFWMD v. Howard, Waylon | | A. Vining | Administrative Complaint and Order | 5/27/10 – Return of Non-Service. 9/14/10 – Respondent served. 10/21/10 – Order No. SWF 2010-019 entered. 10/28/10 – Suspension of License letter served. 8/5/11 – Payment schedule agreed to; making payments over next twelve months. |
| SWFWMD v. Howard, Waylon | | A. Vining | Administrative Complaint and Order | 3/21/11 – Respondent served. 5/5/11 – Administrative Complaint and Order No. SWF 11-008 entered. 8/5/11 – Payment schedule agreed to; making payments over next twelve months. |
| SWFWMD v. The Kell Group, Ltd./ Case No. 09CA007932 Div. K | 13 th Judicial Circuit, Hillsborough County/W. Levens | A. Vining | Complaint and Petition for Enforcement | 3/27/09 – Complaint and Petition for Enforcement filed. 4/2/09 – Defendants served. 8/19/09 – Answer to Complaint and Third-Party Complaint served. 1/22/10 – Third Party Defendants' Motion to Dismiss Third Party Complaint served. 3/29/10 – Order Granting Third Party Defendant's Sazam, Inc.'s Motion to Vacate and Set Aside Clerk's Default entered. 4/1/10 – Order Granting in Part Third Party Defendants' Motion to Dismiss Third Party Complaint entered. 4/5/10 – Order Sending Parties to Mediation entered. 5/7/10 – Notice of Voluntary Dismissal Without Prejudice of Third Party Complaint. 7/22/10 – Order Granting Motion to Withdraw of Defendant's Attorney entered. |
| 20 SWFWMD v. McClendon, J.C., Jr./Case No.0811837CI13 | 6 th Judicial Circuit, Pinellas County/Rondolino | A. Vining | Complaint and Petition for Enforcement of ACO SWF07-056 | 8/12/08 – Complaint and Petition for Enforcement filed. 8/18/08 – Complaint and Petition for Enforcement served. 8/29/08 – Response served. 9/16/08 – Motion for Default by the Court served. 11/26/08 – Order Denying Plaintiff's Motion for Default by the Court entered. 12/23/09 – Plaintiff's Motion for Summary Judgment served. 1/28/11 – Summary Judgment entered. |
| SWFWMD v. Milmack, Inc./Case No. 53-2011-CA-000910-0000-00 | 10 th Judicial Circuit, Polk County/M. Raiden | A. Brennan | Complaint and Petition for Enforcement of ACO SWF 2010-018 | 2/28/11 – Complaint filed. 3/7/11 – Defendant served. 3/22/11 – Notice of Filing of Return of Service served. 3/23/11 – Answer, Affirmative Defenses, and Demand for Trial by Jury served. 4/8/11 – Plaintiff's Motion to Strike and Motion for Extension of Time served. 4/14/11 – Notice of Hearing (set for 5/20/11) served. 5/12/11 – Verified Amended Answer, Affirmative Defenses, and Demand for Trial by Jury served. 5/17/11 – Notice of Cancellation of Hearing served. |
| SWFWMD v. Wendy B. Mozdzer/Case No. 53-2011-CA-001131-0000-00 | 10 th Judicial Circuit, Polk County/McCarthy | A. Brennan | Complaint and Petition for Enforcement | 3/14/11 – Complaint filed. 3/24/11 – Complaint served. 4/25/11 – Defendants' Answer to Plaintiffs' Complaint filed. 5/12/11 – Plaintiff's Motion to Strike Affirmative Defenses served. 6/3/11 – Notice of Hearing on Plaintiff's Motion to Strike Affirmative Defenses for July 6, 2011 served. 7/20/11 - Notice of Hearing on Plaintiff's Motion to Strike Affirmative Defenses for October 14, 2011 served. 10/11/11 – Notice of Appearance served. 10/24/11 – Defendant's Amended Answer to Plaintiff's Complaint and Affirmative Defenses served. 11/16/11 – Plaintiff's Second Motion to Strike served. 12/2/11 – Notice of Hearing on |

| <u>STYLE/CASE NO.</u> | <u>COURT/JUDGE</u> | <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>STATUS (current as of 12/05/11)</u> |
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| SWFWMD v. Vikings, LLC/10-10588 | Division of Administrative Hearings/D.R. Alexander | C. Felice | Administrative Complaint and Order | <p>Defendant's Amended Motion to Strike served.</p> <p>11/9/10 - Administrative Complaint served on Registered Agent for Vikings, LLC. 11/23/10 – Respondent's Request for Extension of Time to File Request for Hearing served. 11/30/10 – Respondent's Request for Administrative Hearing served. 12/9/10 - Referred to DOAH. 12/14/10 - Initial Order entered. 12/22/10 - Notice of Hearing (set for 2/16/11 in Brooksville) served. 2/2/11 - Joint Motion to Abate served. 2/3/11 - Order Canceling Hearing and Placing Case in Abeyance entered. 4/8/11 - Joint Status Report served. 4/12/11 - Notice of Hearing (set for 6/2/11) served. 5/2/11 - Petitioner's Motion to Compel Discovery served. 5/13/11 – SWFWMD's Witness and Exhibit List served. 5/18/11 – Petitioner's Motion to Strike Respondent's Pleading for Failure to Obey Discovery Order and for Dismissal or Entry of Default Judgment, or in the Alternative, Motion for Stay served. 5/25/11 – Order (Respondent's answers to interrogatories due 5/27/11; 6/2/11 hearing cancelled – rescheduled to 6/27/11; prehearing stipulation due 6/23/11) entered. 5/24/11 – Vikings, LLC's Witness and Exhibit List served. 5/25/11 – Order (Respondent shall file answers to First Set of Interrogatories by 5/27/11; cancelling final hearing on 6/2/11 and rescheduling it for 6/27/11; prehearing stipulation shall be filed by 6/23/11; notify court if resolved prior to hearing) entered. 5/27/11 - Respondent's Response to Interrogatories served. 6/8/11 – Motion for Leave to Amend Petition served. 6/13/11 – Notice of Hearing (set for 6/27/11). 6/17/11 – Order (granting Motion for Leave to Amend Petition and Amended Administrative Complaint and Order attached is deemed to be filed) entered. 6/23/11 – Joint Notice of Resolution and Request to Relinquish Jurisdiction served. 6/27/11 – Order Relinquishing Jurisdiction and Closing File entered. 7/12/11 – Order No. SWF 2011-015 – Amended Administrative Complaint and Order entered.</p> |
| SWFWMD v. Zerep Enterprises, Inc./Case No. 10-CA-011085 | 13 th Judicial Circuit, Hillsborough County/J.D. Arnold | A. Vining | Complaint and Petition for Enforcement | <p>5/27/10 – Complaint and Petition for Enforcement served. 9/20/10 – Motion for Default served. 9/22/10 – Order granting Motion for Default entered. 7/1/11 – Notice of Appearance on behalf of Zerep served. 8/4/11 – Order Scheduling Status Conference in re: Zerep Enterprises Case No. 8:11-bk-14028-CPM United States Bankruptcy Court entered. 8/11/11 – Notice of Preliminary Hearing in Bankruptcy Court entered. 9/29/11 – Order on Amended Motion to Dismiss or Convert entered. 10/6/11 – Notice of Conversion of Case to Chapter 7 served; and Order Converting Case to Chapter 7 entered. 10/12/11 – Order Vacating Order Converting Case to Chapter 7 entered. 11/2/11 – Notice of Rescheduling 341 Meeting of Creditors served. 11/28/11 – Emergency Motion to Compromise Controversy entered. 11/30/11 – Amended Certificate of Necessity Regarding Emergency Motion to Compromise Controversy entered. 12/1/11 – Motion to</p> |

| <u>STYLE/CASE NO.</u> | <u>COURT/JUDGE</u> | <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>STATUS (current as of 12/05/11)</u> |
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| Withdraw as Counsel of Record for Debtor entered. | | | | |
| <u>MISCELLANEOUS</u> | | | | |
| Branch Banking and Trust Co v. Krueger, Joseph M., et al./Case No. 2010 CA 001200 | 5 th Judicial Circuit, Sumter County | J. Ward | Foreclosure complaint against Joseph M. Krueger, Joanne Suggs Krueger, et al., against whom the District has a judgment with regard to an enforcement action | 10/8/10 - Summons, Complaint and Notice of Lis Pendens served. 10/26/10 - Answer of Defendant, SWFWMD, served. 10/12/11 - Stipulation for Substitution of Counsel for Plaintiff served. 11/3/11 - Order for Substitution of Counsel (McCalla Raymer, LLC substituted for Ben-Ezra & Katz, P.A. for Plaintiff; also ordered Plaintiff to schedule a case management conference or file dispositional notices or Motion or a Rule to Show Cause why case should be dismissed) entered. 12/3/11 – Order to Show Cause entered. |
| Maguire, Raymer F., III and Charlotte E., M.D., as Trustees of the Raymer F. Maguire Trust v. SWFWMD, et al./Case No. 10-609 GCS | 10th Judicial Circuit, Highlands County/A. Cowden | J. Ward | Suit seeking declaratory judgment re tax certificates | 11/3/10 - Summons and Amended Complaint served. 11/22/10 - SWFWMD's Answer to Amended Complaint served. 12/7/10 - Sun 'N Lake's Answer and Affirmative Defenses to Tax Collector's Crossclaim served. 1/14/11 - Defendant (Highlands County) Tax Collector's Motion to Sever and to Stay served. 1/17/11 - Plaintiffs' Memorandum of Law in Opposition to Defendants' Motions to Dismiss served. 1/18/11 - (Sun 'N Lake of Sebring Improvement District's) Memorandum of Law (in support of its Motion to Dismiss) served. 1/20/11 - (Highlands County) Tax Collector's Amended Notice of Authority served. 1/31/11 - Order Denying Defendant's, Highlands County Tax Collector and Highlands County School Board by Joinder, Motion to Sever and Stay, and Defendants' Highlands County, Florida, Florida Department of Revenue and SWFWMD, <i>Ore Tenus</i> Motion for Joinder in Tax Collector's Motion to Sever and Stay as Moot entered; Order Granting Defendant's, Sun 'N' Lake of Sebring Improvement District, Motion to Dismiss Plaintiffs' Amended Complaint; and Denying Defendant's, Highlands County School Board, Motion to Dismiss Complaint and Defendant's, Highlands County Tax Collector, Motion to Dismiss Count I as Moot entered. 2/18/11 - Second Amended Complaint served. 3/9/11 - Sun 'N Lake of Sebring Improvement District's Motion to Dismiss Plaintiffs' Second Amended Complaint served. 3/10/11 - SWFWMD's Motion to Dismiss Second Amended Complaint and; Defendant Department of Revenue's Motion for More Definite Statement or in the Alternative Motion to Dismiss the Second Amended Complaint served. 3/15/11 - Notice of Compliance with Section 86.091, F.S., served. 6/2/11 – Plaintiff's Memorandum of Law in Opposition to Defendants' Motions to Dismiss; Tax Collector's Memorandum in Support of Motions for Clarification, Dismissal and Abatement; Memorandum of Law on Defendant |

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| 23 Mudd, Marcia, et al. v. SWFWMD, et al./Case No. 2006CA-001537- 0000 | 10th Judicial Circuit, Polk County/D. Prince | D. Scott/J. Ward | Complaint for Inverse Condemnation and Continuing Trespass | <p>Highlands County, Florida's Motion to Dismiss; and Defendant Department of Revenue's Notice of Joinder with Tax Collector's Memorandum in Support of Motions for Clarification, Dismissal and Abatement served. 6/3/11 – Sun 'N Lake Improvement District's Memorandum of Law in Support of Motion to Dismiss Second Amended Complaint served. 9/29/11 - Notice to Convene Case Management Conference served. 10/14/11 - Notice of Case Management Conference; and (Plaintiffs') Motion to Attend Case Management Conference By Telephone served. 10/17/11 - SWFWMD's Motion to Attend Case Management Conference By Telephone served. 10/18/11 - Order Granting (Plaintiffs') Motion to Attend Case management Conference By Telephone entered. 10/24/11 - Defendant Department of Revenue's Motion to Appear Case Management Conference By Telephone served. 10/25/11 - Order Granting SWFWMD's Motion to Attend Case Management Conference By Telephone entered. 10/26/11 - Order Granting Defendant Department of Revenue's Motion to Appear Case Management Conference by Telephone entered. 11/9/11 - Order Granting Defendant's, Sun 'N' Lake of Sebring Improvement District, Motion to Dismiss Plaintiffs' Second Amended Complaint; And Denying All Other Motions As Moot entered.</p> <p>11/3/08 - Summons and Second Amended Complaint for Inverse Condemnation and Continuing Trespass served. 12/4/08 - Defendant, SWFWMD's Motion to Dismiss and/or Motion to Abate and/or Motion for a More Definite Statement served. 2/1/10 - Third Amended Complaint for Inverse Condemnation served. 2/9/10 - Order Granting FDEPs Amended Motion to Dismiss and SWFWMD's Motion to Dismiss, with Leave to Amend entered. 2/11/10 - Polk County's Motion to Dismiss Plaintiffs' Third Amended Complaint for Inverse Condemnation served. 2/22/10 - Defendant SWFWMD's Answer and Affirmative Defenses to Plaintiff's Third Amended Complaint for Inverse Condemnation served. 2/26/10 - Defendant SWFWMD's Motion for Final Summary Judgment served. 4/22/10 - Defendant SWFWMD's Notice of Serving Proposal for Settlement/Offer of Judgment to Plaintiff(s) (to each Plaintiff individually) served. 5/13/10 - Defendant SWFWMD's Memorandum of Law in Support of its Motion for Final Summary Judgment served. 5/18/10 - Motion for Leave to Amend Third Amended Complaint (with Fourth Amended Complaint for Inverse Condemnation attached) served; Defendant SWFWMD's Response in Opposition to Plaintiffs' Motion for Continuance of Summary Judgment Hearing served; Defendant SWFWMD's Response in Opposition to Plaintiffs'</p> |

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| | | | | Motion for Leave to Amend served; Defendant SWFWMD's Objection to, and Motion to Strike, Plaintiffs' Notice of Hearing served. 5/21/10 - Order (granting Plaintiffs' Motion for Continuance (therefore, District's Motion for Summary Final Judgment was not heard) entered. 6/9/10 - Defendant SWFWMD's Second Notice of Filing Summary Judgment Evidence served. 6/11/10 - Answer and Affirmative Defenses of Defendant, City of Lake Wales, to Plaintiffs' Third Amended Complaint served. 9/27/10 - Defendant SWFWMD's Answer and Affirmative Defenses to Plaintiffs' Fourth Amended Complaint served. 11/13/10 - Defendant SWFWMD's Amended Memorandum of Law in Support its Motion for Final Summary Judgment served. 11/30/10 - Order Denying Motion for Summary Judgment entered. 12/1/10 - Order Granting Motion for Leave to Amend Third Amended Complaint entered. 6/14/11 – Notice That Case Is At Issue and Request for Trial Date on Taking Hearing served. 6/17/11 – Answer and Affirmative Defenses of Defendant, City of Lake Wales, to Plaintiffs' Fourth Amended Complaint served. 7/21/11 – Order Setting Pretrial Conference (1/31/12), Non-Jury Trial (2/13/12 (4 days)) and Directing Mediation entered. 7/22/11 – Plaintiffs' Reply to Affirmative Defenses of Defendant City of Lake Wales served. 7/30/11 – Defendant SWFWMD's Notice of Trial Date Conflict / Notice of Unavailability served. 8/19/11 – Plaintiffs' Witness and Exhibit Lists served. 8/25/11 – Defendant SWFWMD's Trial Witness List; Trial Exhibit List served. 10/19/11 - Notice of Hearing (on Plaintiffs' Motion for Order to Compel Discovery and Sanctions) served. Hearing scheduled for 11/22/11. 11/4/11 - Motion to Reschedule Trial Date and Notice of Hearing on same served. Hearing scheduled for 11/22/11. 11/16/11 - Defendant's, City of Lake Wales, Witness and Exhibit List served. 11/29/11 - Order Setting Pretrial Conference (5/15/12), Non-Jury Trial (5/21/12 - 4 days reserved) and Directing Mediation entered. |

| <u>STYLE/CASE NO.</u> | <u>COURT/JUDGE</u> | <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>STATUS (current as of 12/05/11)</u> |
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| SWFWMD v. King, M. Lewis, Hancock Lake Ranch, et al./ Case No. 2011CA-000665-111P-00 | 10 th Judicial Circuit, Polk County/S. Selph | R. Neill, Jr./ J. Pepper | Petition in Eminent Domain (Parcel No. 20-503-111-P) | 2/10/11 – Application for Docketing and Assignment of Case; and Civil Cover Sheet filed. 3/28/11 – Petition in Eminent Domain; Declaration of Taking and Estimate of Value in Connection With Parcel No. 20-503-111-P; Notice of Lis Pendens; Petitioner's Witness and Exhibit List; Petitioner's First Request for Production to Defendants M. Lewis King and Hancock Lake Ranch, LLC; and Notice of Serving First Interrogatories to Defendants M. Lewis King and Hancock Lake Ranch, LLC served. 5/2/11 – Order Setting Pre-Order Taking Case Management Conference (for 5/31/11) entered. 5/5/11 – M. Lewis King and Hancock Lake Ranch, LLC's Answer to Petitioner served. 5/16/11 – Petitioner's Reply to Defendants Affirmative Defenses served. 6/15/11 – Petitioner's Motion to Amend Petition in Eminent Domain; and Notice of Hearing served. 6/29/11 – M. Lewis King and Hancock Lake Ranch, LLC's Notice of Adoption of Objection to Plaintiff's Motion to Amend Petition in Eminent Domain served. 7/18/11 – Order Granting Petitioner's Motion to Amend Petition in Eminent Domain entered. 8/4/11 – Lewis King and Hancock Lake Ranch, LLC's Motion to Dismiss Amended Petition in Eminent Domain served. 8/8/11 - Notice of Hearing (on Defendants' Motion to Dismiss Amended Petition) served. Hearing scheduled for 9/26/11. 9/20/11 - M. Lewis King and Hancock Lake Ranch, LLC's Notice of Adoption of Memorandum of Law in Support of Defendants' Motion to Dismiss Amended Petition in Eminent Domain served. 9/21/11 – Petitioner's Response to Defendants' Motion to Dismiss Amended Petition in Eminent Domain served. 9/30/11 – Order Granting Defendants', M. Lewis King and Hancock Lake Ranch, LLC, Motion to Dismiss Amended Petition in Eminent Domain entered. 10/18/11 – Agreed Order Enlarging Time for Service of Second Amended Petition in Eminent Domain entered. 10/28/11 – Second Amended Petition in Eminent Domain served. 11/17/11 – Defendants' Motion to Dismiss Second Amended Petition in Eminent Domain served. 11/18/11 – Notice of Hearing (on Motion to Dismiss Second Amended Petition in Eminent Domain) served. Hearing scheduled for 12/8/11. 11/30/11 – M. Lewis King and Hancock Lake Ranch, LLC's Notice of Adoption of Memorandum of Law in Support of Defendants' Motion to Dismiss Second Amended Petition in Eminent Domain served. |

| <u>STYLE/CASE NO.</u> | <u>COURT/JUDGE</u> | <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>STATUS (current as of 12/05/11)</u> |
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| SWFWMD v. Lake Hancock Partners, LLLP, f/k/a Lake Hancock Property, (a/k/a Rogers Trust) etc., et al./Case No. 2011CA-001160-118P-00 and 2011CA-001160-108P-00 | 10 th Judicial Circuit, Polk County/S. Selph | R. Neill, Jr./ J. Pepper | Petition in Eminent Domain (Parcel Nos. 20-503-118-P and 20-503-108P) | 3/15/11 - Application for Docketing and Assignment of Case; and Civil Cover Sheet filed. 4/14/11 – Eminent Domain Order of Taking Hearing Order entered. Pre-Order of Taking Case Management Conference scheduled for 5/31/11. 5/2/11 – Petition in Eminent Domain; Declaration of Taking and Estimate of Value in Connection With Parcel Nos. 20-503-118P and 108P; Notice of Lis Pendens; Petitioner's Witness and Exhibit List; Petitioner's First Request for Production to Defendants Lake Hancock Partners, LLLP, OW Hancock, LLLP, and RB Hancock, LLLP; and Notice of Serving First Interrogatories to Defendants Lake Hancock Partners, LLLP, OW Hancock, LLLP, and RB Hancock, LLLP served. 6/6/11 – Answer to Petition in Eminent Domain; and Defendants' Motion to Allow Withdrawal of Funds served. 6/15/11 – Petitioner's Motion to Amend Petition in Eminent Domain; and Notice of Hearing served. 7/18/11 – Order Granting Petitioner's Motion to Amend Petition in Eminent Domain entered. 8/1/11 – Defendants' Motion to Dismiss Amended Petition in Eminent Domain served. 8/8/11 - Notice of Hearing (on Defendants' Motion to Dismiss Amended Petition) served. Hearing scheduled for 9/26/11. 9/20/11 – Memorandum of Law in Support of Defendants' Motion to Dismiss Amended Petition in Eminent Domain; and M. Lewis King and Hancock Lake Ranch, LLC's Notice of Adoption of Memorandum of Law in Support of Defendants' Motion to Dismiss Amended Petition in Eminent Domain served. 9/21/11 – Petitioner's Response to Defendants' Motion to Dismiss Amended Petition in Eminent Domain served. 9/30/11 – Order Granting Defendants', Lake Hancock Partners, LLLP, f/k/a Lake Hancock Property, RB Hancock, LLLP f/k/a RB Hancock, Rogerosa Farms, LLLP, C Dane Rogers, John Steven Rogers and William T. Rogers, Motion to Dismiss Amended Petition in Eminent Domain entered. 10/14/11 – Defendants' Motion to Tax Attorneys' Fees and Costs served. 10/17/11 – Agreed Order Enlarging Time for Service of Second Amended Petition in Eminent Domain entered. 10/28/11 – Second Amended Petition in Eminent Domain served. 11/11/11 – Defendants' Motion to Dismiss Second Amended Petition in Eminent Domain served. 11/15/11 – Notice of Hearing (on Motion to Dismiss Second Amended Petition in Eminent Domain) served. Hearing scheduled for 12/8/11. |
| SWFWMD v. Quintana-Alcocer, Elia, et al./Case No. 53-2010-CA-05262 | 10th Judicial Circuit, Polk County/S. Selph | R. Neill, Jr./ J. Pepper | Petition in Eminent Domain (Parcel No. 20-503-177-P) | 6/14/10 - Application for Docketing and Assignment of Case filed. 7/6/10 – Petition in Eminent Domain; Declaration of Taking and Estimate of Value in Connection with Parcel No. 20-503-177-P; Notice of Lis Pendens; and Petitioner's Witness and Exhibit List served. 8/4/10 – (Quintana-Alcocer's) Answer; and Waiver of |

| <u>STYLE/CASE NO.</u> | <u>COURT/JUDGE</u> | <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>STATUS (current as of 12/05/11)</u> |
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| SWFWMD v Stanton, William H., Jr. and Brandy Lee, et al/Case No. 2010CA- 004509-209P-00 | 10th Judicial Circuit, Polk County/S. L. Selph | R. Neill, Jr./ J. Pepper | Petition in Eminent Domain (Parcel Nos. 20-503-209-P and 20-503-210-P | <p>Service and Acceptance of Process of Defendant Elia Quintana-Alcocer served. 8/20/10 – Petitioner’s Reply served. 9/9/10 – Motion to Consolidate for Purposes of Order of Taking Hearing; and Notice of Hearing. Hearing scheduled for 9/14/10. 09/27/10 – Amended Eminent Domain Order of Taking Hearing Order entered. Pre-Order of Taking Case Management scheduled for 11/22/10. 11/2/10 – Stipulated Order of Taking As To Parcel 177-P entered.</p> <p>5/13/10 - Civil Cover Sheet and Application for Docketing and Assignment of Case filed. 7/6/10 – Petition in Eminent Domain; Declaration of Taking and Estimate of Value in Connection with Parcel Nos. 20-503-209-P and 20-503-210-P; and Notice of Lis Pendens served. 8/10/10 – (Stantons’) Answer and Claim for Full Compensation; and (Stantons’) Request for Hearing served. 8/20/10 – Petitioner’s Reply and Motion to Strike Referenced Affirmative Defenses and Any Associated Denial of Defendants Stanton served. 9/27/10 – Amended Eminent Domain Order of Taking Hearing Order entered. Hearing scheduled for 11/22/10. 10/1/10 – Stipulated Order of Taking As To Parcels 209-P and 210-P entered. 11/9/10 – Notice for Trial served. 2/25/11 - Petitioner’s Offer of Judgment and Proposal for Settlement to Defendants, William H. Stanton and Brandy Lee Stanton served. 3/29/11 – Order on Respondents’ Agreed Motion to Continue Pretrial Conference and Trial entered. Pretrial Conference scheduled for 4/26/11 and Trial scheduled to begin on 5/23/11. 4/14/11 – Defendants’ Motion in Limine and Incorporated Memorandum of Law to Preclude Valuation and Other Testimony Based On or Suggesting That the Easement’s Impact Will Be Lessened By the Acts and Uses of the District; and Defendants’ Motion in Limine and Incorporated Memorandum of Law to Exclude Testimony of David Carter, P.E. served. 4/21/11 – Petitioner’s First Motion in Limine And/Or to Strike entered. 5/5/11 – Defendants’ Motion in Limine Concerning Defendants’ Purchase of the Subject Property; and Amended Notice of Hearing served. Hearing on Defendants’ 3 Motions in Limine set for 5/12/11. 5/19/11 – Order Denying Respondents’ Motion in Limine to Exclude Testimony of David Carter, P.E.; Order Granting Respondents’ Motion in Limine Concerning Respondents’ Purchase of the Subject Property entered. 5/23/11 – Order Granting In Part and Denying In Part Respondents’ Motion in Limine to Preclude Valuation and Other Testimony Based on or Suggesting That the Easement’s Impact Will Be Lessened by the Acts and Uses of the District; and Order on Petitioner’s First Motion in Limine And/Or to Strike entered. 5/27/11 – Verdict</p> |

| <u>STYLE/CASE NO.</u> | <u>COURT/JUDGE</u> | <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>STATUS (current as of 12/05/11)</u> |
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| | | | | <p>entered. 6/6/11 – Motion for New Trial and For Remittitur served. 6/7/11 – Final Judgment As To Parcels 209 and 210 entered. 7/5/11 – Respondents’ Response to Petitioner’s Motion for New Trial and for Remittitur served. 7/7/11 – Respondents’ Motion to Tax Costs served. 7/8/11 – Order Denying Petitioner’s Motion for New Trial and for Remittitur entered. 8/24/11 – Designation to Civil Court Reporter (McGill & Associates, Inc.) served.</p> |
| <u>APPEALS</u> | | | | |
| Hames, Cedar and Nora H. Scholin v. SWFWMD, et al./2D11-1817 | Second District Court of Appeal | D. Graziano/ J. Ward | Appeal of Final Judgment entered in Manatee County Circuit Court Case No. 2007 CA 001649 | <p>4/5/11 – Notice of Appeal of Final Judgment served. 4/12/11 – Notice of Filing served. 4/15/11 – Notice of Cross-Appeal served. 4/21/11 – Notice of Related Case served. 4/25/11 - Amended Designation to the Reporter served. 5/27/11 – (Court Reporter’s) Motion for Extension of Time to File Appeal Transcript served. 5/31/11 – (Appellant/ Cross-Appellee’s) Unopposed Motion to Extend Time for Serving Initial Brief served. 6/2/11 – (Appellants/ Cross-Appellees’) Notice of Filing (Court Reporter’s Motion For Extension of Time to File Appeal Transcript and Plaintiff’s Notice of Agreement to Court Reporter’s Motion for Extension of Time to File Appeal Transcript) served. 6/3/11 – Order (granting court reporter’s motion for extension of time to file transcript until 30 days from date of order) entered. 6/7/11 – Order (granting Appellant’s motion for extension of time to file initial brief – due by 8/1/11) entered. 7/28/11 – Order (granting Appellant’s motion for extension of time; initial brief shall be served within 30 days of the date of Order). 7/29/11 – Index to Record on Appeal served. 8/15/11 – (Appellants’) Motion to Supplement the Record served. 8/19/11 – Order (granting Appellants’ Motion to Supplement the Record) entered. 8/25/11 – Index to Supplemental Record on Appeal served. 8/29/11 – Appellants’ Initial Brief served; Appellants’ Request for Oral Argument served. 10/20/11 - Answer Brief, and Initial Brief on Cross-Appeal, of Appellee-Cross-Appellant SWFWMD and Appendix to Initial Brief on Cross-Appeal of Appellee/Cross-Appellant SWFWMD served. 11/14/11 - Order (granting Appellant’s motion for extension of time to serve reply brief and cross-answer brief to 12/14/11) entered.</p> <p>6/20/11 – Notice of Appeal served. 8/4/11 – Index to Record on Appeal served. 8/8/11 – Pending Related Case served. 8/11/11 – Record on Appeal served. 8/31/11 – Appeal of Final Order of SWFWMD served. 9/22/11 – Answer Brief of City of Tarpon Springs; and Notice of Adoption of City of Tarpon Springs’ Answer Brief served. 10/16/11 – Motion or Request for Oral Argument served. 10/21/11 – Appellee City of Tarpon Springs’ Response to</p> |
| Ross, Henry v. City of Tarpon Springs and SWFWMD/Case No. 2D11-3056 | Second District Court of Appeal | A. Vining | Appeal of Final Order No. SWF 11-011 entered by SWFWMD in DOAH Case No. 10-10214 dated May 25, 2011. | |

| <u>STYLE/CASE NO.</u> | <u>COURT/JUDGE</u> | <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>STATUS (current as of 12/05/11)</u> |
|---|---------------------------------|---------------------------------|---|--|
| SWFWMD v. Shea, Raymond & Mary Lou, et al./Case No. 2D11-1642 | Second District Court of Appeal | J. Ward/J. Pepper/R. Neill, Jr. | Appeal of Orders entered in the 10th Judicial Circuit in and for Polk County, Florida - Lower Tribunal Case No. 53-2009-CA-008352 related the Parcel No. 20-503-129 | Appellant's Request for Oral Argument served. 11/4/11 – Agency Clerk's Response to October 31, 2011 Order of the Court served. 11/10/11 – Petition for Writ of Certiorari served. 11/22/11 – Appellee Southwest Florida Water Management District's Response to Appellant's Petition for Writ of Certiorari served. 3/28/11 - Notice of Appeal filed. 4/1/11 - Notice of Cross-Appeal served; Acknowledgment of New Case. 4/4/11 - Amended Notice of Cross-Appeal served. 4/6/11 – Notice of Filing Transcript of Proceedings; and Directions to Clerk (regarding Shea) served. 5/11/11 – Motion to Tax Appellate Fees and Costs served. 5/31/11 – Appellant's Unopposed Motion for Extension of Time in Which to Serve Initial Brief served. 6/2/11 – Service of Copy of Original Index served. 6/3/11 – Order (Appellant's motion for extension of time is granted, initial brief shall be served by 6/27/11) entered. 6/27/11 – Appellant's Initial Brief served. 7/18/11 - Order (granting Motion for Extension of Time – Answer Brief shall be served by 8/22/11) entered. 8/19/11 – Appellee's Request for Oral Argument served. 8/22/11 – Appellees' Answer Brief and Initial Brief on Cross Appeal served. 8/25/11 – Motion for Leave to File Amicus Curiae of Pacific Legal Foundation in Support of Appellees, Raymond J. Shea and Mary Lou Shea (with Brief) served. 9/2/11 – Order (denying Pacific Legal Foundation's motion for leave to file brief amicus curiae) entered. 9/8/11 – Appellant/Cross-Appellee's Unopposed Motion for Extension of Time in Which to Serve Reply Brief and Answer Brief on Cross-Appeal served. 9/13/11 – Order (granting Motion for Extension of Time served on 9/8/11 – Reply Brief and Answer Brief shall be served by 10/31/11) entered. 9/28/11 - Appellant/ Cross-Appellee's Unopposed Motion for Extension of Time in Which to Serve Reply Brief and Answer Brief on Cross-Appeal served. 10/7/11 - Order (granting Appellant/Cross Appellee's motion for extension of time to serve reply brief and answer brief on cross-appeal) entered. 10/11/11 - Appellant's Reply Brief and Answer to Cross-Appeal served. 10/27/11 - Reply Brief to Cross-Appeal of Appellees, Raymond J. Shea and Mary Lou Shea served. Oral Argument in the District Court of Appeal, Second District, Tampa, scheduled for 1/10/12. 8/12/11 – Notice of Appeal filed. 8/24/11 – Directions to Clerk served; Designation to Civil Court Reporter (Reliable Reporting, Inc. and McGill & Associates, Inc.) served. 8/26/11 – Acknowledgement of New Case. 8/29/11 – Court Reporter's (Reliable Reporting) Acknowledgment(s) served; Civil Court Reporter's (McGill & Associates) Acknowledgment served. 10/5/11 - Index to Record on Appeal served. 10/14/11 - Appellant's |
| SWFWMD v. Stanton, William H. and Brandy Lee, et al./Case No. 2D11-4211 | Second District Court of Appeal | J. Ward/J. Pepper/R. Neill, Jr. | Appeal of final order entered in the 10 th Judicial Circuit in and for Polk County, Florida – Lower Tribunal Case No. 53-2010-CA-004509 related to Parcel Nos. 20-503-209-P and 20-503-210-P | |

| <u>STYLE/CASE NO.</u> | <u>COURT/JUDGE</u> | <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>STATUS (current as of 12/05/11)</u> |
|-----------------------|--------------------|-----------------|--------------------|--|
| | | | | <p>Unopposed Motion for Extension of Time in Which to Serve Initial Brief served. 10/19/11 - Order (granting our motion for extension of time to serve initial brief; to be served by 11/23/11) entered.</p> <p>11/21/11 - Appellant's Unopposed Motion for Additional Extension of Time in Which to Serve Initial Brief served.</p> <p>11/28/11 - Order (granting Appellant's Motion for extension of time - initial brief to be served by 12/5/11) entered. 12/5/11 - Appellant's Initial Brief served. 12/5/11 – Record on Appeal served.</p> |

RULEMAKING UPDATE

JANUARY 31, 2012

PROPOSED RULES & AMENDMENTS

| RULE | INITIATION DATE | NEXT SCHEDULED ACTION | BOARD PROJECTED/ APPROVED DATE |
|---|-----------------|---------------------------|--------------------------------|
| 1. Initiation and Approval of Rulemaking to Amend Rule 40D-1.1010, Florida Administrative Code (F.A.C.), to Eliminate Requirement for Publishing Notice of Agency Action | Dec 2011 | Effective approx Mar 2012 | Dec 2011 |
| 2. Initiation and Approval of Rulemaking to Amend Rules 40D-1.607, 40D-1.659, 40D-4.091 and 40D-4.351, F.A.C., and Environmental Resource Permitting Information Manual Part B, Basis of Review, to Eliminate Fees for and Simplify Transfers of Environmental Resource Permit, Clarify Fees for Resubmitted Applications | Sept. 2011 | Effective Jan 29, 2012 | Sept 2011 |
| 3. Initiation and Approval of Rulemaking to Amend Rule 40D-4.331, F.A.C., to revise ERP Outparcel Modification Form | Sept 2011 | Effective approx Feb 2012 | Sept 2011 |
| 4. Initiation and Approval of Rulemaking to Amend Chapters 40D-1, 40D-2, 40D-3, 40D-4, 40D-40 and 40D-400, F.A.C., to Reduce the Number of Copies of Permit Applications and Supporting Documents Required to be Submitted | Aug 2011 | Effective Jan 12, 2012 | Aug 2011 |
| 5. Initiation of Rulemaking as Mandated by Section 373.250(3)(c) and (d), Florida Statutes, To Address Certain Reuse Feasibility Requirements for Water Use Permit Applications and Reuse Providers | June 2011 | Public Workshop Feb 2012 | TBD |
| 6. Initiation and Approval of Rulemaking to Amend Dover Well mitigation report deadline, incorporate Meter Reimbursement Form, and address other cleanup matters for Dover/Plant City WUCA rules 40D-2 | TBD | Initiate and Approve | TBD |
| 7. Initiation and Approval of Rulemaking to Amend Rules 40D-2.091, and 40D-2.801, F.A.C., to Correct the Legal Descriptions of the Boundaries of the Southern Water Use Caution Area (SWUCA) and the Most Impacted Area of the SWUCA | Sept 2011 | Effective approx Mar 2012 | Sept 2011 |
| 8. Initiation and Approval of Rulemaking For Upper Peace River/Lake Hancock reservation to help achieve minimum flow in the Upper Peace River 40D-2.302 | TBD | Initiate and Approve | TBD |

NA = NOT APPLICABLE; TBD = TO BE DETERMINED

| RULE | INITIATION DATE | NEXT SCHEDULED ACTION | BOARD PROJECTED/ APPROVED DATE |
|--|------------------------|---|---------------------------------------|
| 9. Initiation and Approval of Rulemaking to Amend Rules 40D-3.321, 40D-3.502 and 40D-3.517, F.A.C., to Allow Well Construction Permit Extensions and Eliminate Outdated Provisions | Sept 2011 | Effective Jan 12, 2012 | Sept 2012 |
| 10. Initiation and Approval of Rulemaking to Amend Rule 40D-4.331, F.A.C., to Authorize Reactivation of Expired Environmental Resource Permits | Sept 2011 | Effective approx Feb 2012 | Sept 2011 |
| 11. Initiation and Approval of Rulemaking to Amend Rule 40D-8.041, F.A.C., to Adopt Minimum Flows for Lower Myakka River and Accept Report | Dec 2011 | Effective approx Feb 2012 | Dec 2011 |
| 12. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to Adopt Minimum and Guidance Levels for Lake Wimauma | Nov 2011 | Effective approx March 2012 | Nov 2011 |
| 13. Initiation and Approval of Rulemaking to Amend 40D-8.624, F.A.C., to Adopt Minimum and Guidance Levels for Lake Carroll in Hillsborough County | December 2011 | Effective approx Feb 2012 | December 2011 |
| 14. Initiation and Approval of Rulemaking to Amend Rule 40D-9.230, F.A.C, to Conform to Legislation Preempting All Firearms Regulation | Sept 2011 | Pending Legislative Approval - Effective Approx. April 2012 | Sept 2011 |
| 15. Initiation and Approval of Rulemaking to Amend Previously-Approved Amendments to 40D-21, F.A.C., Water Shortage Plan, to Reduce Regulatory Costs | Oct 2011 | Effective Approx. March 2012 | Oct 2011 |
| 16. Initiation and Approval of Rulemaking to Amend Rule 40D-40.302, F.A.C., to Clarify Threshold for General Environmental Resource Permits Involving Impacts to Surface Waters | Oct 2011 | Effective Approx. Jan 2012 | Oct 2011 |

NA = NOT APPLICABLE; TBD = TO BE DETERMINED

**Governing Board Meeting
January 31, 2012**

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| COMMITTEE/LIAISON REPORTS |
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52. **Environmental Advisory Committee Meeting**

See Exhibit

The meeting was held on January 9, 2012.

53. **Well Drillers Advisory Committee**

The meeting was held on January 11, 2012.

54. **Other Liaison Reports**

ENVIRONMENTAL ADVISORY COMMITTEE
LIAISON REPORT – JUDY WHITEHEAD
Meeting Date – January 9, 2012
Tampa Service Office

Rulemaking Update

Lou Kavouras provided the following rulemaking update which has been primarily focused on clarifying and streamlining existing rules:

- Rule amendments allow well construction permits to be extended up to 1 year, in increments of 90 days, as is currently allowed for public supply wells; outdated references to soil borings and foundation holes have been deleted; and the number of copies of permit applications and supporting documents that must be submitted by applicants and permittees have been reduced.
- Rule amendment extends the Well Construction Agreement between the District and Marion County Health Department for 5 years to September 2016.
- Rule amendments allow the transfer of ERPs to new owners of property on which a permitted system is located without payment of a fee and without requiring the current land use to be the same as when the permit was issued.
- Permit applications and petitions for formal determination of wetlands and other surface waters resubmitted within 12 months of withdrawal or denial will not require repayment of the same fee.
- Minimum and guidance levels are proposed for Lake Wimauma and Lake Carroll in Hills Co.
- Rule amendments initiated to reserve water in the Rocky Creek system in order to help achieve minimum levels for three lakes in Odessa.

Hydrologic Conditions/Freeze Update (Lois Sorensen)

- Provided a hydrologic conditions and recent freeze event update.
- Four dry well complaints received with three of the four already restored.
- No reports of sink holes requiring District action.
- Most of Florida is abnormally dry with conditions expected to get worse.
- No public supply concerns to date.
- Modified Phase I Water Shortage Order in effect until at least February 29th.

Rocky Creek Lake Enhancement Project Overview (Tamera McBride)

- Provided a brief overview of this project including the project's purpose, criteria, anticipated recovery, history and recent activity.
- Public meeting scheduled for January 18, 2012.
- Overall comments from Committee members are in support of this project.

Emerging Science Related to Reclaimed Water (Anthony Andrade)

- Key component in three of the District's four areas of responsibilities.
- Provided a brief reclaimed water history, accomplishments, potential growth, and recent pertinent research which is important to the District in that it provides additional confirmation that reclaimed water is safe and can continue to be used in traditional and innovative ways within our District.
- Discussion amongst the members related to encouraging the development of under-utilized reclaimed water resources and the **Committee voted to send a recommendation to the Governing Board to continue the District's encouragement, support & funding of reclaimed water development.**

Fiscal Year 2013 Cooperative Funding Program

- Members were briefed on the process and schedule and encouraged to provide input.

Committee Policy, Roles, Responsibilities and Sunshine Law

- Members were reminded of their responsibilities, and reviewed updates to the Board Policy.

**Governing Board Meeting
January 31, 2012**

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| EXECUTIVE DIRECTOR'S REPORT |
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55. **Executive Director's Report**

Presenter: Blake C. Guillory, Executive Director

**Governing Board Meeting
January 31, 2012**

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| CHAIR'S REPORT |
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56. **Chair's Report**

Presenter: Paul Senft, Chair