

Governing Board Meeting

Agenda and Meeting Information

March 27, 2018

9:00 AM

Brooksville Office

2379 Broad Street • Brooksville, Florida
(352) 796-7211

Southwest Florida
Water Management District


WATERMATTERS.ORG • 1-800-423-1476



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Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
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 Bureau Chief at 2379 Broad Street, Brooksville, FL 34604-6899; telephone (352) 796-7211 or 1-800-423-1476 (FL only), ext. 4703; or email ADACoordinator@WaterMatters.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Final Agenda GOVERNING BOARD MEETING

MARCH 27, 2018

9:00 AM

Brooksville Office

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

☞ All meetings are open to the public. ☞

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

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

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

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

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

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

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

Bartow Office

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

Sarasota Office

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

Tampa Office

7601 Hwy 301 N (Fort King Highway)
Tampa, Florida 33637-6759
(813) 985-7481 or 1-800-836-0797 (FL only)

MEETING NOTICE

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

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

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

6. Budget Transfer Report

Resource Management Committee

7. Initiation and Approval of Rulemaking to Amend Rule 40D-8.041, Florida Administrative Code, to Adopt Minimum Flows for the Pithlachascotee River and Accept Reports
8. City of Tampa Dale Mabry/Henderson Trunkline – Upper Peninsula Watershed Drainage Improvements (N748)
9. FARMS – Council Growers, Inc. – H764, Hillsborough County

Operations, Lands and Resource Monitoring Committee

10. Approval of Resolution Requesting Disbursement of Funds from the Land Acquisition Trust Fund for Land Management
11. Amend Conservation Easement Access – Suggs Settlement Property, Gum Slough Project, SWF Parcel No. 19-193-113C
12. Easement Donation – Nettles Structure – Hanna Lake, SWF 13-038-108P
13. Green Swamp East Highway 98 Cattle Lease, SWF Parcel No. 10-200-1287X, Award for the Request for Offers (RFO) 18-01

Regulation Committee

14. Individual Water Use Permits Referred to the Governing Board
 - a. WUP No. 20003890.010 – Bayside Sod Farm/Ibis Road Investors LLC and Bispham Family Limited Partnership (Sarasota County)

General Counsel's Report

15. Administrative, Enforcement and Litigation Activities that Require Governing Board Approval
 - a. Authorized Signature Certification Form – Department of Financial Services – ERP Financial Assurance Requirements
 - b. Interagency Agreement Between SJRWMD and SWFWMD – Designation of Regulatory Responsibility – E.R. Jahna Industries, Inc. Independent North Sand Mine Project – Lake County
 - c. Interagency Agreement Between SWFWMD and SFWMD – Designation of Regulatory Responsibility – SR 70 Jefferson Avenue to CR 29 Project FPID No: 414506-1-22-01
16. Rulemaking – None

Executive Director's Report

17. Approve Governing Board Minutes – February 27, 2018

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

18. Consent Item(s) Moved for Discussion
19. Springs Protection Awareness Month
20. Fiscal Year 2016-17 Comprehensive Annual Financial Report
21. Budget Transfer from Pavement Repair/Resurfacing (C164) to Fuel Island Repair/Modifications (C204)
22. Legislative Update

Submit & File Reports

23. Information Technology (IT) Continuity Tests
24. Quarterly Risk-Based Transaction Tests

Routine Reports

25. Treasurer's Report and Payment Register

- 26. Monthly Financial Statement
- 27. Monthly Cash Balances by Fiscal Year
- 28. Comprehensive Plan Amendment and Related Reviews Report
- 29. Development of Regional Impact Activity Report

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

- 30. Consent Item(s) Moved for Discussion
- 31. Out-of-Cycle Funding Request for the DeSoto County Spring Lake Stormwater Best Management Practice Analysis Project (Q015)
- 32. Budget Transfer for Hurricane Irma Storm Debris Management on the Peace Creek Canal

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

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

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

- 35. Consent Item(s) Moved for Discussion
- 36. Hydrologic Conditions Report

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

- 37. Surplus Lands Update
- 38. Structure Operations
- 39. Significant Activities

REGULATION COMMITTEE (TAB F)**Discussion**

- 40. Consent Item(s) Moved for Discussion
- 41. Denials Referred to the Governing Board
- 42. Consider Water Shortage Order(s) as Necessary

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

- 43. Dover/Plant City Water Use Caution Area Flow Meter Automatic Meter Reading (AMR) Equipment Implementation Program Update
- 44. Overpumpage Report
- 45. Individual Permits Issued by District Staff

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

- 46. Consent Item(s) Moved for Discussion

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

- 47. March 2018 – Litigation Report
- 48. March 2018 – Rulemaking Update

COMMITTEE/LIAISON REPORTS (TAB H)

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

EXECUTIVE DIRECTOR'S REPORT (TAB I)

- 51. Executive Director's Report

CHAIR'S REPORT (TAB J)

- 52. Chair's Report
- 53. Other

54. Employee Milestones

★ ★ ★ **RECESS PUBLIC HEARING** ★ ★ ★**ANNOUNCEMENTS**<http://www.swfwmd.state.fl.us/calendar>

- Governing Board Meetings Schedule:

Meeting - Haines City, Lake Eva	April 24, 2018
Meeting - Brooksville	May 22, 2018
Meeting - Brooksville	June 26, 2018
Meeting - Clearwater, Tampa Bay Water	July 24, 2018
- Governing Board Public Budget Hearings Schedule:

Tentative Budget - Tampa	September 11, 2018
Final Budget - Tampa	September 25, 2018
- Advisory Committee Meeting Schedule:

Environmental - Tampa	April 10, 2018
Well Drillers - Tampa	April 11, 2018
Industrial - Tampa	May 15, 2018
Public Supply - Tampa	May 15, 2018

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 August 2017

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

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE
Bryan K. Beswick, Chair
Mark Taylor, Vice Chair
Kelly S. Rice
James G. Murphy

RESOURCE MANAGEMENT COMMITTEE
Michael A. Babb, Chair
Kelly S. Rice, Vice Chair
John Henslick
Michelle Williamson

REGULATION COMMITTEE
Jeffrey M. Adams, Chair
John Henslick, Vice Chair
H. Paul Senft
Rebecca Smith

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

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

STANDING COMMITTEE LIAISONS	
Agricultural Advisory Committee	Kelly S. Rice
Environmental Advisory Committee	Michelle Williamson
Green Industry Advisory Committee	Kelly S. Rice
Industrial Advisory Committee	Rebecca Smith
Public Supply Advisory Committee	H. Paul Senft
Well Drillers Advisory Committee	Mark Taylor

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

Executive Summary

GOVERNING BOARD MEETING

MARCH 27, 2018
9:00 a.m.

If viewing this document electronically, links are available from the Executive Summary to the item's information page. To return to the Executive Summary, click within the item text.

CONVENE PUBLIC HEARING & MEETING (TAB A)

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

CONSENT AGENDA (TAB B)

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

Finance/Outreach & Planning Committee

6. **Budget Transfer Report**

In accordance with Board Policy No. 130-8, *Budget Authority Transfer of Funds*, all transfers approved by the Executive Director and Finance Bureau Chief under delegated authority are regularly presented to the Finance/Outreach & Planning Committee for approval on the Consent Agenda at the next scheduled meeting.

Staff recommends the Board's approval of the Budget Transfer Report covering all budget transfers for March 2018.

Resource Management Committee

7. **Initiation and Approval of Rulemaking to Amend Rule 40D-8.041, Florida Administrative Code, to Adopt Minimum Flows for the Pithlachascotee River and Accept Reports**

In August 2014, District staff presented a draft report to the Board that summarized proposed minimum flows for the Pithlachascotee River, and indicated the report would be reviewed by an independent, scientific peer-review panel. Prior to initiation of the peer review, staff received comments on the proposed minimum flows from Tampa Bay Water, the Department of Environmental Protection, and the Fish and Wildlife Conservation Commission. Based on this input, and following a

series of meetings with Tampa Bay Water to discuss key technical issues, staff presented a revised report to the Board in August 2016. The revised report was subjected to an independent, scientific peer review in October and November 2016. The review was conducted by a panel of three independent scientists with extensive experience in hydrogeology, hydrology and aquatic ecology. The panel was charged with reviewing the validity of the technical approach used by the District to determine if the proposed minimum flows are supported by data, procedures, and analyses used for their development.

In their review findings report, the peer review panel indicates the District's minimum flow recommendations are based on the best available data. Further, they indicate the panel agrees with the basic assumptions, methods, analyses, and conclusions presented in the minimum flows report. The panel did, however, identify concern with the effects of uncertainty associated with some of the data and analyses used to develop the minimum flow recommendations. The panel also recommended implementation of an adaptive management plan to enhance future management of the river, and suggestions for presentation of relevant information to improve report clarity.

Staff considered and responded to all panel comments resulting in revisions to the minimum flows report. In January 2018, staff responses to the peer review panel's report and a revised minimum flows report were provided to each peer review panel member separately for their assessment of the adequacy of the staff responses and report revisions. As part of this peer review follow-up work, each panelist submitted a memo-report indicating that staff had adequately addressed the panel's concerns and the revised minimum flows report was substantially improved. All peer review and staff response documents have been included in the minimum flows report appendices.

Staff is recommending separate minimum flows for the upper, freshwater and lower, estuarine segments of the Pithlachascotee River. For minimum flows purposes, the upper river originates at the outlet of Crews Lake in Pasco County, and extends downstream to the bridge across the river at Rowan Road; the lower river extends from the Rowan Road bridge downstream to the Gulf of Mexico.

Recommended minimum flows for the upper segment of the river allow for withdrawal-related reductions of up to 18 percent of the daily flow (i.e., the preceding day's flow adjusted for withdrawal impacts) in the spring dry season (Block 1), up to 17 percent of the daily flow in the fall to winter moderate flow season (Block 2), and up to 16 percent of flow in the summer wet season (Block 3). However, to maintain sufficient inundation of the floodplain of the upper river when daily flows in Block 3 are greater than a Minimum High Flow Threshold of 50 cubic feet per second (cfs), the allowable reduction is limited to 9 percent of the daily flow. A Minimum Low Flow threshold of 11 cfs that is applicable to surface water withdrawals during all seasonal blocks is also recommended for the upper river. Minimum flows for the lower segment of the river allow for withdrawal-related reductions of up to 25 percent of the preceding four-day average of withdrawal-adjusted flows throughout the year when four-day average flows range up to a Minimum High Flow Threshold of 60 cfs. Flow reductions in the lower river of up to 35 percent of the preceding four-day average of withdrawal-adjusted flows would be allowed when the four-day average flows exceed the Minimum High Flow Threshold of 60 cfs. The recommended minimum flows for the upper and lower river segments are protective of all relevant environmental values identified in the State Water Resource Implementation Rule for consideration when establishing minimum flows and levels.

Streamflow trend analyses and simulations using the Integrated Northern Tampa Bay (INTB) Model indicate that flows in the Pithlachascotee have been reduced by groundwater withdrawals. Impacts have, however, been reduced in recent years as a result of cutbacks in groundwater withdrawals from area wellfields operated by Tampa Bay Water. To further assess the status of the river, District staff evaluated: the range of flow impacts predicted for the simulated wellfield withdrawals; uncertainty in

numeric modeling associated with possible rainfall variation, the spatial distribution of wellfield withdrawals, and intrinsic model error; the usefulness of mean and median flow statistics for assessing flows; trends in observed flows in the river and rainfall within Pasco County; status assessments for area water bodies with established minimum flows and levels; results from a wetland recovery assessment recently completed for Starkey Wellfield; and also considered potential effects of various sea level rise scenarios on salinity-based habitats in the lower river to help determine the potential need for reevaluation of the recommended minimum flows. Based on the status assessment, staff concluded that the recommended minimum flows for the upper and lower segments of the Pithlachascotee River are currently being met and are expected to be met during the coming 20-year planning period. The need for development of additional recovery or prevention strategies is, therefore, currently not necessary. Current and projected flows in the river are, however, near the minima associated with the proposed minimum flows for the upper river.

The report entitled, "Recommended Minimum Flows for the Pithlachascotee River", dated March 2018, which includes a peer review panel report and staff response to the peer review report is provided to the Board under a separate cover. Proposed rule language for establishment of minimum flows for the river is included as Exhibit "A."

Staff recommends the Board:

- (1) Accept the report entitled, "Recommended Minimum Flows for the Pithlachascotee River", dated March 2018;
- (2) Initiate rulemaking and approve adoption of amendments to Rule 40D-8.041, Florida Administrative Code, to establish minimum flows for the Pithlachascotee River; and
- (3) Authorize staff to make any necessary clarifying or minor technical changes that may result from the rulemaking process.

8. **City of Tampa Dale Mabry/Henderson Trunkline – Upper Peninsula Watershed Drainage Improvements (N748)**

The Dale Mabry/Henderson Project is a stormwater improvement, flood protection project that is located along South Dale Mabry Highway near Henderson Boulevard, Watrous Avenue and Neptune Street in the City of Tampa. The project consists of design, permitting and construction of approximately 8,100 linear feet of box culvert and associated stormwater system upgrades on a design-build track. Construction of this high capacity box culvert provides a primary conveyance system to relieve chronic flooding along Dale Mabry Highway, which serves as the main evacuation route for South Tampa. An alternative analysis was completed in 2012 and identified this project as the preferred alternative. The project will reduce street and structural flooding for the 2.33-year, 24-hour storm event.

The Governing Board initially approved funding for this multi-year project for 30 percent design and Third-Party Review (TPR) in the FY2016 Cooperative Funding Initiative (CFI) process. A Cooperative Funding Agreement was executed with the City for 30 percent design and TPR in the amount of \$1,000,000. Governing Board authorization is required to fund the project beyond the 30 percent design and TPR. The original conceptual project cost for design, permitting and construction was estimated at \$40,000,000.

District TPRs are typically conducted at the 30 percent design level. However, the City and their design/build contractor completed design work through the 50 percent level. Based on the 50 percent design, the design/build contractor has provided the City with a construction cost estimate of \$32,420,318.24 for the project. The design/build contractor is preparing a Guaranteed Maximum Price (GMP) for the project construction and is expected to provide the GMP to the City before the end of March. The City agrees that, if the GMP is higher than the \$32,420,318.24 construction cost estimate, they will fund all the additional costs.

The District and the District's TPR consultant completed their review of the 50 percent design and the February 15, 2018, construction cost estimate. The TPR report concluded that, if executed properly, the project will achieve the benefits as set forth in the Cooperative Funding Initiative and that flooding during the Mean Annual (2.33-Year Storm) and subsequent larger events will be reduced. It further concluded that the project appears to be constructible with no "fatal flaws". The report noted that the shallow depth to groundwater would present a challenge and significant dewatering efforts will be necessary to comply with the recommendations in the project Geotechnical Engineering Report. The TPR team also concluded that the construction cost estimate appeared reasonable and appropriate for the proposed project. Based on the 50 percent design, the construction cost estimate of \$32,420,318.24, and the TPR review, together with the City's project design contract of \$4,076,468, the City is proposing a total project cost of \$36,500,000 for design, permitting, and construction. This is a decrease of \$3,500,000 or approximately 8.75 percent when compared to the original conceptual estimate. The City is requesting approval of the new project costs with a 50/50 cost share with the District.

The project benefit ranking of high remains the same while the cost effectiveness increased from medium to high due to the lower project cost. Strategic goal ranking remains a medium, and the overall project ranking is high.

The District's existing cooperative funding agreement with the City covers only design and TPR services. Governing Board approval is required to modify the agreement costs, schedule, and scope of work to finish design, permitting, and construction. With Governing Board authorization, the City will be eligible for reimbursement of expenses for design beyond the 30 percent level, permitting, and construction. The City's schedule for the project is to start construction in April 2018. It is anticipated that the project will have a 30-month construction period.

The project will reduce the existing flooding problem during the 2.33-year, 24-hour storm event. The measurable benefit of the project will be completion of design, permitting and construction of the drainage conveyance system BMPs to reduce flooding in approximately 533 acres of a highly urbanized basin.

Total project cost to complete design and construction is \$36,500,000, of which \$18,250,000 in District funding is recommended. Of the recommended District funding, \$500,000 was prior approved funding in FY2016, \$4,500,000 was included in the FY2017 and FY2018 budgets contingent upon the TPR and Board approval, \$5,000,000 is proposed for FY2019, and \$8,250,000 is anticipated in future funding requests.

Staff recommends the Board authorize continuation of the project and approve amending the cooperative funding agreement to include a total of \$36,500,000 for design, permitting, and construction of the project, with the District's share being \$18,250,000.

9. FARMS – Council Growers, Inc. – H764, Hillsborough County

The District received a project proposal from Council Growers, Inc., for a project on their 209-acre property located three miles south of Wimauma, in southern Hillsborough County, within the Southern Water Use Caution Area (SWUCA), and the Most Impacted Area (MIA). This project will involve construction and operation of a four-acre surface water reservoir to collect tailwater and surface water from the farm property and surrounding watershed to offset Upper Floridan aquifer groundwater used in supplemental irrigation of 158 acres of turf grass sod and citrus. This project will also increase water use efficiency by automating the irrigation pump stations, and the conversion from seep to center pivot irrigation on sod production areas. The Water Use Permit (WUP) authorizes an annual groundwater withdrawal of 311,900 gallons per day (gpd). FARMS project components consist of two surface water pump stations with filtration, pump station automations, tailwater control structures, two center pivots and mainline pipe necessary to connect the surface water reservoir to the irrigation systems.

The proposed project involves water quantity best management practices for supplemental irrigation within the MIA and qualifies for a 75 percent cost-share reimbursement rate under the FARMS Program. The project is expected to reduce withdrawals from the Upper Floridan aquifer by 46 percent of the permitted daily quantities, or approximately 142,000 gpd, yielding a daily cost of \$3.29 per thousand gallons of groundwater reduced over the proposed six-year contract term.

Staff recommends the Board:

- 1) Approve the Council Growers, Inc. project for a not-to-exceed project reimbursement of \$576,600, with \$576,600 provided by the Governing Board;
- 2) Authorize the transfer of \$576,600 from fund 010 H017 Governing Board FARMS Fund to the H764 project fund;
- 3) Authorize the Assistant Executive Director to sign the agreement.

Operations, Lands and Resource Monitoring Committee

10. Approval of Resolution Requesting Disbursement of Funds from the Land Acquisition Trust Fund for Land Management

During the 2017 legislative session, the Florida Legislature appropriated \$10,237,210 to the Land Acquisition Trust Fund for the water management districts to use for land management purposes. The Southwest Florida Water Management District's share is \$2,250,000.

In order to receive the appropriated funds, the Governing Board must adopt a resolution requesting payment of District expenditures from the Land Acquisition Trust Fund. Accordingly, a resolution has been prepared requesting the Florida Department of Environmental Protection release the appropriated funds.

Staff recommends the Board approve Resolution 18-02, Requesting Disbursement of Funds from the Land Acquisition Trust Fund for Land Management.

11. Amend Conservation Easement Access – Suggs Settlement Property, Gum Slough Project, SWF Parcel No. 19-193-113C

In December 2002, the District commenced formal enforcement proceedings against the Suggs Associated Defendants through the issuance of an Administrative Complaint and Order (the "ACO") alleging that the defendants committed significant violations of Chapter 373, Fla. Stat., consisting of unauthorized construction activities undertaken on defendants' 180-acre property located in Sumter County.

In March 2014, Danny Suggs contacted the District to initiate settlement negotiations as to a global resolution of all pending matters and enforcement of the Final Judgment in favor of the District. The content of those settlement negotiations was discussed at a closed-door attorney-client session before the Governing Board on September 30, 2014. The settlement agreement was approved contingent upon the conveyance of fee simple title to 67.64 acres and a conservation easement over 26.75 acres to the District as satisfaction of the final judgement. Upon acquisition of the settlement property on February 24, 2015, the Governing Board declared the 67.64 fee simple settlement property as surplus.

SWF Parcel No. 19-193-113C, a 26.75-acre conservation easement, consists of two separate parcels, the west property comprised of 24.75 acres and the east property comprised of 2 acres. In addition to the conservation easement legal descriptions, the conservation easement includes the legal descriptions of the individual routes along the eastern and western boundaries of the property, provided to access the conservation easement parcels as well as the remaining property. The access

route for the west property includes 2.74 acres and for the east property includes 1.15 acres. Because the legal descriptions of the access routes are included within the conservation easement, access to the conservation easements and the adjoining property is encumbered by easement terms that preclude the utilization, maintenance or improvement of the access routes. The conservation easement also does not address the installation and relocation of utilities within the described access route.

The amendment of the conservation easement is necessary to exclude the described access routes from the provisions preventing their utilization, maintenance or improvement for access. The Suggs own adjoining property together with the underlying fee simple title to the conservation easement property that includes the access. The routes described in the conservation easement were obtained by the District to provide access to the conservation easement areas, however, the inclusion of the access routes within the conservation easement itself affects the ability of the District to access its conservation easement property and the Suggs ability to access the remainder of their property.

The District's surplus of the property obtained in fee simple as part of the settlement agreement will be unaffected by this amendment. This amendment will also clear an unintended cloud on title to the Suggs remaining property that occurred because of the inclusion of the access routes within the conservation easement. The transactional costs are minimal to record the easement amendment and are estimated to be less than \$200.

Staff recommends the Board approve amendment of the Conservation Easement to exclude the 2.74 acre and 1.15-acre access properties from the terms of the conservation easement to allow their utilization, maintenance and improvement for roadway and utilities.

12. Easement Donation – Nettles Structure – Hanna Lake, SWF 13-038-108P

Hanna Lake has an established minimum flows and level (MFL) requirement in F.A.C. 40D-8.624. The existing temporary structure was installed by the District in 2011 to evaluate the benefits of the structure in contributing to maintaining water levels in Hanna Lake for MFL purposes. The temporary structure has benefited the lake since it was installed. The District accessed the temporary structure via a verbal agreement with the previous property owner.

The site is owned by Meritage Homes of Florida, Inc. who purchased the parcel in May 2017. The property owner has agreed to the conveyance of a perpetual Easement and Right of Entry on the parcel. SWF Parcel No. 13-038-108P is an approximate 0.084-acre structure site to be conveyed by Meritage Homes of Florida, Inc., in northwestern Hillsborough County. The subject property will have frontage on a private subdivision road and an easement and right of entry will be obtained which allows for access, construction, maintenance and monitoring of the proposed structure. Structure Operations has evaluated the conveyance between Hanna Lake and Stemper and concluded the site is appropriate for the proposed use. The structure will allow for better control of the flow between the two lakes.

Control of the water levels between Hanna Lake and Stemper will allow the District to appropriately regulate the respective lake levels. Transactional costs to the District for closing, including the title insurance and recording fees are expected to be less than \$2,000.

Staff recommends the Board:

- Accept the donation of the Easement and Right of Entry;
- Authorize staff to sign documents at closing necessary to complete the transaction in accordance with the approved terms.

13. Green Swamp East Highway 98 Cattle Lease, SWF Parcel No. 10-200-1287X, Award for the Request for Offers (RFO) 18-01

On January 23, 2018, the District advertised Request for Offers 18-01, Green Swamp East Highway 98 Cattle Lease (RFO), covering approximately 1,231 acres in northwestern Polk County. The lease area consists of approximately 64 acres of fair condition pasture and approximately 104 acres of semi-improved pasture. The remainder of the property consists of upland forest and wetlands.

The maximum stocking rate for the property is 40 Animal Units (an Animal Unit is one bull or one cow with or without one un-weaned calf). The lessee may stock any number of Animal Units at or below the maximum without adjustment to the annual rent payment. The term of the lease is five years, with an option for the lessee to request renewal for an additional term of five years at the District's discretion. On February 20, 2018, 12 responses were received to RFO 18-01. The highest offer was submitted by Diamond R Cattle, Ryan Raburn and Richard Stanaland in the amount of \$17.50 per acre, for an annual lease amount of \$21,542.50.

Staff recommends the Board approve the award of the Green Swamp East Highway 98 Cattle Lease to Diamond R Cattle, Ryan Raburn and Richard Stanaland and authorize the Chairman to execute the lease on behalf of the District.

Regulation Committee

14. Individual Water Use Permits Referred to the Governing Board

a. WUP No. 20003890.010 – Bayside Sod Farm/Ibis Road Investors LLC and Bispham Family Limited Partnership (Sarasota County)

This is a modification of an existing water use permit for agricultural use. The authorized quantities are changed from those previously permitted. The annual average quantity increases from 464,400 gallons per day (gpd) to 592,100 gpd and a maximum day/crop protection quantity of 840,000 is added, but the peak month quantity is unchanged at 1,224,000 gpd. There is no change in Use Type from the previous revision. The change in quantities is due to soil type correction and does not represent an expansion of the farming operation, which remains 30 acres of nursery and 213 acres of sod. Quantities are based on the District's irrigation allotment calculation program, AGMOD. This permit is located within the Southern Water Use Caution Area (SWUCA). The use of alternative water supply (AWS) is not feasible at this location at this time.

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

General Counsel's Report

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

a. Authorized Signature Certification Form – Department of Financial Services – ERP Financial Assurance Requirements

As part of compliance with the conditions for issuance of an Environmental Resource Permit ("ERP") where an applicant proposes mitigation, the applicant is required to provide proof of financial assurance that any mitigation, monitoring, and corrective action are undertaken in accordance with the terms and conditions of a permit. Section 10.3.7.6 of the ERP Applicant's Handbook, Vol. I, authorizes the deposit of cash in an escrow account established with the Florida Department of Financial Services ("DFS") as an acceptable mechanism for meeting the financial assurance requirements.

Similar to the general rules applicable to ERP's set forth above, Rule 62-342.700, F.A.C., requires mitigation bank permit applicants to provide proof of financial assurance for the perpetual management of the mitigation bank. Currently, mitigation bank permit applicants are not authorized by rule to utilize a DFS escrow account to satisfy the perpetual financial assurance requirements of Rule 62-342.700, F.A.C. However, the Florida Department of Environmental Protection has published a Notice of Proposed Rule that would amend Rule 62-342.700, F.A.C., to allow mitigation bank permit applicants to utilize a DFS escrow account for purposes of satisfying the perpetual financial assurance requirements. Additionally, the District has recently granted variances to Rule 62-342.700, F.A.C., to allow a mitigation bank permittee to utilize a DFS escrow account to satisfy perpetual financial assurance requirements.

In order to execute an escrow agreement and provide DFS with instructions concerning the withdrawal of funds in the event a mitigation bank permittee is unable to comply with the perpetual monitoring and maintenance requirements established in an ERP, DFS requires a state agency to execute an Authorized Signature Certification Form ("Form"). The Form designates the individual(s) within the agency who is(are) authorized to execute escrow agreements and provide directions to DFS. The agency head is required to execute the Form to provide DFS with assurance that the individual acting on behalf of the agency is authorized to do so. In order to provide for internal control, District staff recommend that the Finance Bureau Chief and the Chief Advisory Environmental Scientist should be authorized to sign the Form.

Staff recommends the Board:

- Execute the Authorized Signature Certification Form to facilitate the utilization of a DFS Escrow Account for Environmental Resource Permit financial assurance requirements;
- Authorize the Finance Bureau Chief and the Chief Advisory Environmental Scientist to execute the Authorized Signature Certification Form and any other documents necessary to deposit or withdraw collateral in accordance with the terms and conditions of any approved Escrow Agreement.

b. **Interagency Agreement Between SJRWMD and SWFWMD – Designation of Regulatory Responsibility – E.R. Jahna Industries, Inc., Independent North Sand Mine Project – Lake County**

E.R. Jahna Industries, Inc. ("Applicant") was issued Consumptive Use Permit ("CUP") No. 2S-069-2985-5 ("Permit") by the St. Johns River Water Management District ("SJRWMD") for its Independent North Sand Mine Project located in Lake County, Florida ("Project"). A small portion of the Project lies within the Southwest Florida Water Management District ("SWFWMD") jurisdictional boundary, however an interagency agreement was not executed for the Permit.

The Applicant intends to apply for a Permit modification to expand the Project, including expansion further into the SWFWMD boundary. SJRWMD has proposed an interagency agreement for the designation of regulatory responsibility for the Permit modification. A majority of the Project area will continue to be within the SJRWMD boundary, and the water use will continue to be sourced from surface water within the SJRWMD boundary. Section 373.046(6), Florida Statutes, authorizes a water management district to designate, through interagency agreement, regulatory responsibility to another water management district over a project located within the jurisdictional boundaries of both districts. An interagency agreement approved by both districts is necessary to authorize SJRWMD to issue a CUP to the Applicant for the entire Project.

Staff recommends the Board approve the Interagency Agreement Between the St. Johns River Water Management District and the Southwest Florida Water Management District for Designation of Regulatory Responsibility for Independent North Sand Mine in Lake County.

c. **Interagency Agreement Between SWFWMD and SFWMD – Designation of Regulatory Responsibility – SR 70 Jefferson Avenue to CR 29 Project FPID No: 414506-1-22-01**

The Florida Department of Transportation (FDOT) is undertaking a project to widen a seven-mile portion of SR 70 (Project) in Highlands County, from a two-lane undivided roadway to a four-lane divided roadway with a 10' shared-use path. The majority of this Project lies within and drains to water bodies within the Southwest Florida Water Management District (SWFWMD) boundaries. A smaller portion of the project lies within and drains to water bodies within the South Florida Water Management District (SFWMD) boundaries. Section 373.046(6), Florida Statutes (Fla. Stat.), authorizes a water management district to designate, via an interagency agreement, the regulatory responsibility to another water management district when the geographic area of a project or local government crosses water management district boundaries. Because the majority of the Project lies within the SWFWMD boundaries, the designation of the SWFWMD as the water management district with Part IV, Chapter 373, Fla. Stat., regulatory responsibility for the Project would allow for more efficient processing of associated permit applications. Both the SFWMD and the SWFWMD desire to designate the SWFWMD as the water management district with Part IV, Chapter 373, Fla. Stat., regulatory responsibility for the Project.

Staff recommends the Board approve the Interagency Agreement Between the Southwest Florida Water Management District and the South Florida Water Management District for Designation of Regulatory Responsibility for the SR 70 Jefferson Avenue to CR 29 Project in Highlands County.

16. **Rulemaking - None**

Executive Director's Report

17. **Approve Governing Board Meeting Minutes – February 27, 2018**

Staff recommends the Board approve the minutes as presented.

FINANCE/OUTREACH & PLANNING COMMITTEE (TAB C)
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Discussion

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

19. **Springs Protection Awareness Month**

There are more than 150 documented springs as well as thousands of undocumented springs and seeps in the District. The District has five first-magnitude spring groups that collectively discharge more than one billion gallons of water per day. These groups are important not only for their ecological value but also for their economic impact on local communities. The District, in partnership with the various stakeholders, is committed to implementing investigations, projects and programs to conserve and improve the ecological balance of these spring systems, thereby supporting regional economies and quality of life. The District has been a lead technical agency in springs protection and improvement for more than a decade and has taken a comprehensive approach to protect the region's springs, which includes water conservation, restoration, planning, communication and education, monitoring, research and development, regulation, and land acquisition and management.

“Springs Protection Awareness Month” - The Florida Legislature adopted a resolution declaring April 2018 as “Springs Protection Awareness Month” because the state's springs are essential to the environment, economy, residents and visitors of the state. On a more local level, staff support a Governing Board resolution to recognize the importance of our springs.

Springs Community Partner - The District would like to recognize Cheryl Paradis for her efforts to help improve our springs. Paradis has served as the director and lead teacher at the Springs Coast Environmental Education Center on the Weeki Wachee River since 2008. Each year, she passionately educates approximately 8,000 Hernando County students, teachers and families about Weeki Wachee Springs and how to protect the springshed. Paradis is an advocate of the District's work to protect and improve our springs and shares District efforts and educational materials with all who visit the center.

Staff recommends the Board approve and execute Resolution No. 18-01 declaring April 2018 as "Springs Protection Awareness Month."

20. Fiscal Year 2016-17 Comprehensive Annual Financial Report

The District is required by Section 218.39, Florida Statutes, to have an annual financial audit of its accounts and records performed by an independent certified public accountant, licensed in the State of Florida, and made in accordance with generally accepted auditing standards, Florida Statutes, and Rules of the Auditor General promulgated pursuant to Section 11.45. The Comprehensive Annual Financial Report, including a Single Audit pursuant to audit requirements of Chapter 10.550, Rules of the Auditor General, the Management Letter and the Independent Accountants' Report for fiscal year ended September 30, 2017, will be distributed prior to the meeting. James Moore & Co., P.L. representatives will attend the meeting to communicate to the Board certain matters related to the conduct of the audit as required by auditing standards. A brief presentation of the report, management letter and independent accountants' report will also be made by James Moore & Company.

Staff recommends the Board accept and place on file the District's Comprehensive Annual Financial Report, including a Single Audit pursuant to Chapter 10.550, Rules of the Auditor General, the Management Letter and the Independent Accountants' Report for fiscal year ended September 30, 2017.

21. Budget Transfer from Pavement Repair/Resurfacing (C164) to Fuel Island Repair/Modifications (C204)

Staff requests approval of a \$300,000 budget transfer from the Pavement Repair/Resurfacing projects to complete major construction repairs of the on-site fuel island in Brooksville. The fuel island provides unleaded gas and diesel fuel for District equipment, vehicles, and back-up emergency generators. Maintaining an on-site fueling station is a critical component of the District's emergency response program.

On August 31, 2017 the fuel island was taken out of service for normal daily use due to concrete pavement subsidence. Ground penetrating radar was conducted which showed several large voids under the pavement. When concrete pavement was removed it was discovered that the underground portion of the canopy roof drainage system was ruptured. This caused the loss of material below the pavement which led to pavement deformation and the closure of the fuel island.

During the aftermath of Hurricane Irma, the availability of fuel from commercial gas stations was severely limited for several days. The District was able to utilize its on-site fuel reserves to maintain emergency back-up power generation at all District campuses and at numerous flood-control structures. The District conducted its post-storm evaluation and reaffirmed that the availability of on-site fuel reserves remains an essential part of the District's response to the storm events. As a result, staff completed additional analysis whether the existing fuel island remained the most effective, efficient option for on-site fuel storage/use. The analysis showed repair of the existing island was more cost-effective than other alternatives.

The parking lot pavement conditions at the Tampa office will be stabilized with the remaining budget. This stabilization effort will extend the parking lot's expected lifespan for several years, and staff do not plan to re-budget repairs as part of the FY2019 budget.

Staff will transfer \$300,000 in funds to the Brooksville Fuel Island Modification Project. Major construction repairs are necessary to return the station to operating order for emergency response situations, and for the District to continue to realize bulk-rate discounts on fuel.

Staff recommends the approval of a budget transfer of \$300,000 from the Pavement Repair/Resurfacing projects in the Facilities Capital Improvements Plan. The transferred funds will be used to procure the necessary parts and services for major construction repairs to the Brooksville Fuel Island Station.

22. Legislative Update

The District is monitoring the 2018 Legislative Session for important environmental legislation and budget items, including HBs 703 and 705 and SBs 806 and 808, relating to Water Management District Surplus Lands, and Governing Board confirmations. Staff will provide a status update on legislation and confirmations at the Board meeting.

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

Submit & File Reports

23. Information Technology (IT) Continuity Tests

24. Quarterly Risk-Based Transaction Tests

Routine Reports

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

25. Treasurer's Report and Payment Register

26. Monthly Financial Statement

27. Monthly Cash Balances by Fiscal Year

28. Comprehensive Plan Amendment and Related Reviews Report

29. Development of Regional Impact Activity Report

RESOURCE MANAGEMENT COMMITTEE (TAB D)
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Discussion

30. Consent Item(s) Moved for Discussion

31. Out-of-Cycle Funding Request for the DeSoto County Spring Lake Stormwater Best Management Practice Analysis Project (Q015)

In August and early September 2016, the southwest portion of DeSoto County received approximately 22 inches of rain in less than 40 days. As a result, a culvert under Cedar Avenue was washed away, and roads and residential properties were flooded in the Spring Lakes subdivision. Cedar Avenue is the only access to seven homes. After the culvert washed out, access to those homes was completely cut off.

DeSoto County took action to assist the residents, make emergency repairs, and to address a more permanent solution to the Cedar Avenue culvert problem. In June 2017, the area again received a substantial amount of rain (approximately 19 inches in 30 days) and experienced additional road flooding. After evaluating the situation and discussing this with District staff, the County concluded that a watershed approach to solving the problem was necessary. As a result, they submitted the Spring Lake Stormwater BMP Analysis project in the District's Cooperative Funding Initiative (CFI)

FY2019 cycle, and staff has ranked the project as high overall. The District has a stormwater model of the Deep Creek Gully Watershed available for use in conducting the alternative analysis.

DeSoto County is requesting out-of-cycle funding to accelerate the study and subsequent construction of feasible improvements. They did not apply for CFI funding in the FY2018 cycle after the September 2016 flooding because they had anticipated the solution to be a relatively simple culvert replacement under Cedar Avenue. The need to complete the watershed study and develop more holistic solutions to the problem has added to the time that it will take to implement any major improvements. Additionally, the County plans to pursue other funding opportunities and believes that the sooner they have a project ready to go to construction, the more likely they will be eligible to receive other funding.

DeSoto County presented their out-of-cycle request at the February 14, 2018, Southern Region CFI Public Meeting and at the February 27, 2018, Governing Board meeting. The Board requested that this item be added to the March 2018 Governing Board meeting agenda for consideration.

The project benefit is the completion of a feasibility study identifying solutions to reduce flooding of roads and residential properties located along the open channel conveyance system between Kings Highway and the Peace River in the Deep Creek Gully Watershed. Approval of the out-of-cycle request would allow this work to be accelerated and start prior to FY2019 (October 2018).

Total cost for the alternative analysis is \$132,000, of which \$99,000 (75 percent) would be District funding and \$33,000 would be DeSoto County funds. DeSoto County is a REDI community.

Staff's recommendation is to not approve the out-of-cycle funding request from DeSoto County. The circumstances surrounding the project and the problems facing the community are similar to those faced by many other communities that have previously requested out-of-cycle funding. If the Board approves the project for FY2019 funding, staff will work with DeSoto County to have a cooperative funding agreement ready for execution on October 1, 2018.

32. Budget Transfer for Hurricane Irma Storm Debris Management on the Peace Creek Canal

On September 10, 2017, Hurricane Irma impacted the area with heavy winds and rainfall, resulting in downed trees and conveyance blockages on canal and riverine systems within the District including the Peace Creek Canal, Withlacoochee River, Upper Peace River, and Flint Creek. As a part of Hurricane Irma recovery efforts, the District has completed debris management assessments on these waterways in coordination with the Florida Department of Environmental Protection (FDEP) and the United States Department of Agriculture - Natural Resource Conservation Service (NRCS). Each of these four systems has some level of debris management that should occur to improve conveyance of flood waters.

The FDEP has taken on the responsibility of debris management on the Upper Peace River using co-funding from the Federal Emergency Management Agency (FEMA) that has been appropriated to the State. The FDEP began debris removal on this system earlier this month. The FDEP will also perform debris management on the Withlacoochee River and is currently waiting on federal funding appropriations to the NRCS - Emergency Watershed Program (EWP) to begin work. Both these systems are sovereign state waters.

The District has met with Hillsborough County regarding Flint Creek. Hillsborough County has indicated they will not perform debris management activities on Flint Creek at this time. The County plans to focus on clearing smaller, local conveyance systems where they have owner authorization agreements that allow access. Because Flint Creek is primarily impacted due to sediment build-up, the District plans to continue to work with the County on a potential Cooperative Funding Initiative (CFI) project to remove sediment for long-term conveyance improvement.

In 2010, the District took over maintenance responsibilities of the Peace Creek Canal. The District is prepared to move forward with debris management for this system and has applied for funding assistance for debris removal to the NRCS - EWP. If the application is approved, NRCS will reimburse up to 90% of construction costs associated with debris removal.

The benefit of debris removal will be to improve conveyance of water in these waterways to reduce future potential flooding impacts. The proposed debris removal costs based upon a draft NRCS Damage Survey Reports (DSR) for the Peace Creek Canal is \$709,550. Additional funds, in the amount of \$93,216 are requested to assist in obtaining license agreements and conducting contractor oversight tasks. Therefore, staff is requesting total funding of \$802,766 for the Peace Creek Canal debris management project (B077). Funds are available from a canceled CFI project with Hillsborough County - Sun City Golf Course Reclaimed Water project (N804).

Staff will continue to pursue license agreements for debris management on the Peace Creek Canal. Staff will also move forward on securing a contractor for debris management work and a consultant for contractor oversight and license agreement assistance, but will not commence work until resolution of the NRCS-EWP funding application occurs. If the NRCS approves funding, staff recommends moving forward with the Peace Creek Canal debris management work. If the NRCS has not approved funding by the May 2018 Governing Board meeting, staff will return to the Governing Board with an update and recommendation to either continue to wait for federal funding assistance or move forward with Peace Creek Canal debris management independently.

Staff will also continue to monitor the decisions FDEP will make regarding debris management on the Withlacoochee River and return to the Governing Board at a future date to provide an update.

Staff recommends the Board:

- 1) Approve the request to proceed with the Peace Creek Canal Debris Management project (B077).
- 2) Authorize the transfer of \$802,766 from a canceled CFI project with Hillsborough County - Sun City Golf Course Reclaimed Water project (N804) to the Peace Creek Canal Debris Management project (B077).
- 3) Authorize the Assistant Executive Director, or authorized designee, to sign the revenue contract with the NRCS and the associated consultant task work assignments and construction contract(s).

Submit & File Reports - None

Routine Reports

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

33. Minimum Flows and Levels Status Report

34. Significant Water Resource and Development Projects

OPERATIONS, LANDS & RESOURCE MONITORING COMMITTEE (TAB E)

Discussion

35. Consent Item(s) Moved for Discussion

36. Hydrologic Conditions Report

This report provides information on the general state of the District's hydrologic conditions, by comparing rainfall, surface water, and groundwater levels for the current month to comparable data from the historical record.

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

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

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

37. **Surplus Lands**38. **Structure Operations**39. **Significant Activities****REGULATION COMMITTEE (TAB F)****Discussion**40. **Consent Item(s) Moved for Discussion**41. **Denials Referred to the Governing Board**

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

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

42. **Consider Water Shortage Order(s) as Necessary**

Staff continues to monitor water resource and supply conditions to determine if any actions would be prudent. Since Board-issued water shortage orders must be discussed in a noticed public meeting prior to implementation, this agenda item is included as a contingency provision. It allows the Governing Board to immediately consider any action that staff may recommend based on regional data to be reviewed on March 19, 2018.

Staff recommendations, if any, will be presented at the Governing Board meeting based on then-current conditions and predictions.

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

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

43. **Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program Update**44. **Overpumpage Report**45. **Individual Permits Issued by District Staff**

GENERAL COUNSEL'S REPORT (TAB G)

Discussion

46. Consent Item(s) Moved for Discussion

Submit & File Reports – None

Routine Reports

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

47. March 2018 – Litigation Report

48. March 2018 – Rulemaking Update

COMMITTEE/LIAISON REPORTS (TAB H)

49. Agricultural and Green Industry Advisory Committee

50. Committee/Liaison Reports

EXECUTIVE DIRECTOR'S REPORT (TAB I)

51. Executive Director's Report

CHAIR'S REPORT (TAB J)

52. Chair's Report

53. Other

54. Employee Milestones

★ ★ ★ **RECESS PUBLIC HEARING** ★ ★ ★

ANNOUNCEMENTS

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

- Governing Board Meetings Schedule

Meeting – Haines City, Lake Eva	April 24, 2018
Meeting – Brooksville	May 22, 2018
Meeting – Brooksville	June 26, 2018
Meeting – Clearwater, Tampa Bay Water	July 24, 2018
- Governing Board Public Budget Hearings Schedule:

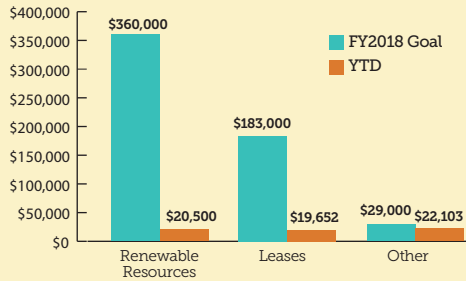
Tentative Budget – Tampa	September 11, 2018
Final Budget – Tampa	September 25, 2018
- Advisory Committee Meeting Schedule:

Environmental – Tampa	April 10, 2018
Well Drillers – Tampa	April 11, 2018
Industrial – Tampa	May 15, 2018
Public Supply – Tampa	May 15, 2018

ADJOURNMENT

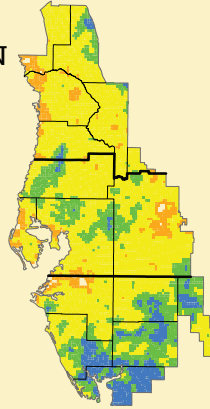
OPERATIONS, LANDS AND RESOURCE MONITORING

FY2018 Land-Based Revenue

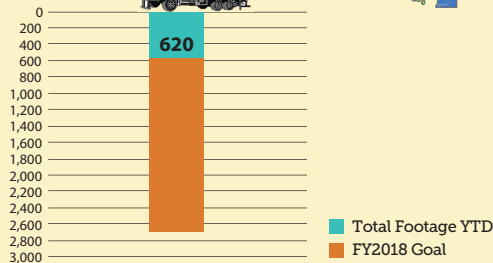


RAINFALL DISTRIBUTION Mar 2017 – Feb 2018

Very dry
Drier than normal
Normal
Wetter than normal
Very wet



CORE DRILLING



SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

Monthly Dashboard February 2018

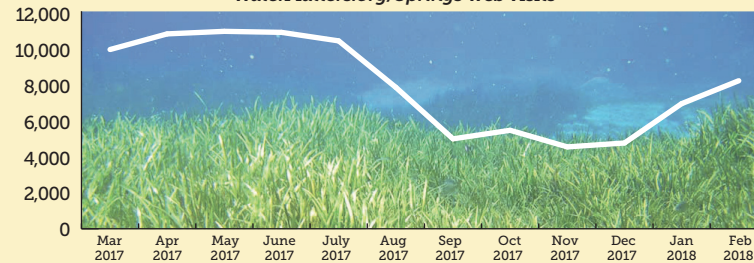


\$363.4 million
(current budget)

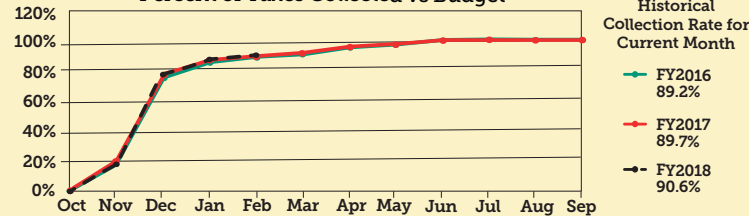
Days Without an At-Fault Accident 292
Days Without a Lost-Time Injury 457

EXTERNAL & EMPLOYEE RELATIONS

WaterMatters.org/Springs web visits



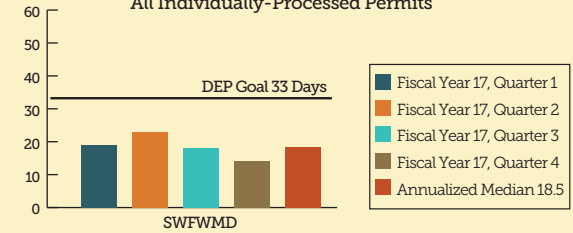
Percent of Taxes Collected vs Budget



REGULATION

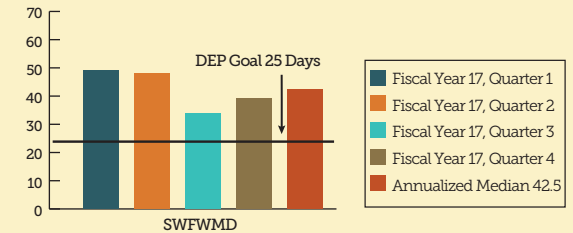
Consumptive Use Permitting

*Active Staff Processing Time,
All Individually-Processed Permits



Environmental Resource Permitting

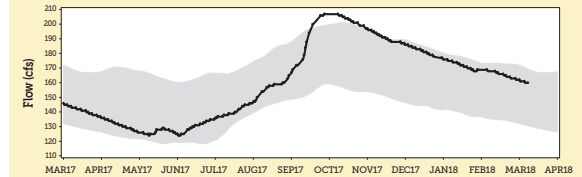
*Active Staff Processing Time, All Individually-Processed Permits



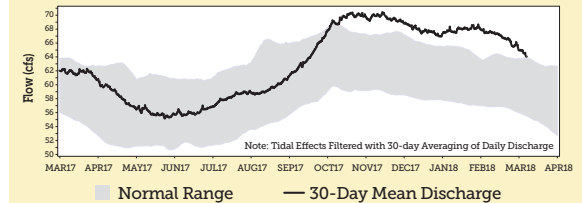
*Excludes time awaiting response from applicant, legal challenges, etc.

RESOURCE MANAGEMENT

Weeki Wachee River near Brooksville 02310525



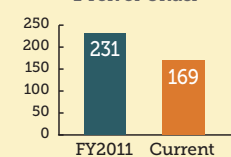
Chassahowitzka River near Homosassa 02310650



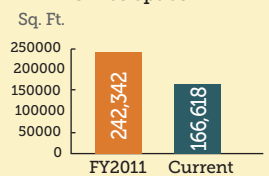
cfs – cubic feet per second
Data provided by the US Geological Survey in Cooperation with the SWFWMD

MANAGEMENT SERVICES

Fleet
1 Ton or Under

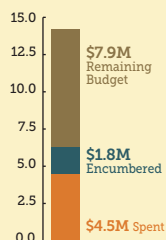


Office Space

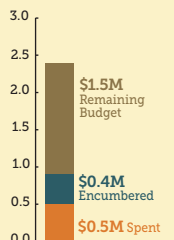


FINANCIAL SUMMARY

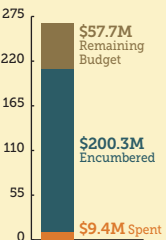
Regulation
Budget \$14.2M



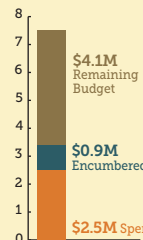
General Counsel
Budget \$2.4M



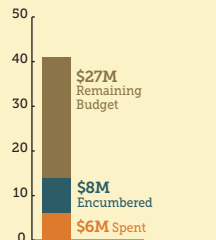
Resource Management
Budget \$267.4M



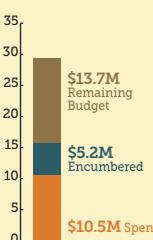
Emp. & Ext. Relations
Budget \$7.5M



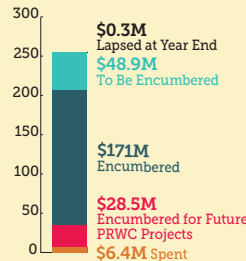
Operations, Lands & Resource Monitoring
Budget \$41.0M



Management Services
Budget \$29.4M



Total Number of Projects: 364
Resource Management Project Budget: \$255.1M



Governing Board Meeting

March 27, 2018

9:00 a.m.

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

PUBLIC HEARING AND MEETING

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

Governing Board Meeting March 27, 2018

1. **Call to Order**

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

2. **Invocation and Pledge of Allegiance**

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

3. **Employee Recognition**

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

- 30 years – Raymond Garcia, Senior Heavy Equipment Operator
- 30 years – Sal DeStefano, Senior Electrical-Controls Technician

Presenter: Randall S. Maggard, Chair

4. **Additions/Deletions to Agenda**

According to Section 120.525(2), Florida Statutes, additions to the published agenda will only be made for "good cause" as determined by the "person designated to preside." Based upon that authority, the Chair has determined that good cause exists to make certain changes to the agenda. These changes are being made in order to permit the Governing Board to efficiently accomplish necessary public business at this meeting and to reflect the items on the agenda that have been requested or suggested to be deleted, revised, supplemented or postponed.

ADDITIONS: The items that have been added to the agenda were received by the District after publication of the regular agenda. The Board was provided with the information filed and the District staff's analyses of these matters. Staff has determined that action must be taken on these items prior to the next Board meeting. Therefore, it is the District staff's recommendation that good cause has been demonstrated and should be considered during the Governing Board's meeting.

Staff Recommendation:

Approve the recommended additions and deletions to the published agenda if necessary.

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

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

At this time, the Board will hear public input for issues not listed on the published agenda.

Presenter: Randall S. Maggard, Chair

Governing Board Meeting

March 27, 2018

CONSENT AGENDA

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

Finance/Outreach & Planning Committee

6. Budget Transfer Report 6

Resource Management Committee

7. Initiation and Approval of Rulemaking to Amend Rule 40D-8.041, Florida Administrative Code, to Adopt Minimum Flows for the Pithlachascotee River and Accept Reports..... 8
8. City of Tampa Dale Mabry/Henderson Trunkline – Upper Peninsula Watershed Drainage Improvements (N748).....15
9. FARMS – Council Growers, Inc. – H764, Hillsborough County18

Operations, Lands and Resource Monitoring Committee

10. Approval of Resolution Requesting Disbursement of Funds from the Land Acquisition Trust Fund for Land Management21
11. Amend Conservation Easement Access – Suggs Settlement Property, Gum Slough Project, SWF Parcel No. 19-193-113C25
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FINANCE/OUTREACH & PLANNING COMMITTEE

March 27, 2018

Consent Agenda

Budget Transfer Report

Purpose

Request approval of the Budget Transfer Report covering all budget transfers made during the month of February 2018.

Background

In accordance with Board Policy No. 130-8, Budget Authority Transfer of Funds, all transfers approved by the Executive Director and Finance Bureau Chief under delegated authority are regularly presented to the Finance/Outreach & Planning Committee for approval on the Consent Agenda at the next scheduled meeting. The exhibit for this item reflects all such transfers executed since the date of the last report for the Committee's approval.

Staff Recommendation:

Request approval of the Budget Transfer Report covering all budget transfers for February 2018.

Presenter: Melisa J. Lowe, Bureau Chief, Finance

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Budget Transfer Report
February 2018

--- TRANSFERRED FROM ---		--- TRANSFERRED TO ---		
Item No.	Bureau / Expenditure Category	Bureau / Expenditure Category	Reason For Transfer	Transfer Amount
<u>Executive Approved</u>				
1	Regulatory Support SIP Student Salaries and Wages FICA	Environmental Resource Permit SIP Student Salaries and Wages FICA	Transfer of budgeted funds for the move of a Student Intern Position from Regulatory Support Bureau to Environmental Resource Permit Bureau to align the position with its new responsibilities.	\$ 18,389.00
Total Executive Approved				\$ 18,389.00
<u>Finance Bureau Chief Approved</u>				
1	Government and Community Affairs Salaries & Benefits	Communications and Board Services Salaries & Benefits	Transfer of budgeted funds for the move of a vacant Government and Community Affairs Office position to Communications and Board Services Bureau to fulfill the need of a communications professional focused on water conservation. The professional will assist with the Water Conservation Initiative and assist various stakeholders, including public utilities, in promoting conservation.	\$ 54,377.00
2	Ombudsman Salaries & Benefits	Environmental Resource Permit Salaries & Benefits	Transfer of budgeted funds for the move of a vacant Utility Services Program Manager from the Ombudsman Office to Environmental Resource Permit Bureau. Utility Services Program Manager responsibilities have been absorbed by the Water Supply section, allowing for this transfer based on a need identified for an engineer to design stormwater management systems, and conduct complex geographic information systems (GIS) work and hydrologic/hydraulic modeling.	121,157.00
Total Finance Bureau Chief Approved				\$ 175,534.00
Total Transfers for Governing Board Ratification				\$ 193,923.00

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

RESOURCE MANAGEMENT COMMITTEE**March 27, 2018*****Consent Agenda*****Initiation and Approval of Rulemaking to Amend Rule 40D-8.041, Florida Administrative Code, to Adopt Minimum Flows for the Pithlachascotee River and Accept Reports*****Purpose***

To request the Board initiate and approve rulemaking to amend Rule 40D-8.041, Florida Administrative Code, to adopt minimum flows for the Pithlachascotee River, and accept the report entitled, "Recommended Minimum Flows for the Pithlachascotee River", dated March 2018, which includes a peer review panel report and staff response to the peer review report.

Background/History

In August 2014, District staff presented a draft report to the Board that summarized proposed minimum flows for the Pithlachascotee River, and indicated the report would be reviewed by an independent, scientific peer-review panel. Prior to initiation of the peer review, staff received comments on the proposed minimum flows from Tampa Bay Water, the Department of Environmental Protection, and the Fish and Wildlife Conservation Commission. Based on this input, and following a series of meetings with Tampa Bay Water to discuss key technical issues, staff presented a revised report to the Board in August 2016.

The revised report was subjected to an independent, scientific peer review in October and November 2016. The review was conducted by a panel of three independent scientists with extensive experience in hydrogeology, hydrology and aquatic ecology. The panel was charged with reviewing the validity of the technical approach used by the District to determine if the proposed minimum flows are supported by data, procedures, and analyses used for their development. All panel meetings, as well as a publicly-accessible internet-based forum set up by the District for panel communication and stakeholder input, were advertised in the Florida Administrative Register in accordance with Section 286.011, Florida Statutes, Florida's Government-in-the-Sunshine Law.

In their review findings report, the peer review panel indicates the District's minimum flow recommendations are based on the best available data. Further, they indicate the panel agrees with the basic assumptions, methods, analyses, and conclusions presented in the minimum flows report. The panel did, however, identify concern with the effects of uncertainty associated with some of the data and analyses used to develop the minimum flow recommendations. The panel also recommended implementation of an adaptive management plan to enhance future management of the river, and suggestions for presentation of relevant information to improve report clarity.

Staff considered and responded to all panel comments resulting in revisions to the minimum flows report. In January 2018, staff responses to the peer review panel's report and a revised minimum flows report were provided to each peer review panel member separately for their assessment of the adequacy of the staff responses and report revisions. As part of this peer review follow-up work, each panelist submitted a memo-report indicating that staff had adequately addressed the panel's concerns and the revised minimum flows report was substantially improved.. All peer review and staff response documents have been included in the minimum flows report appendices.

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During January through March 2018, staff continued meeting and corresponding with Tampa Bay Water staff and hosted a public workshop to discuss and seek input on the recommended minimum flows. No specific comments on the proposed minimum flows were offered during the public workshop, which was held on February 15, 2018 in New Port Richey. Additional input provided by Tampa Bay Water was reviewed and as appropriate, used to revise the minimum flows report. All stakeholder input received to-date and associated staff responses have been included in the minimum flows report appendices. Any additional stakeholder input received subsequent to development of the minimum flows report will be provided to the Board prior to or during the Board's March 27, 2018 meeting.

Staff is recommending separate minimum flows for the upper, freshwater and lower, estuarine segments of the Pithlachascotee River. For minimum flows purposes, the upper river originates at the outlet of Crews Lake in Pasco County, and extends downstream to the bridge across the river at Rowan Road; the lower river extends from the Rowan Road bridge downstream to the Gulf of Mexico.

The recommended minimum flows were developed using standard techniques applied to riverine systems. Similarly, specific flow thresholds, including Minimum Low Flow Thresholds and a Minimum High Flow Threshold were identified for resource protection. Resources evaluated for minimum flows development for the freshwater river segment included water levels for fish passage, wetted perimeter lengths on the river bottom, instream habitats for fish and invertebrates, and floodplain inundation. For the estuarine portion of the river, resource evaluations focused on changes in salinity distributions, which exert a strong effect on the plant and animal communities of the water column, sediments and shoreline.

Recommended minimum flows for the upper segment of the river allow for withdrawal-related reductions of up to 18 percent of the daily flow (i.e., the preceding day's flow adjusted for withdrawal impacts) in the spring dry season (Block 1), up to 17 percent of the daily flow in the fall to winter moderate flow season (Block 2), and up to 16 percent of flow in the summer wet season (Block 3). However, to maintain sufficient inundation of the floodplain of the upper river when daily flows in Block 3 are greater than a Minimum High Flow Threshold of 50 cubic feet per second (cfs), the allowable reduction is limited to 9 percent of the daily flow. A Minimum Low Flow threshold of 11 cfs that is applicable to surface water withdrawals during all seasonal blocks is also recommended for the upper river. Minimum flows for the lower segment of the river allow for withdrawal-related reductions of up to 25 percent of the preceding four-day average of withdrawal-adjusted flows throughout the year when four-day average flows range up to a Minimum High Flow Threshold of 60 cfs. Flow reductions in the lower river of up to 35 percent of the preceding four-day average of withdrawal-adjusted flows would be allowed when the four-day average flows exceed the Minimum High Flow Threshold of 60 cfs. The recommended minimum flows for the upper and lower river segments are protective of all relevant environmental values identified in the State Water Resource Implementation Rule for consideration when establishing minimum flows and levels.

Streamflow trend analyses and simulations using the Integrated Northern Tampa Bay (INTB) Model indicate that flows in the Pithlachascotee have been reduced by groundwater withdrawals.

Impacts have, however, been reduced in recent years as a result of cutbacks in groundwater withdrawals from area wellfields operated by Tampa Bay Water. To further assess the status of the river, District staff evaluated: the range of flow impacts predicted for the simulated wellfield withdrawals; uncertainty in numeric modeling associated with possible rainfall variation, the spatial distribution of wellfield withdrawals, and intrinsic model error; the usefulness of mean and median flow statistics for assessing flows; trends in observed flows in the river and rainfall within Pasco County; status assessments for area water bodies with established minimum flows and levels; results from a wetland recovery assessment recently completed for Starkey Wellfield; and also considered potential effects of various sea level rise scenarios on salinity-based habitats in the lower river to help determine the potential need for reevaluation of the recommended minimum flows. Based on the status assessment, staff concluded that the recommended minimum flows for the upper and lower segments of the Pithlachascotee River are currently being met and are expected to be met during the coming 20-year planning period. The need for development of additional recovery or prevention strategies is, therefore, currently not necessary. Current and projected flows in the river are, however, near the minima associated with the proposed minimum flows for the upper river.

The District is committed to periodic reevaluation and if necessary, revision of minimum flows for this priority water body. In support of this commitment, the District will continue to monitor and assess flows in the Pithlachascotee River and continue to work on refinement of tools such as the INTB Model that were used for minimum flow development and assessment. Minimum flow status assessments will be completed on an annual basis by the District, on a five-year basis as part of the regional water supply planning process, and on an as-needed basis in association with permit and project activities.

The report entitled, "Recommended Minimum Flows for the Pithlachascotee River", dated March 2018, which includes a peer review panel report and staff response to the peer review report is provided to the Board under a separate cover. Proposed rule language for establishment of minimum flows for the river is included as Exhibit "A."

Benefits/Costs

Adoption of minimum flows for the Pithlachascotee River will support the District's water supply planning, water use permitting, and environmental resource permitting programs. A Statement of Estimated Regulatory Costs is not required for the Pithlachascotee River minimum flows as this rulemaking is not expected to result in any direct or indirect cost increases for small businesses or increased regulatory costs in excess of \$200,000 within one year of implementation.

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

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Staff Recommendation:

- (1) Accept the report entitled, "Recommended Minimum Flows for the Pithlachascotee River", dated March 2018;
- (2) Initiate rulemaking and approve adoption of amendments to Rule 40D-8.041, Florida Administrative Code, to establish minimum flows for the Pithlachascotee River; and
- (3) Authorize staff to make any necessary clarifying or minor technical changes that may result from the rulemaking process.

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

EXHIBIT A **Amendments to RULE 40D-8.041, F.A.C.** **Pithlachascotee River Minimum Flows**

40D8.041 Minimum Flows

(1) – (20) No change.

(21) Minimum Flows for the Lower Pithlachascotee River.

(a) For purposes of this rule, the Lower Pithlachascotee River in Pasco County, FL includes the watercourse from the bridge across the river at Rowan Road (Pasco County Road 77) to the Gulf of Mexico, and tributaries to the watercourse segment.

(b) Minimum Flows for the Lower Pithlachascotee River are based on the adjusted flow at the U.S. Geological Survey Pithlachascotee River near New Port Richey, FL Gage (“Gage No. 02310300”) and are set forth in Table 8-25. Adjusted flow is defined as flow that would exist in the absence of withdrawal impacts. There are two flow-based Minimum Flows that were developed using average four-day flows at Gage No. 02310300 adjusted for withdrawals, with a long-term average of 27 cubic feet per second (“cfs”) for the period of record from June 22, 1989 through December 31, 2000. The total reduction in flow from the adjusted flow shall not exceed twenty-five percent of the previous four day’s average adjusted flow when the previous four-day’s adjusted flow is less than or equal to a Minimum High Flow Threshold of 60 cfs at Gage No. 02310300, and shall not exceed thirty-five percent of the previous four day’s average adjusted flow when the previous four-day’s adjusted flow exceeds a Minimum High Flow Threshold of 60 cfs at Gage No. 02310300.

Table 8-25 Minimum Flows for the Lower Pithlachascotee River at the U.S. Geological Survey Pithlachascotee River near New Port Richey, FL gage (No. 02310300)			
Period	Effective Dates	Where the Adjusted Average Flow for the Preceding Four Days Equals:	Minimum Flow Is:
Annually	January 1 to December 31	≤60 cfs	Previous four day’s average adjusted flow minus 25%
Annually	January 1 to December 31	>60 cfs	Previous four day’s average adjusted flow minus 35%

(c) Status assessments of the Minimum Flows for the Lower Pithlachascotee River will be completed to determine whether the long-term, four-day average flow is below or projected to fall below the criterion adopted in this rule. Each status assessment is independent from and not a determination of water use permit compliance or environmental resource permit compliance. Permit compliance is a regulatory function that is not within the scope of this rule subsection. As part of each status assessment, the District will use the following approach:

1. The District will evaluate flows in the Lower Pithlachascotee River annually to: determine the extent to which the long-term average of four-day average flows in the Lower Pithlachascotee River has been reduced due to withdrawals for the period of record from June 22, 1989 to the date of each status assessment at Gage No. 02310300.

2. The District will also evaluate flows in the Lower Pithlachascotee River every five years as part of the regional water supply planning process.

3. If the Minimum Flows are being met based on the long-term average of the four-day average flows at Gage No. 02310300, then no further actions are required beyond continued monitoring.

4. If the long-term average of the four-day average flows at Gage No. 02310300 is below the Minimum Flows, or if the long-term average of the four-day average flows is projected to fall below the Minimum Flows within 20 years based on the evaluation performed as part of the regional water supply planning process, the District will conduct a causation analysis to evaluate the potential causes of impacts to flow in the Lower Pithlachascotee River.

5. Based on the causation analysis, the District will re-evaluate the Minimum Flows for the Lower Pithlachascotee River, or adopt a recovery or prevention strategy consistent with the provisions of Section 373.0421(2), F.S.

(22) Minimum Flows for the Upper Pithlachascotee River.

(a) For purposes of this rule, the Upper Pithlachascotee River in Pasco County, FL includes the watercourse from the outlet of Crews Lake to the bridge across the river at Rowan Road (Pasco County Road 77), and tributaries to the watercourse segment.

(b) Minimum Flows for the Upper Pithlachascotee River are based on the adjusted flow at the U.S. Geological Survey Pithlachascotee River near New Port Richey, FL Gage (“Gage No. 02310300”) and are set forth in Table 8-26. Adjusted flow is defined as flow that would exist in the absence of withdrawal impacts. There are three seasonally dependent, i.e., block-specific, Minimum Flows that were developed based on daily average flows at Gage No. 02310300 adjusted for withdrawals, with a long-term average of 27 cubic feet per second (“cfs”) for the period of record from June 19, 1989 through December 31, 2000. In addition, the Minimum Flows are flow-based. The Minimum Low Flow Threshold is applied continuously regardless of season. No surface water withdrawal will be permitted that would cumulatively cause the adjusted flow to be reduced below the Minimum Low Flow Threshold of 11 cfs. Additionally, permitted surface withdrawals shall cease when flows are below the Minimum Low Flow Threshold of 11 cfs. In addition, the total reduction in flow from the adjusted flow on any given day from June 24 through October 16 shall not exceed sixteen percent of the previous day’s adjusted flow when the adjusted flow is less than a Minimum High Flow Threshold of 50 cfs at Gage No. 023103300 and shall not exceed nine percent of the previous day’s adjusted flow when the adjusted flow equals or exceeds a Minimum High Flow Threshold of 50 cfs at Gage No. 02310300.

Table 8-26 Minimum Flows for the Upper Pithlachascotee River at the U.S. Geological Survey Pithlachascotee River near New Port Richey, FL Gage (No. 02310300)			
Period	Effective Dates	Where the Adjusted Flow on the Previous Day Equals:	Minimum Flow Is:
Annually	January 1 to December 31	≤ 11 cfs > 11 cfs and < 50 cfs ≥ 50 cfs	Actual flow Seasonally dependent – see Blocks below Seasonally dependent – see Blocks below
Block 1	April 25 through June 23	≤ 11 cfs > 11 cfs	Actual flow Previous day’s adjusted flow minus 18% but not less than 11 cfs
Block 2	October 17 through April 24	≤ 11 cfs > 11 cfs	Actual flow Previous day’s adjusted flow minus 17% but not less than 11 cfs
Block 3	June 24 through October 16	≤ 11 cfs > 11 cfs and < 50 cfs ≥ 50 cfs	Actual flow Previous day’s adjusted flow minus 16% but not less than 11 cfs Previous day’s adjusted flow minus 9% but not less than 11 cfs

(c) Status assessments of the Minimum Flows for the Upper Pithlachascotee River will be completed to determine whether the long-term, daily average flow and the daily average flows are below or projected to fall below the criteria adopted in this rule. Each status assessment is independent from and not a determination of water use permit compliance or environmental resource permit compliance. Permit compliance is a regulatory function that is not within the scope of this rule. As part of each status assessment, the District will use the following approach:

1. The District will evaluate flows in the Upper Pithlachascotee River annually to: determine the extent to which the long-term average of the daily average flows of the Upper Pithlachascotee River has been reduced due to withdrawals for the period of record from June 19, 1989 to the date of each status assessment at Gage No. 02310300; and to determine whether daily average flows at Gage No. 02310300 have been reduced below 11 cfs due to surface water withdrawals.

2. The District will also evaluate flows in the Upper Pithlachascotee River every five years as part of the regional water supply planning process.

3. If the Minimum Flows are being met based on the long-term average of the daily average flows at Gage No. 02310300, and based on the determination that surface water withdrawals have not reduced daily average flows at Gage No. 0230300 below 11 cfs, then no further actions are required beyond continued monitoring.

4. If the long-term daily average flow at Gage No. 02310300 is below the Minimum Flows or if the long-term daily average flow is projected to fall below the Minimum Flows within 20 years based on the evaluation performed as part of the regional water supply planning process, the District will conduct a causation analysis to evaluate the potential causes of impacts to flow in the Upper Pithlachascotee River.

5. Based on the causation analysis or the determination that surface water withdrawals have reduced daily average flows at Gage No. 02310300 below 11 cfs, the District will re-evaluate the Minimum Flows for the Upper Pithlachascotee River, or adopt a recovery or prevention strategy consistent with the provisions of Section 373.0421(2), F.S.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421 FS. History—New 10-5-74, Amended 12-31-74, Formerly 16J-0.15, 40D-1.601, Amended 10-1-84, 8-7-00, 2-6-06, 4-6-06, 1-1-07, 11-25-07, 2-18-08, 3-2-08, 5-12-08, 5-10-09, 3-23-10, 3-28-10, 7-12-10, 8-2-10 (8), 8-2-10 (15), 10-16-12, 3-20-13(16), 3-20-13(17), 6-20-16, 3-15-18, —.

RESOURCE MANAGEMENT COMMITTEE

March 27, 2018

Consent Agenda

City of Tampa Dale Mabry/Henderson Trunkline – Upper Peninsula Watershed Drainage Improvements (N748)

Purpose

The purpose of this item is to present the results of the third-party review (TPR) for the City of Tampa (City) Dale Mabry/Henderson Trunkline Project and to request Governing Board approval to amend the cooperative funding agreement and move forward with final design, permitting, and construction for the project.

Background/History

The Dale Mabry/Henderson Project is a stormwater improvement, flood protection project that is located along South Dale Mabry Highway near Henderson Boulevard, Watrous Avenue and Neptune Street in the City of Tampa. The project consists of design, permitting and construction of approximately 8,100 linear feet of box culvert and associated stormwater system upgrades on a design-build track. Construction of this high capacity box culvert provides a primary conveyance system to relieve chronic flooding along Dale Mabry Highway, which serves as the main evacuation route for South Tampa. An alternative analysis was completed in 2012 and identified this project as the preferred alternative. The project will reduce street and structural flooding for the 2.33-year, 24-hour storm event.

The Governing Board initially approved funding for this multi-year project for 30 percent design and TPR in the FY2016 Cooperative Funding Initiative (CFI) process. A Cooperative Funding Agreement was executed with the City for 30 percent design and TPR in the amount of \$1,000,000. Governing Board authorization is required to fund the project beyond the 30 percent design and TPR. The original conceptual project cost for design, permitting and construction was estimated at \$40,000,000.

District TPRs are typically conducted at the 30 percent design level. However, the City and their design/build contractor completed design work through the 50 percent level. Based on the 50 percent design, the design/build contractor has provided the City with a construction cost estimate of \$32,420,318.24 for the project. The design/build contractor is preparing a Guaranteed Maximum Price (GMP) for the project construction and is expected to provide the GMP to the City before the end of March. The City agrees that, if the GMP is higher than the \$32,420,318.24 construction cost estimate, they will fund all the additional costs.

The District and the District's TPR consultant completed their review of the 50 percent design and the February 15, 2018, construction cost estimate. The TPR report concluded that, if executed properly, the project will achieve the benefits as set forth in the Cooperative Funding Initiative and that flooding during the Mean Annual (2.33-Year Storm) and subsequent larger events will be reduced. It further concluded that the project appears to be constructible with no "fatal flaws". The report noted that the shallow depth to groundwater would present a challenge and significant dewatering efforts will be necessary to comply with the recommendations in the project Geotechnical Engineering Report. The TPR team also concluded that the construction cost estimate appeared reasonable and appropriate for the proposed project. Based on the 50 percent design, the construction cost estimate of \$32,420,318.24, and the TPR review, together with the City's project design contract of \$4,076,468, the City is proposing a total project cost of \$36,500,000 for design, permitting, and construction. This is a decrease of \$3,500,000 or

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approximately 8.75 percent when compared to the original conceptual estimate. The City is requesting approval of the new project costs with a 50/50 cost share with the District.

The project was reevaluated to reflect the reduced project cost, and a copy of the reevaluation is provided in the attached Exhibit. The project benefit ranking of high remains the same while the cost effectiveness increased from medium to high due to the lower project cost. Strategic goal ranking remains a medium, and the overall project ranking is high.

The District's existing cooperative funding agreement with the City covers only design and TPR services. Governing Board approval is required to modify the agreement costs, schedule, and scope of work to finish design, permitting, and construction. With Governing Board authorization, the City will be eligible for reimbursement of expenses for design beyond the 30 percent level, permitting, and construction. The City's schedule for the project is to start construction in April 2018. It is anticipated that the project will have a 30-month construction period.

Benefits/Costs

The project will reduce the existing flooding problem during the 2.33-year, 24-hour storm event. The measurable benefit of the project will be completion of design, permitting and construction of the drainage conveyance system BMPs to reduce flooding in approximately 533 acres of a highly urbanized basin.

Total project cost to complete design and construction is \$36,500,000, of which \$18,250,000 in District funding is recommended. Of the recommended District funding, \$500,000 was prior approved funding in FY2016, \$4,500,000 was included in the FY2017 and FY2018 budgets contingent upon the TPR and Board approval, \$5,000,000 is proposed for FY2019, and \$8,250,000 is anticipated in future funding requests.

Staff Recommendation:

Authorize continuation of the project and approve amending the cooperative funding agreement to include a total of \$36,500,000 for design, permitting, and construction of the project, with the District's share being \$18,250,000.

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

Project No. N748	SW IMP - FP - Dale Mabry Henderson Trunkline - Upper Peninsula Watershed Drainage			
City of Tampa	Improv.			FY2019
Risk Level:	Type 3		Multi-Year Contract: Yes, 4 of 6	
Description				
Description:	This project is for design, permitting and construction to improve the existing drainage system for the Dale Mabry Highway and Henderson Boulevard area in the City of Tampa to relieve commercial and street flooding. An alternative analysis was completed in 2012 and identified this project as a preferred alternative. Funding was approved in FY2016 for 30% design and third-party review. The District required a third-party review because the conceptual construction estimate is greater than \$5 million dollars. The FY2019 funding request is for construction.			
Measurable Benefit:	The contractual Measurable Benefit will be completion of design, permitting and construction of the drainage conveyance system BMP's to reduce flooding in approximately 533 acres of highly urbanized basin.			
Costs:	Total project cost \$36,500,000 (design, permitting, construction) City of Tampa share \$18,250,000 District \$18,250,000 with \$5,000,000 budgeted in previous years, \$5,000,000 requested in FY2019 and \$8,250,000 anticipated to be requested in future years			
Evaluation				
Application Quality:	High	Application included all the required information identified in the CFI Guidelines.		
Project Benefit:	High	The Resource Benefit of this project will reduce the existing flooding problem during the 2.33 year, 24-hour storm event. Structure and street flooding currently occurs in the project area and the project impacts the regional or intermediate drainage system.		
Cost Effectiveness:	High	Benefit/Cost ratio is greater than or equal to 1. Benefits include avoided damages to structures and roads.		
Past Performance:	High	Based on an assessment of the schedule and budget for the 9 ongoing projects.		
Complementary Efforts:	Medium	Cooperator's Community Rating System class is 6 and is in the 6 to 9 range.		
Project Readiness:	High	The project is ongoing and on schedule.		
Strategic Goals				
Strategic Goals:	Medium	Strategic Initiative - Floodplain Management: Develop better floodplain information and implement floodplain management programs to maintain storage and conveyance and to minimize flood damage.		
Overall Ranking and Recommendation				
Fund as High Priority.	The City has completed 50% design, and the District's third-party review has also been completed and will be presented to the Governing Board on March 27, 2018. Contractually, the City will need Governing Board approval to proceed beyond this task. Project cost has decreased from \$40,000,000 to \$36,500,000. Staff will request Governing Board approval to amend the City's Cooperative Funding Agreement to continue through project final design , permitting, and construction. Overall ranking remains High. If constructed, this project will provide flood protection for structures and streets during the 2.33 year, 24-hour storm event. Project area serves as the main evacuation route for South Tampa.			
Funding				
Funding Source	Prior	FY2019	Future	Total
District	\$5,000,000	\$5,000,000	\$8,250,000	\$18,250,000
City of Tampa	\$5,000,000	\$5,000,000	\$8,250,000	\$18,250,000
Total	\$10,000,000	\$10,000,000	\$16,500,000	\$36,500,000

RESOURCE MANAGEMENT COMMITTEE

March 27, 2018

Consent Agenda

FARMS – Council Growers, Inc. – H764, Hillsborough County

Purpose

To request approval for a Facilitating Agricultural Resource Management Systems (FARMS) project with Council Growers, Inc., and approval to reimburse FARMS eligible costs up to a not-to-exceed limit of \$576,600 (62 percent of total project costs - 100 percent of FARMS eligible costs). Of this amount, \$576,600 is requested from the Governing Board FARMS Fund. Total project costs are estimated at \$924,500.

Project Proposal

The District received a project proposal from Council Growers, Inc., for a project on their 209-acre property located three miles south of Wimauma, in southern Hillsborough County, within the Southern Water Use Caution Area (SWUCA), and the Most Impacted Area (MIA). This project will involve construction and operation of a four-acre surface water reservoir to collect tailwater and surface water from the farm property and surrounding watershed to offset Upper Floridan aquifer groundwater used in supplemental irrigation of 158 acres of turf grass sod and citrus. This project will also increase water use efficiency by automating the irrigation pump stations, and the conversion from seep to center pivot irrigation on sod production areas. The Water Use Permit (WUP) authorizes an annual groundwater withdrawal of 311,900 gallons per day (gpd). FARMS project components consist of two surface water pump stations with filtration, pump station automations, tailwater control structures, two center pivots and mainline pipe necessary to connect the surface water reservoir to the irrigation systems.

Benefits/Costs

The proposed project involves water quantity best management practices for supplemental irrigation within the MIA and qualifies for a 75 percent cost-share reimbursement rate under the FARMS Program. The project is expected to reduce withdrawals from the Upper Floridan aquifer by 46 percent of the permitted daily quantities, or approximately 142,000 gpd, yielding a daily cost of \$3.29 per thousand gallons of groundwater reduced over the proposed six-year contract term. This value is within the guidelines for the generally accepted average cost savings per thousand gallons for the implementation of alternative irrigation supplies and best management practices for sod production operations. Reimbursement will be from the Governing Board FARMS Fund. Upon approval, the Governing Board will have \$4,385,195 remaining in the FARMS Program budget.

Item 9

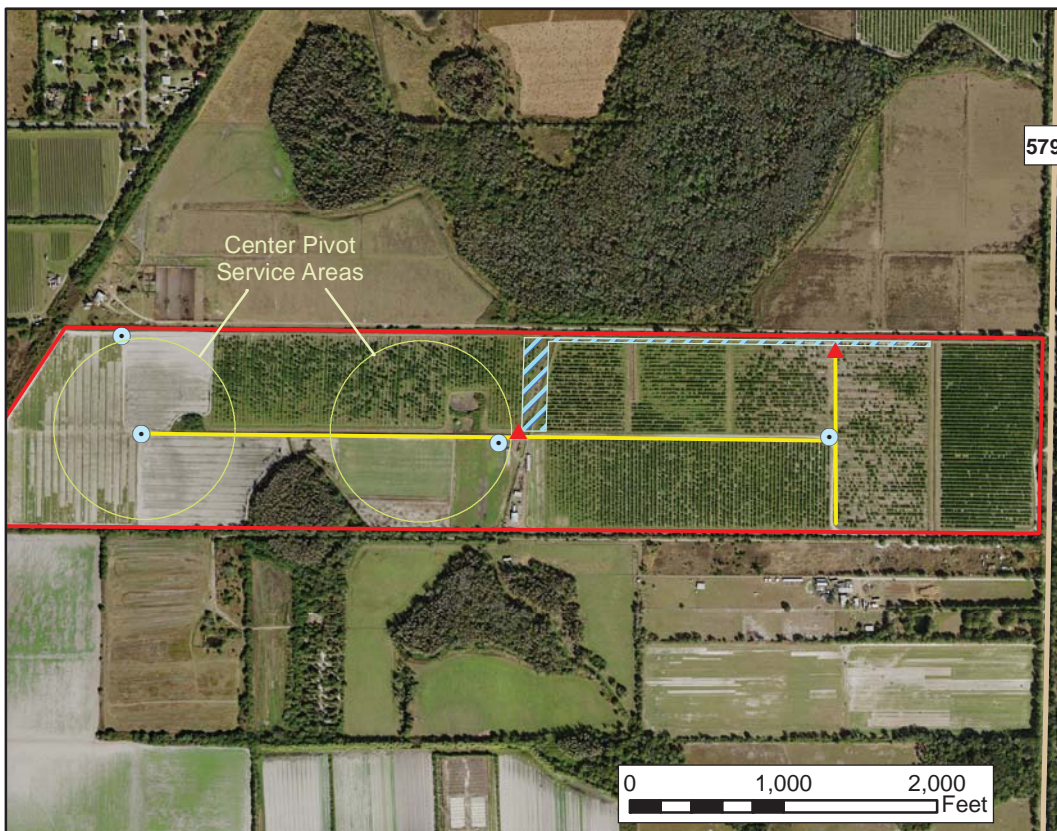
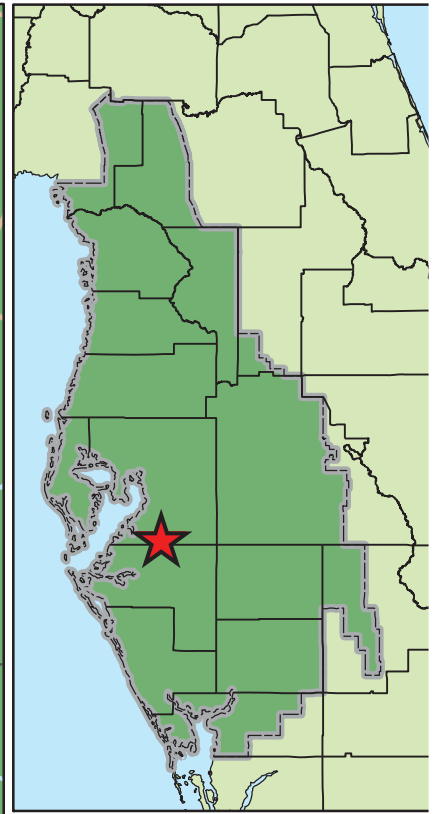
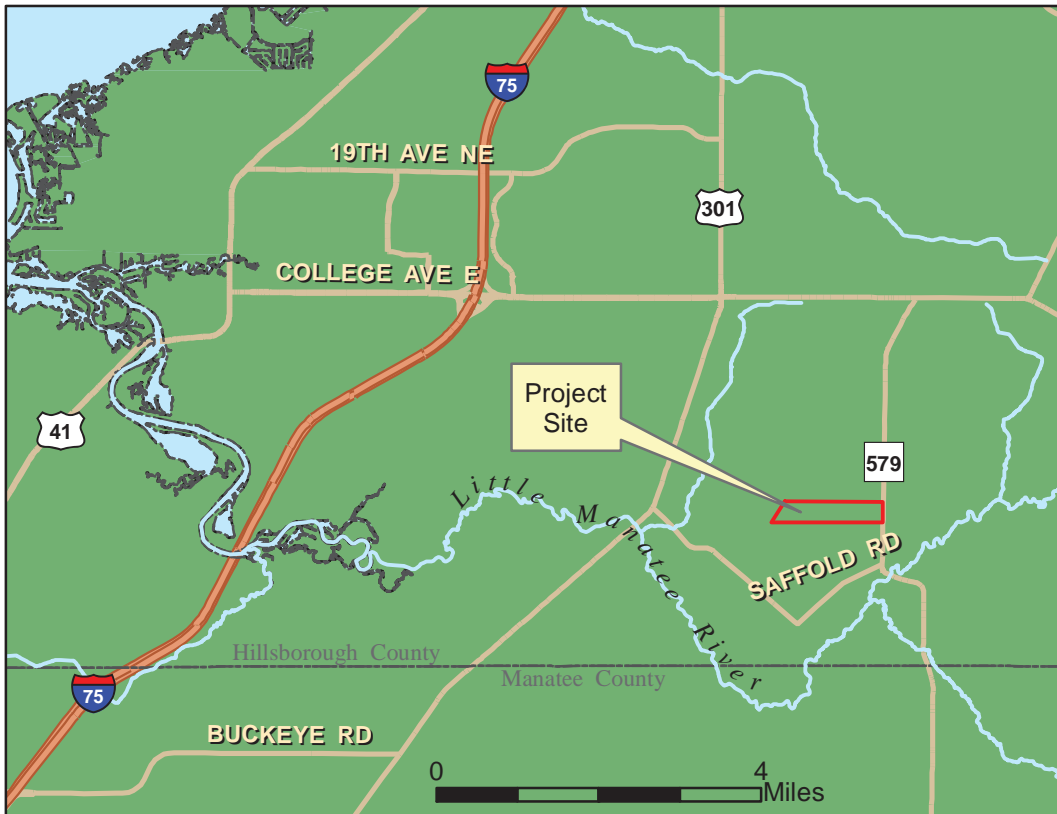
Staff Recommendation:

- 1) Approve the Council Growers, Inc. project for a not-to-exceed project reimbursement of \$576,600, with \$576,600 provided by the Governing Board;
- 2) Authorize the transfer of \$576,600 from fund 010 H017 Governing Board FARMS Fund to the H764 project fund;
- 3) Authorize the Assistant Executive Director to sign the agreement.

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

Location Map



Council Growers, Inc FARMS Project H764



Legend

- District Boundary
- Project Site & WUP 4689 Boundaries
- Proposed Surface Water Pump Station & Mainline
- Proposed Irrigation Pond
- Existing Irrigation Well

Hillsborough County

Southwest Florida
Water Management District

DLB, 2/1/18

Packet Pg. 20

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

March 27, 2018

Consent Agenda

Approval of Resolution Requesting Disbursement of Funds from the Land Acquisition Trust Fund for Land Management

Purpose

The purpose of this item is to request the Governing Board approve Resolution 18-02, Requesting Disbursement of Funds from the Land Acquisition Trust Fund for Land Management.

Background

During the 2017 legislative session, the Florida Legislature appropriated \$10,237,210 to the Land Acquisition Trust Fund for the water management districts to use for land management purposes. The Southwest Florida Water Management District's share is \$2,250,000.

In order to receive the appropriated funds, the Governing Board must adopt a resolution requesting payment of District expenditures from the Land Acquisition Trust Fund. Accordingly, a resolution has been prepared requesting the Florida Department of Environmental Protection release the appropriated funds. The exhibit to this item includes Resolution Number 18-02.

Staff Recommendation:

Approve Resolution 18-02, Requesting Disbursement of Funds from the Land Acquisition Trust Fund for Land Management.

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

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
RESOLUTION NO. 18-02**

**REQUEST TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
FOR DISBURSEMENT OF FUNDS FROM THE LAND ACQUISITION TRUST FUND
FOR LAND MANAGEMENT**

WHEREAS, pursuant to Chapter 373, Florida Statutes (F.S.), the Governing Board of the Southwest Florida Water Management District (District) has the duty and responsibility to develop plans, projects and programs for regional water supply planning, water resource development, water supply development, land acquisition, surface water improvement and management, and water restoration initiatives within its boundaries; and

WHEREAS, through Specific Appropriation 1582 under the General Appropriations Act, Chapter 2017-70, Laws of Florida, for the annual period beginning July 1, 2017 and ending June 30, 2018 (Fiscal Year 2017-2018), the Legislature specifically appropriated to the District a total of two million two hundred fifty thousand dollars (\$2,250,000) from the Land Acquisition Trust Fund of the State of Florida for land management purposes; and

WHEREAS, in its Fiscal Year 2017-2018, the District has budgeted two million two hundred fifty thousand dollars (\$2,250,000) from the Land Acquisition Trust Fund to be used for land management purposes on District conservation lands; and

WHEREAS, the District has remaining unspent funds from its Fiscal Year 2015-2016 Specific Appropriation 1612B under the General Appropriations Act, Chapter 2015-232, Laws of Florida and its Fiscal Year 2016-2017 Specific Appropriation 1580 under the General Appropriations Act, Chapter 2016-066, Laws of Florida to be used for land management purposes on District conservation lands; and

WHEREAS, Section 373.501(2), F.S., prescribes a process for disbursing funds appropriated by the Legislature to the water management districts upon receipt by the Secretary of the State of Florida's Department of Environmental Protection of a resolution adopted by the Governing Board requesting such funds.

NOW THEREFORE, BE IT RESOLVED, that the Governing Board of the Southwest Florida Water Management District hereby requests the Secretary of the Department of Environmental Protection to release from the Land Acquisition Trust Fund of the State of Florida the sum of two million two hundred fifty thousand dollars (\$2,250,000) for the implementation of the projects described in the land management spending plan, attached hereto as Exhibit "A" and incorporated herein by this reference, pursuant to Section 373.501(2), F.S., and Specific Appropriation 1582 in the General Appropriations Act, Chapter 2017-70, Laws of Florida; and

BE IT FURTHER RESOLVED that the District requests continued use of its remaining unspent funds pursuant to Section 373.501(2), F.S. from its Fiscal Year 2015-2016 budget, Specific Appropriation 1612B under the General Appropriations Act, Chapter 2015-232, Laws of Florida and its Fiscal Year 2016-2017 budget, Specific Appropriation 1580 under the General Appropriations Act, Chapter 2016-066, Laws of Florida for the implementation of projects identified in Exhibit "A"; and

BE IT FURTHER RESOLVED that a warrant be issued by the State of Florida's Chief Financial Officer in accordance with Section 17.52, F.S., to the Southwest Florida Water Management District for that amount available, or as may become available, from the Land Acquisition Trust Fund; and

Attachment: Resolution 18-02 - FY2018 LATF Exhibit MINTRAQ (3648 : LATF Resolution)

BE IT FURTHER RESOLVED that these funds shall be subject to the requirements of Section 215.97, F.S., the Florida Single Audit Act. The Catalog of State Financial Assistance (CSFA) Number for each of the projects identified herein is CSFA 37.022 and the CSFA Title for these projects is "Water Management Districts – Land Acquisition and Improvement"; and

BE IT FURTHER RESOLVED that these funds shall be subject to the requirements of Section 216.347, F.S. (Grants and Lobbying Restriction); and

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the Secretary of the Florida Department of Environmental Protection forthwith; and

BE IT FURTHER RESOLVED that the Chair of the Governing Board is hereby authorized to affix his signature to this resolution on behalf of the Board and attested by its Secretary.

PASSED AND ADOPTED in Brooksville, Hernando County, Florida on this 27th day of March, 2018.



**SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT**

By: _____
Randall S. Maggard, Chair

Attest: _____
Bryan K. Beswick, Secretary

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing document was acknowledged before me this 27th day of March, 2018, by Randall S. Maggard and Bryan K. Beswick, Chair and Secretary, respectively, of the Governing Board of the Southwest Florida Water Management District, a public corporation, on behalf of the corporation. They are personally known to me.

Notary Public

(Name of Notary typed, printed or stamped)

Commission No: _____

My commission expires: _____

APPROVALS	INITIALS	DATE
Attorney	_____	_____
Manager	_____	_____
Bureau Chief	_____	_____
Division Director	_____	_____

Exhibit “A”

Land Management

The specific appropriation funding in the amount of two million two hundred fifty thousand dollars (\$2,250,000) will be used to implement projects that will address land management within the Southwest Florida Water Management District. These include, but are not limited to the following:

Operational Maintenance on District Conservation Lands

- Repair and maintenance of roads and bridges, including the purchase and hauling of aggregates.
- Roller chopping and hydro-axing as required for restoration, brush and fuel management purposes.
- Contractual services to conduct prescribed burning.
- Fence construction.
- Contractual services for the treatment of cogon grass, Old World climbing fern, Brazilian pepper, tropical soda apple and other invasive plant species.
- Rearing, release and monitoring of bio-control agents for Old World climbing fern.
- Replacement of culverts.
- Contractual services to provide security, law enforcement and maintenance services for public use facilities.
- Contractual land management services.
- Control of feral hogs.

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

March 27, 2018

Consent Agenda

Amend Conservation Easement Access – Suggs Settlement Property, Gum Slough Project, SWF Parcel No. 19-193-113C

Purpose

To recommend that the Governing Board amend the District's conservation easement to allow the construction and maintenance of a road over the portions of the conservation easement that provide access to the remainder of the Suggs property. The District acquired the conservation easement, located in Sumter County, as part of a negotiated settlement to address unauthorized construction and dredging and filling of wetlands. The amendment to the Conservation Easement will be presented at the March 2018 Governing Board Meeting. A map of the conservation easement area and access route are included as an Exhibit to this item.

Background and History

In December 2002, the District commenced formal enforcement proceedings against the Suggs Associated Defendants through the issuance of an Administrative Complaint and Order (the "ACO") alleging that the defendants committed significant violations of Chapter 373, Fla. Stat., consisting of unauthorized construction activities undertaken on defendants' 180 acre property located in Sumter County.

In March 2014, Danny Suggs contacted the District to initiate settlement negotiations as to a global resolution of all pending matters and enforcement of the Final Judgment in favor of the District. The content of those settlement negotiations was discussed at a closed-door attorney-client session before the Governing Board on September 30, 2014.

The settlement agreement was approved contingent upon the conveyance of fee simple title to 67.64 acres and a conservation easement over 26.75 acres to the District as satisfaction of the final judgement. Upon acquisition of the settlement property on February 24, 2015, the Governing Board declared the 67.64 fee simple settlement property as surplus.

Property Description

SWF Parcel No. 19-193-113C, a 26.75 acre conservation easement, consists of two separate parcels, the west property comprised of 24.75 acres and the east property comprised of 2 acres. In addition to the conservation easement legal descriptions, the conservation easement includes the legal descriptions of the individual routes along the eastern and western boundaries of the property, provided to access the conservation easement parcels as well as the remaining property. The access route for the west property includes 2.74 acres and for the east property includes 1.15 acres. Because the legal descriptions of the access routes are included within the conservation easement, access to the conservation easements and the adjoining property is encumbered by easement terms that preclude the utilization, maintenance or improvement of the access routes. The conservation easement also does not address the installation and relocation of utilities within the described access route.

Summary

The amendment of the conservation easement is necessary to exclude the described access routes from the provisions preventing their utilization, maintenance or improvement for access.

Item 11

The Suggs own adjoining property together with the underlying fee simple title to the conservation easement property that includes the access. The routes described in the conservation easement were obtained by the District to provide access to the conservation easement areas, however, the inclusion of the access routes within the conservation easement itself affects the ability of the District to access its conservation easement property and the Suggs ability to access the remainder of their property.

Benefit/Costs

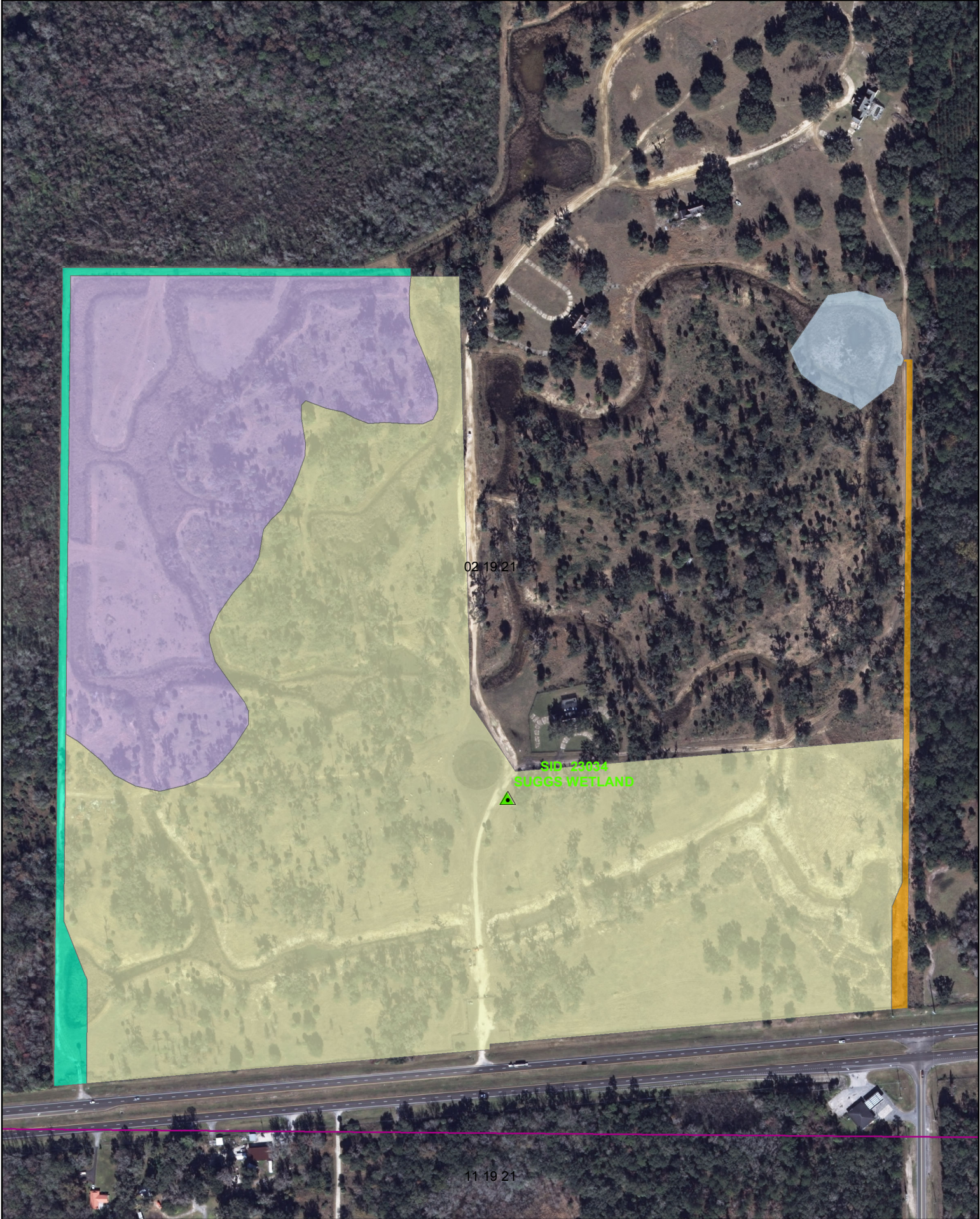
The District's surplus of the property obtained in fee simple as part of the settlement agreement will be unaffected by this amendment. This amendment will also clear an unintended cloud on title to the Suggs remaining property that occurred because of the inclusion of the access routes within the conservation easement. The transactional costs are minimal to record the easement amendment and are estimated to be less than \$200.

Staff Recommendation:

Approve amendment of the Conservation Easement to exclude the 2.74 acre and 1.15 acre access properties from the terms of the conservation easement to allow their utilization, maintenance and improvement for roadway and utilities.

Presenter: Carmen Sanders, Operations and Land Management Assistant Bureau Chief

Graphic Presenation of SWF Parcel No.s 19-193-110 & 19-193-113



Legend

- 19-193-110
- 19-193-113_2_Acre_CE
- 19-193-113_24.75_Acre_CE
- 19-193-113_2_Acre_CE_Access_Area
- 19-193-113_24.75_Acre_CE_Access_Area

Work Order No. 15-115
Aerial Imagery is 2014 Natural Color Imagery - Preliminary

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

March 27, 2018

Consent Agenda

Easement Donation – Nettles Structure – Hanna Lake, SWF 13-038-108P

Purpose

The purpose of this item is to recommend the Governing Board accept the donation of an Easement and Right of Entry interest, Exhibit A, consisting of a 0.084+/- acre parcel, currently zoned ASC-1 and owned by Meritage Homes of Florida, Inc., in Hillsborough County. The easement will be utilized as a site to re-locate an existing District structure between Hanna Lake and Stemper. The District does not have legal permanent access to the existing structure which is in the way of a proposed development. The property is being platted for residential development and Meritage Homes of Florida, Inc. has requested re-location to better serve the project. A right of entry is necessary since the residential development will be gated. A general location map and site map of the property are included in the Board packet as Exhibits B and C.

Background and History

Hanna Lake has an established minimum flows and level (MFL) requirement in F.A.C. 40D-8.624. The existing temporary structure was installed by the District in 2011 to evaluate the benefits of the structure in contributing to maintaining water levels in Hanna Lake for MFL purposes. The temporary structure has benefited the lake since it was installed. The District accessed the temporary structure via a verbal agreement with the previous property owner.

The site is owned by Meritage Homes of Florida, Inc. who purchased the parcel in May 2017. The property owner has agreed to the conveyance of a perpetual Easement and Right of Entry on the parcel.

Property Description

SWF Parcel No. 13-038-108P is an approximate 0.084-acre structure site to be conveyed by Meritage Homes of Florida, Inc., in northwestern Hillsborough County. The subject property will have frontage on a private subdivision road and an easement and right of entry will be obtained which allows for access, construction, maintenance and monitoring of the proposed structure. Structure Operations has evaluated the conveyance between Hanna Lake and Stemper and concluded the site is appropriate for the proposed use. The structure will allow for better control of the flow between the two lakes.

Summary of Appraisals and Value Comparisons

As the easement site is a donation, no appraisal has been performed.

Acquisition Terms

- Meritage Homes of Florida, Inc., has agreed to the donation and conveyance of easement interest of the parcel necessary for construction, maintenance and monitoring activities on the site.
- The Deed will be conveyed free and clear of all encumbrances objectionable to the District.
- The District will pay transactional costs for closing, including the title insurance and recording fees.

Item 12

Benefit/Costs

Control of the water levels between Hanna Lake and Stemper will allow the District to appropriately regulate the respective lake levels. Transactional costs to the District for closing, including the title insurance and recording fees are expected to be less than \$2,000.

Staff Recommendation:

- Accept the donation of the Easement and Right of Entry;
- Authorize staff to sign documents at closing necessary to complete the transaction in accordance with the approved terms.

Presenter: Carmen Sanders, Operations and Land Management Assistant Bureau Chief

Exhibit A

Nettles Structure

SWF Parcel No. 13-038-108P

Tax ID No. _____

Approved by Attorney: Vivian Arenas-Battles

Assistant General Counsel

EASEMENT AND RIGHT OF ENTRY

This Easement (this "Easement") and Right of Entry is made this ____ day of _____, 2017, by and between **Meritage Homes of Florida, Inc.**, a Florida Corporation, 8800 East Raintree Drive, Suite 300, Scottsdale, AZ, 85260, hereinafter referred to as "Grantor", and the **Southwest Florida Water Management District**, a public corporation, having an address of 2379 Broad Street, Brooksville, Florida 34604-6899, hereinafter referred to as "Grantee".

Grantor, for and in consideration of the sum of Ten Dollars and no cents (\$10.00) and other good and valuable consideration from Grantee to Grantor, the receipt and sufficiency of which are hereby acknowledged, hereby grants, bargains, sells and conveys to Grantee a non-exclusive, perpetual easement to enter upon, over and across and to use any and all lands more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference and as shown on the aerial attached hereto as Exhibit "B" and incorporated herein by reference (the "Easement Area") solely for the following purposes:

- a. To construct, maintain, repair or replace a drainage structure within the Easement Area; and
- b. For ingress and egress upon, over and across the Easement Area to access the drainage structure in order to construct, repair or replace the structure.

Grantor further agrees to grant a right of entry to Grantee to enter upon the private road adjacent to the Easement for the purpose of performing the activities described herein. Grantee shall provide reasonable access at all times to the private road during any construction, maintenance, repair replacement of the drainage structure within the Easement Area.

Grantee shall exercise all of its rights contained in this Easement and Right of Entry in the least intrusive manner so as not to interfere with Grantor's use of its property. Grantor reserves the right to use Grantor's property and the Easement Parcel in any manner not inconsistent with this Easement. Grantee hereby agrees to restore the Easement Parcel to the same condition as it was prior to any construction, maintenance, repair, replacement or access by Grantee.

Grantee agrees to indemnify and hold harmless the Grantor, its agents, employees and officers from and against all liabilities claims, damages, expenses or actions, either at law or in equity, including attorney's fees and costs and attorney fees and costs on appeal, caused or incurred, in whole or in part, as a result of any negligent act or omission by Grantee, or anyone for whose acts or omissions Grantee may be liable as a result of Grantee's rights under this Easement and Right of Entry. Nothing contained herein shall constitute a waiver of Grantee's sovereign immunity under Section 768.28, Florida Statutes, or to extend the limits of liability or recovery under Section 768.28, Florida Statutes. This provision shall survive the termination of this Easement.

All provisions of this instrument, including the benefits and burdens, run with the land and are binding upon and inure to the benefit of the respective heirs, assigns, successors, tenants and personal

representatives of the parties hereto. This Easement Agreement and Right of Entry may be amended or modified only by an instrument signed by Grantor and Grantee.

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

LEFT BLANK INTENTIONALLY

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

Signed, sealed and delivered
in the presence of:

Meritage Homes of Florida, Inc.

Witness Signature

By:

Print Witness Name

Title:

Witness Signature

Print Witness Name

+

ACKNOWLEDGMENT

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by

_____ as _____ of _____.

They are personally known to me or have produced _____ as identification.

(Seal)

Name of Notary

(Name of Notary typed, printed or stamped)

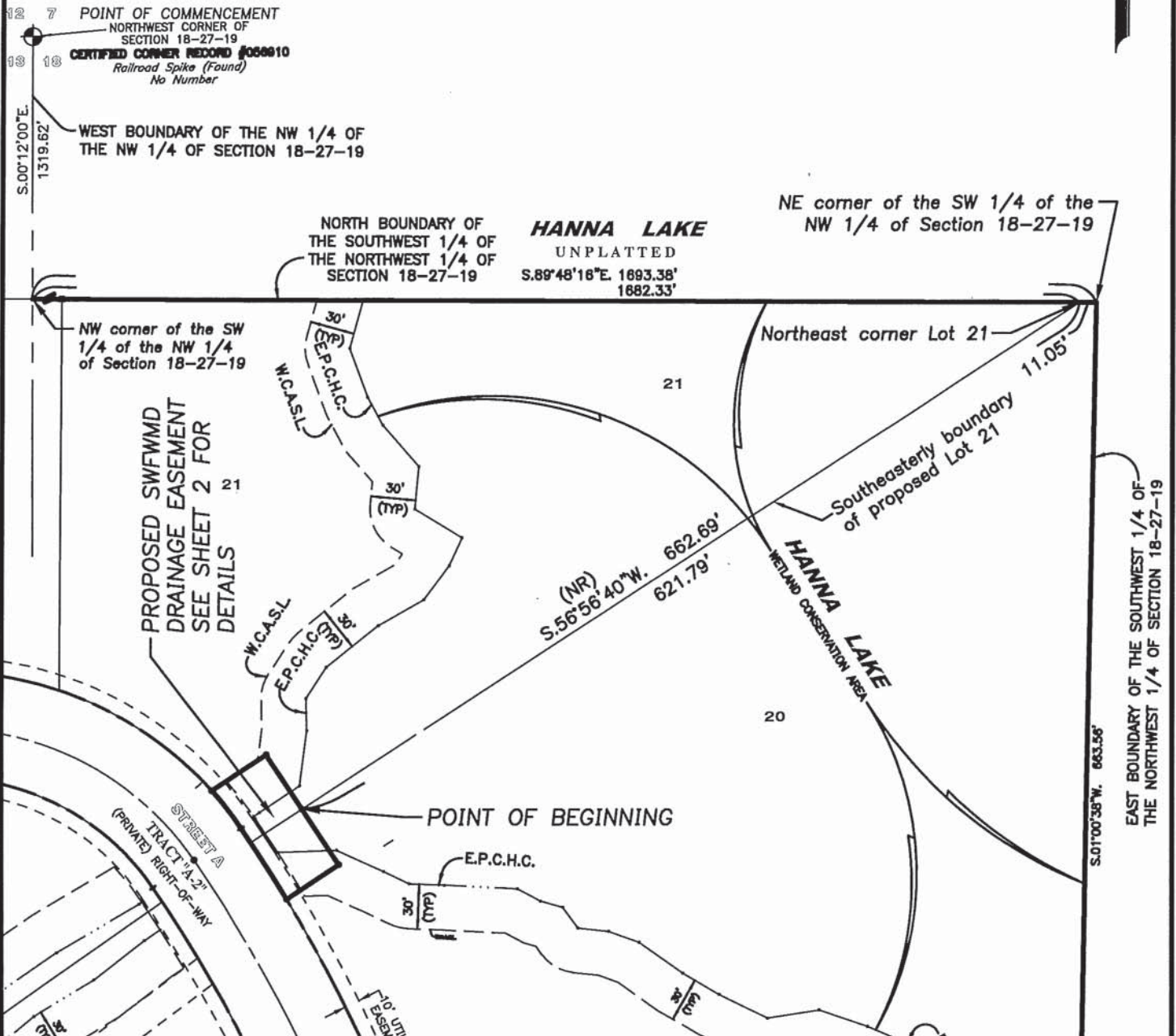
Commission No. _____

My Commission

Expires: _____

EXHIBIT A

SCALE: 1" = 100'



This Sketch Prepared For: **MERITAGE HOMES**

SHEET NO. 2 OF 3

REVISIONS				
Description	Date	Dwn.	Ck'd	Order No.
Revised per comments	11/1/17	PAD	JLS	---
Revised Plat Reference	11/1/17	PAD	JLS	---

DESCRIPTION SKETCH (Not a Survey)

Paul A. Dolcemascolo

Paul A. Dolcemascolo
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. LS3881

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Clearview Land Design, P.L.

Certificate of Authorization No. 28858
Licensed Business No. 8151



CIVIL ENGINEERING
PLANNING
SURVEYING & MAPPING
LANDSCAPE ARCHITECTURE

1213 E. 6th Avenue
Tampa, Florida 33605
Phone: 813-223-3919
FAX: 813-223-3975
www.clearviewland.com

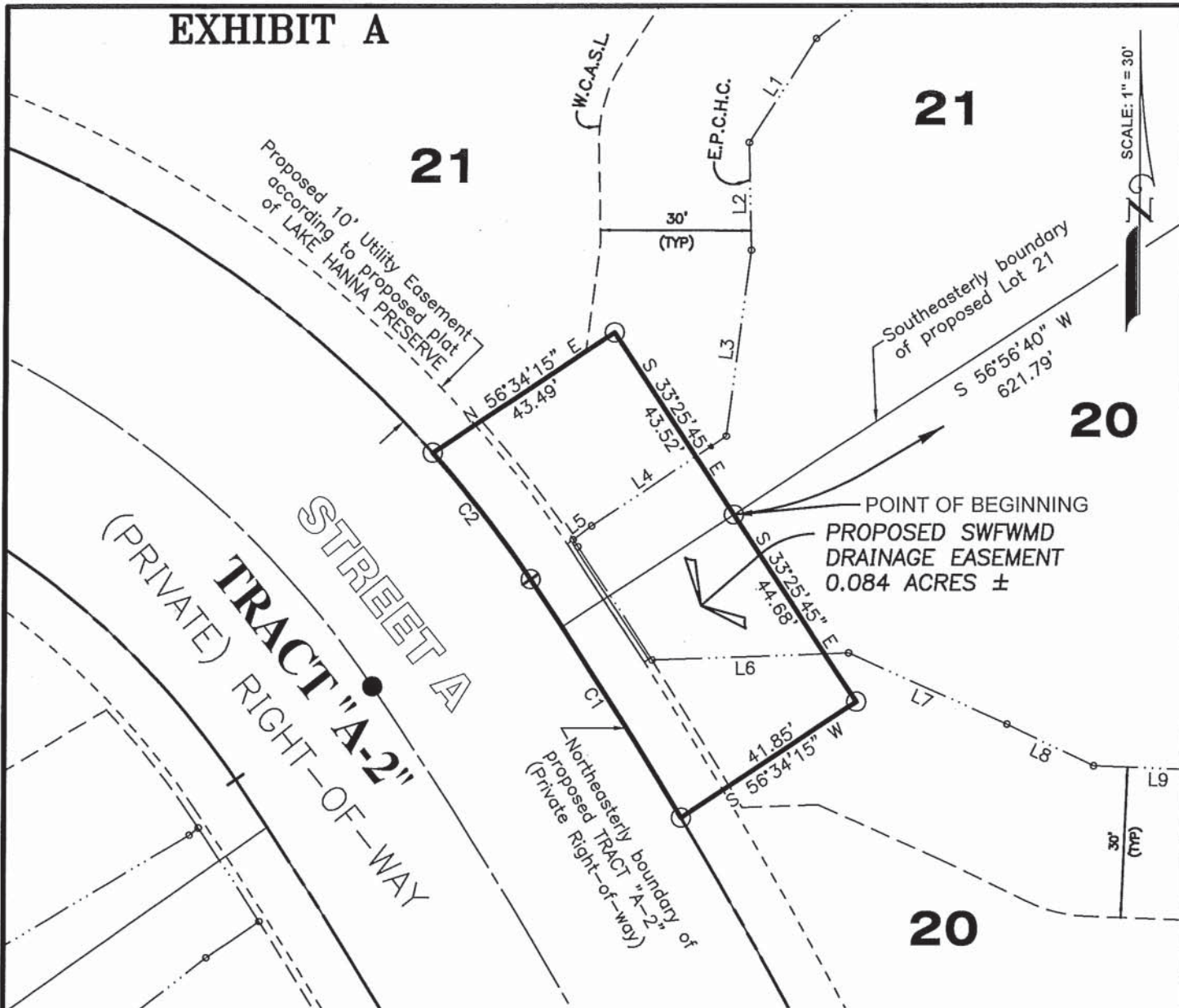
Drawn: PAD Checked: KEM Order No.: MTH-LC-008

Date: 9-19-2017 Dwg: SWFWMD-EASEMENT

Section 18, Township 27 South, Range 19 East

Attachment: Nettles Easement Donation Exhibit MinTrac (3627 : Easement Donation - Nettles Structure)

EXHIBIT A



LEGEND

E.P.C.H.C. - Environmental Protection Commission of Hillsborough County Wetland Line
W.C.A.S.L. - Wetland Conservation Area Setback Line
SWFWMD - Southwest Florida Water Management District

CURVE DATA TABLE

NO.	RADIUS	DELTA	ARC	CHORD	BEARING
C1	1038.00'	3°06'38"	56.35'	56.35'	N 32°32'25" W
C2	238.00'	07°41'54"	31.98'	31.95'	N 37°56'41" W

LINE DATA TABLE

NO.	BEARING	LENGTH
L1	N 32°58'30" E	24.71'
L2	N 01°20'24" W	21.42'
L3	N 07°26'01" E	37.36'
L4	N 56°16'23" E	32.21'
L5	N 53°44'02" E	4.57'

LINE DATA TABLE

NO.	BEARING	LENGTH
L6	S 88°02'41" W	39.39'
L7	N 65°45'46" W	34.59'
L8	N 64°14'40" W	19.15'
L9	N 87°37'14" W	23.53'

This Sketch Prepared For: **MERITAGE HOMES**

SHEET NO. 3 OF 3

REVISIONS				
Description	Date	Dwn.	Ck'd	Order No.
Revised per comments	11/1/17	PAD	JLS	----
Revised Plat Reference	11/1/17	PAD	JLS	----

DESCRIPTION SKETCH (Not a Survey)

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Phone: 813-223-3919
FAX: 813-223-3975
www.clearviewland.com

Drawn: PAD Checked: KEM Order No.: MTH-LC-008

Date: 9-19-2017 Dwg: SWFWMD-EASEMENT

Section 18, Township 27 South, Range 19 East



Date: 11/29/2017

SWFWMD parcel 13-038-108P

1 inch = 200 feet

HANNA
LAKE

RAWLINGS CIR.

TOMLINSON DR

NETTLES RD

HILLSBOROUGH
COUNTY

18 27 19

Legend

Nettles_Easement

Notes:

1. This is not a survey.
2. Current imagery of 2017.
3. Graphic presentation is based on the District GIS basemap.
4. Work order 18-013.

Attachment: Nettles Easement Donation Exhibit MinTrac (3627 : Easement Donation - Nettles Structure)

Exhibit B



Date: 11/29/2017

SWFWMD parcel 13-038-108P

1 inch = 200 feet

HANNA LAKE

RAWLINGS CIR.


TOMLINSON DR

NETTLES RD

HILLSBOROUGH COUNTY

18 27 19

Legend

 Nettles_Easement

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3. Graphic presentation is based on the District GIS basemap.
4. Work order 18-013.

Attachment: Nettles Easement Donation Exhibit MinTrac (3627 : Easement Donation - Nettles Structure)

**PROPOSED SWFWMD DRAINAGE EASEMENT
LAKE HANNA PRESERVE**

21

Proposed 10' Utility Easement according to proposed plat of LAKE HANNA PRESERVE

STREET A

TRACT "A-2"

(PRIVATE) RIGHT-OF-WAY

W.C.A.S.L.

E.P.C.H.C.

L1

L2

30' (TYP)

L3

L4

L5

L6

L7

L8

L9

30' (TYP)

20

Southeasterly boundary of proposed Lot 21

S 56°56'40" W 621.79'

POINT OF BEGINNING

PROPOSED SWFWMD DRAINAGE EASEMENT

0.084 ACRES ±

N 56°34'15" E 43.49'

S 33°25'45" E 43.52'

S 33°25'45" E 44.68'

41.85'

56°34'15" W

C2

C1

Northeasterly boundary of proposed TRACT "A-2" (Private Right-of-way)

SCALE: 1" = 30'

E.P.C.H.C. – Environmental Protection Commission of Hillsborough County Wetland Line
W.C.A.S.L. – Wetland Conservation Area Setback Line
SWFWMD – Southwest Florida Water Management District

NO.	RADIUS	DELTA	ARC	CHORD	BEARING
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NO.	BEARING	LENGTH
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L9	N 87°37'14" W	23.53'

[illegible]

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Section 18, Township 27 South, Range 19 East

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

March 27, 2018

Consent Agenda

Green Swamp East Highway 98 Cattle Lease, SWF Parcel No. 10-200-1287X, Award for the Request for Offers (RFO) 18-01

Purpose

The purpose of this item is to request the Governing Board approve the award of the Green Swamp East Highway 98 Cattle Lease, Request for Offers 18-01, to the respondent with the highest offer, Diamond R Cattle, Ryan Raburn and Richard Stanaland, and authorize the Chairman to execute the lease on behalf of the District.

Background/History

On January 23, 2018, the District advertised Request for Offers 18-01, Green Swamp East Highway 98 Cattle Lease (RFO), covering approximately 1,231 acres in northwestern Polk County. The lease area consists of approximately 64 acres of fair condition pasture and approximately 104 acres of semi-improved pasture. The remainder of the property consists of upland forest and wetlands. A general location map is included in the Board packet as Exhibit A.

The maximum stocking rate for the property is 40 Animal Units (an Animal Unit is one bull or one cow with or without one un-weaned calf). The lessee may stock any number of Animal Units at or below the maximum without adjustment to the annual rent payment.

The term of the lease is five years, with an option for the lessee to request renewal for an additional term of five years at the District's discretion. A copy of the lease is included in the Board packet as Exhibit B.

Benefits/Costs

On February 20, 2018, 12 responses were received to RFO 18-01. The highest offer was submitted by Diamond R Cattle, Ryan Raburn and Richard Stanaland in the amount of \$17.50 per acre, for an annual lease amount of \$21,542.50.

Staff Recommendation:

Approve the award of the Green Swamp East Highway 98 Cattle Lease to Diamond R Cattle, Ryan Raburn and Richard Stanaland and authorize the Chairman to execute the lease on behalf of the District.

Presenter: Carmen Sanders, Operations and Land Management Assistant Bureau Chief

Exhibit A
General Location Map



Attachment: Cattle Lease MinTrac Exhibit (3626 : Green Swamp East Cattle Lease)

CATTLE GRAZING LEASE AGREEMENT

THIS LEASE, made this 27th day of March, 2018, by and between the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, having an address of 2379 Broad Street, Brooksville, Florida 34604-6899, hereinafter called the "LESSOR", and Ryan Raburn and Richard Stanaland having an address of 14546 Sweat Loop Road, Wimauma, Florida 33598, hereinafter called the "LESSEE."

WITNESSETH:

The LESSOR, for and in consideration of the rents, covenants and agreements hereinafter contained, does hereby lease to the LESSEE, all that certain property located in Polk County Florida, hereinafter referred to as the "PROPERTY", depicted in Exhibit "A", and described in Exhibit "B" attached hereto, subject to the following terms and conditions:

1. **RENT:** The LESSEE agrees to pay the LESSOR an annual rental amount of Twenty-one thousand, five hundred forty-two dollars and fifty cents (\$21,542.50) for 1,231 acres per year, or at the rate of \$17.50 per acre per year. The first payment is due upon execution of this Lease and subsequent payments will be due annually on the anniversary of the execution date of this Lease ("Anniversary Date").

2. **TERM:** This Lease will be for a term of five (5) years commencing on the date of execution of this Lease, unless otherwise renewed by the LESSOR pursuant to the terms and conditions set forth in Paragraph 20. If this Lease is renewed then the term will commence on the date of execution by the LESSOR.

3. **USE:** The LESSEE may use the PROPERTY for cattle grazing and haying purposes only.

4. **STOCKING RATE:** An Animal Unit is one (1) bull or one (1) cow with or without one (1) un-weaned calf. The maximum Stocking Rate for the PROPERTY is 40 Animal Units. The LESSEE may stock any number of Animal Units at or below the maximum stocking rate stated without an adjustment to the annual rent payment. Upon written request from the LESSEE, the stocking rate may be increased upon a favorable evaluation and written approval by the LESSOR. The LESSOR reserves the right to inspect the condition of the PROPERTY at any time during this Lease and adjust the Stocking Rate due to the PROPERTY being overgrazed based on this inspection and/or forage production analysis. The amount of rent due will be increased or decreased by an amount equal to the percentage change in the number of Animal Units approved by the LESSOR. The change in the Stocking Rate will be effective on the next date rent is due to the LESSOR following the LESSOR'S approval of the increase.

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

6. **SUBLEASES:** The LESSEE will not sublease the PROPERTY, unless the LESSEE obtains prior written approval of the terms and conditions of the sublease from the LESSOR. Any sublease not approved in writing by the LESSOR will be void and without legal

effect. Any purported sublease in violation of this Paragraph will constitute a material breach of this Lease for which the LESSOR may immediately terminate this Lease. The LESSOR'S approval of a particular sublease does not constitute a waiver of the right to withhold approval of subsequent subleases.

7. PREScribed BURNS:

- (a) The LESSEE will be responsible for planning and conducting prescribed burns on the PROPERTY. All burning on the PROPERTY must be conducted in accordance with Section 590.125, Florida Statutes (F.S.). As required by subsection 590.125(3)(b), F.S., a certified prescribed burn manager must be on site with a copy of the prescription from the time of ignition until the burn is completed. Prescribed burns conducted on the PROPERTY by the LESSEE that are not in compliance with the conditions described herein, will be considered a material breach of this Lease for which the LESSOR may immediately terminate this Lease.
- (b) The LESSEE may not conduct a prescribed burn on the PROPERTY or any part thereof without first submitting a written burn plan to the LESSOR that contains all pertinent information, i.e., area to be burned, season of burn, frequency of burns, etc., in a format approved by the LESSOR, for review and approval by October 1 of each year of this Lease. The LESSEE must obtain authorization from the Florida Forest Service of the Department of Agriculture and Consumer Services and the County, if applicable, prior to conducting a prescribed burn on the PROPERTY. The LESSEE'S responsibility to conduct prescribed burns on the PROPERTY will not prevent the LESSOR from conducting prescribed burns on the PROPERTY when necessary for other land management purposes.
- (c) The LESSEE agrees to indemnify, defend and hold harmless the LESSOR, its officers, agents and employees from any and all damage or injury that may be caused by fire or smoke resulting from burning conducted on the PROPERTY by the LESSEE. Pursuant to subsection 590.125(3)(c), F.S., no property owner or his or her agent is liable pursuant to Section 590.13, F.S., for damage or injury caused by the fire or resulting smoke for burns conducted in accordance with subsection 590.125(3)(b), F.S., unless gross negligence is proven. Any and all damages to the PROPERTY or improvements to the PROPERTY caused by fire or smoke resulting from burning conducted on the PROPERTY by the LESSEE must be repaired by the LESSEE at its sole expense. This Paragraph shall survive the expiration or termination of this Lease.
- (d) The LESSEE will disc the existing firelanes identified on Exhibit "C," at least annually and more frequently if necessary, to protect the PROPERTY from damage or destruction by wildfires and to ensure that prescribed burns are conducted safely. Discing must be completed between December and March of each year of this Lease. Firelanes will be maintained at a maximum width of twelve (12) feet. The LESSEE may not create any new firelanes without the prior written approval of the LESSOR.

8. FENCING AND IMPROVEMENTS:

- (a) Unless another type of fencing is approved by the District, new fences will be constructed of four (4) strands of barbed wire, attached to pressure treated or iron fence posts. Post spacing will not exceed twenty (20) feet. All fences remain the property of the LESSOR.

- (b) The LESSEE will maintain all fences and gates in good condition during the term of this Lease. In the event an existing fence on the PROPERTY is damaged or inadequate, the LESSEE will take immediate action to repair it. Fences that must be repaired or replaced will be constructed in the same manner as new fences.
- (c) The LESSEE must obtain prior written approval from the LESSOR before constructing any additional interior fences upon the PROPERTY. The LESSEE will maintain in good repair, any existing improvements upon the PROPERTY, e.g. troughs, sheds, and other structures, or any improvements that may be placed upon the PROPERTY during the term of this Lease. The LESSEE may not make improvements to the PROPERTY without the prior written approval of the LESSOR. All permanent improvements will remain the property of the LESSOR, e.g. well(s) for cattle watering purposes.
- (d) The LESSEE must use portable cattle pens or construct pens. The LESSEE is solely responsible for expenses incurred for use or construction of cattle pens.
- (e) The LESSEE will be responsible for establishing a dependable water source on the PROPERTY if needed by the LESSEE. The LESSEE must obtain all necessary permits and authorizations prior to establishing any water source on the PROPERTY. The LESSEE is solely responsible for expenses incurred for establishing water sources.

9. IDENTIFICATION: All cattle must bear identification, e.g., ear tags, tattoos, brands, etc., readily traceable to the LESSEE before their release on the PROPERTY.

10. PUBLIC USE: The LESSOR reserves the right to use the PROPERTY, in whole or part, for activities, including but not limited to passive recreation.

11. GENERAL OPERATION AND MANAGEMENT: The LESSEE will take appropriate measures to prevent overgrazing, pasture degradation and other environmental impacts to the PROPERTY. Such measures will include but are not limited to the following:

- (a) The LESSEE will conduct all activities in accordance with all applicable rules and regulations. The LESSEE further agrees, when practicable, to conduct all activities in accordance with the most recent Water Quality Best Management Practices (BMPs), established by the Florida Department of Agriculture and Consumer Services, Office of Agricultural Water Policy (FDACS-OAWP). The FDACS-QAWP Water Quality/Quantity Best Management Practices Manual is available from The FDACS-OWAP at:

http://freshfromflorida.s3.amazonaws.com/Bmp_FloridaCowCalf2008.pdf

or:

FDACS-OAWP
1203 Governor's Sq. Blvd.
Suite 200
Tallahassee. FL 32301

Prior to conducting activities on the PROPERTY, the LESSEE will demonstrate its intent to implement practicable BMPs by signing the following FDACS-QAWP

Notice of Intent to Implement Water Quality BMPs for Florida Cow/Calf Operations form, found within the FDACS-QAWP Water Quality/Quantity Best Management Practices Manual, and submitting them to FDACS-OAWP, with copies to the LESSOR.

- (b) The LESSOR is required to manage invasive plant species on the PROPERTY consistent with Florida Statutes. The LESSEE shall not impede the LESSOR'S efforts to control invasive species on the PROPERTY. The LESSEE shall be solely responsible for maintaining effective control of tropical soda apple (TSA) using the Best Management Practices described in the University of Florida, Institute of Food and Agricultural Sciences Publication Number SS-AGR-77, and updates thereto at:

<http://edis.ifas.ufl.edu/uw097>

The LESSOR will ensure that there is less than 5% coverage of TSA on the PROPERTY at the time this Lease is executed. The LESSOR and the LESSEE will conduct an inspection of the PROPERTY following execution of this Lease, to document that TSA is under satisfactory control. The LESSEE'S failure to maintain acceptable control of TSA will constitute a material breach of this Lease for which the LESSOR may either immediately terminate this Lease or treat the PROPERTY. If the LESSOR chooses to treat the PROPERTY, the LESSEE is solely responsible for the cost of such treatment by the LESSOR and agrees to reimburse the LESSOR the full amount of the cost upon the LESSOR'S written request. The LESSEE'S failure to reimburse the LESSOR within 5 days of receipt of LESSOR'S written request will constitute a material breach of this Lease for which the LESSOR may immediately terminate this Lease. If the LESSEE uses fertilizer, hay, seed or other planting materials on the PROPERTY that originated off-site, the LESSEE must make every practicable effort to ensure that such materials are free of invasive plant seeds and other propagules before using.

- (c) The LESSEE shall trap or shoot feral hogs on the PROPERTY and maintain a record of all feral hog control activities conducted by the LESSEE. All hogs trapped on the PROPERTY must be euthanized in a humane manner and may not be relocated or released. The LESSEE will submit the record of all feral hog control activities to the LESSOR by October 1 of each year of this lease.

12. **PASTURE CONDITIONS:** The LESSEE will take appropriate measures to prevent overgrazing and pasture degradation that include, but are not limited to the following:

- (a) The maintenance of existing improved pastures by rotating, fertilizing, mowing, disking, dragging, and removing invasive plant species.
- (b) Fertilizing and liming the improved pastures when practicable, in accordance with the recommendations of the Natural Resource Conservation Service (NRCS).
- (c) The indirect rotation of cattle through the strategic placement and periodic movement of feed troughs, mineral blocks, water troughs, and molasses tanks. The LESSEE must use a rotational grazing system that will prevent overgrazing of any one pasture.

- (d) To ensure that the quality of the improved pasture is maintained or enhanced, the LESSEE agrees to mow, disc, or drag the pastures at least once a year, or more frequently if required.

13. HAYING: Haying is allowed on the PROPERTY. The LESSEE will conduct haying activities in a manner that will not damage or strip the pasture(s) of desirable grasses. During haying operations, the LESSEE will maintain a two-inch stubble height. If the LESSEE purchases hay, seed or other planting materials off-site, the LESSEE agrees to make every practicable effort to ensure that such materials are free of invasive plant species.

14. QUARANTINE: The LESSEE must quarantine all cattle for seven (7) days prior to releasing them on the PROPERTY. The LESSEE must ensure that all cattle are free of exotic seed prior to releasing them on the PROPERTY.

15. WORKS OF THE DISTRICT: The LESSOR reserves the right to enter upon the PROPERTY, at such times and places as the LESSOR may deem necessary, for the purposes of inspecting the PROPERTY, or constructing roads, canals or ditches, infrastructure and amenities related to public recreation, or other projects, and for any matter pertaining to water management or land management activities.

16. SALE OF PROPERTY: If the LESSOR sells the PROPERTY during the term of this Lease, the LESSOR, in its sole discretion, may either assign this Lease in whole to the new owner without the LESSEE'S consent, or terminate this Lease upon six (6) months prior written notice to the LESSEE.

17. PERSONNEL AND VEHICLES: Only personnel and vehicles utilized or authorized by the LESSEE for use in its cattle grazing and haying operations are allowed on the PROPERTY.

18. PROTECTION: The LESSEE will regularly inspect the PROPERTY to detect and prevent wildfires, trespasses and vandalism on the PROPERTY. Additionally, the LESSEE will regularly inspect the PROPERTY for downed or damaged fence, open gates and cattle that may have strayed from the PROPERTY. The LESSEE must immediately notify the appropriate governmental agencies and the LESSOR upon the discovery of any wildfire, trespass, or vandalism. The LESSEE is responsible for repairing damaged fences, and taking appropriate measures to immediately return stray cattle to the PROPERTY.

19. INDEMNIFICATION: The LESSEE agrees to indemnify and hold harmless the LESSOR and all the LESSOR'S agents, employees and officers from and against all liabilities, claims, damages, expenses or actions, either at law or in equity, including attorneys' fees and costs and attorneys' fees and costs on appeal, caused or incurred, in whole or in part, as a result of any act or omission by the LESSEE, its agents, employees, subcontractors, assigns, heirs or anyone for whose acts or omissions any of these persons or entities may be liable during the LESSEE'S use of the PROPERTY and performance under this Lease. This Paragraph will survive the expiration or termination of this Lease.

20. LESSOR'S OPTION TO RENEW:

- (a) The LESSOR, at its sole discretion, may offer to renew this Lease for one additional five year term under such terms and conditions as may be established by the LESSOR. The LESSOR will notify the LESSEE if it intends to offer to renew this Lease in accordance with this Paragraph prior to soliciting offers on the PROPERTY. If the LESSOR does not notify the LESSEE of its intent to offer to renew this Lease, then this Lease will expire at the end of the term.

- (b) Approximately six months prior to the expiration of this Lease, the LESSOR may request competitive offers on the PROPERTY. If the LESSOR requests offers under this subparagraph, this Lease may be renewed for one additional five year term under such terms and conditions as may be established by the LESSOR, if the LESSEE meets the following conditions:

- The LESSEE submits a responsive offer;
- If the LESSEE'S offer is not the highest offer received, the LESSEE agrees to exceed the highest offer received during the offer process by five percent (5%);
- The LESSEE has successfully performed under this Lease;
- The LESSEE agrees to any modifications to the lease terms and conditions as determined by the LESSOR;
- The LESSEE accepts the renewal terms and conditions within ten (10) business days from receipt of the LESSOR'S offer to renew by delivering notice of the LESSEE'S acceptance to the LESSOR by hand delivery or certified mail. If by certified mail, date of delivery shall be the date the notice is placed in mail.
- The LESSEE'S failure to deliver written acceptance of the LESSOR'S offer to renew within the time specified will be deemed a rejection of the terms by the LESSEE.

Upon receipt of the LESSEE'S timely written acceptance of the LESSOR'S offer to renew, the LESSOR and the LESSEE will execute a written amendment to this Lease to record the renewal and conditions thereto, if any.

21. INSURANCE: The LESSEE must maintain during the full term of this Lease, and at its sole expense, insurance in the following kinds and amounts or limits with a company or companies authorized to do business in the State of Florida. This Lease will not be effective until the LESSOR has received an acceptable certificate of insurance showing evidence of such coverage. Certificates of insurance must reference this Lease.

- (a) Liability insurance on forms no more restrictive than the latest edition of the Commercial General Liability Policy (GC 00 01) of the Insurance Services Office without restrictive endorsements, or equivalent, with the following minimum limits and coverage:

Minimum Limits \$1,000,000 per occurrence

- (b) Vehicle liability insurance, including owner, non-owned and hired autos with the following minimum limits and coverage:

Bodily Injury Liability Per Person \$100,000
Bodily Injury Liability Per Occurrence \$300,000
Property Damage Liability \$100,000

-or-

Combined Single Limit \$500,000

- (c) The LESSOR and its employees, agents, and officers must be named as additional insured on the general liability policy to the extent of the LESSOR'S interests arising from this Lease.

- (d) The LESSEE must obtain certificates of insurance from any subcontractor otherwise the LESSEE must provide evidence satisfactory to the LESSOR that coverage is afforded to the subcontractor by the LESSEE'S insurance policies.
- (e) The LESSEE must notify the LESSOR in writing of the cancellation or material change to any insurance coverage required by this Paragraph. Such notification must be provided to the LESSOR within five (5) business days of the LESSEE'S notice of such cancellation or change from its insurance carrier.

22. TAXES: If any ad valorem taxes, intangible property taxes, personal property taxes, or other liens or taxes of any kind are assessed or levied lawfully on the PROPERTY, based on the LESSEE'S use of the PROPERTY during the term of this Lease, the LESSEE agrees to pay all such taxes, assessments or liens, within thirty (30) days after receiving written notice from the LESSOR. In the event the LESSEE fails to pay all such taxes assessed or levied on the PROPERTY within thirty (30) days after receiving written notice, the LESSOR may, at its sole option, pay such taxes, liens, or assessments, subject to immediate reimbursement thereof together with any interest, calculated at the maximum rate allowed by law, and any administrative costs incurred by the LESSOR. Failure of the LESSEE to pay any taxes or assessments pursuant to this paragraph will constitute a material breach of this Lease for which the LESSOR may immediately terminate this Lease.

23. MATERIAL BREACH: Each of the following events will constitute a material breach of this Lease by the LESSEE for which the LESSOR may immediately terminate this Lease:

- (a) If the LESSEE transfers this Lease or any of its rights or obligations under this Lease to any other person or entity, except as may be specifically authorized by the terms of this Lease.
- (b) If the LESSEE vacates or abandons the PROPERTY.
- (c) If the LESSEE fails to obtain and carry the required amount of general liability or vehicle insurance or if such insurance should lapse during the term of this Lease.
- (d) If the LESSEE fails to pay the rent.
- (e) If the LESSEE fails to pay any ad valorem taxes, intangible property taxes, personal property taxes, or other liens or taxes of any kind which are assessed or levied lawfully on the PROPERTY within thirty (30) days after receiving written notice.
- (f) If the LESSEE fails to reimburse the LESSOR for costs associated with the LESSOR'S treatment of the PROPERTY for TSA pursuant to subparagraph 11.(b).
- (g) If the LESSEE is in noncompliance with any other condition of this Lease and LESSEE fails to remedy such non-compliance within (5) days after actual notice by the LESSOR, or within ten (10) days of written notice mailed to the LESSEE at the address stated in the introductory paragraph of this Lease.

24. UTILITIES: The LESSEE agrees to pay all deposits and monthly charges for all utility services supplied to the PROPERTY for the benefit of the LESSEE and all costs to repair, replace, clean and maintain connections and service to the PROPERTY.

25. **WAIVER:** Waiver by the LESSOR of any breach of any term, covenant or condition herein contained will not be deemed to be a future waiver of such term, covenant, or condition, or of any subsequent breach of the same or any other term, covenant, or condition contained herein.

26. **TERMINATION:** Upon the expiration or termination of this Lease, the LESSEE will vacate the PROPERTY and leave the PROPERTY in the same condition as when the LESSEE took possession.

27. **NOTICES:** All notices which might be given to the LESSOR or the LESSEE under this Lease will be in writing and by certified mail, to the respective addresses as stated in the introductory Paragraph of this Lease, unless specifically provided otherwise herein.

28. **MODIFICATION:** This Lease may not be amended except by a formal written amendment signed by the parties. IN WITNESS WHEREOF, the parties hereto have executed this Lease on the day and year first above written.

**Southwest Florida Water Management District,
LESSOR**

By: _____
Randall S. Maggard, Chairman

Attest: _____
Bryan K. Beswick, Secretary

(Seal)

LESSEE

Attest: _____

By: _____
Ryan Raburn

(Print Name of Witness)

Attest: _____

By: _____
Richard Stanaland

(Print Name of Witness)

DISTRICT APPROVAL	INITIALS	DATE
LEGAL	_____	_____
ASST BUREAU CHIEF	_____	_____
BUREAU CHIEF	_____	_____
DIRECTOR	_____	_____

Exhibit "A"
General Location Map
SWF Parcel No. 10-200-1080X



Attachment: Cattle Lease MinTrac Exhibit (3626 : Green Swamp East Cattle Lease)

Exhibit "B"
Legal Description

SWF Parcel No. 10-200-1080X

All of SECTION 5, TOWNSHIP 26 SOUTH, RANGE 23 EAST, Polk County, Florida, less the East 190.00 feet thereof;

AND

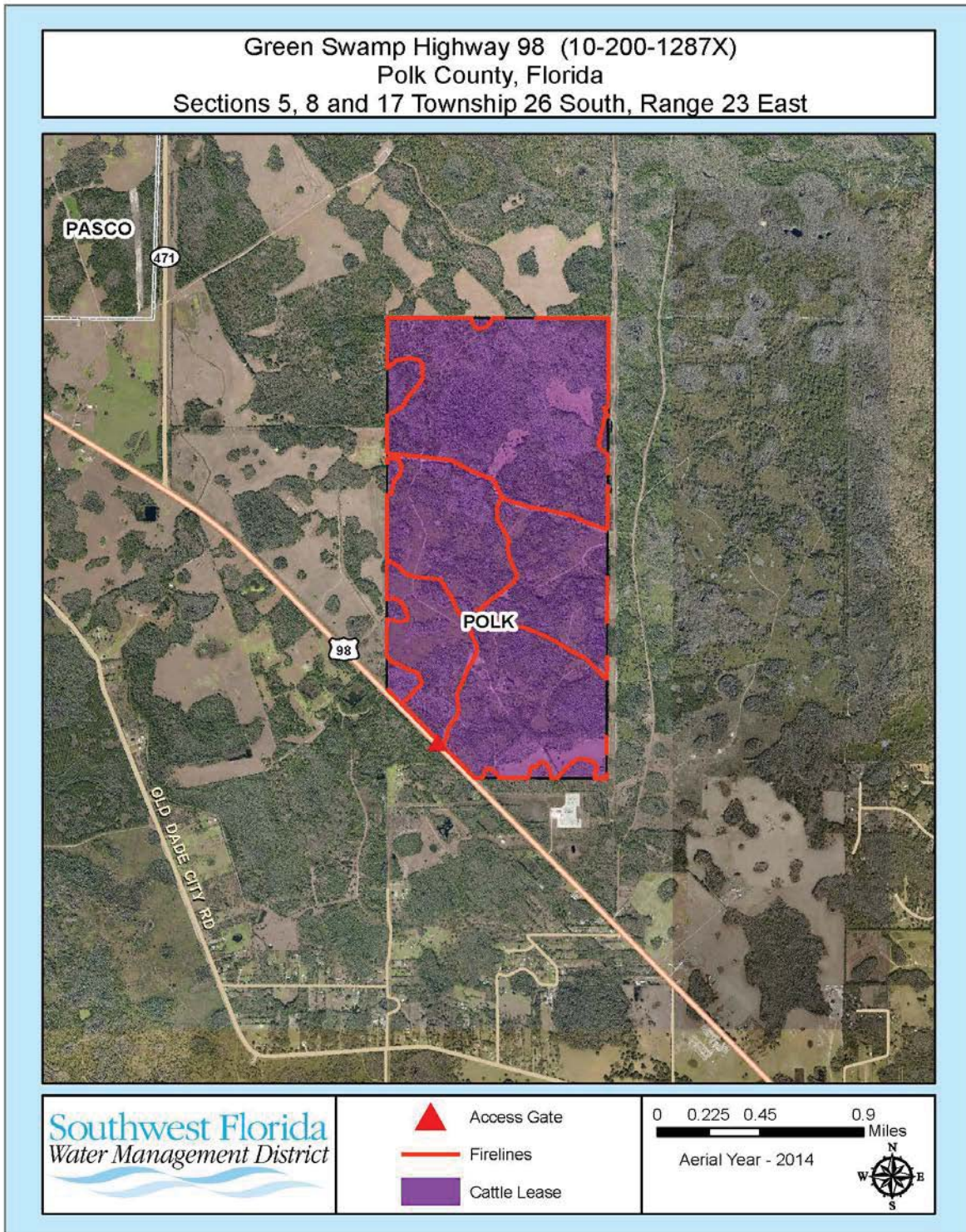
All of SECTION 8, TOWNSHIP 26 SOUTH, RANGE 23 EAST, Polk County, Florida, lying North and East of U.S. Highway 98 road right-of-way less the East 190.00 feet thereof;

AND

The North 383.26 feet of SECTION 17, TOWNSHIP 26 SOUTH, RANGE 23 EAST, Polk County, Florida, lying North and East of U.S. Highway 98 road right-of-way less the East 190.00 feet thereof.

Attachment: Cattle Lease MinTrac Exhibit (3626 : Green Swamp East Cattle Lease)

Exhibit "C"
Firelines
SWF Parcel No. 10-200-1080X



Attachment: Cattle Lease MinTrac Exhibit (3626 : Green Swamp East Cattle Lease)

REGULATION COMMITTEE

March 27, 2018

Consent Agenda

WUP No. 20003890.010 – Bayside Sod Farm/Ibis Road Investors LLC and Bispham Family Limited Partnership (Sarasota County)

This is a modification of an existing water use permit for agricultural use. The authorized quantities are changed from those previously permitted. The annual average quantity increases from 464,400 gallons per day (gpd) to 592,100 gpd and a maximum day/crop protection quantity of 840,000 is added, but the peak month quantity is unchanged at 1,224,000 gpd. There is no change in Use Type from the previous revision. The change in quantities is due to soil type correction and does not represent an expansion of the farming operation, which remains 30 acres of nursery and 213 acres of sod. Quantities are based on the District's irrigation allotment calculation program, AGMOD. This permit is located within the Southern Water Use Caution Area (SWUCA). The use of alternative water supply (AWS) is not feasible at this location at this time.

Special Conditions include those that require the Permittee to report monthly meter readings; to perform meter accuracy checks every five years; to comply with the authorized inch application rate; to provide an overpumpage report upon request; to implement conservation and best management practices; to submit annual crop reports; to construct the proposed well according to approved specifications; to cap any withdrawal not in use; to properly plug and abandon existing wells at the time of new well construction; to provide well completion reports for same; to modify the permit upon incorporation of an AWS; to submit all required reports; and to comply with the SWUCA Recovery Strategy.

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

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

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

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 003890.010**

PERMIT ISSUE DATE: March 27, 2018

EXPIRATION DATE: April 25, 2021

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: Ibis Road Investors, LLC
5800 Lakewood Ranch Boulevard North
Sarasota, FL 34240

Bispham Family Limited Partnership
1800 Second Street, Suite 971
Sarasota, FL 34236

PROJECT NAME: Bayside Sod Farm

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

COUNTY: Sarasota

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

ANNUAL AVERAGE	592,100 gpd
PEAK MONTH ¹	1,224,000 gpd
DROUGHT ANNUAL AVERAGE ²	694,800 gpd
CROP PROTECTION/MAXIMUM ³	840,000 gpd

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

ABSTRACT:

This is a modification of an existing water use permit for agricultural use. The authorized quantities are changed from those previously permitted. The annual average quantity increases from 464,400 gallons per day (gpd) to 592,100 gpd and the peak month quantity is unchanged at 1,224,000 gpd. The maximum daily crop protection quantity increases from 0 gpd to 840,000 gpd. There is no change in Use Type from the previous revision. The change in quantities is due to a soil type correction and does not represent an expansion of the farming operation, which remains 30 acres of nursery and 213 acres of sod. Quantities are based on the District's irrigation allotment calculation program, AGMOD. This permit is located within the Southern Water Use Caution Area (SWUCA). The use of alternative water supply (AWS) is not feasible at this location at this time.

Special conditions include those that require the Permittee to report monthly meter readings, perform meter accuracy checks every five years, comply with the authorized inch application rate, provide an overpumpage report upon request, implement conservation and best management practices, submit annual crop reports, construct the proposed well according to approved specifications, cap any withdrawal not in use, properly plug and abandon existing wells at the time of new well construction, provide well completion reports for same, modify the permit upon incorporation of an AWS, submit all required reports, and comply with the SWUCA Recovery Strategy.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>	<u>DROUGHT ANNUAL AVERAGE</u>	<u>CROP PROTECTION /MAXIMUM</u>
Agricultural	592,100	1,224,000	694,800	840,000

USES AND IRRIGATION ALLOCATION RATE TABLE

<u>CROP/USE TYPE</u>	<u>IRRIGATED ACRES</u>	<u>IRRIGATION METHOD</u>	<u>STANDARD IRRIGATION RATE</u>	<u>DROUGHT IRRIGATION RATE</u>
Nursery, Field	30.00	Drip Without Plastic	34.05"/yr.	54.22"/yr.
Sod	40.00	Sprinkler Over Plant	33.20"/yr.	36.73"/yr.
Sod	173.00	Seepage Citrus Hay Pasture	32.40"/yr.	36.09"/yr.

WITHDRAWAL POINT QUANTITY TABLE

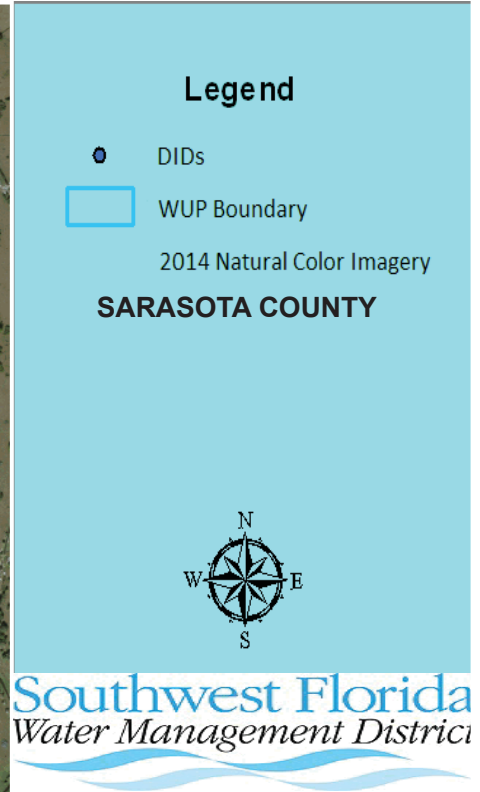
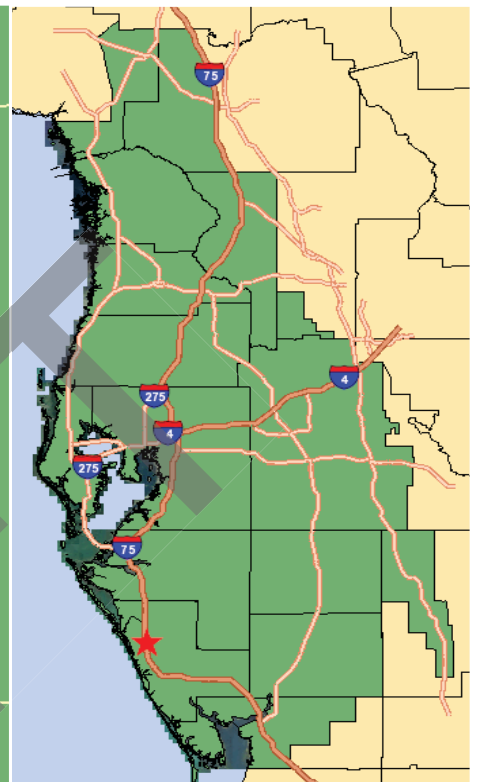
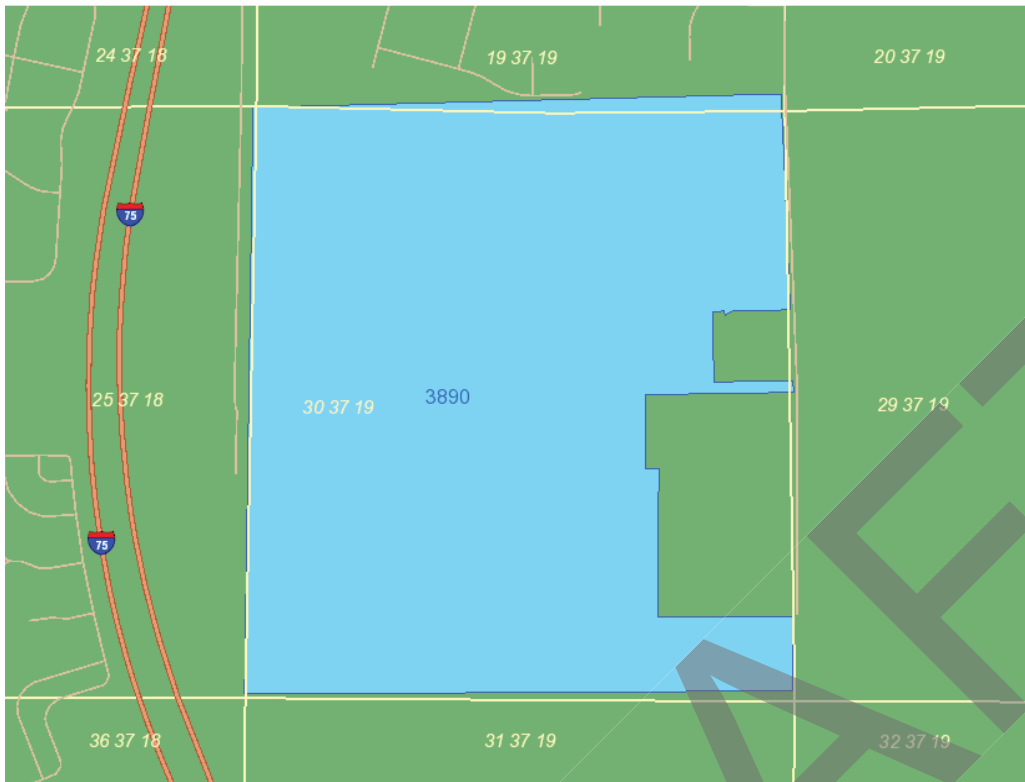
Water use from these withdrawal points are restricted to the quantities given below :

<u>I.D. NO. PERMITTEE/ DISTRICT</u>	<u>DIAM (in.)</u>	<u>DEPTH TTL./CSD.FT. (feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE (gpd)</u>	<u>PEAK MONTH (gpd)</u>	<u>CROP PROTECTION (gpd)</u>
5 / 5	8	665 / 307	To Be Plugged	464,000	1,224,000	N/A
6 / 6	4	135 / 60	To Be Plugged	28,900	72,000	N/A
Standby 7 / 7	10	665 / 480	Irrigation	592,100	1,224,000	840,000

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
5	27° 14' 11.91"/82° 26' 13.85"
6	27° 14' 11.91"/82° 26' 13.85"
7	27° 13' 55.85"/82° 26' 18.85"

Location Map
Ibis Road Investors, LLC
WUP No. 20 003890.010



Attachment: Mar18 WUP 20003890_010 Recap Permit (3642 : WUP No. 20003890.010 - Bayside Sod Farm)

STANDARD CONDITIONS:

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

SPECIAL CONDITIONS:

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

All mailed reports and data are to be sent to:

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

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

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

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

District ID No. 7, Permittee ID No. 7, having a surface diameter of 10 inches, with a minimum casing depth of 480 ft, drilled to an estimated total depth of 665 ft.
(240)

3. The Permittee shall evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvement(s) or conversion when determined to be operationally and economically feasible.(296)
4. The Permittee shall implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.(309)
5. The Permittee shall incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.(312)
6. 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)

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. 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)

9. 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. Nos. 5, 6 and 7, Permittee ID Nos. 5, 6 and 7:
 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)

10. The Permittee shall submit a copy of all well completion reports as filed with the Sarasota County Health Department to the Water Use Permit Bureau within 30 days of each well completion.(508)
11. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500, F.A.C.(568)
12. Concurrent with the installation of proposed well DID No. 7, District ID Nos 5 and 6. Permittee ID Nos. 5 and 6, shall be properly abandoned (plugged bottom to top) by a licensed water well contractor in accordance with Chapter 62-532.500(4), F.A.C., under a Well Abandonment Permit issued by Sarasota County unless an extension of time is granted by the Water Use Permit Bureau Chief.(580)
13. The Permittee shall comply with allocated irrigation quantities, which are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per actual crop grown. If the allocated quantities are exceeded, upon request by the District, the Permittee shall submit a report that includes reasons why the allocated quantities were exceeded, measures taken to attempt to meet the allocated quantities, and a plan to bring the permit into compliance. The District will evaluate information submitted by Permittees who exceed their allocated quantities to determine whether the lack of achievement is justifiable and a variance is warranted. The report is subject to approval by the District; however, justification for exceeding the allowed withdrawal quantity does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.(651)
14. 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)

15. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID No. 7, Permittee ID No. 7. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(718)
16. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Water Use Permit Bureau Chief: District ID No. 5, Permittee ID No.5. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(719)
17. The following existing standby withdrawal facilities (those that provide back-up water for another withdrawal point in the event the other withdrawal point becomes unusable) shall continue to be metered: District ID No. 6, Permittee ID No. 6. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(722)

DRAFT

Attachment: Mar18 WUP 20003890_010 Recap Permit (3642 : WUP No. 20003890.010 - Bayside Sod Farm)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

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

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

Exhibit B
Instructions

METERING INSTRUCTIONS

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

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

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

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

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

FLOW METER ACCURACY TEST INSTRUCTIONS

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

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

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

2. **Accuracy Test Requirements:** The Permittee shall test the accuracy of flow meters on permitted withdrawal points as follows:
- A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.
 - B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained.
 - C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.
 - D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent accuracy indicates the deviation (if any), of the meter being tested from the test meter.
3. **Accuracy Test Report:** The Permittees shall demonstrate that the results of the meter test(s) are accurate by submitting the following information within 30 days of the test:
- A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.014.00 (07/08) for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org) under "ePermitting and Rules" for Water Use Permits.

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

WELL CONSTRUCTION INSTRUCTIONS

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

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

Authorized Signature
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

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

GENERAL COUNSEL'S REPORT

March 27, 2018

Consent Agenda

Authorized Signature Certification Form – Department of Financial Services – ERP Financial Assurance Requirements

As part of compliance with the conditions for issuance of an Environmental Resource Permit (“ERP”) where an applicant proposes mitigation, the applicant is required to provide proof of financial assurance that any mitigation, monitoring, and corrective action are undertaken in accordance with the terms and conditions of a permit. Section 10.3.7.6 of the ERP Applicant’s Handbook, Vol. I, authorizes the deposit of cash in an escrow account established with the Florida Department of Financial Services (“DFS”) as an acceptable mechanism for meeting the financial assurance requirements.

Similar to the general rules applicable to ERP’s set forth above, Rule 62-342.700, F.A.C., requires mitigation bank permit applicants to provide proof of financial assurance for the perpetual management of the mitigation bank. Currently, mitigation bank permit applicants are not authorized by rule to utilize a DFS escrow account to satisfy the perpetual financial assurance requirements of Rule 62-342.700, F.A.C. However, the Florida Department of Environmental Protection has published a Notice of Proposed Rule that would amend Rule 62-342.700, F.A.C., to allow mitigation bank permit applicants to utilize a DFS escrow account for purposes of satisfying the perpetual financial assurance requirements. Additionally, the District has recently granted variances to Rule 62-342.700, F.A.C., to allow a mitigation bank permittee to utilize a DFS escrow account to satisfy perpetual financial assurance requirements.

In order to execute an escrow agreement and provide DFS with instructions concerning the withdrawal of funds in the event a mitigation bank permittee is unable to comply with the perpetual monitoring and maintenance requirements established in an ERP, DFS requires a state agency to execute an Authorized Signature Certification Form (“Form”). The Form designates the individual(s) within the agency who is(are) authorized to execute escrow agreements and provide directions to DFS. The agency head is required to execute the Form to provide DFS with assurance that the individual acting on behalf of the agency is authorized to do so. In order to provide for internal control, District staff recommend that the Finance Bureau Chief and the Chief Advisory Environmental Scientist should be authorized to sign the Form.

Staff Recommendation:

- Execute the Authorized Signature Certification Form to facilitate the utilization of a DFS Escrow Account for Environmental Resource Permit financial assurance requirements;
- Authorize the Finance Bureau Chief and the Chief Advisory Environmental Scientist to execute the Authorized Signature Certification Form and any other documents necessary to deposit or withdraw collateral in accordance with the terms and conditions of any approved Escrow Agreement.

Presenter: Christopher A. Tumminia, Senior Attorney

GENERAL COUNSEL'S REPORT

March 27, 2018

Consent Agenda

Interagency Agreement Between SJRWMD and SWFWMD – Designation of Regulatory Responsibility – E.R. Jahna Industries, Inc. Independent North Sand Mine Project – Lake County

E.R. Jahna Industries, Inc. ("Applicant") was issued Consumptive Use Permit ("CUP") No. 2S-069-2985-5 ("Permit") by the St. Johns River Water Management District ("SJRWMD") for its Independent North Sand Mine Project located in Lake County, Florida ("Project"). A small portion of the Project lies within the Southwest Florida Water Management District ("SWFWMD") jurisdictional boundary, however an interagency agreement was not executed for the Permit.

The Applicant intends to apply for a Permit modification to expand the Project, including expansion further into the SWFWMD boundary. SJRWMD has proposed an interagency agreement for the designation of regulatory responsibility for the Permit modification, attached hereto as Exhibit A. The current and proposed portions of the Project within the SWFWMD boundary are depicted in the image included with Exhibit A. A majority of the Project area will continue to be within the SJRWMD boundary, and the water use will continue to be sourced from surface water within the SJRWMD boundary.

Section 373.046(6), Florida Statutes, authorizes a water management district to designate, through interagency agreement, regulatory responsibility to another water management district over a project located within the jurisdictional boundaries of both districts. An interagency agreement approved by both districts is necessary to authorize SJRWMD to issue a CUP to the Applicant for the entire Project.

Staff Recommendation:

Approve the Interagency Agreement Between the St. Johns River Water Management District and the Southwest Florida Water Management District for Designation of Regulatory Responsibility for Independent North Sand Mine in Lake County.

Presenter: James B. Fussell, Jr., Staff Attorney

**INTERAGENCY AGREEMENT BETWEEN
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
AND SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
TO DESIGNATE REGULATORY RESPONSIBILITY
FOR WATER USE PERMITTING OF THE E.R. JAHNA INDUSTRIES, INC.
INDEPENDENT NORTH SAND MINE PROJECT**

THIS INTERAGENCY AGREEMENT ("Agreement") is made and entered into by ST. JOHNS RIVER WATER MANAGEMENT DISTRICT ("SJRWMD") and SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT ("SWFWMD").

WITNESSETH

WHEREAS, E.R. Jahna Industries, Inc. currently has a consumptive use permit (CUP), number 2S-069-2985-5, which was issued pursuant to Part II, Chapter 373, Florida Statutes (F.S.), by SJRWMD, for a project known as Independent North Sand Mine; and

WHEREAS, the CUP authorizes activities that lie mostly within the jurisdictional boundaries of SJRWMD, but cross into an area within the jurisdictional boundaries of SWFWMD; and

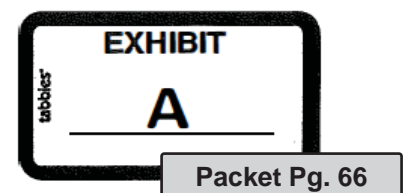
WHEREAS, SJRWMD and SWFWMD have not previously entered into an interagency agreement regarding the CUP; and

WHEREAS, E.R. Jahna Industries, Inc. intends to submit an application to modify its CUP ("Application") that will expand its mining activities into additional areas within the jurisdictional boundaries of SWFWMD, as depicted on the image attached hereto as Exhibit A; and

WHEREAS, the Application will propose expansion of existing mining activities into the new area and the use of surface water from the source currently in use under the permit issued by SJRWMD and within its jurisdictional boundaries; and

WHEREAS, subsection 373.046(6), F.S., authorizes water management districts to designate, by interagency agreement, regulatory responsibility to a single water management district when the geographic area of a project crosses water management district boundaries; and

WHEREAS, designation of SJRWMD as the water management district pursuant to Part II, Chapter 373, F.S., with regulatory responsibility for the Application would allow for more efficient processing of permit applications and facilitation of the Project.



NOW THEREFORE, SJRWMD and SWFWMD, under the authority of Section 373.046(6), F.S., hereby agree as follows:

1. SJRWMD is designated as the water management district that will have all regulatory responsibilities under Part II of Chapter 373, Florida Statutes, for review of CUP number 2S-069-2985-5 and the Application. Such regulatory responsibilities shall include receiving, processing, and taking final agency action on the application, or modifications thereof, and any compliance and enforcement action related to such permit.
2. This Agreement will commence upon execution by all parties and will remain in effect until either terminates such agreement for its convenience, upon ninety (90) days written notice to the other party.

IN WITNESS WHEREOF, each party, by its lawful representative, has executed this Agreement on the date set forth next to its signature below.

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

Attest:

By:

Name: William Abrams
Title: General Counsel

Name: Ann B. Shortelle, Ph.D.
Title: Executive Director

Date: _____, 2018

(Seal)

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

By:

Attest:

Name: Randall S. Maggard
Title: Chair

Name: Bryan K. Beswick, Secretary
Title: Secretary

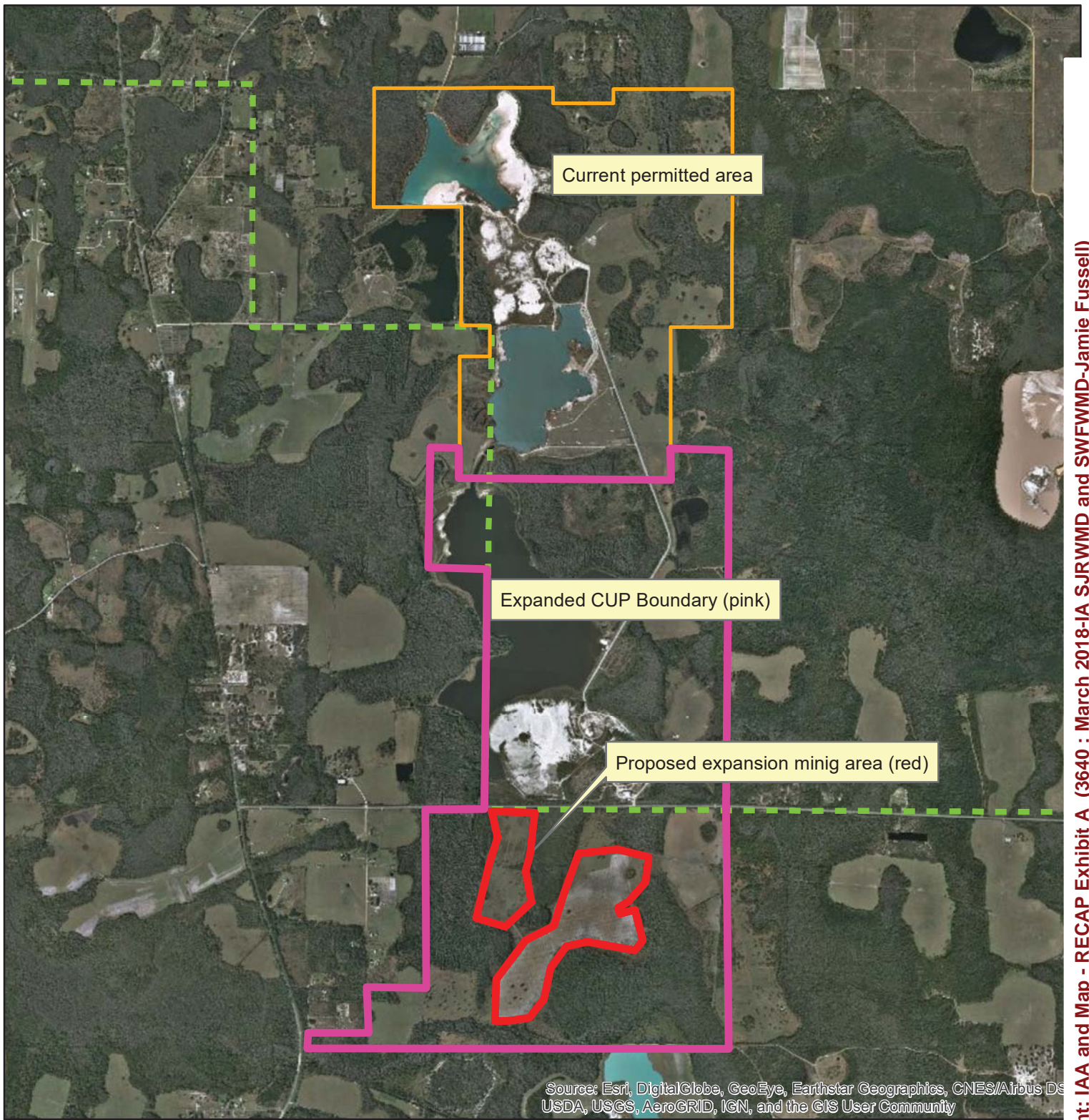
Date: _____, 2018

(Seal)

Legal Form Approved:

James B. Fussell, Jr., Staff Attorney

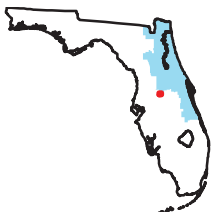
Attachment: IAA and Map - RECAP Exhibit A (3640 : March 2018-IA SJRWMD and SWFWMD-Jamie Fussell)



0.5 0.25 0 0.5 Miles



1:36236



Legend

- CUP Boundaries (Compliance) selection
- SJRWMD Boundary

EXHIBIT A

The St. Johns River Water Management District prepares and uses this Information for its own purposes and this information may not be suitable for other purposes. This information is provided as is. Further documentation of this data can be obtained by contacting: St. Johns River Water Management District, Geographic Information Systems, Program Management, P.O.Box 1429, 4049 Reid Street Palatka, Florida 32178-1429 Tel: (386) 329-4176.

GENERAL COUNSEL'S REPORT

March 27, 2018

Consent Agenda

Interagency Agreement Between SWFWMD and SFWMD – Designation of Regulatory Responsibility – SR 70 Jefferson Avenue to CR 29 Project FPID No: 414506-1-22-01

The Florida Department of Transportation (FDOT) is undertaking a project to widen a seven-mile portion of SR 70 (Project) in Highlands County, from a two-lane undivided roadway to a four-lane divided roadway with a 10' shared-use path. The majority of this Project lies within and drains to water bodies within the Southwest Florida Water Management District (SWFWMD) boundaries. A smaller portion of the project lies within and drains to water bodies within the South Florida Water Management District (SFWMD) boundaries.

Section 373.046(6), Florida Statutes (Fla. Stat.), authorizes a water management district to designate, via an interagency agreement, the regulatory responsibility to another water management district when the geographic area of a project or local government crosses water management district boundaries. Because the majority of the Project lies within the SWFWMD boundaries, the designation of the SWFWMD as the water management district with Part IV, Chapter 373, Fla. Stat., regulatory responsibility for the Project would allow for more efficient processing of associated permit applications. Both the SFWMD and the SWFWMD desire to designate the SWFWMD as the water management district with Part IV, Chapter 373, Fla. Stat., regulatory responsibility for the Project. The Interagency Agreement and a map showing the location of the Project are attached as exhibits.

Staff Recommendation:

Approve the Interagency Agreement Between the Southwest Florida Water Management District and the South Florida Water Management District for Designation of Regulatory Responsibility for the SR 70 Jefferson Avenue to CR 29 Project in Highlands County.

Presenter: Jodi A. Thompson, Staff Attorney

**INTERAGENCY AGREEMENT BETWEEN
THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
AND THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT
FOR THE DESIGNATION OF REGULATORY RESPONSIBILITY FOR AN
ENVIRONMENTAL RESOURCE PERMIT FOR THE
SR70 PROJECT IN HIGHLANDS COUNTY**

THIS INTERAGENCY AGREEMENT (Agreement) is made and entered into by and between the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD) and the SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD).

WITNESSETH:

WHEREAS, The Florida Department of Transportation (FDOT) is seeking an environmental resource permit for construction of road improvements and associated stormwater facilities along an approximately 7 mile portion of SR 70, from east of Jefferson Avenue to CR 29, in Highlands County, Florida. (SR 70 Project); and

WHEREAS, the beginning of the SR 70 Project falls under the jurisdiction of SFWMD, and then the project continues along the geographical boundary between SFWMD and SWFWMD until it again falls under SWFWMD's jurisdiction, and then ends in SFWMD's jurisdiction. See project map attached as "Exhibit A."

WHEREAS, the geographic area of the SR 70 Project includes portions of Highlands County that are located within the jurisdictional boundaries of SWFWMD and SFWMD; and

WHEREAS, Subsection 373.046(6), Fla. Stat., authorizes a water management district to designate, via an interagency agreement, regulatory responsibility to another water management district when the geographic area of a project or local government crosses water management district boundaries; and

WHEREAS, the designation of the SWFWMD as the water management district with Part IV, Chapter 373, F.S., regulatory responsibility for the SR 70 Project would allow for more efficient processing of permit applications under that part; and

WHEREAS, the SWFWMD and the SFWMD desire to designate the SWFWMD as the water management district with Part IV, Chapter 373, Fla. Stat., regulatory responsibility for the SR 70 Project, pursuant to Part IV, Chapter 373, Fla. Stat.;

NOW THEREFORE, the SWFWMD and the SFWMD, under the authority of Subsection 373.046(6), Fla. Stat., hereby agree as follows:

1. The SFWMD hereby designates to SWFWMD all regulatory responsibilities under Part IV of Chapter 373, Fla. Stat., for those activities associated with the SR 70 Project that lie within the jurisdictional boundaries of SFWMD. Such regulatory responsibilities shall include receiving, processing, and taking final agency action

on all environmental resource permit applications, or modifications thereof, and taking any compliance and enforcement action with regard to such permit.

2. This Agreement will commence upon execution by all parties and will remain in effect until either party terminates such agreement for its convenience upon ninety (90) days written notice to the other party.

IN WITNESS WHEREOF, each party, or its lawful representative, has executed this Agreement on the date set forth next to their signature below.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

By: _____
Randall S. Maggard, Chair

Attest: _____
Bryan K. Beswick, Secretary

Date: _____, 2018

(Seal)

Legal Form Approved:

Jodi A. Thompson
Staff Attorney

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

By: _____
Jill S. Creech, P.E.
Director, Regulation Division

Attest: _____
District Clerk/Secretary

Date: _____, 2018

(Seal)

Legal Form Approved:

Jennifer D. Brown
Senior Attorney



Southwest Florida
Water Management District

JUN 12 2017

Received
Brooksville RSB

SR 70 Project Development and Environment Study
From East of Jefferson Avenue to East of CR 29
Highlands County, Florida

FPN: 414506-1-22-01



Figure 2:
Water Management District Map

EXECUTIVE DIRECTOR'S REPORT

March 27, 2018

Consent Agenda

Approve Governing Board Minutes – February 27, 2018

Staff Recommendation:

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

MINUTES OF THE MEETING

GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

SARASOTA, FLORIDA

FEBRUARY 27, 2018

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 10:00 a.m., on February 27, 2018, at the Sarasota Office. The following persons were present:

Board Members Present

Randall S. Maggard, Chair
Jeffrey M. Adams, Vice Chair
Bryan Beswick, Secretary
Ed Armstrong, Treasurer*via phone
H. Paul Senft, Member
Michael A. Babb, Member
Kelly S. Rice, Member
John Henslick, Member
Michelle Williamson, Member
Mark Taylor, Member
Rebecca Smith, Ph.D., Member
James G. Murphy, Member

Board Members Absent

Joel Schleicher, Member

Staff Members

Brian J. Armstrong, Executive Director
Amanda Rice, Assistant Executive Director
Karen E. West, General Counsel
Kurt P. Fritsch, Inspector General
John J. Campbell, Division Director
Ken L. Frink, Division Director
Alba E. Más, Division Director
Michael Molligan, Division Director
Jennette Seachrist, Division Director

Board's Administrative Support

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

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

PUBLIC HEARING (Audio – 00:00)

1. Call to Order

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

2. Invocation and Pledge of Allegiance

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

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

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

He also requested that several individuals wishing to speak on the same issue/topic designate a spokesperson.

3. Employee Recognition

Chair Maggard recognized employees who have reached at least 20 years of service with the District and thanked them for their service. The following staff was recognized: Dawn Turner.

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

4. Additions/Deletions to Agenda

Mr. Brian Armstrong, executive director, stated there were no additions or deletions to the agenda.

Board Member Williamson declared a conflict of interest for the following item:

12. Individual Water Use Permits Referred to the Governing Board

a. WUP No. 20003251.011 - Dairy/Glenn & Frances Williamson (Hillsborough County)

Staff recommended that Board approve the proposed permit attached as an exhibit.

Chair Maggard said there is good cause to approve the amended agenda as allowed by Section 120.525, Florida Statutes. A motion was made to approve the amendments to the published agenda, which was seconded. The motion carried unanimously. (Audio 00:6:00)

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

Chair Maggard stated he received seven Request to Speak cards.

Mr. David Ballard Geddis, Jr., spoke about the use of dry toilets.

Mr. Harrison Fox thanked the District for a grant that was provided for Siesta Waterway and Briarwood Canal restoration.

Ms. Becky Ayech, ECOSWF, welcomed the Governing Board to Sarasota.

Ms. Lee Meyer spoke regarding tree removal to alleviate Bowles Creek flooding concerns associated with Shadybrook.

Mr. John Lindsey, representing the Shadybrook Condominium Association, spoke regarding cooperating with the District to alleviate Bowles Creek flooding concerns associated with Shadybrook Village.

Ms. Jennette Seachrist, Resource Management Director, stated that staff will contact Ms. Meyer and Mr. Lindsey to ensure that information is added, if not already in, an analysis being conducted.

Chair Maggard asked what entity is responsible for maintaining Bowles Creek. Mr. Ken Frink, Operations, Lands and Resource Monitoring director, stated it is most likely the county, but stated it was not the District.

Board Member Henslick expressed concern with removal of trees from river banks. He stated the District may have no jurisdiction regarding tree removal. However, he stated the District is the appropriate agency to address cooperative funding associated with studies for flooding associated with the creek.

Ms. Mandy Hines, DeSoto County administrator, spoke regarding an out-of-cycle cooperative

funding request for the Spring Lake Flooding Project Q015. Ms. Hines provided PowerPoint slides.

Chair Maggard directed District staff to provide a presentation for the March Governing Board meeting regarding this issue.

Ms. Robin DiSabatino, Manatee County commissioner, requested the Board expedite solutions to assist with the flooding issues associated with Pearce Drain, Rattlesnake Slough and Bowles Creek in Sarasota County.

CONSENT AGENDA

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

Ms. Karen West, general counsel, asked Board Member Williamson to declare her reason for conflict of interest. Board Member Williamson stated she is an applicant on the permit.

Resource Management Committee

6. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, Florida Administrative Code, to Adopt Minimum and Guidance Levels for Lake Damon in Highlands County (P256)

Staff recommended the Board:

- A. Accept the report entitled, "Minimum and Guidance Levels for Lake Damon in Highlands County, Florida."
- B. Authorize staff to make any necessary minor clarifying edits that may result from the rulemaking process and to complete report finalization.
- C. Initiate and approve rulemaking to amend Rule 40D-8.624, F.A.C., to include the proposed Minimum and Guidance Levels for Lake Damon in Highlands County, as shown in the Exhibit.

7. Budget Transfer – Weeki Wachee Natural System Carrying Capacity Study (WW06)

Staff recommended the Board:

- 1) Approve the out-of-cycle request to proceed with Weeki Wachee Carrying Capacity Study (WW06).
- 2) Authorize the transfer of \$250,000 from the Hillsborough County Sun City Golf Course Reclaimed Water Expansion project (N804) to the Weeki Wachee Carrying Capacity Study (WW06).
- 3) Authorize the Assistant Executive Director to sign the revenue agreement with Hernando County and consultant task work assignments.

8. FARMS Ocean Breeze Properties, LLC – Phase 2 – H763, Hillsborough County

Staff recommended the Board:

- 1) Approve the Ocean Breeze Properties, LLC - Phase 2 project for a not-to-exceed project reimbursement of \$79,030 with \$79,030 provided by the Governing Board;
- 2) Authorize the transfer of \$79,030 from fund 010 H017 Governing Board FARMS Fund to the H763 Ocean Breeze Properties, LLC - Phase 2 project fund;
- 3) Authorize the Division Director to sign the agreement.

Finance/Outreach & Planning Committee

9. Approval of the 2018 Consolidated Annual Report

Staff recommended the Board approve the 2018 Consolidated Annual Report and its transmittal.

10. Resource Data Modernization Services Budget Transfer

Staff recommended the Board approve the transfer of \$407,455 from the withdrawn Sun City Golf Course Reclaimed Water Expansion Project (N804) to the Resource Data Modernization Project (P456) for the procurement of consulting services, software and software maintenance associated.

11. Budget Transfer Report

Staff recommended the Board's approval of the Budget Transfer Report covering all budget transfers for January 2018.

Operations, Lands and Resource Monitoring Committee - None

Regulation Committee

12. Individual Water Use Permits Referred to the Governing Board

a. WUP No. 20003251.011 - Dairy/Glenn & Frances Williamson (Hillsborough County)

Staff recommended that Board approve the proposed permit attached as an exhibit.

b. WUP No. 20007085.011 - Manatee Grove/Turner Groves Citrus Limited Partnership (Manatee County)

Staff recommended that Board approve the proposed permit attached as an exhibit.

c. WUP No. 20020687.000 - Southeast Wildwood Water Conservation Authority/Southeast Wildwood Water Conservation Authority (Sumter County)

Staff recommended that Board approve the proposed permit attached as an exhibit.

General Counsel's Report

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

a. Initiation of Litigation-Permit Condition Violations - Jazzy's Bar-B-Q Inc., ERP No. 43030371.002 - Hillsborough County

Staff recommended the Board authorize the initiation of litigation against Johnny Ray Smith, owner of Jazzy's Bar-B-Q, to obtain compliance, to recover an administrative fine/civil penalty for any violations, and to recover District enforcement costs, court costs, and attorney's fees.

14. Rulemaking

a. Authorization for Initiation and Approval of Rulemaking to Amend Environmental Resource Permitting Applicant's Handbook Volume II, as Part of Statewide Environmental Resource Permitting Rule Amendments

Staff recommended the Board authorizes the initiation of rulemaking and approve the proposed amendments to Rule 40D-1.660, F.A.C., and Environmental Resource Permitting Applicant's Handbook Volume II.

Executive Director's Report

15. Approve Governing Board Minutes - January 23, 2018

Staff recommended the Board approve the minutes as presented.

A motion was made to approve agenda items 1-11 and agenda items 13-15 in the published agenda, which was seconded. The motion carried unanimously. (Audio 00:34:10)

A motion was made to approve agenda item 12 in the published agenda, which was seconded. The motion carried with 11 unanimous votes and Board Member Williamson abstaining. (Audio 00:34:30)

Chair Maggard relinquished the gavel to the Resource Management Committee Chair Babb who called the meeting to order. (Audio 00:34:45)

Resource Management Committee

Discussion

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

17. Peace River Manasota Regional Water Supply Authority (PRMRWSA) Update

Mr. JP Marchand, Water Resources bureau chief, introduced Sarasota County Commissioner Chairman Alan Maio. Commissioner Maio and Mr. Pat Lehman, PRMRWSA executive director, presented an update of the PRMRWSA and District partnership. This update provided an overview of the Peace River facility treatment capacity which included reservoir storage and Aquifer Storage and Recovery (ASR). A map was provided of the regional water system. Commissioner Maio provided information regarding RV Griffin Reserve and the partnership with the District associated with this project. He discussed the acquisition of the Orange Hammock Ranch. He detailed the support provided for this acquisition and the benefit this property can provide.

Board Member Henslick asked if mitigation activities would be used for wetland impacts. Commissioner Maio responded that a portion of Orange Hammock would be used for mitigation for the future reservoir and any expansion of ASR wells.

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

18. Draft Polk Regional Water Cooperative (PRWC) Resolution for Future Funding

Mr. Jason Mickel, Water Supply manager, provided a presentation on the PRWC resolution. Mr. Mickel outlined historical information that included the formation of the PRWC, membership, alternative water supply projects, milestones, on-going projects, future funding needs and a timeline.

Mr. Mickel presented an example of a preliminary construction plan, Southeast Wellfield, as part of phase two. He outlined a draft resolution for funding phase two projects.

Polk County Commissioner George Lindsey thanked the Board for its ongoing and future cooperation.

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

Submit & File Reports - None

Routine Reports

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

19. Significant Water Resource and Development Projects

20. Minimum Flows and Levels Status Report

Committee Chair Babb relinquished the gavel to the Finance/Outreach and Planning Committee Vice Chair Adams, who called the meeting to order. (Audio 00:53:38)

Finance/Outreach and Planning Committee

Discussion

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

22. Legislative Update

Mr. Michael Molligan, Employee and External Relations director, provided an update on the 2018 Legislative Session. He provided information regarding committee status for House Bill (HB) 703 and companion Senate Bill (SB) 806 regarding the sale of surplus lands; HB 705 and companion bill 808 regarding surplus lands/public records. Mr. Molligan provided an update on pending Board member confirmations. He informed the Board of bills that are of interest to the District.

Mr. Molligan outlined the following bills: HB 177/SB 364 state group health insurance; HB 1149/SB 1308 regarding environmental regulation; HB 7043/SB 1402 404 dredge and fill permitting; HB 1303/SB 1710 West Coast Regional Water Supply Authority; SB 1664 onsite sewage treatment and disposal systems; HB 987/SB 1328 affordable housing; HB 1353/SB 370 land acquisition trust fund - Florida Forever; and HB 7063 natural resources.

Mr. Molligan also stated there are two administrative bills that are currently being tracked, one is regarding expenditure allowance for overnight travel and the other is the government integrity bill that investigates fraud and mismanagement abuse.

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

Submit & File Reports

23. Purchase Card Audit – General Services Bureau

Routine Reports

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

24. Treasurer's Report and Payment Register

25. Monthly Financial Statement

26. Monthly Cash Balances by Fiscal Year

27. Comprehensive Plan Amendment and Related Reviews Report

28. Development of Regional Impact Activity Report

Committee Vice Chair Adams relinquished the gavel to the Operations, Lands and Resource Monitoring Chair Beswick, who called the meeting to order. (Audio 01:01:35)

Operations, Lands and Resource Monitoring Committee Discussion

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

Submit & File Reports

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

30. Hydrologic Conditions Report

Routine Reports

31. Surplus Lands

32. Significant Activities

33. Structure Operations

Committee Chair Beswick relinquished the gavel to the Regulation Chair Adams, who called the meeting to order. (Audio 01:02:35)

Regulation Committee Discussion

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

35. Denials Referred to the Governing Board

None were presented at this meeting.

36. Consider Water Shortage Order(s) as Necessary

None were presented at this meeting.

Submit & File Reports - None

Routine Reports

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

- 37. Dover/Plant City Water Use Caution Area Flow Meter and Automatic Meter Reading (AMR) Equipment Implementation Program Update**
- 38. Overpumpage Report**
- 39. Individual Permits Issued by District Staff**

Committee Chair Adams relinquished the gavel to Chair Maggard. (Audio 01:03:09)

General Counsel

Discussion

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

Board Member Henslick asked about the time frame for cases that are in litigation. He specifically addressed Jazzy's Bar-B-Q Incorporated.

Ms. Karen West responded that Jazzy's Bar-B-Que has been in the Office of General Counsel since July 2017. Ms. West explained the permit was issued in 2015, but no statement of completion has been submitted from the permittee. She stated that two notices of violation and a proposed consent order have been sent to the permittee. No responses have been received. She stressed that the District tries to resolve non-compliance issues to avoid legal enforcement.

Submit & File Reports – None

Routine Reports

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

- 41. February 2018 - Litigation Report**
- 42. February 2018 - Rulemaking Update**

Committee/Liaison Reports

43. Public Supply Advisory Committee

A written report was provided for the February 6 meeting.

Board Member Senft specifically addressed the Governing Board Policy 103-4 that was presented at the Public Supply Advisory Committee (PSAC) meeting. He explained that third-party reviews evaluate for cost effectiveness metrics, resource benefits and cooperator performance.

44. Committee/Liaison Reports - None

Executive Director's Report

45. Executive Director's Report

Brian Armstrong, executive director, stated the pilot test program for the Flatford Swamp has been initiated.

Chair's Report

46. Chair's Report

The next Board meetings are scheduled for March 27 at the Brooksville Office, April 24 at the Lake Eva Banquet Hall in Haines City and May 22 in the Brooksville Office.

47. Other

48. Employee Milestones

The meeting was adjourned at 11:15 a.m.

Attest:

Chair

Secretary

DRAFT

Attachment: GB 02272018 - Draft (3601 : Approve Governing Board Minutes - February 27, 2018)

**Governing Board Meeting
March 27, 2018**

FINANCE/OUTREACH & PLANNING COMMITTEE
--

Discussion Items

18. Consent Item(s) Moved for Discussion	
19. Springs Protection Awareness Month	83
20. Fiscal Year 2016-17 Comprehensive Annual Financial Report	85
21. Budget Transfer from Pavement Repair/Resurfacing (C164) to Fuel Island Repair/ Modifications (C204)	86
22. Legislative Update	87

Submit & File Reports

23. Information Technology (IT) Continuity Tests	88
24. Quarterly Risk-Based Transaction Tests.....	89

Routine Reports

25. Treasurer's Report and Payment Register	91
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27. Monthly Cash Balances by Fiscal Year	108
28. Comprehensive Plan Amendment and Related Reviews Report	110
29. Development of Regional Impact Activity Report	113

FINANCE/OUTREACH & PLANNING COMMITTEE

March 27, 2018

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

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

FINANCE/OUTREACH & PLANNING COMMITTEE

March 27, 2018

Discussion Item

Springs Protection Awareness Month

Purpose

To request that the Governing Board approve a resolution declaring April 2018 as “Springs Protection Awareness Month” and to recognize one of the District’s springs community partners.

Background/History

There are more than 150 documented springs as well as thousands of undocumented springs and seeps in the District. The District has five first-magnitude spring groups that collectively discharge more than one billion gallons of water per day. These groups are important not only for their ecological value but also for their economic impact on local communities.

The District, in partnership with the various stakeholders, is committed to implementing investigations, projects and programs to conserve and improve the ecological balance of these spring systems, thereby supporting regional economies and quality of life. The District has been a lead technical agency in springs protection and improvement for more than a decade and has taken a comprehensive approach to protect the region’s springs, which includes water conservation, restoration, planning, communication and education, monitoring, research and development, regulation, and land acquisition and management.

“Springs Protection Awareness Month” - The Florida Legislature adopted a resolution declaring April 2018 as “Springs Protection Awareness Month” because the state’s springs are essential to the environment, economy, residents and visitors of the state. On a more local level, staff support a Governing Board resolution to recognize the importance of our springs. The resolution for the Committee’s consideration and recommendation for approval is provided as an exhibit.

Springs Community Partner - The District would like to recognize Cheryl Paradis for her efforts to help improve our springs. Paradis has served as the director and lead teacher at the Springs Coast Environmental Education Center on the Weeki Wachee River since 2008. Each year, she passionately educates approximately 8,000 Hernando County students, teachers and families about Weeki Wachee Springs and how to protect the springshed. Paradis is an advocate of the District’s work to protect and improve our springs and shares District efforts and educational materials with all who visit the center.

Staff Recommendation:

Approve and execute Resolution No. 18-01 declaring April 2018 as “Springs Protection Awareness Month.”

Presenter: Melissa Gulvin, Communications Manager

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 18-01

**PROCLAIMING APRIL 2018 as
“SPRINGS PROTECTION AWARENESS MONTH”**

WHEREAS, Florida’s springs are essential to the environment, economy, residents and visitors of the state; and

WHEREAS, there are more than 150 documented springs as well as thousands of undocumented springs and seeps in the Southwest Florida Water Management District; and

WHEREAS, the District has five first-magnitude spring groups that collectively discharge more than one billion gallons of water per day; and

WHEREAS, these groups are important not only for their ecological value but also for their economic impact on the communities that call these areas home; and

WHEREAS, the District, in partnership with the various stakeholders, is committed to implementing projects to conserve and restore the ecological balance of these spring systems, thereby supporting regional economies and quality of life.

THEREFORE, BE IT RESOLVED that the Southwest Florida Water Management District hereby proclaims the month of April 2018 as “SPRINGS PROTECTION AWARENESS MONTH.”

BE IT FURTHER RESOLVED that the Southwest Florida Water Management District shall continue to implement an adaptive management strategy to protect the region’s springs through restoration, planning, communication and education, monitoring, research and development, regulation, conservation, and land acquisition and management.

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

PASSED AND ADOPTED in Brooksville, Hernando County, Florida, on this twenty seventh day of March 2018.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

By: _____
Randall S. Maggard, Chair

Attest: _____
Bryan K. Beswick, Secretary

Attachment: SWFWMD Springs Proclamation FY18 (3599 : Springs Protection Awareness Month)

FINANCE/OUTREACH & PLANNING COMMITTEE

March 27, 2018

Discussion Item

Fiscal Year 2016-17 Comprehensive Annual Financial Report

Purpose

Presentation of the District's Comprehensive Annual Financial Report for fiscal year ended September 30, 2017, by the District's financial auditors, James Moore & Co., P.L., for acceptance by the Governing Board.

Background

The District is required by Section 218.39, Florida Statutes, to have an annual financial audit of its accounts and records performed by an independent certified public accountant, licensed in the State of Florida, and made in accordance with generally accepted auditing standards, Florida Statutes, and Rules of the Auditor General promulgated pursuant to Section 11.45.

The Comprehensive Annual Financial Report, including a Single Audit pursuant to audit requirements of Chapter 10.550, Rules of the Auditor General, the Management Letter and the Independent Accountants' Report for fiscal year ended September 30, 2017, will be distributed prior to the meeting. James Moore & Co., P.L. representatives will attend the meeting to communicate to the Board certain matters related to the conduct of the audit as required by auditing standards. A brief presentation of the report, management letter and independent accountants' report will also be made by James Moore & Company.

Staff Recommendation:

Accept and place on file the District's Comprehensive Annual Financial Report, including a Single Audit pursuant to Chapter 10.550, Rules of the Auditor General, the Management Letter and the Independent Accountants' Report for fiscal year ended September 30, 2017.

Presenter: Melisa J. Lowe, Bureau Chief, Finance

FINANCE/OUTREACH & PLANNING COMMITTEE**March 27, 2018*****Discussion Item*****Budget Transfer from Pavement Repair/Resurfacing (C164) to Fuel Island Repair/Modifications (C204)*****Purpose***

Staff requests approval of a \$300,000 budget transfer from the Pavement Repair/Resurfacing projects to complete major construction repairs of the on-site fuel island in Brooksville. The fuel island provides unleaded gas and diesel fuel for District equipment, vehicles, and back-up emergency generators. Maintaining an on-site fueling station is a critical component of the District's emergency response program.

Background

On August 31, 2017 the fuel island was taken out of service for normal daily use due to concrete pavement subsidence. Ground penetrating radar was conducted which showed several large voids under the pavement. When concrete pavement was removed it was discovered that the underground portion of the canopy roof drainage system was ruptured. This caused the loss of material below the pavement which led to pavement deformation and the closure of the fuel island.

Benefits/Costs

During the aftermath of Hurricane Irma, the availability of fuel from commercial gas stations was severely limited for several days. The District was able to utilize its on-site fuel reserves to maintain emergency back-up power generation at all District campuses and at numerous flood-control structures. The District conducted its post-storm evaluation and reaffirmed that the availability of on-site fuel reserves remains an essential part of the District's response to the storm events. As a result, staff completed additional analysis whether the existing fuel island remained the most effective, efficient option for on-site fuel storage/use. The analysis showed repair of the existing island was more cost-effective than other alternatives.

The parking lot pavement conditions at the Tampa office will be stabilized with the remaining budget. This stabilization effort will extend the parking lot's expected lifespan for several years, and staff do not plan to re-budget repairs as part of the FY2019 budget.

Staff will transfer \$300,000 in funds to the Brooksville Fuel Island Modification Project. Major construction repairs are necessary to return the station to operating order for emergency response situations, and for the District to continue to realize bulk-rate discounts on fuel.

Staff Recommendation:

Approval of a budget transfer of \$300,000 from the Pavement Repair/Resurfacing projects in the Facilities Capital Improvements Plan. The transferred funds will be used to procure the necessary parts and services for major construction repairs to the Brooksville Fuel Island Station.

Presenter: Earl Rich, General Services Bureau Chief

FINANCE/OUTREACH & PLANNING COMMITTEE

March 27, 2018

Discussion Item

Legislative Update

The District is monitoring the 2018 Legislative Session for important environmental legislation and budget items, including HBs 703 and 705 and SBs 806 and 808, relating to Water Management District Surplus Lands, and Governing Board confirmations. Staff will provide a status update on legislation and confirmations at the Board meeting.

Staff Recommendation:

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

Presenter: Katie Kelly, Manager, Government and Community Affairs Office

FINANCE/OUTREACH & PLANNING COMMITTEE**March 27, 2018*****Submit and File Report*****Information Technology (IT) Continuity Tests**

In accordance with the District's Office of Inspector General Annual Audit Plan staff have completed two Information Technology (IT) continuity tests. In the last five years, the District's continuity of operations plan has increasingly relied upon the recovery of IT to ensure business recovery within the time frames established. The IT Bureau and the Office of Inspector General have developed a five-year plan to test each mission critical system entirely. However, whenever IT updates system components, a continuity test is conducted to ensure appropriate protocols are updated and documented on an ongoing basis. During February and March 2018 two "update" continuity tests were completed.

On February 15th, the District tested its updated VPN configuration stand-up to successfully reach Tampa networks from Brooksville should the internet in Tampa become unavailable. A VPN is essentially a tunnel used as a direct shortcut through the internet which helps create additional layers of security. Staff were able to fail-over between Brooksville and Tampa and continued to successfully reach the test system in Tampa from Brooksville through different VPN tunnels, which was the primary goal of the test. During the test, staff identified some necessary improvements for configuring the Tampa system to improve response time should the District want to fail-over Brooksville to Tampa using the same tunnels (which currently is not an operational necessity, but is being considered). We will report to the Board when the changes have been made and successfully tested.

On March 3rd, the District tested its new fail-over designs between Tampa and West Palm Beach. The fail-over from Tampa to West Palm Beach and a fail-back to Tampa was completed successfully with no exceptions, and the test was completed in less than half the time anticipated.

Staff Recommendation:

For information only; No action is required.

Presenter: Kurt P. Fritsch, Inspector General

FINANCE/OUTREACH & PLANNING COMMITTEE**March 27, 2018*****Submit and File Report*****Quarterly Risk-Based Transaction Tests**

In accordance with the District's Office of Inspector General Annual Audit Plan, staff have completed agreed upon procedural audits of Fiscal Year 2017 Quarter Four transactions and Fiscal Year 2018 Quarter One transactions. These assurance engagements are part of the District's ongoing oversight and monitoring of control activities.

During the engagements, the office independently reviewed 100 percent of the following transaction types that occurred during the identified quarters:

- Conservation and project land acquisitions, sales, and transfers which approximated \$4.5 million in quarter four 2017 and \$600,000 in quarter one 2018.
- Twenty largest (non-real estate) dollar expenditures totaling \$20,472,040 for quarter four and \$20,231,447 for quarter one.
- All expenditures charged to new accounting codes (new means not previously used in the District's chart of accounts in the prior three years).
- All budget transfers recorded in the District's General Ledger: 63 budget transfers were completed for quarter four 2017 and 21 transfers were completed for quarter one 2018. Transfers in quarter four are expected to be more numerous as this quarter includes year-end adjusting journal entries for accounting and financial reporting purposes. Tests were completed to ensure that these adjustments did not require Board action.

The first two transaction types listed above (real estate and large dollar transactions) are chosen due to materiality and sensitivity to the District. The office analyzes the transactions to ensure that transactions comport with state law, Governing Board authorization, and executive directives. The other two transaction types (new accounting codes and budget transfers) are conducted expressly to ensure that District staff spent the money as approved by the Governing Board and reported fairly within the accounting records of the District. In addition, the office completes analytical tests to monitor total spending on projects compared with District monies spent on operational risk management as one way to monitor the operation of designed controls.

No significant items (reportable conditions to the Governing Board) were identified during this engagement. Ideas for improving expenditure category and appropriation units through the budgeting process have been passed on to the District's budget and operational managers. Land staff were reminded to update file checklists designed to ensure all required documents are contained in the file of record. No exceptions were noted. However, a critical employee involved in many of the land processes for the past 30 years will be retiring during Fiscal Year 2018 Quarter 3. The observations and ideas presented will be evaluated and implemented, as appropriate, by management, during the fiscal year 2019 budget process. A summary of the ideas generated, and actions taken, will be provided in the inspector general's *Annual Report* to the District Governing Board at fiscal year-end.

Item 24

For the Governing Board's information, the inspector general will expand future quarterly tests to include a fifth category of transactions: fixed asset purchases greater than \$3,000. The purpose of the tests will be to analyze District due diligence procedures when establishing the specifications for new or replacement equipment.

Staff Recommendation:

For information only; No action is required.

Presenter: Kurt P. Fritsch, Inspector General

FINANCE/OUTREACH & PLANNING COMMITTEE

March 27, 2018

Routine Report

Treasurer's Report and Payment Register

Purpose

Presentation of the Treasurer's Report and Payment Register.

Background

In accordance with Board Policy 130-3, District Investment Policy, a monthly report on investments shall be provided to the Governing Board. The Treasurer's Report as of February 28, 2018, reflects total cash and investments.

In accordance with Board Policy 130-1, Disbursement of Funds, all general checks written during a period shall be reported to the Governing Board at its next regular meeting. The Payment Register listing disbursements since last month's report is available upon request. The Payment Register includes checks and electronic fund transfers (EFTs).

Staff Recommendation:

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

Presenter: Melisa J. Lowe, Bureau Chief, Finance

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
TREASURER'S REPORT TO THE GOVERNING BOARD
February 28, 2018

CUSTODIAN HELD INVESTMENTS

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EFFECTIVE INTEREST RATE (%)	AMORTIZED COST	MARKET VALUE	ACCRUED INTEREST	% OF PORTFOLIO
PUBLIC TRUST ADVISORS						
<u>SWFWMD-Enhanced Cash Portfolio</u>						
7951619	Investments	1.35	\$201,311,549	\$200,184,219	\$650,157	
7951619	Cash / Money Market Fund	1.26	51,754	51,754	0	
			Subtotal	\$201,363,303	\$200,235,973	\$650,157
7951619	Accounts Receivable-Trade date prior to 2/28/18, Settlement date after 2/28/18		104	104	0	
			Total	\$201,363,407	\$200,236,077	\$650,157
						38.24
<u>SWFWMD- 1-3 Year Portfolio</u>						
7951620	Investments	1.41	\$156,679,590	\$154,538,415	\$565,377	
7951620	Cash / Money Market Fund	1.26	365,379	365,379	0	
			Subtotal	\$157,044,969	\$154,903,794	\$565,377
7951620	Accounts Receivable-Trade date prior to 2/28/18, Settlement date after 2/28/18		195	195	0	
			Total	\$157,045,164	\$154,903,989	\$565,377
						29.82
<u>SWFWMD- 1-5 Year Portfolio</u>						
7962855	Investments	1.59	\$50,912,975	\$49,823,344	\$187,136	
7962855	Cash / Money Market Fund	1.26	189,656	189,656	0	
			Subtotal	\$51,102,631	\$50,013,000	\$187,136
7962855	Accounts Receivable-Trade date prior to 2/28/18, Settlement date after 2/28/18		90	90	0	
			Total	\$51,102,721	\$50,013,090	\$187,136
						9.70
TOTAL CUSTODIAN HELD INVESTMENTS			\$409,511,292	\$405,153,156	\$1,402,670	77.76

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
TREASURER'S REPORT TO THE GOVERNING BOARD
February 28, 2018

STATE BOARD OF ADMINISTRATION (SBA) INVESTMENT ACCOUNTS

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EFFECTIVE INTEREST RATE (%)	PURCHASE COST	MARKET VALUE	ACCRUED INTEREST	% OF PORTFOLIO
STATE BOARD OF ADMINISTRATION						
<u>Florida PRIME (Formerly Local Government Investment Pool)</u>						
271413	SBA General Investments	1.79	\$87,960,512	\$87,960,512		
271414	SBA Land Resources	1.79	14,482,669	14,482,669		
271415	SBA Advanced State Funding (Eco System Trust Fund)	1.79	477,114	477,114		
271416	SBA Advanced State Funding (FDOT)	1.79	14,000,996	14,000,996		
271417	SBA Advanced State Funding (WRAP)	1.79	93,945	93,945		
271418	SBA Advanced State Funding (WPSTF-AWS)	1.79	34,892	34,892		
TOTAL STATE BOARD OF ADMINISTRATION (SBA) ACCOUNTS			\$117,050,128	\$117,050,128		22.24
TOTAL INVESTMENTS			\$526,561,420	\$522,203,284		100.00
CASH, SUNTRUST DEMAND ACCOUNT ⁽¹⁾			(223,933)	(223,933)		
TOTAL CASH AND INVESTMENTS			\$526,337,487	\$521,979,351		

Weighted average yield on portfolio at February 28, 2018 is 1.49%.

⁽¹⁾ Excess funds from the District's SunTrust Bank Demand Account are transferred to the District's Florida PRIME account daily. This may result in a negative book balance. However, a positive bank balance is maintained at all times.

EQUITY - CASH AND INVESTMENTS

DISTRICT AND BASINS

District General Fund	\$447,685,488	85.06%
Restricted for Alafia River Basin	995,563	0.19%
Restricted for Hillsborough River Basin	27,484,468	5.22%
Restricted for Coastal Rivers Basin	490,295	0.09%
Restricted for Pinellas-Anclote River Basin	15,950,455	3.03%
Restricted for Withlacoochee River Basin	2,836,763	0.54%
Restricted for Peace River Basin	1,785,306	0.34%
Restricted for Manasota Basin	4,488,914	0.85%
Total District General Fund	\$501,717,252	95.32%
FDOT Mitigation Program	13,799,066	2.62%
Florida Forever Program	10,821,169	2.06%
TOTAL EQUITY IN CASH AND INVESTMENTS	\$526,337,487	100.00%

Monthly Investment Report for Period Ended February 28, 2018



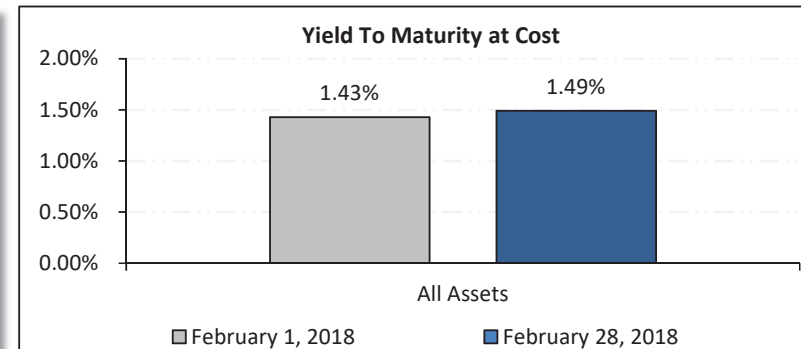
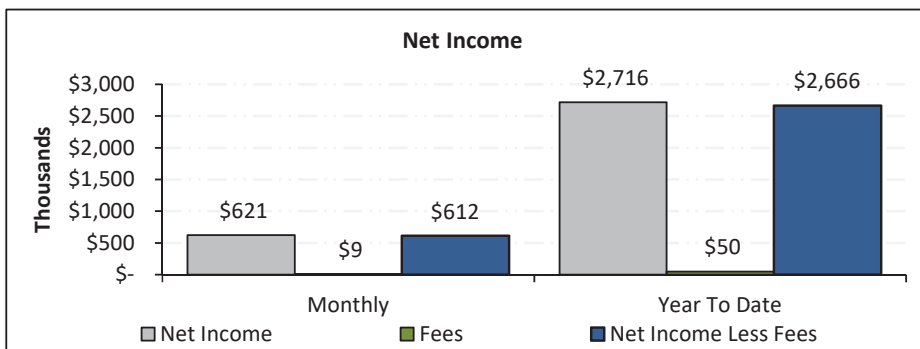
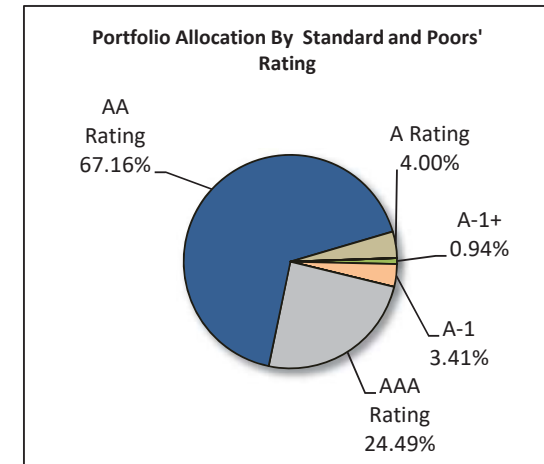
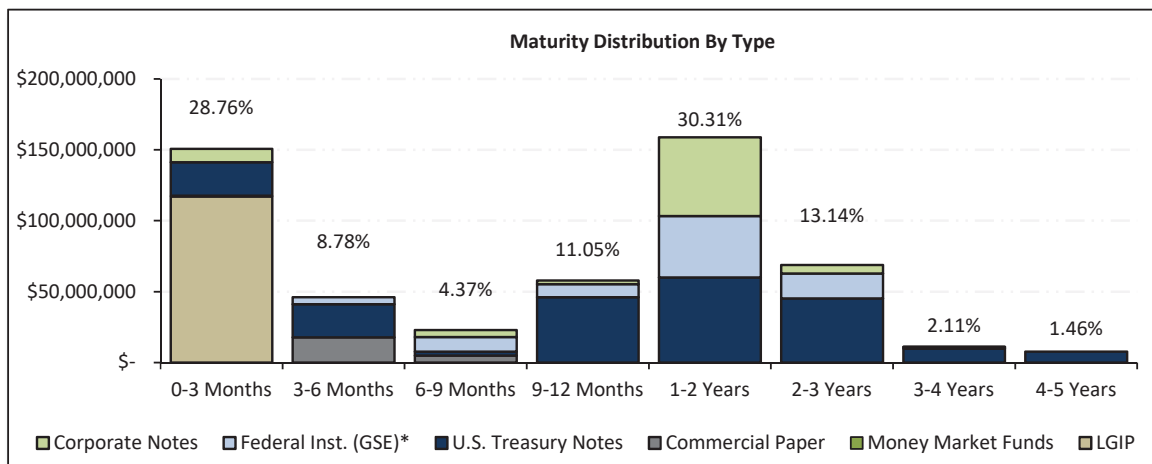
Southwest Florida Water Management District Investment Program Review

2379 Broad Street
Brooksville, FL 34604-6899

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

Southwest Florida Water Management District All Assets Summary Comparison for the period February 1, 2018 to February 28, 2018

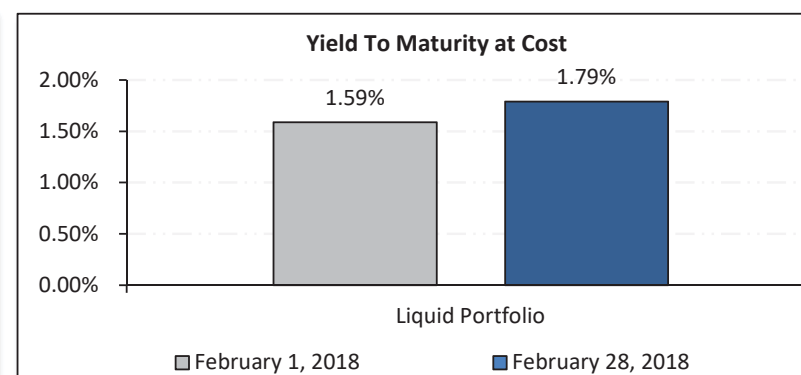
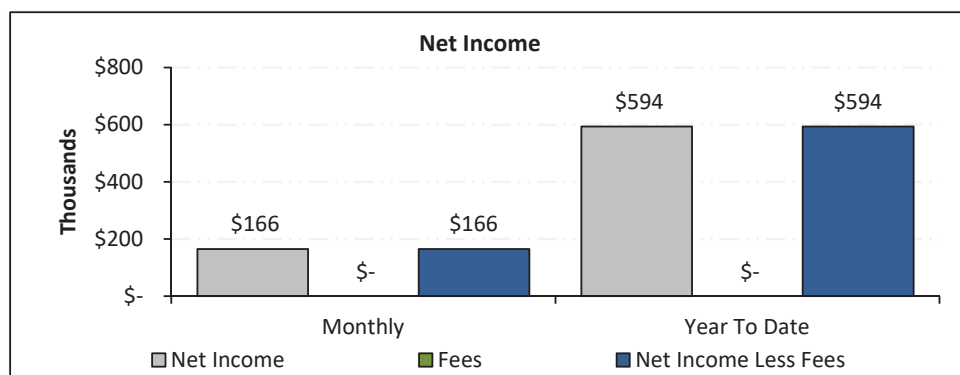
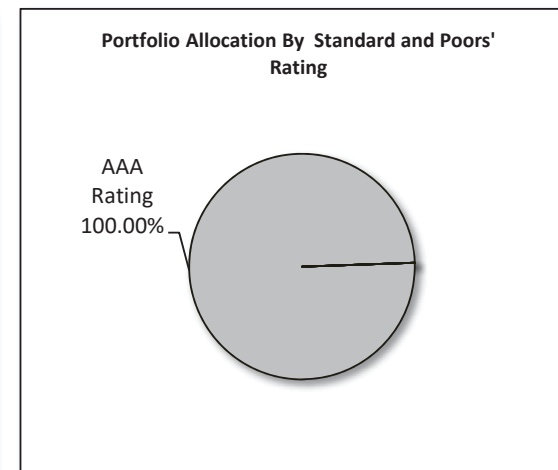
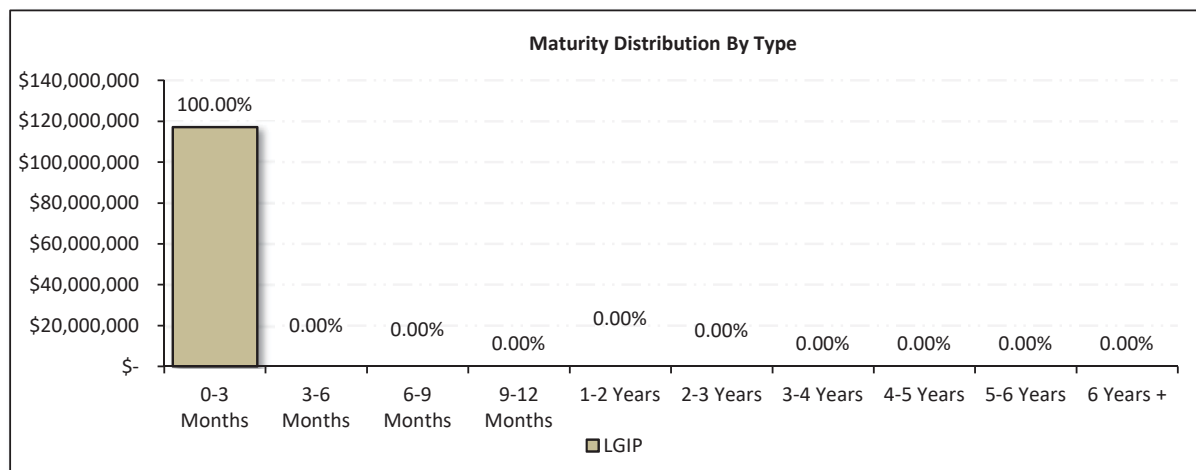
Southwest Florida Water Management District All Assets Portfolio	February 1, 2018 Beginning Balance	February 28, 2018 Ending Balance	Portfolio Characteristic	February 1, 2018 Beginning Balance	February 28, 2018 Ending Balance
Book Value Plus Accrued	\$ 535,354,932.94	\$ 527,963,700.00	Weighted Book Yield	1.43%	1.49%
Net Unrealized Gain/Loss	(3,816,600.51)	(4,358,135.95)	Weighted Duration	1.04 Years	1.01 Years
Net Pending Transactions	305.53	389.48			
Market Value Plus Accrued Net ⁽²⁾	\$ 531,538,637.96	\$ 523,605,953.53			



(1), (2), (3) See additional disclosures for footnotes.

Southwest Florida Water Management District Liquid Portfolio Summary Comparison for the period February 1, 2018 to February 28, 2018

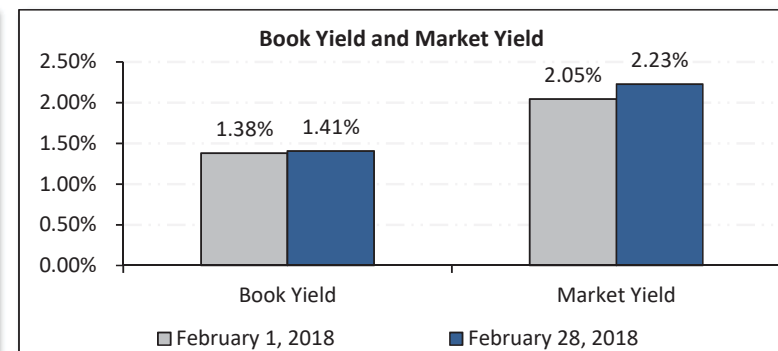
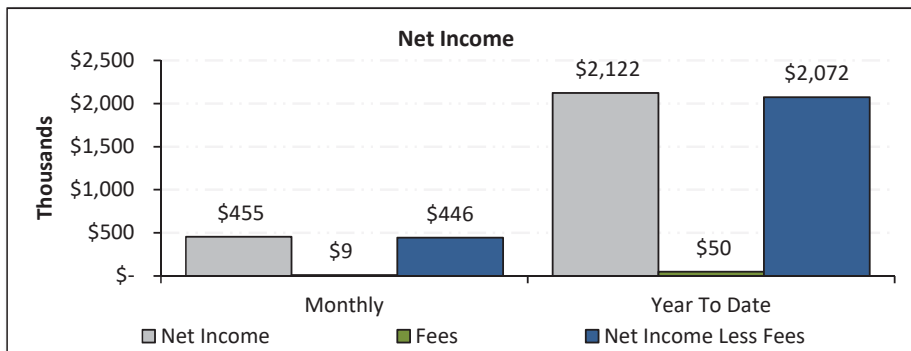
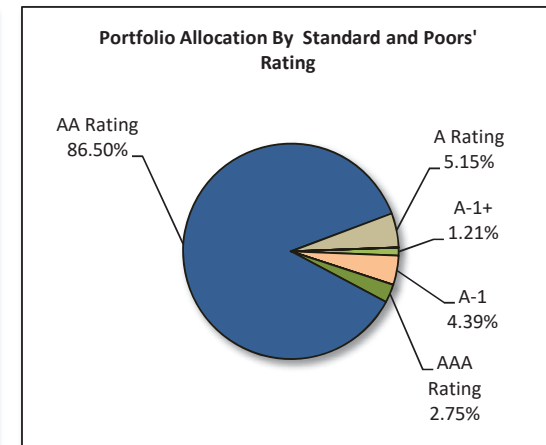
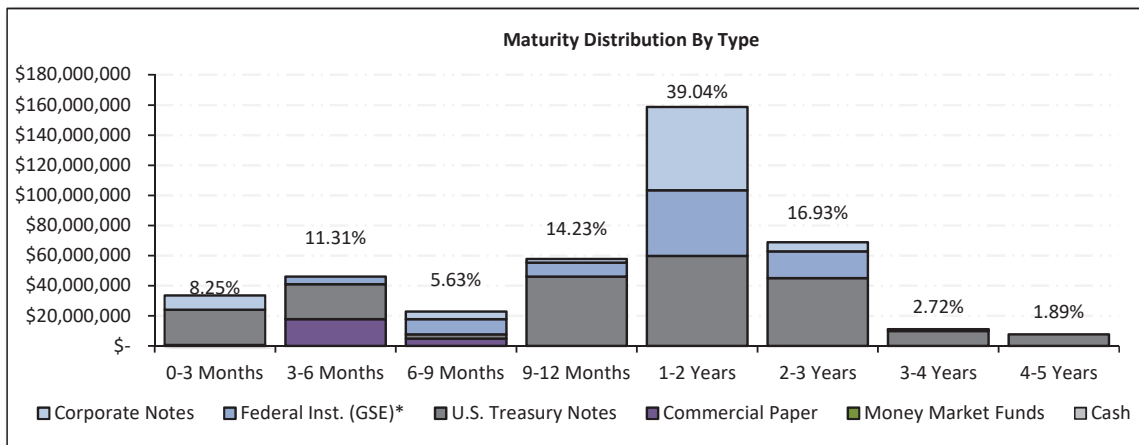
Southwest Florida Water Management District Liquid Portfolio	February 1, 2018 Beginning Balance	February 28, 2018 Ending Balance	Portfolio Characteristic	February 1, 2018 Beginning Balance	February 28, 2018 Ending Balance
Book Value Plus Accrued	\$ 124,896,678.71	\$ 117,050,127.01	Yield to Maturity at Cost	1.59%	1.79%
Net Unrealized Gain/Loss	0.00	0.00	Duration	0.00 Years	0.00 Years
Net Pending Transactions	0.00	0.00			
Market Value Plus Accrued Net ⁽²⁾	\$ 124,896,678.71	\$ 117,050,127.01			



(1), (2), (3) See additional disclosures for footnotes.

Southwest Florida Water Management District Agg Public Trust Portfolio Summary Comparison for the period February 1, 2018 to February 28, 2018

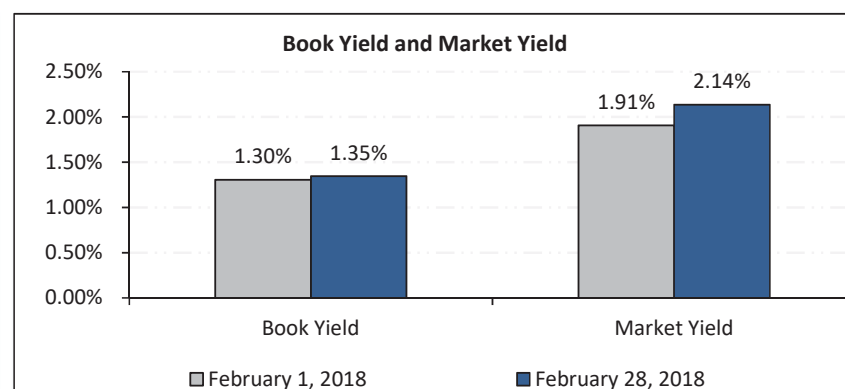
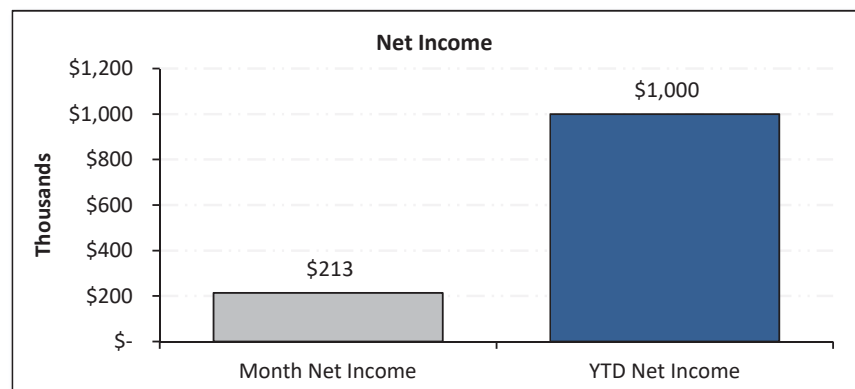
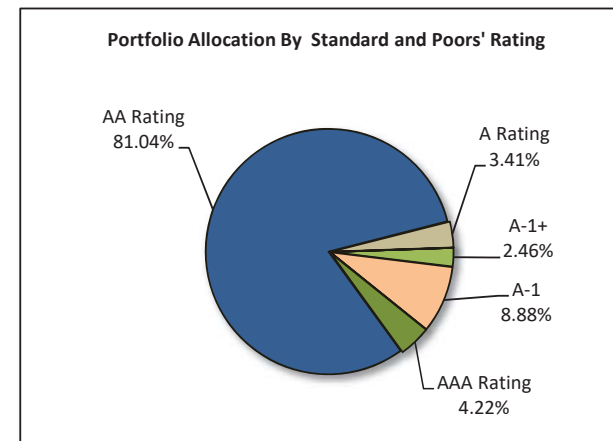
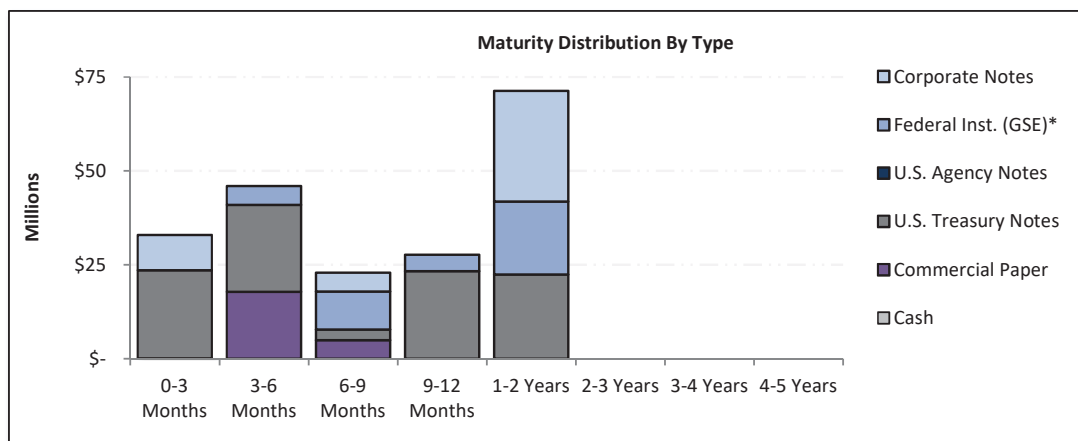
Southwest Florida Water Management District Agg Public Trust Portfolio	February 1, 2018 Beginning Balance	February 28, 2018 Ending Balance	Portfolio Characteristic	February 1, 2018 Beginning Balance	February 28, 2018 Ending Balance
Book Value Plus Accrued	\$ 410,458,254.23	\$ 410,913,572.99	Book Yield Gross	1.38%	1.41%
Net Unrealized Gain/Loss	(3,816,600.51)	(4,358,135.95)	Market Yield Gross	2.05%	2.23%
Net Pending Transactions	305.53	389.48	Duration	1.36 Years	1.31 Years
Market Value Plus Accrued Net ⁽²⁾	\$ 406,641,959.25	\$ 406,555,826.52			



(1), (2), (3) See additional disclosures for footnotes.

Southwest Florida Water Management District Enh Cash Summary Comparison for the period February 1, 2018 to February 28, 2018

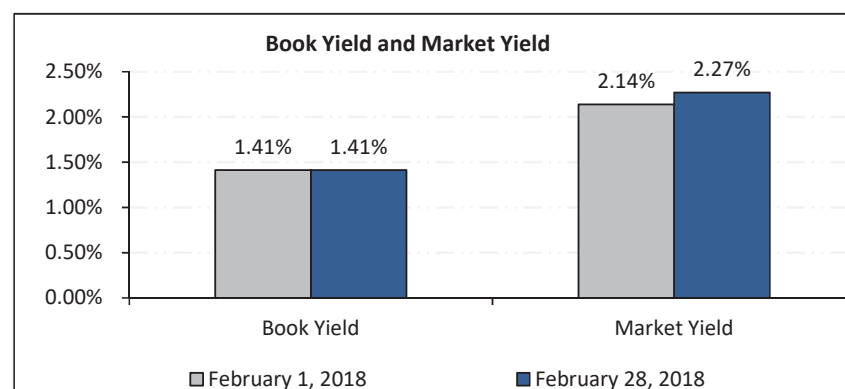
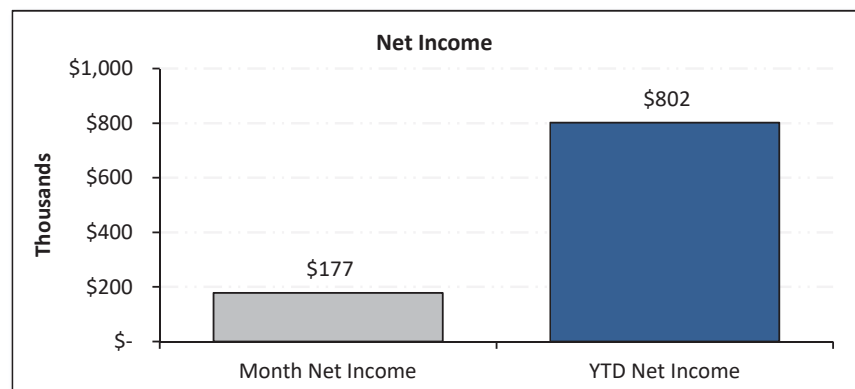
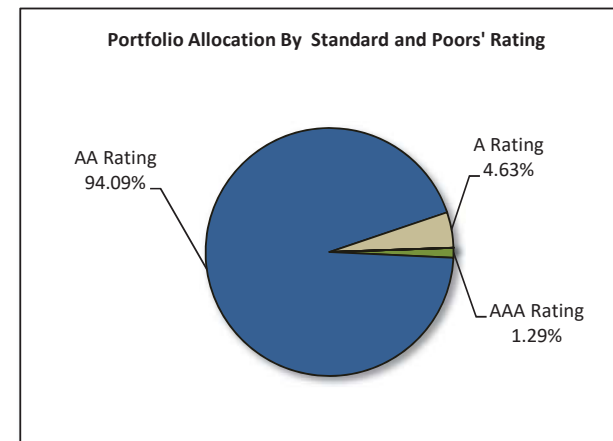
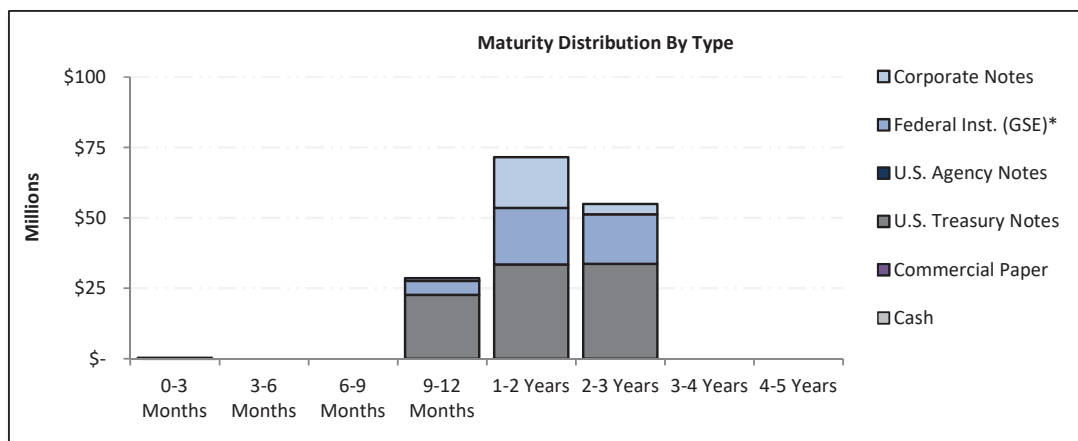
Southwest Florida Water Management District Enh Cash	February 1, 2018 Beginning Balance	February 28, 2018 Ending Balance	Portfolio Characteristic	February 1, 2018 Beginning Balance	February 28, 2018 Ending Balance
Book Value Plus Accrued	\$ 201,799,981.80	\$ 202,013,459.84	Book Yield Gross	1.30%	1.35%
Net Unrealized Gain/Loss	(982,910.66)	(1,127,329.35)	Market Yield Gross	1.91%	2.14%
Net Pending Transactions	145.22	104.44	Duration	0.77 Years	0.74 Years
Market Value Plus Accrued Net ⁽²⁾	\$ 200,817,216.36	\$ 200,886,234.93			



(1), (2), (3) See additional disclosures for footnotes.

Southwest Florida Water Management District 1-3 Year Summary Comparison for the period February 1, 2018 to February 28, 2018

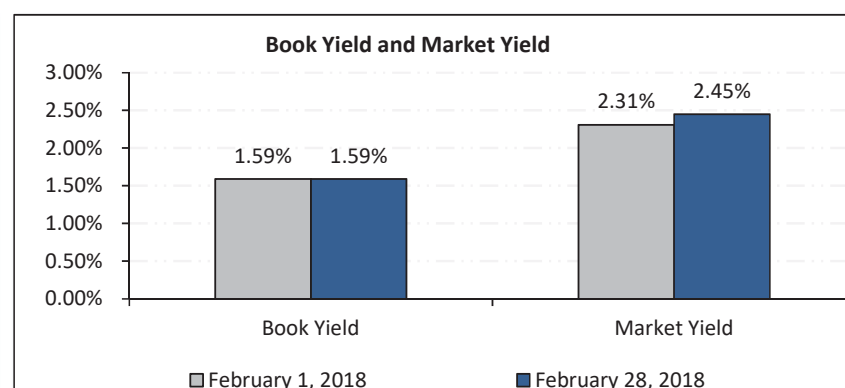
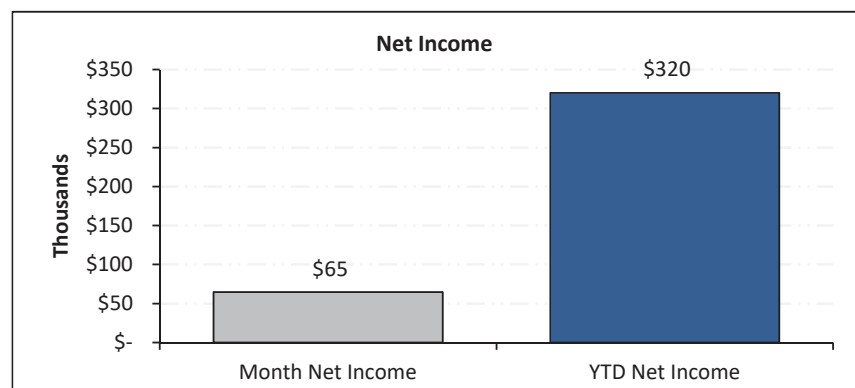
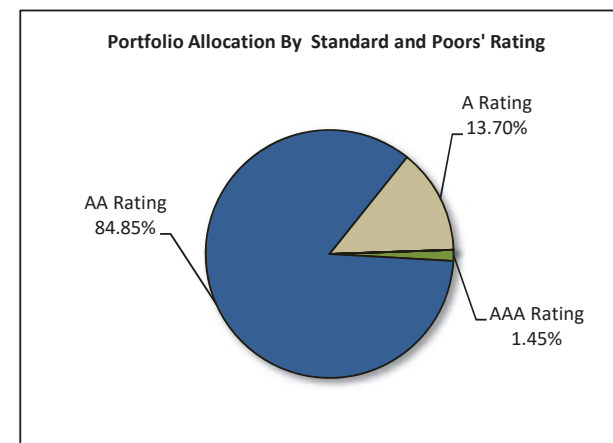
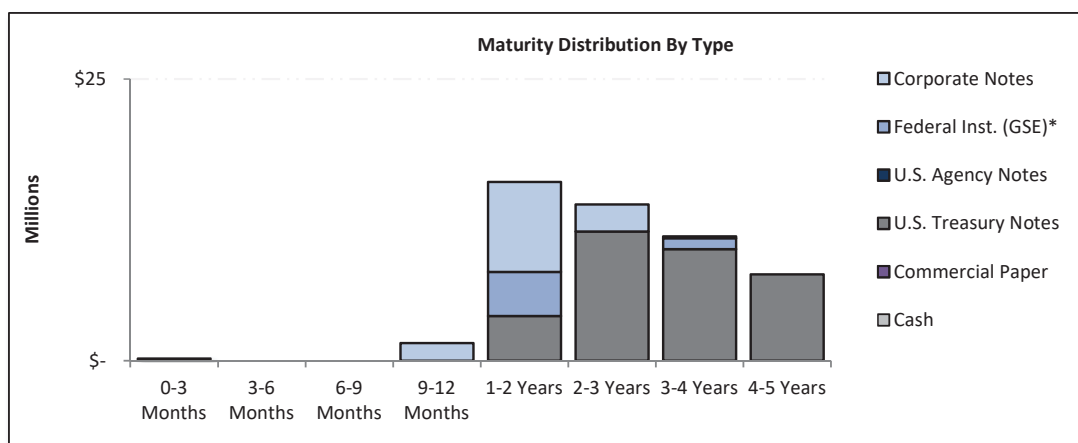
Southwest Florida Water Management District 1-3 Year	February 1, 2018 Beginning Balance	February 28, 2018 Ending Balance	Portfolio Characteristic	February 1, 2018 Beginning Balance	February 28, 2018 Ending Balance
Book Value Plus Accrued	\$ 157,432,995.58	\$ 157,610,346.53	Book Yield Gross	1.41%	1.41%
Net Unrealized Gain/Loss	(1,889,347.73)	(2,141,175.55)	Market Yield Gross	2.14%	2.27%
Net Pending Transactions	113.47	195.21	Duration	1.73 Years	1.66 Years
Market Value Plus Accrued Net ⁽²⁾	\$ 155,543,761.32	\$ 155,469,366.19			



(1), (2), (3) See additional disclosures for footnotes.

Southwest Florida Water Management District 1-5 Year Summary Comparison for the period February 1, 2018 to February 28, 2018

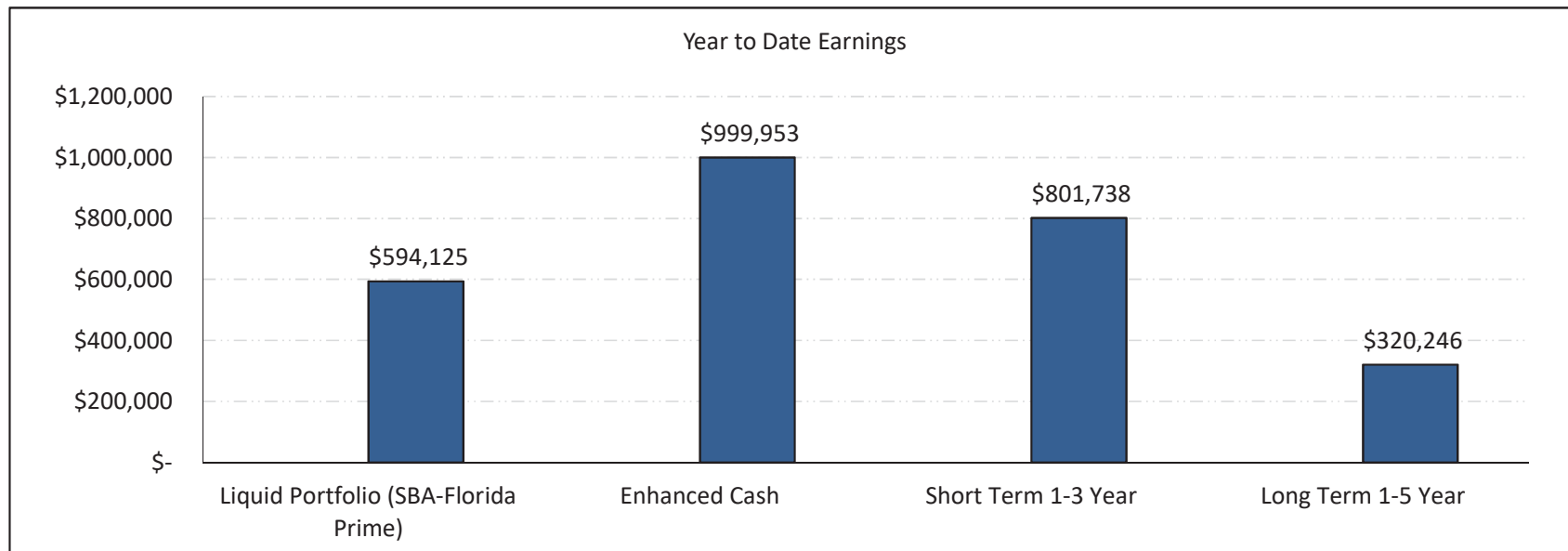
Southwest Florida Water Management District 1-5 Year	February 1, 2018 Beginning Balance	February 28, 2018 Ending Balance	Portfolio Characteristic	February 1, 2018 Beginning Balance	February 28, 2018 Ending Balance
Book Value Plus Accrued	\$ 51,225,276.84	\$ 51,289,766.62	Book Yield Gross	1.59%	1.59%
Net Unrealized Gain/Loss	(944,342.11)	(1,089,631.05)	Market Yield Gross	2.31%	2.45%
Net Pending Transactions	46.84	89.83	Duration	2.56 Years	2.49 Years
Market Value Plus Accrued Net ⁽²⁾	\$ 50,280,981.57	\$ 50,200,225.40			



(1), (2), (3) See additional disclosures for footnotes.

Southwest Florida Water Management District All Assets Earnings Summary and Portfolio Value as of February 28, 2018

Portfolio Earnings	February 28, 2018 Monthly Earnings	February 28, 2018 YTD Earnings	Total Portfolio Value	February 28, 2018 Balance
Liquid Portfolio (SBA-Florida Prime)	\$ 165,648	\$ 594,125	Amortized Cost	\$ 527,963,700
Enhanced Cash	213,437	999,953	Market Value	\$ 523,605,954
Short Term 1-3 Year	177,433	801,738		
Long Term 1-5 Year	64,533	320,246		
Total Earnings Gross of Fees	\$ 621,051	\$ 2,716,062		
Less Advisory Fees:	\$ (9,281)	\$ (50,214)		
Total Earnings Net of Fees	\$ 611,770	\$ 2,665,848		
Blended Basis Fee (Annualized)	0.02109%	0.02283%		



*Information provided by District staff.

Additional Disclosure

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

Public Trust Advisor's monthly statement is intended to detail our investment advisory activity as well as the activity of any accounts held by clients in pools that are managed by Public Trust Advisors. The custodian bank maintains the control of assets and executes and settles all investments transactions. The custodian statement is the official record of security and cash holdings transactions. Public Trust Advisors recognizes that clients may use these reports to facilitate record keeping; therefore the custodian bank statement and the Public Trust Advisors statement should be reconciled and differences resolved. Many custodians use a settlement date basis which may result in the need to reconcile due to a timing difference. Please contact your relationship manager or our toll free number 855-395-3954 with questions regarding your account.

Public Trust Advisors does not have the authority to withdraw funds from or deposit funds to the custodian. Our clients retain responsibility for their internal accounting policies; implementing and enforcing internal controls and generating ledger entries or otherwise recording transactions.

Pricing sources from our reporting platform are provided by Clearwater reporting platform and are established by Clearwater's internal pricing procedures. Clearwater utilizes a hierarchical pricing model which starts with one of the industry's pricing sources, S&P Capital IQ. Securities with short maturities and infrequent secondary market trades are typically priced via mathematical calculations. The Securities in this investment portfolio, including shares of mutual funds, are not guaranteed or otherwise protected by Public trust Advisors, the FDIC (except for certain non-negotiable certificates of deposit) or any government agency, unless otherwise specifically stated. Investment in fixed income securities involves risks, including the possible loss of the amount invested.

Past performance is not an indication of future performance.

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

Public Trust Advisors is an investment advisor registered with the Securities and Exchange Commission, and is required to maintain a written disclosure statement of our background and business experience. If you would like to receive a copy of our current disclosure statement, privacy policy, or code of ethics please contact Service Operations at the address below.

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

FINANCE/OUTREACH & PLANNING COMMITTEE

March 27, 2018

Routine Report

Monthly Financial Statement

Purpose

Presentation of the February 28, 2018, monthly financial statement.

Background

In accordance with Sections 373.536(4)(e) and 215.985(11), Florida Statutes, relating to state financial information with certain financial transparency requirements, the District is submitting a "Statement of Sources and Uses of Funds for the Fifth Month Ended February 28, 2018."

Staff Recommendation:

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

Presenter: Melisa J. Lowe, Bureau Chief, Finance

**Statement of Sources and Uses of Funds
For the Five Months Ended February 28, 2018**

The attached "Statement of Sources and Uses of Funds" statement is provided for your review. This financial statement provides summary-level revenues (i.e., sources) and expenditures by program (i.e., uses). **This unaudited financial statement is provided as of February 28, 2018, with 41.7 percent of the fiscal year completed.**

This financial statement compares revenues recognized and encumbrances/expenditures made against the District's FY2017-18 available budget of \$363.4 million. Encumbrances represent orders for goods and services which have not yet been received.

Revenues (Sources) Status:

- Overall, as of February 28, 2018, 82 percent of the District's budgeted revenues/balances have been recognized.
- As of February 28, 2018, the District has received \$97,947,584 of ad valorem tax revenue representing 91 percent of the budget. This is in-line with the five-month prior year collection rates of 90 percent for FY2016-17 and 89 percent for FY2015-16. The budget represents 96 percent of the taxable property values as certified by the District's sixteen counties multiplied by the Governing Board approved millage rate. Projections are based on historical collections.
- Intergovernmental Revenues are recognized at the time related expenditures are incurred. For FY2017-18, \$1,618,719 in revenues has 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 cancelled (e.g., cooperative funding projects).
- The FY2017-18 interest earnings budget was based on a 1.35 percent expected rate of return. The District's investment portfolio at February 28, 2018, is earning a weighted average yield of 1.49 percent. For the five months ended February 28, 2018, the District has earned 1.27 percent yield on its investments. Interest earnings on invested funds in the amount of \$2,715,351 have been recognized representing 44 percent of the budgeted amount.
- License and Permit Fees consist of revenue from water use permits, environmental resource permits, water well construction permits, and water well construction licenses. Revenue recognized represents 39 percent of the budgeted amount as of February 28, 2018.
- As of February 28, 2018, other revenue earned is 316 percent of budget. Each year, items that fall within the "Other" revenue category are budgeted conservatively due to the uncertainty of the amounts to be collected. For example, revenues from timber sales, hog hunts, insurance recoveries and the sale of capital assets can vary significantly from year to year. The majority of the increase is due to sale of capital assets in the amount of \$1,442,000.

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

Expenditures (Uses) Status:

Overall, as of February 28, 2018, the District had obligated 66 percent of its total budget.

Summary of Expenditures by Program

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

- The **Water Resource Planning and Monitoring Program** includes all water management planning, including water supply planning, development of minimum flows and levels, and other water resource planning; research, data collection, analysis, and monitoring; and technical assistance (including local and regional plan and program review). Of the \$43.0 million budgeted for this program, the District has obligated 64 percent of the budget (18 percent expended, and 46 percent encumbered).
- The **Land Acquisition, Restoration and Public Works Program** includes the development and construction of all capital projects (except for those contained in the Operation and Maintenance of Works and Lands Program), including water resource development projects/water supply development assistance, water control projects, and support and administrative facilities construction, land acquisition (i.e., Florida Forever program), and the restoration of lands and water bodies. Of the \$257.8 million budgeted for this program, the District has obligated 71 percent of the budget (3 percent expended, and 68 percent encumbered).
- The **Operation and Maintenance of Works and Lands Program** includes all operation and maintenance of facilities, flood control and water conservation structures, lands, and other works authorized by Chapter 373, Florida Statutes. Of the \$25.7 million budgeted for this program, the District has obligated 45 percent of the budget (24 percent expended, and 21 percent encumbered).
- The **Regulation Program** includes water use permitting, water well construction permitting, water well contractor licensing, environmental resource and surface water management permitting, permit administration, compliance and enforcement, and any delegated regulatory program. Of the \$21.1 million budgeted for this program, the District has obligated 45 percent of the budget (32 percent expended, and 13 percent encumbered).
- The **Outreach Program** includes all environmental education activities, such as water conservation campaigns and water resources education; public information activities; all lobbying activities relating to local, regional, state, and federal governmental affairs; and all public relations activities and advertising in any media. Of the \$2.8 million budgeted for this program, the District has obligated 42 percent of the budget (18 percent expended, and 24 percent encumbered).

- The **Management and Administration Program** includes executive management, executive support, governing board support, ombudsman, general counsel, inspector general, administrative support (general), procurement, finance, human resources, and risk management. Of the \$13.0 million budgeted for this program, the District has obligated 53 percent of the budget (43 percent expended, and 10 percent encumbered).

Based on the financial activities for the five months ended February 28, 2018, 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 Five Months Ended February 28, 2018
(Unaudited)

	Current Budget	Actuals Through 2/28/2018	Variance (under)/Over Budget	Actuals As A % of Budget (rounded)
Sources				
Ad Valorem Property Taxes	\$ 108,116,279	\$ 97,947,584	\$ (10,168,695)	91%
Intergovernmental Revenues	54,382,743	1,618,719	(52,764,024)	3%
Interest on Invested Funds	6,200,000	2,715,351	(3,484,649)	44%
License and Permit Fees	1,938,500	748,828	(1,189,672)	39%
Other	603,028	1,905,263	1,302,235	316%
Fund Balance	192,157,253	192,157,253	-	100%
Total Sources	\$ 363,397,803	\$ 297,092,998	\$ (66,304,805)	82%

	Current Budget	Expenditures	Encumbrances¹	Available Budget	% Expended (rounded)	% Obligated² (rounded)
Uses						
Water Resource Planning and Monitoring	\$ 43,004,994	\$ 7,587,197	\$ 19,844,808	\$ 15,572,989	18%	64%
Land Acquisition, Restoration and Public Works	257,822,985	7,267,980	176,721,912	73,833,093	3%	71%
Operation and Maintenance of Works and Lands	25,682,950	6,239,147	5,265,735	14,178,068	24%	45%
Regulation	21,070,853	6,670,702	2,870,721	11,529,430	32%	45%
Outreach	2,837,807	513,932	678,508	1,645,367	18%	42%
Management and Administration	12,978,214	5,639,788	1,253,887	6,084,539	43%	53%
Total Uses	\$ 363,397,803	\$ 33,918,746	\$ 206,635,571	\$ 122,843,486	9%	66%

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

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

This unaudited preliminary financial statement is prepared as of February 28, 2018, and covers the interim period since the most recent audited financial statements.

FINANCE/OUTREACH & PLANNING COMMITTEE

March 27, 2018

Routine Report

Monthly Cash Balances by Fiscal Year

Purpose

To provide a schedule of monthly cash balances by fiscal year, updated to reflect the cash balance as of February 28, 2018.

Background

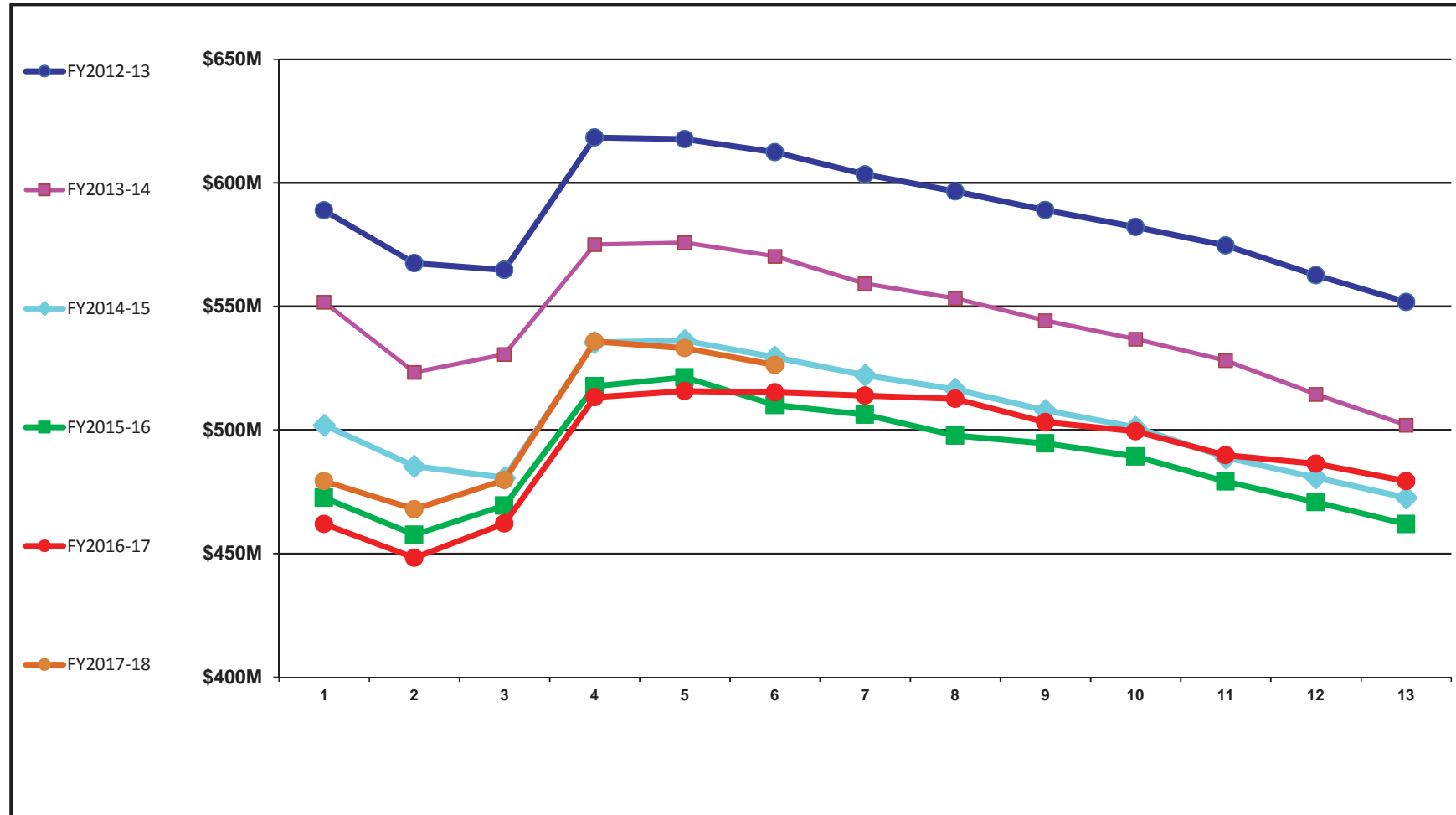
This routine report has been developed to allow the Governing Board to easily monitor the District's cash balances at each month-end and in comparison with monthly cash balances for the last five fiscal years. This trend information will become more important as the District's budget declines and reserves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

Staff Recommendation:

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

Presenter: Melisa J. Lowe, Bureau Chief, Finance

Southwest Florida Water Management District
Monthly Cash Balances by Fiscal Year
(FY2012-13 - FY2016-17 and FY2017-18 To-Date)



FINANCE/OUTREACH & PLANNING COMMITTEE

March 27, 2018

Routine Report

Comprehensive Plan Amendment and Related Reviews Report

Purpose

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

Background/History

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

Benefits/Costs

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

Staff Recommendation:

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

Presenter: Robyn Felix, Communications and Board Services Bureau Chief

Local Government Comprehensive Plan Amendment and Related Reviews Report

As of March 09, 2018

Project	Amendment Type	Assigned	Completed	Description	10YWSFW
Charlotte 17-6	ESR	12/1/2017	12/29/2017	No substantive comments.	<input type="checkbox"/>
Charlotte 17-7	ESR	12/12/2017	1/8/2018	No substantive comments.	<input type="checkbox"/>
Dade City 17-2	ESR	12/22/2017	2/22/2018	No substantive comments.	<input type="checkbox"/>
DeSoto 17-1	ESR	12/18/2017	1/8/2018	No substantive comments. County was reminded that Water Supply Facilities Work Plan update is overdue.	<input type="checkbox"/>
Highlands 17-3	ESR	12/7/2017	12/7/2017	Advised amendment site lies within SFWMD.	<input type="checkbox"/>
Hillsborough 17-5	ESR	12/19/2017	1/18/2018	Comments addressed need for coordination with TBW to address the County's increasing potable water demand, and encouraged implementation of water conservation measures and low impact development principles to avoid/minimize floodway encroachment.	<input type="checkbox"/>
Indian Shores 17-1	ESR	12/8/2017	1/16/2018	Water Supply Facilities Work Plan. Suggested minor clarifications to policy language referencing the District's Regional Water Supply Plan.	<input checked="" type="checkbox"/>
Lake Placid 18-1	ESR	1/24/2018	2/19/2018	No substantive comments.	<input type="checkbox"/>
Manatee 17-10	ESR	12/13/2017	12/22/2017	Comments addressed lack of required water supply analysis, and encouraged water conservation and low impact development principles implementation. Early regulatory coordination was encouraged as well.	<input type="checkbox"/>
Marion 17-7	ESR	12/5/2017	1/5/2018	Advised amendment site lies within SJRWMD.	<input type="checkbox"/>
Marion 17-8	ESR	12/7/2017	1/5/2018	No substantive comments.	<input type="checkbox"/>
Mulberry 18-1	ESR	1/20/2018	2/19/2018	Water Supply Facilities Work Plan. Comments addressed preference for a level of service that is reflective of actual water use.	<input checked="" type="checkbox"/>
Pasco 17-11	ESR	12/26/2017	2/9/2018	Comments noted incomplete potable water analysis was provided, and encouraged early coordination with regulatory.	<input type="checkbox"/>
Pasco 17-12	ESR	12/8/2017	1/9/2018	Comments addressed the need for a potable water analysis.	<input type="checkbox"/>
Pasco 18-1	ESR	1/24/2018	3/7/2018	Comments encouraged use of water conservation and reclaimed water due to the project's location within the SWUCA, and coordination with regulatory staff.	<input type="checkbox"/>

Attachment: CPARR (3597 : Comprehensive Plan Amendment and Related Reviews Report)

Project	Amendment Type	Assigned	Completed	Description	10YWSFWP
Pasco 18-2	ESR	2/23/2018		Text amendment.	<input type="checkbox"/>
Pinellas Park 17-1	ESR	12/1/2017	1/4/2018	Water Supply Facilities Work Plan. Comments noted conflicting policy language for potable water level of service, and the need for additional policy language for required water supply planning.	<input checked="" type="checkbox"/>
Polk 18-2ACSC	Regular	2/9/2018		Map amendment.	<input type="checkbox"/>
Polk City 18-1ACSC	Regular	1/17/2018	2/13/2018	No substantive comments.	<input type="checkbox"/>
Sumter 17-4	ESR	12/5/2017	1/5/2018	No substantive comments.	<input type="checkbox"/>
Sumter 18-1	ESR	1/20/2018	2/20/2018	No substantive comments.	<input type="checkbox"/>
Tampa 17-3	ESR	12/6/2017	1/8/2018	Comments addressed need for documentation confirming coordination between the City and TBW on increasing potable water demands.	<input type="checkbox"/>
Tampa 18-1	ESR	3/8/2018		Text amendment.	<input type="checkbox"/>
Winter Haven 18-1	ESR	2/23/2018		Map amendments.	<input type="checkbox"/>
Zephyrhills 17-1	ESR	12/25/2017	1/29/2018	No substantive comments.	<input type="checkbox"/>

Abbreviations:

ACSC Area of Critical State Concern
ESR Expedited State Review

FINANCE/OUTREACH & PLANNING COMMITTEE

March 27, 2018

Routine Report

Development of Regional Impact Activity Report

Purpose

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

Background/History

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

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

Benefits/Costs

The goals of the District's DRI review program are twofold: (1) to ensure regional planning councils and local government elected officials have sound water resource technical and policy information as they consider approval of large scale development proposals; and (2) to reduce the number and magnitude of issues that will need to be addressed during the District's regulatory review processes. District participation in this program helps to ensure that these proposed large-scale developments are compatible with the District's plans, programs and statutory directives. Costs for this program primarily include staff time and are budgeted in Fund 10 (Governing Board).

Staff Recommendation:

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

Presenter: Robyn Felix, Communications and Board Services Bureau Chief

DRI Activity Report

As of March 09, 20

Project	DRI Location	DRI App Type	Date Assigned	Date Completed	Description
Heath Brook DRI	Marion County	NOPC	12/28/2017	1/17/2018	Comments addressed need for additional water supply information and encouraged maximum water conservation and reclaimed water use.

Abbreviations:

DRI Development of Regional Impact
NOPC Notice of Proposed Change

Attachment: DRI Activity Report (3596 : Development of Regional Impact Activity Report)

**Governing Board Meeting
March 27, 2018**

RESOURCE MANAGEMENT COMMITTEE

Discussion Items

30. Consent Item(s) Moved for Discussion

31. Out-of-Cycle Funding Request for the DeSoto County Spring Lake Stormwater Best
Management Practice Analysis Project (Q015) 116

32. Budget Transfer for Hurricane Irma Storm Debris Management on the Peace Creek Canal 118

Submit & File Reports - None

Routine Reports

33. Minimum Flows and Levels Status Report..... 120

34. Significant Water Resource and Development Projects..... 122

RESOURCE MANAGEMENT COMMITTEE

March 27, 2018

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

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

RESOURCE MANAGEMENT COMMITTEE

March 27, 2018

Discussion Item

Out-of-Cycle Funding Request for the DeSoto County Spring Lake Stormwater Best Management Practice Analysis Project (Q015)

Purpose

The purpose of this item is to request consideration of an out-of-cycle funding request from DeSoto County for the Spring Lake Stormwater Best Management Practice (BMP) Analysis project. The County is requesting the out-of-cycle approval for this study of existing flooding problems to accelerate potential solutions to the flooding.

Background/History

In August and early September 2016, the southwest portion of DeSoto County received approximately 22 inches of rain in less than 40 days. As a result, a culvert under Cedar Avenue was washed away, and roads and residential properties were flooded in the Spring Lakes subdivision. Cedar Avenue is the only access to seven homes. After the culvert washed out, access to those homes was completely cut off.

DeSoto County took action to assist the residents, make emergency repairs, and to address a more permanent solution to the Cedar Avenue culvert problem. In June 2017, the area again received a substantial amount of rain (approximately 19 inches in 30 days) and experienced additional road flooding. After evaluating the situation and discussing this with District staff, the County concluded that a watershed approach to solving the problem was necessary. As a result, they submitted the Spring Lake Stormwater BMP Analysis project in the District's Cooperative Funding Initiative (CFI) FY2019 cycle, and staff has ranked the project as high overall. The District has a stormwater model of the Deep Creek Gully Watershed available for use in conducting the alternative analysis.

DeSoto County is requesting out-of-cycle funding to accelerate the study and subsequent construction of feasible improvements. They did not apply for CFI funding in the FY2018 cycle after the September 2016 flooding because they had anticipated the solution to be a relatively simple culvert replacement under Cedar Avenue. The need to complete the watershed study and develop more holistic solutions to the problem has added to the time that it will take to implement any major improvements. Additionally, the County plans to pursue other funding opportunities and believes that the sooner they have a project ready to go to construction, the more likely they will be eligible to receive other funding.

DeSoto County presented their out-of-cycle request at the February 14, 2018, Southern Region CFI Public Meeting and at the February 27, 2018, Governing Board meeting. The Board requested that this item be added to the March 2018 Governing Board meeting agenda for consideration.

Benefits/Costs

The project benefit is the completion of a feasibility study identifying solutions to reduce flooding of roads and residential properties located along the open channel conveyance system between Kings Highway and the Peace River in the Deep Creek Gully Watershed. Approval of the out-of-cycle request would allow this work to be accelerated and start prior to FY2019 (October 2018).

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Total cost for the alternative analysis is \$132,000, of which \$99,000 (75 percent) would be District funding and \$33,000 would be DeSoto County funds. DeSoto County is a REDI community.

Staff Recommendation:

Staff's recommendation is to not approve the out-of-cycle funding request from DeSoto County. The circumstances surrounding the project and the problems facing the community are similar to those faced by many other communities that have previously requested out-of-cycle funding. If the Board approves the project for FY2019 funding, staff will work with DeSoto County to have a cooperative funding agreement ready for execution on October 1, 2018.

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

RESOURCE MANAGEMENT COMMITTEE**March 27, 2018*****Discussion Item*****Budget Transfer for Hurricane Irma Storm Debris Management on the Peace Creek Canal*****Purpose***

The purpose of this item is to approve the Peace Creek Canal Debris Management project (B077) and authorize the transfer of \$802,766 from the Hillsborough County Sun City Golf Course Reclaimed Water project (N804) to the Peace Creek Canal Debris Management project (B077). Staff will also provide an overview of waterway conveyance debris management activities for the Withlacoochee River, Upper Peace River, and Flint Creek due to Hurricane Irma impacts.

Background/History

On September 10, 2017, Hurricane Irma impacted the area with heavy winds and rainfall, resulting in downed trees and conveyance blockages on canal and riverine systems within the District including the Peace Creek Canal, Withlacoochee River, Upper Peace River, and Flint Creek. As a part of Hurricane Irma recovery efforts, the District has completed debris management assessments on these waterways in coordination with the Florida Department of Environmental Protection (FDEP) and the United States Department of Agriculture - Natural Resource Conservation Service (NRCS). Each of these four systems has some level of debris management that should occur to improve conveyance of flood waters.

The FDEP has taken on the responsibility of debris management on the Upper Peace River using co-funding from the Federal Emergency Management Agency (FEMA) that has been appropriated to the State. The FDEP began debris removal on this system earlier this month. The FDEP will also perform debris management on the Withlacoochee River and is currently waiting on federal funding appropriations to the NRCS - Emergency Watershed Program (EWP) to begin work. Both these systems are sovereign state waters.

The District has met with Hillsborough County regarding Flint Creek. Hillsborough County has indicated they will not perform debris management activities on Flint Creek at this time. The County plans to focus on clearing smaller, local conveyance systems where they have owner authorization agreements that allow access. Because Flint Creek is primarily impacted due to sediment build-up, the District plans to continue to work with the County on a potential Cooperative Funding Initiative (CFI) project to remove sediment for long-term conveyance improvement.

In 2010, the District took over maintenance responsibilities of the Peace Creek Canal. The District is prepared to move forward with debris management for this system and has applied for funding assistance for debris removal to the NRCS - EWP. If the application is approved, NRCS will reimburse up to 90% of construction costs associated with debris removal.

Benefits/Costs

The benefit of debris removal will be to improve conveyance of water in these waterways to reduce future potential flooding impacts. The proposed debris removal costs based upon a draft NRCS Damage Survey Reports (DSR) for the Peace Creek Canal is \$709,550. Additional

funds, in the amount of \$93,216 are requested to assist in obtaining license agreements and conducting contractor oversight tasks. Therefore, staff is requesting total funding of \$802,766 for the Peace Creek Canal debris management project (B077). Funds are available from a canceled CFI project with Hillsborough County - Sun City Golf Course Reclaimed Water project (N804).

Staff will continue to pursue license agreements for debris management on the Peace Creek Canal. Staff will also move forward on securing a contractor for debris management work and a consultant for contractor oversight and license agreement assistance, but will not commence work until resolution of the NRCS-EWP funding application occurs. If the NRCS approves funding, staff recommends moving forward with the Peace Creek Canal debris management work. If the NRCS has not approved funding by the May 2018 Governing Board meeting, staff will return to the Governing Board with an update and recommendation to either continue to wait for federal funding assistance or move forward with Peace Creek Canal debris management independently.

Staff will also continue to monitor the decisions FDEP will make regarding debris management on the Withlacoochee River and return to the Governing Board at a future date to provide an update.

Staff Recommendation:

- 1) Approve the request to proceed with the Peace Creek Canal Debris Management project (B077).
- 2) Authorize the transfer of \$802,766 from a canceled CFI project with Hillsborough County - Sun City Golf Course Reclaimed Water project (N804) to the Peace Creek Canal Debris Management project (B077).
- 3) Authorize the Assistant Executive Director, or authorized designee, to sign the revenue contract with the NRCS and the associated consultant task work assignments and construction contract(s).

Presenter: Eric DeHaven, P.G., Assistant Director, Resource Management Division

RESOURCE MANAGEMENT COMMITTEE**March 27, 2018*****Routine Report*****Minimum Flows and Levels Status Report**

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

District staff continues to work on various phases of the development or reevaluation of MFLs for water bodies included on the Governing Board and DEP approved MFLs Priority List and Schedule. This status report highlights phased-tasks that have been completed for prioritized water bodies since the last Governing Board meeting and summarizes cumulative progress for all currently prioritized water bodies.

Phase 1 (Data collection). Data collection was not completed for any currently prioritized water bodies during the past month. Data collection has, however, been completed for 20 of the 96 water bodies scheduled for MFLs adoption or reevaluation by 2027.

Phase 2 (Data analyses and development of draft MFLs reports). Data analyses and draft report development was not completed for any currently prioritized water bodied during the past month.

Draft, internal-review reports have been completed for 15 of the 96 water bodies scheduled for MFLs adoption/reevaluation by 2027.

Phase 3 (a. Presentation of draft MFLs reports to the Governing Board prior to peer review; b. presentation of peer review reports and staff responses to the Governing Board; c. public workshops; and d. presentation of final MFLs reports to the Governing Board for acceptance).

- a) No draft MFLs reports that are to be subjected to peer review were presented to the Governing Board this month. Draft reports for six currently prioritized water bodes that were subsequently peer reviewed have previously been submitted to the Governing Board.
- b) Peer review reports and staff responses to peer review findings addressing MFLs proposed for the upper and lower segments of the Pithlachascotee River were presented to the Board this month. To date, peer review reports and associated staff responses have been presented to the Governing Board for five of the 96 water bodies scheduled for MFLs adoption/ reevaluation by 2027.
- c) No public workshop on proposed MFLs were held during the past month. To date, public workshops addressing 11 of the 96 water bodies scheduled for MFLs adoption/reevaluation by 2027 have been conducted.
- d) A final MFLs report addressing MFLs for the upper and lower segments of the Pithlachascotee River was submitted to the Governing Board this month. Pending acceptance of this report, final reports addressing 11 of the 96 water bodies scheduled for MFLs adoption/reevaluation by 2027 have been accepted by the Governing Board.

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Phase 4 (Recovery Strategy Development). No new recovery strategies were developed for Governing Board consideration this month. The previously approved SWUCA Recovery Strategy has been identified as necessarily applicable to four of the 96 water bodies scheduled for MFLs adoption/reevaluation through 2027. No need for recovery has been determined for seven of the 96 prioritized water bodies. The need for recovery has not yet been determined for the 85 other water bodies.

Phase 5 (Governing Board Approval of Rule Amendments). Pending approval of a request to initiate rulemaking for the upper and lower segments of the Pithlachascotee River that was submitted to the Governing Board this month, rule amendments addressing 11 of the 96 water bodies scheduled for MFLs adoption/reevaluation by 2027 have been approved.

Staff Recommendation:

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

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

RESOURCE MANAGEMENT COMMITTEE

March 27, 2018

Routine Report

Significant Water Resource and Development Projects

This report provides information on significant Resource Management projects and programs in which the Governing Board is participating in funding. The report provides a brief description and status of significant activities associated with the project that have recently occurred or are about to happen.

SWUCA Recovery Project at Flatford Swamp and Hydrologic Restoration

The project investigates the feasibility of using excess water from Flatford Swamp recharged into the Upper Floridan Aquifer that would reduce the rate of saltwater intrusion inland and help restore hydroperiods. A water budget model comparing existing and historic conditions within Flatford Swamp was developed to determine the amount of excess water that could be captured for a beneficial use. Several preliminary scenarios for removal of excess water from the swamp have been evaluated such as a feasibility study to determine Mosaic's potential uses for excess water from Flatford Swamp. The Feasibility Study with Mosaic was finalized in March 2013, but determined unfeasible. Staff researched an injection option at Flatford for the excess water to recharge the aquifer and discussed the need for more information on the Avon Park formation at the swamp. A pre-application meeting with Florida Department of Environmental Protection (FDEP) was held on February 25, 2016. Draft Class V, Group 2 Injection Well permit application was issued by FDEP approximately a year later. The feasibility study memorandum is complete. Staff has presented to the Agricultural\Green Industry, Environmental, Well Drillers and Public Supply Advisory Committees. Also, staff had outreach presentations to the Manatee Chamber Environmental Committee, Myakka River Coordinating Council, and the Florida Groundwater Association Board. Governing Board approved at their April meeting to proceed with the test well project. The successful consultant from the Request for Proposal for the test well project was the Jones Edmunds & Associates team. The successful bidder for the drilling RFB was Rowe Drilling. ***New Activities Since Last Meeting:*** Both the consultant and driller agreements were executed, and kick-off meetings were held on February 22, 2018. *Project Manager: Lisann Morris*

Lower Hillsborough River MFLs Recovery Strategy - Implementation

At its August 2007 meeting, the Governing Board established minimum flows and approved a recovery strategy for the lower Hillsborough River (LHR). The recovery strategy was adopted as required by statute, because flows in the LHR were below the established minimum flows. The recovery strategy includes a number of projects to divert water from various sources to help meet the minimum flows. Projects planned under the recovery strategy, funded through a Joint Funding Agreement with the City of Tampa (COT), include diversions of water from Sulphur Springs, Blue Sink, the Tampa Bypass Canal (TBC), and Morris Bridge Sink. Pursuant to the recovery strategy, since December 31, 2007, 75 percent of up to 11 cubic feet per second (cfs) (i.e., 8.2 cfs) transferred to the reservoir from the TBC is being pumped to the base of the Hillsborough River Dam. The District received notification from the COT on November 7, 2011, that the Sulphur Springs Run Lower Weir project was complete and the pumping facilities and Upper Weir modifications to assist in meeting the MFL were completed in January 2012. The COT completed construction for the Blue Sink pipeline in April 2016 and construction restoration was completed in May 2016. In November 2017 the COT began operation of the Blue Sink pumping facility. In October 2017, the District completed design for the Morris Bridge Pumping

facility, but construction has not begun pending the outcome of analysis the COT is performing on other alternative supplies to meet the MFL, specifically associated with the Tampa Augmentation Project (TAP - Q028). In 2017, the COT began the process of taking over operation of pump stations on the TBC, as required by the recovery strategy. In addition, a CFA between the COT and the District for the Lower Hillsborough River Dam Control Gate Facilities (N492, Agreement No. 17CF0000823) was completed. This project will construct a new gate in the dam to allow the city to pass the full quantity of water needed to meet the MFL through the dam. On November 30, 2017, the COT issued Kiewit Infrastructure South Company a notice to proceed with construction of the proposed Hillsborough River Dam MFL Low Flow Control Gate (N492). Project completion is expected on or before June 28, 2018. In accordance with the permit issued to the District by the FDEP for planned minimum flow recovery pumping from Morris Bridge Sink, the District submitted a review/assessment of the recovery strategy to FDEP in December 2017. In December 2017 the COT began operation of the temporary pump stations at the District's S-161 site and at the Hillsborough River Dam site. In summary, all activities and projects proposed in the adopted recovery strategy are either underway, completed, or have been determined to not be viable. Acquisition of necessary permits and other unforeseen issues have delayed construction and full implementation of some recovery strategy projects. However, important components of the recovery strategy are currently in operation, including the use of Sulphur Springs, Blue Sink, and the TBC as recovery flow sources, and results from recent years suggest that the desired goal of creating low salinity habitat below the dam can be sustained through minimum flows implementation. The District and the COT continue to work cooperatively to determine how the MFL will be impacted through the proposed COT TAP - Q028 project. The COT conducted a Low Flow Control Gate (N492) pre-construction meeting on December 20, 2017. Construction is expected to get underway in late January. The COT has met with District staff and is pursuing additional coordination regarding minimum flow requirements to support the updating of their minimum flow operating procedures. Water quality monitoring, soil subsidence monitoring and biological sampling for 2017 for the WUP for Morris Bridge Sink has been completed. **New Activities Since Last Meeting:** No changes since last meeting. *Project Managers: Tom Burke/Barbara Nordheim-Shelt*

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

This regional project, consisting of transmission pipelines, pump stations, storage tank, advanced treatment and deep injection well, is providing up to 10 mgd of reclaimed water from four domestic wastewater treatment facilities (Lakeland Glendale, Lakeland Northside, Mulberry, and Polk County Southwest) to Tampa Electric Company's (TECO) power facility in southwest (SW) Polk County (Polk Power Station). The reclaimed water is necessary as TECO expanded the Polk Power Station generation capacity. The cooperatively funded reclaimed water project (H076-Phase I) was originally anticipated to provide 5.2 mgd (expandable up to 6.7 mgd) of reclaimed water from the City of Lakeland; however, the supply and benefits were expanded several times to 10 mgd (expandable to 17 mgd) and total project costs increased to \$96,960,725. The increases improved cost-effectiveness and will utilize 100 percent of all available reclaimed water from Lakeland, Mulberry and SW Polk to beyond 2040. TECO replaced, to the greatest extent possible, 3 to 8 mgd of existing groundwater uses in 2015-2017 with reclaimed water before the full project expansion was completed in late 2017. **Additional Information:** In order to utilize the reclaimed water, the project includes advanced treatment (filtration and membranes) which is necessary to reduce dissolved solids to an acceptable level. The membrane reject water (concentrate by-product) is mixed with other Polk Power Station discharge water and pumped to two new deep injection wells for final disposal. The four primary project components are complete with; 1. The Lakeland segment on-line in 2015; 2. The

reclaimed water treatment system, storage tank and injection well at the TECO facility on-line in 2015; 3. The Polk SW segment completed and on-line December of 2017; and 4. The Mulberry pipeline segment and pump station on-line in 2017. Per the June 2016 Amendment adding the final District funding, the District budgeted \$45,676,957 in ad valorem and an additional \$3,526,063 in WRAP funds (totaling \$49,203,020 in District funding), of which a total of \$46,122,080 has been reimbursed (TECO is compiling final billing and close-out documents). The project is utilizing Lakeland's, Mulberry's, and Polk County's effluent to supply 5 to 10 mgd of reclaimed water, thereby reducing groundwater pumping at the TECO Polk Power Facility. Full commissioning and testing to the 10 mgd capacity was completed in late 2017. Billing close-out efforts are continuing by TECO. **New Activities Since Last Meeting:** No changes since last meeting. *Project Manager: Anthony Andrade*

Aquifer Recharge Projects

City of Clearwater - Groundwater Replenishment Project - Phase 3

This is an ongoing project which previously completed work on an advanced water purification pilot plant test and one groundwater recharge injection site. Results from the water purification plant pilot tests and injection well testing demonstrated that this project would be successful in allowing the City to increase their reclaimed water utilization, reducing surface discharges, improving groundwater levels in the Northern Tampa Bay Water Use Caution Area, and increasing the City's future water supply potential from their existing wellfields. Phase 3 of this project is the design, third party review, permitting and construction of the full-scale water purification plant and the injection and monitor well systems to recharge 2.4 mgd annual average of purified recycled water at Clearwater's Northeast Water Reclamation Facility. Public outreach is also a critical function throughout the design and construction of this project. The original CFI contract with the City for this project was executed in January 2016. An increase in the total project cost from \$28,680,000 to \$32,716,000, was requested at the District's September 27, 2016 Governing Board Meeting based on results of a 30 percent design and third-party review. The Board approved the City's request to move forward with final design and construction and authorized a contract amendment for the project (current budget of \$32,716,000 with the District funding a total of \$16,358,000). This contract amendment was executed on March 6, 2017. Of the District's contribution, \$1,554,000 was approved in FY2015, \$2,131,600 was approved in FY2016, and \$8,000,000 was approved in FY2018. The remaining \$4,672,400 is currently requested in the FY2019 CFI application. The 100 percent design is complete and final design is pending permit issuance by the Florida Department of Environmental Protection (FDEP). Three public meetings were conducted by the City between November 2016 and May 2017. Permit Applications for the Advanced Water Purification Plant were logged in at the FDEP on October 20, 2017 and are anticipated to be issued at the end of 2017 or beginning of 2018. Site Development Permit Applications are with FDEP Environmental Resource Permitting, Florida Department of Transportation Right of Way Access, the City and the County. Construction is currently scheduled to be complete at the beginning of 2020 and facility operations should begin in April 2021. The next task, project bidding, is pending final permits and final design. **New Activities Since Last Meeting:** The FDEP Intent to Issue for the Advanced Water Purification Plant permit was initially received on January 10, 2018. Following subsequent edits, the final Intent to Issue with a revised public notification form was provided on February 12, 2018. The City published the required notification in the Tampa Bay Times on February 16, 2018. *Project Manager: Robert Peterson*

Pasco County - Reclaimed Water Natural Systems Treatment and Restoration Project

A desktop feasibility study to assess the use of highly treated reclaimed water to indirectly recharge the UFA via constructed wetlands and/or rapid infiltration basins (RIB) in central Pasco County areas was completed in January 2011. The study showed that indirect aquifer recharge is a viable option for Pasco County. A Phase II feasibility study and report was completed in

February 2012 and included a screening analysis for potential RIB locations, as well as cost analyses refinements for potential future phases. Phase III includes field testing and modeling on the 4G Ranch in Pasco County. The final draft of the Phase III project report was received by the District on December 12, 2014; and a teleconference was held on December 16, 2014, to discuss preliminary comments. District staff sent report comments on December 23, 2014. Multiple meetings have been held to further discuss the District's comments. A request to extend the deadlines of Tasks 2 and 3, and the project end date to June 30, 2015, was received on February 26, 2015. A request to use the contingency funds in the Agreement (\$10,000) was also received. Meetings were held to discuss 30 percent design on March 25, March 30, and April 9, 2015. Pre-application meetings with FDEP occurred on March 31, 2015, to discuss the Environmental Resource Permit (ERP) for the project; and on April 7, 2015, to discuss the NPDES permit. A field visit with FDEP was held on April 23, 2015. Meetings to discuss the modeling work occurred on April 22 and May 5, 2015. The District received the final 30 percent design package on May 5, 2015. A draft Agreement, Project Plan, Easement, and Lease were developed, and the Governing Board gave staff authorization to proceed with third party review of the 30 percent design package at the July 2015 Board meeting. The results of the third-party review were received on August 24, 2015. The review concluded that the project scope and budget were reasonable and would meet the project objectives. The review also concluded that the methods used to determine the measurable benefit of at least 2.2 mgd of reclaimed water on a ten-year annual average were reasonable. On August 27, 2015, the project team met with FDEP to discuss the submittal of the application to modify the County's NPDES permit. Both the ERP and NPDES permits have been submitted to FDEP. The Governing Board approved the County's and staff's request to move forward with final design and permitting of the project at their September 2015 meeting. The Board also directed staff to enter into an agreement for 50 percent of the total project cost identified in the 30 percent design (\$14,300,966), allowing reimbursement of the District's share for the design, permitting, and construction of this facility. The completed N666 Agreement was sent to Pasco County for their signature on October 5, 2015. The 60 percent costs were received on October 29, 2015. The 90 percent design was received on December 18, 2015. The draft NPDES and ERP permits have been received as of December 18, 2015. The 90 percent cost estimates from CH2M Hill (Pasco County consultant) and P&J (land owner/contractor) were completed. All permits were issued as of January 2016. A meeting was held with the project team on February 11, 2016 to review the estimates, and some revisions and clarification were made on both estimates. The 100 percent design drawings were received on March 10, 2016. The Pasco County Commission approved the Agreement at their May 10, 2016 meeting, and the District received the Agreement on May 25, 2016. The 100 percent costs were received March 25, 2016. The Agreement was sent to Executive for signature on July 1, 2016. The Agreement was fully executed on July 11, 2016. Construction began as of mid-June 2016, and is progressing on or ahead of schedule. A groundbreaking ceremony took place on October 24, 2016, including tours of the existing construction so far, and television press. A field trip for District staff took place on February 2, 2017. Most earthwork and pipe installation is complete. Construction is ongoing and is on schedule. Planting is ongoing through July. As of October 13, 2017, all construction has been completed with the exception of some final SCADA controls. A task extension to complete this and CEI work by December 31, 2017 was approved by the District. The County applied for FY2018 funding for a follow-up project to optimize the facility for recharge. Funding was approved for FY2018, and the agreement is currently being developed. The County has applied for FY2019 funding for this project as well. The County is finalizing the final deliverables, and the District is waiting for the final invoices. ***New Activities Since Last Meeting:*** No changes since last meeting. *Project Manager: Mike Hancock*

South Hillsborough County Aquifer Recharge Program (SHARP)

This is a direct aquifer recharge pilot project to evaluate directly recharging the non-potable zone of the UFA with up to 2 mgd of highly treated reclaimed water at the Hillsborough County's

Big Bend facility near Apollo Beach in southern Hillsborough County (County). The goal of the project is to improve water levels within the Most Impacted Area of the Southern Water Use Caution Area and possible slow the rate of inland movement of saltwater intrusion in the area. The pilot testing program includes permitting, installing a recharge well and associated monitor wells, assessing aquifer characteristics, performing recharge testing, evaluating water level improvements, migration of the recharge water and metals mobilization, and conducting public outreach. The County's consultant submitted the well construction permit application for authorization to install the test recharge well and monitoring wells on December 20, 2011. Design and preparation of bid documents were completed in early July 2012; a request for bids was released the week of July 16, 2012, with responses received in August 2012. Construction contract with the contractor (A.C. Schultes of Florida, Inc.) was approved by the County on April 3, 2013. The recharge well was completed in December 2013 with an open-hole diameter of 14.75 inches, 780 feet of casing, and a total depth of 1,100 feet. The County received a letter from FDEP on July 13, 2015 authorizing recharge operations to begin. ***New Activities Since Last Meeting:*** Recharge testing and monitoring continued during the months of January and February. The average flow rate in January was approximately 2.7 mgd with an average well head injection pressure of 58 psi. The total injected volume is approximated at 83 MG for the month. It is approximated at the end of January 1.8 billion gallons has been recharged since the beginning of the project. The County continued injection during February at rates and pressures similar to January values; the February monthly operation report with total injection quantities will be available March 30th. The County has requested a contract amendment to extend the recharge testing phase to evaluate an increased injection rate prior to applying for an operation permit. The District is negotiating a no cost change schedule amendment and anticipates it to be executed in March 2018. *Project Manager: Don Ellison*

City of Tampa, Tampa Augmentation Project (TAP)

This project is a study that will explore the cost and feasibility of two options to beneficially use reclaimed water from the Howard F. Curren Advanced Wastewater Treatment Plant. The first alternative concept involves transmitting reclaimed water to the Lower Hillsborough Wilderness Preserve Area and delivering water through created wetlands and/or rapid infiltration basins (RIBs) to the Tampa Bypass Canal. This alternative was found infeasible and the project focus went to the second alternative. The second alternative concept evaluates a recharge/recovery system to store and recover reclaimed water (and possibly stormwater) in the aquifer for delivery to the Hillsborough River Reservoir and possibly in the future directly to the David L. Tippen Water Treatment Plant. The City has developed their stakeholder outreach plan, completed their route and regulatory/institutional analysis memorandums. The City is currently testing the recharge/recovery concept at an existing aquifer storage and recovery site. A No Cost Time Extension amendment is being routed to allow for finalization of the more complex memoranda covering modeling and water quality treatment. A draft Florida Department of Environmental Protection Underground Injection Well permit application was prepared. Additional feasibility tasks have been identified as a result of this first phase and the City has submitted a revised Cooperative Funding Application to request funding for Fiscal Year 2019. *Project Manager: Lisann Morris*

Staff Recommendation:

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

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

**E. Operations,
Lands & Resource
Monitoring**

**Governing Board Meeting
March 27, 2018**

OPERATIONS, LANDS & RESOURCE MONITORING COMMITTEE
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OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE

March 27, 2018

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

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

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE**March 27, 2018*****Discussion Item*****Hydrologic Conditions Report**

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

The information presented below is a summary of data presented in more detail in the monthly Hydrologic Conditions Report published the week before the Governing Board meeting, which also includes an updated provisional summary of hydrologic conditions as of the date of publication. It is available at <http://www.swfwmd.state.fl.us/waterres/hydro/>.

Rainfall

Rainfall totals for February indicate amounts were below-normal in the northern and southern regions of the District, while they were at the bottom of the normal range in the central region. The normal range is defined as rainfall totals that fall on or between the 25th to 75th percentiles derived from the historical data for each month.

- Northern region rainfall averaged 1.11 inches, equivalent to the 15th percentile.
- Central region rainfall averaged 1.29 inches, equivalent to the 25th percentile.
- Southern region rainfall averaged 0.84 inch, equivalent to the 16th percentile.
- District-wide, average rainfall was 1.08 inches, equivalent to the 20th percentile.

Streamflow

Streamflow data indicate that flow increased in all three regions of the District, compared to the previous month. Based on flow data from the three regional index rivers referenced below, average streamflow conditions were within the normal range in all three regions of the District. Normal streamflow is defined as flow that falls on or between the 25th and 75th percentiles.

- The monthly average streamflow in the Withlacoochee River near Holder in the northern region was in the 53rd percentile.
- The monthly average streamflow measured in the Hillsborough River near Zephyrhills in the central region was in the 45th percentile.
- The monthly average streamflow measured in the Peace River at Arcadia in the southern region was in the 37th percentile.

Groundwater Levels

Groundwater data indicate that levels in the Floridan/Intermediate aquifer have decreased in all three regions of the District, compared to last month. Groundwater levels are within the normal range in all three regions. Normal groundwater levels are defined as those falling on or between the 25th and 75th percentiles.

- The average groundwater level in the northern region was in the 55th percentile.
- The average groundwater level in the central region was in the 56th percentile.
- The average groundwater level in the southern region was in the 48th percentile.

Lake Levels

Water level data indicate average regional lake levels decreased slightly in the northern, Polk Uplands and Lake Wales Ridge regions, while levels increased slightly in the Tampa Bay region, compared to the previous month. Regional lake levels ended the month below the annual normal range in the northern region, while levels remained within the normal range in the Tampa Bay, Polk Uplands and Lake Wales Ridge regions. Normal lake levels are generally considered to be levels that fall between the minimum low management level and the minimum flood level.

- Average lake levels in the northern region decreased 0.05 foot and were 0.61 foot below the base of the annual normal range.
- Average lake levels in the Tampa Bay region increased 0.03 foot and were 0.95 foot above the base of the annual normal range.
- Average lake levels in the Polk Uplands region decreased 0.09 foot and were 1.64 feet above the base of the annual normal range.
- Average lake levels in the Lake Wales Ridge region decreased 0.09 foot and were 0.39 foot above the base of the annual normal range.

Issues of Significance

February completes the fifth month of the eight-month dry season (October-May) and rainfall totals for the month show accumulations in the below-normal to low-normal range in all regions of the District. Analysis of the partial dry-season rainfall shows October through February totals to be below the historic mean in all regions of the District.

Rainfall during the month was low, intermittent, scattered, regionally variable and mainly associated with several weak cold front systems moving across the Florida peninsula. The District-wide 12-month cumulative rainfall totals saw a decline, ending the month at a surplus of approximately 1.8 inches above the long-term historic average, while the 24-month totals saw a decline, ending the month at a deficit of 2.6 inches below the long-term historical average.

The winter weather pattern seemed to temporarily shift in February, bringing in unseasonably warm weather and record high temperatures to the area, including a sharp decline in rainfall. Hydrologic indicators were mixed during February, with regional lake levels ending the month within the annual normal range in the Tampa Bay, Polk Uplands and Lake Wales Ridge regions, but remaining at below-normal levels in the Northern region. Regional groundwater levels saw declines, ending the month within the normal range; while regional streamflow conditions saw improvements, ending the month within their historic normal ranges.

NOAA climate forecasts predict below-normal rainfall chances through June 2018, with expectations that La Niña conditions in the Pacific Ocean will persist until sometime this spring. Extended drier than normal rainfall conditions during the winter/spring months would worsen overall hydrologic conditions.

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

Item 36

Staff Recommendation:

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

Presenter: Granville Kinsman, Hydrologic Data Manager

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

March 27, 2018

Routine Report

Surplus Lands Update

Purpose

This report provides a monthly status on the District's surplus lands program. Information is through February 28, 2018.

Background

In 2011, at the direction of the Governing Board (Board), the District began a regular surplus lands assessment. The table below shows the status of the parcels identified through the previous surplus lands assessments.

Status	Acres	Parcels	Compensation
Sold, exchanged or transferred	1,485	22	\$7,255,484
Closing pending	37	13	\$574,000
Listed with broker with approved minimum sale price	1,355	12	
Listed with broker without minimum sale price	1,334	7	
Annutteliga Hammock	547	996	
Offer to adjoining owners (per Florida Statutes)	23	12	
Agency request	8	5	
Non-marketable	20	4	
On hold	141	5	
Grand Total	4,950	1,076	\$7,829,484

Staff Recommendation:

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

Presenter: Carmen Sanders, Operations and Land Management Assistant Bureau Chief

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

March 27, 2018

Routine Report

Structure Operations

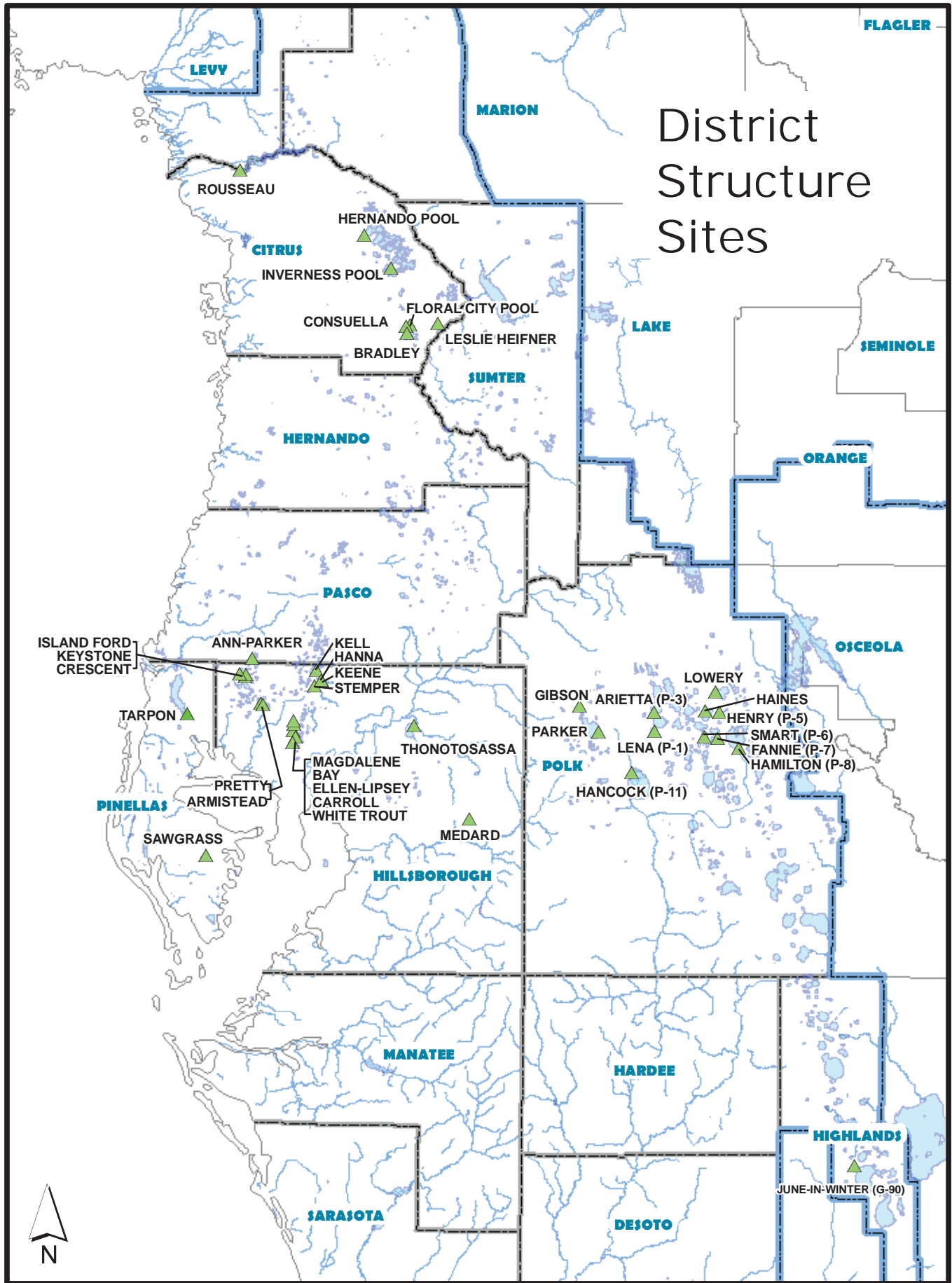
Summary of the operations made from February 1 through February 28, 2018.

- Inglis Water Control Structures: The Inglis Bypass Spillway and Inglis Main were operated to provide flow to the lower Withlacoochee River while maintaining Lake Rousseau's level. Lake Rousseau's monthly average elevation was of 27.59 feet National Geodetic Vertical Datum (NGVD). The recommended maintenance level for the lake is 27.50 feet NGVD.
- Withlacoochee River Watershed: Water control structures in the Tsala Apopka Chain of Lakes were closed to maintain water levels. The Wysong-Coogler Water Conservation main and the low flow gate were operated to aid in the regulation of the Lake Panasoffkee water level while providing flow to the Withlacoochee River downstream of the structure. The monthly average water level for Lake Panasoffkee was 39.71 feet NGVD.
- Alafia River Watershed: The Medard Reservoir structure was closed to maintain water level. The monthly average water level for the Medard Reservoir was 58.91 feet NGVD, compared to the recommended maintenance level of 59.00 feet NGVD.
- Hillsborough River Watershed: The Thirteen Mile Run system and Flint Creek (Thonotosassa discharge) structure were closed to maintain water levels. The average monthly water level for Lake Thonotosassa was 36.45 feet NGVD, compared to the recommended maintenance level of 36.50 feet NGVD.
- Tampa Bay/Anclote Watershed: Structures in the Rocky Creek, Sweetwater Creek were operated to maintain water lake water levels. The Brooker Creek system was operated to maintain lake levels. Lake Tarpon is the outfall of the Brooker Creek system. Lake Tarpon's water control structure was operated to maintain the lake level. Lake Tarpon's monthly average water level for the month was 3.28 feet NGVD, compared to the recommended maintenance level of 3.20 feet NGVD.
- Peace River Watershed: Lake Hancock structure was operated to maintain water level. The average monthly water level for Lake Hancock was 100.26 feet NGVD, compared to the recommended maintenance level of 100.2 feet NGVD.
- Lake Wales Ridge Watershed: Structure G-90 was closed to maintain water level in Lake June-in-Winter. The average monthly water level for Lake June-in-Winter was 74.80 feet NGVD, compared to the recommended level of 74.50 feet NGVD.

Staff Recommendation:

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

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



District Structure Sites

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

March 27, 2018

Routine Report

Significant Activities

Staff Recommendation:

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

Routine Report

Significant Activities

This report provides monthly information through February 27, 2018 on significant Operations and Land Management projects and programs in which the Governing Board is participating in funding and otherwise may be of interest to the Board. The report provides a brief description and status of significant activities associated with the projects that have recently occurred or are about to happen.

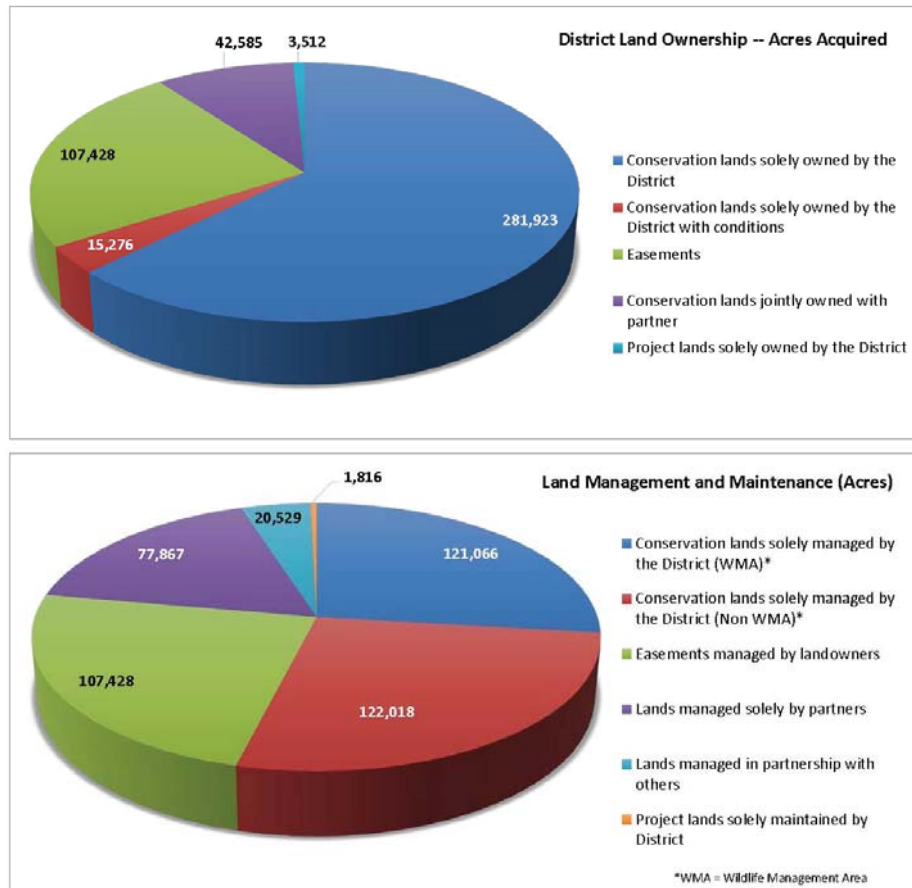
Land Management

- Staff has applied prescribed fire to 11,383 acres of conservation lands during FY2018.
- Feral hog staff continue to trap and conduct phased feral hog management hunts on District lands. There have been 853 feral hogs removed from District lands during FY2018. Staff assigned to feral hog population management have completed Phase 2 activities on District lands resulting in 176 feral hogs removed and 292 feral hogs removed for the 2 phases combined.
- Staff participated in both the Withlacoochee District Wildfire Services Coordinating Council Meeting and the Lakeland District Wildfire Services Coordinating Council Meeting with County Fire Rescue, Florida Forest Service, Florida Highway Patrol, County Emergency Services and Pasco County Parks and Recreation. Topics included:
 - Wildfire resources and preparedness
 - Predicted upcoming wildfire season
 - State Emergency Management Team input

Land Resources/Land Use and Protection

- Issued Special Use Authorization to the Tampa Audubon Society for vehicle access to Tampa Bay Estuarine Ecosystem – Rock Ponds Tract to conduct quarterly bird surveys to establish bird usage patterns throughout the year.
- Issued Special Use Authorization to Forest Applications Training, Inc. for vehicle access to Starkey Preserve – Serenova Tract to conduct chainsaw safety training for District employees.
- Issued Special Use Authorization to West Hernando Christian School for access to Weekiwachee Preserve to conduct cross-country race practice and meets. Up to 15 participants per event are expected.
- Issued Special Use Authorization to Mosaic Company for Coker Prairie and Southfork Tract properties for vehicle access and surveying of translocated Florida scrub-jays from March 1, 2018 – August 1, 2018.
- Volunteers provided 337 hours of service at a value of approximately \$7,939.72 to the District's conservation/recreation lands. Volunteer services included campground maintenance, trash removal, fence repair, and tree trimming.

- Processed 557 requests and provided 2,114 camping opportunities on District lands.
- The following is a breakdown of District land interests:



Staff Recommendation:

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

**Governing Board Meeting
March 27, 2018**

REGULATION COMMITTEE

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Submit & File Reports - None

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REGULATION COMMITTEE

March 27, 2018

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

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

REGULATION COMMITTEE

March 27, 2018

Discussion Item

Denials Referred to the Governing Board

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

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

Staff Recommendation:

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

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

REGULATION COMMITTEE

March 27, 2018

Discussion Item

Consider Water Shortage Order(s) as Necessary

Staff continues to monitor water resource and supply conditions to determine if any actions would be prudent. Since Board-issued water shortage orders must be discussed in a noticed public meeting prior to implementation, this agenda item is included as a contingency provision. It allows the Governing Board to immediately consider any action that staff may recommend based on regional data to be reviewed at the March 19, 2018 meeting.

Staff Recommendation:

Recommendations, if any, will be presented at the Governing Board meeting based on then-current conditions and predictions.

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

REGULATION COMMITTEE

March 27, 2018

*Routine Report***Dover/Plant City Water Use Caution Area Flow Meter Automatic Meter Reading (AMR) Equipment Implementation Program Update**

At their December 2010 meeting, the Governing Board adopted a minimum aquifer level in the Dover/Plant City Water Use Caution Area (DPCWUCA); Rule 40D-8.626, Florida Administrative Code (F.A.C.), as well as a recovery strategy (Rule 40D-80.075, F.A.C.) that incorporated flow meters and automatic meter reading (AMR) equipment installations to monitor and reduce resource impacts from future frost/freeze pumping events. Meter information in the Dover/Plant City area will be used by the District to: (1) improve the allocation of well mitigation responsibilities among permit holders, (2) allow District staff to better identify permit compliance issues resulting from pumping during frost/freeze events, (3) improve the modeling of impacts resulting from pumping during frost/freeze events, (4) allow the monitoring of performance and track the progress of management actions implemented, and (5) provide for the overall assessment of the recovery strategy goal of reducing frost/freeze protection quantities by 20 percent in ten years. It was originally estimated as of June 16, 2011 that there were 626 flow meters and 961 AMR devices needing installation within the 256-square mile DPCWUCA. As of December 1, 2016 it was estimated that 573 flow meters and 954 AMR devices will need to be installed, currently, a revised assessment completed of February 1, 2018 estimated a program total of 563 flow meters and 908 AMR devices. This revised assessment is due to expired permits, use change, and deletion of withdrawals not required to be metered and have AMR devices. Total costs of the program were estimated to be \$5.5 million for flow meter and AMR equipment installation with approximately \$316,000 required annually to support the program. On August 7, 2013, the AMR equipment installation and operation component of this project under RFP 004-13 was awarded to Locher Environmental Technology, LLC, partnered with AMEC Environmental and Infrastructure, Inc., and Hydrogage, Inc. The contract was executed on November 14, 2013. Letters with flow meter reimbursement information were sent on September 17, 2015 to the remaining permittees who have not yet installed a flow meter. ***New Activities Since Last Meeting:*** As of March 1, 2018, a total of 505 flow meters have been installed (89.6 percent complete) and 784 AMR units have been installed (86.3 percent complete). *Project Manager: Talia Paolillo*

Staff Recommendation:

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

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

REGULATION COMMITTEE

March 27, 2018

Routine Report

Overpumpage Report

Please see the attached report.

Staff Recommendation:

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

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

Overpumpage Report January 2018

Under Review ⁽¹⁾ Permit Application In-House ⁽²⁾ Forwarded to OGC ⁽³⁾

Permit No.	Permit Holder	Use Type	Permitted Quantity	Original Report Date Annual Avg. Use Percent Over	Current Report Date Annual Avg. Use Percent Over	Service Office
<i>New From Previous Report</i>						
12900.002	Perico Island Development ¹	Recreation - Lawn/Landscaping	130,500 gpd	11/01/2017 196,759 gpd 50.77%	01/01/2018 161,581 gpd 23.82%	Sarasota
1616.008	Lake region MHO (Lake Region Village) ¹	Public Supply	89,600 gpd	11/01/2017 97,400 gpd 8.71%	01/01/2018 94,674 gpd 5.66%	Polk
9419.008	Alico, Inc. (South Patrick Grove) ¹	Agriculture – Citrus	531,400 gpd	11/01/2017 641,858 gpd 20.79%	01/01/2018 607,836 gpd 14.38%	Polk
7654.006	Flying V, Inc. (Griffin Landing) ¹	Agriculture – Citrus	117,200 gpd	11/01/2017 121,181 gpd 3.40%	01/01/2018 126,830 gpd 8.22%	Polk

(1) Preliminary determination - permit is in non-compliance and file is under review by Regulation staff.

(2) A permit application is in-house for review.

(3) The non-compliance matter has been referred to the Office of General Counsel (OGC).

Overpumpage Report January 2018

Under Review ⁽¹⁾ Permit Application In-House ⁽²⁾ Forwarded to OGC ⁽³⁾

Permit No.	Permit Holder	Use Type	Permitted Quantity	Original Report Date Annual Avg. Use Percent Over	Current Report Date Annual Avg. Use Percent Over	Service Office
<i>Continuing From Previous Report</i>						
8687.005	Russell Farms ¹	Agriculture - Strawberries and Squash	100,800 gpd	04/01/2017 114,764 gpd 13.85%	01/01/2018 120,162 gpd 19.21%	Tampa
3219.007	Gardinier Florida Citrus, Inc. ¹	Agriculture – Citrus	322,600 gpd	06/01/2017 436,926 gpd 35.44%	01/01/2018 357,992 gpd 10.97%	Polk
696.006	Gardinier Florida Citrus, Inc. ¹	Agriculture – Citrus	210,600 gpd	05/01/2017 293,762 gpd 39.49%	01/01/2018 248,406 gpd 17.95%	Polk
7870.007	Arcadia Groves Partnership ^{1&2}	Agriculture – Pasture	197,800 gpd	04/01/2017 300,197 gpd 51.77%	01/01/2018 271,214 gpd 37.12%	Sarasota
2588.010	Kelly Farms ^{1&2}	Agriculture – Potatoes and Pasture	704,600 gpd	11/01/2016 851,054 gpd 20.79%	01/01/2018 1,520,436 gpd 115.79%	Sarasota
1156.012	Bay Laurel Center Public Water Supply System ³	Public Supply	2,555,000 gpd	09/01/2016 2,696,799 gpd 5.55%	01/01/2018 2,938,564 gpd 15.01%	Brooksville
7993.003	Harrell's Nursery ¹	Agriculture - Nursery, Container	20,100 gpd	07/01/2016 24,051 gpd 19.66%	01/01/2018 21,821 gpd 8.56%	Tampa
7002.004	MHC FR Utility Systems, LLC ³	Public Supply	97,100 gpd	04/01/2015 104,929 gpd 8.06%	01/01/2018 187,756 gpd 93.36%	Tampa

(1) Preliminary determination - permit is in non-compliance and file is under review by Regulation staff.

(2) A permit application is in-house for review.

(3) The non-compliance matter has been referred to the Office of General Counsel (OGC).

Attachment: Mar18 Routine Reports - Overpumpage Report_January FINAL (3645 : Overpumpage Report)

REGULATION COMMITTEE

March 27, 2018

Routine Report

Individual Permits Issued by District Staff

Please see the attached report.

Staff Recommendation:

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

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

INDIVIDUAL PERMITS ISSUED: ERPS – MARCH 2018

PERMIT NUMBER	PROJECT NAME	COUNTY	DESCRIPTION	TOTAL PROJECT ACRES	WETLAND ACRES	WETLAND ACRES IMPACTED	WETLAND MITIGATION ACRES
43023534.046	Connerton Village II Parcel 218	Pasco	Construction of a Stormwater management system to serve 259 single-family residential lots	157.40	51.67	5.34	0.00

Wetland Mitigation Acres may be zero or less than Wetland Acres Impacted for a variety of reasons. Some of those reasons are: impacted wetlands require no mitigation by rule (e.g., upland cut manmade ditches, etc.); quality of the impacted wetlands is less than the quality of proposed mitigation; or mitigation is provided through a different permit or a mitigation bank.

INDIVIDUAL PERMITS ISSUED: WUPS – MARCH 2018

PERMIT NUMBER	PROJECT NAME	COUNTY	DESCRIPTION	USE TYPE	PREVIOUS PERMITTED QUANTITY	NEW PERMITTED QUANTITY	DURATION (YEARS)
20003755.007	Mabry Carlton Ranch	Sarasota	Straight renewal with updated AGMOD allocation	Agricultural	4,260,800	4,189,700	20
20011774.006	Lake Jovita Golf & CC	Pasco	Modification to permit standby groundwater quantities	Landscape / Recreation	183,600	639,600	20
20020721.000	SSU Wholesale Potable	Sumter	New permit for wholesale public supply	Public Supply	0	1	20

**Governing Board Meeting
March 27, 2018**

GENERAL COUNSEL'S REPORT

Discussion Items

46. Consent Item(s) Moved for Discussion

Submit & File Reports - None

Routine Reports

47. March 2018 - Litigation Report	147
48. March 2018 - Rulemaking Update	157

GENERAL COUNSEL'S REPORT

March 27, 2018

Discussion Item

Consent Item(s) Moved for Discussion

Staff Recommendation:

Presenter: Karen E. West, General Counsel

GENERAL COUNSEL'S REPORT

March 27, 2018

Routine Report

March 2018 – Litigation Report

Staff Recommendation:

Presenter: Karen E. West, General Counsel

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT LITIGATION REPORT

March 2018

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

DELEGATED ADMINISTRATIVE HEARING MATTERS

0 Cases as of March 6, 2018

OPEN ENFORCEMENT CASES

69 Cases as of February 6, 2018

74 Cases as of March 6, 2018

ENFORCEMENT CASES IN ACTIVE LITIGATION

0 Case as of March 6, 2018

(Including Administrative Complaints)

PERMIT/AGENCY ACTION CHALLENGES

4 Cases as of March 6, 2018

STYLE:
COURT/CASE NO.:
ATTORNEY:
ACTION:

Sumter, LLC v. FDOT Florida's Turnpike Enterprise and SWFWMD
Southwest Florida Water Management District
A. Vining/M. Bray
Administrative hearing challenging Environmental Resource Permit No. 43010725.009

DESCRIPTION:

On February 10, 2017, the District issued Environmental Resource Permit ("ERP") No. 43070725.009 to FDOT Florida's Turnpike Authority ("Turnpike") authorizing modifications to interchange improvements previously permitted for the I-75/Turnpike Interchange, which will improve traffic flow at the same time FDOT is widening I-75. The District issued a Corrected ERP on February 15, 2017, after District staff discovered an error in the ERP previously issued, which resulted in updates to the wetland impact acreages, functional losses, and the total excess mitigation available. On March 2, 2017, Sumter, LLC ("Petitioner") submitted a Petition for Administrative Hearing ("Petition"), requesting denial of the Corrected ERP. On March 20, 2017, Petitioner and Turnpike submitted a letter to the District, jointly requesting that the District delay referral of the Petition to DOAH for thirty days so that the parties may attempt to resolve their dispute. The District entered an Order Granting Request to Hold Case in Abeyance on March 20, 2017, stating that no further action will be taken until April 19, 2017. On March 31, 2017, Petitioner and Turnpike filed a Joint Motion for Extension of Time, stating that communications between the parties were ongoing to resolve the matter and that they agreed to run the 100-year floodplain model with updated parameters, which necessitated the request for additional time to allow the results of the updated model to be generated and reviewed by the parties. Petitioner and Turnpike requested an extension of time for ninety days, during which the case will not be referred to DOAH. On April 4, 2017, the District entered an Order Granting Joint Motion for Extension of Time, providing that the case shall be held in abeyance until July 3, 2017, and no further action will be taken by the District until July 5, 2017. On June 22, 2017, Petitioner and Turnpike filed a Second Joint Motion for Extension of Time requesting an additional extension of time until August 7, 2017, in order to allow the parties the additional time needed to finish running the 100-year floodplain model with updated parameters. On June 27, 2017, the District entered an Order Granting Second Joint Motion for Extension of Time, providing that the case shall be held in abeyance until August 7, 2017, and no further action will be taken by the District until August 8, 2017.

On July 27, 2017, Petitioner and Turnpike filed a Third Joint Motion for Extension of Time requesting an additional extension of time until September 25, 2017, as efforts are ongoing to update the floodplain model, but additional time is needed to finish the work. On July 27, 2017, the District entered an Order Granting Third Joint Motion for Extension of Time, providing that the case shall be held in abeyance through September 25, 2017.

On September 15, 2017, Petitioner and Turnpike filed a Fourth Joint Motion for Extension of Time requesting an additional extension of time until October 11, 2017, as they expected the District to receive updated modeling on September 15, 2017, but required additional time for the District to review and comment, and for subsequent review by Petitioner and Turnpike of the District's comments. On September 18, 2017, the District entered an Order Granting Fourth Joint Motion for Extension of Time, providing that the case shall be held in abeyance through October 11, 2017.

On October 10, 2017, Petitioner and Turnpike filed a Fifth Joint Motion for Extension of Time requesting another extension of time until October 23, 2017, in order to conduct a settlement conference. On October 10, 2017, the District entered an Order Granting Fifth Joint Motion for Extension of Time, providing that the case shall be held in abeyance through October 23, 2017.

On October 18, 2017, Petitioner and Turnpike filed a Sixth Joint Motion for Extension of Time requesting additional time in which to conduct a settlement conference, which the parties anticipate will occur no later than November 21, 2017. On October 19, 2017, the District entered an Order Granting Sixth Joint Motion for Extension of Time, providing that the case shall be held in abeyance through November 22, 2017.

On November 20, 2017, Sumter and Turnpike submitted the Seventh Joint Motion for Extension of Time requesting an additional extension of time. A settlement conference was held on November 17, 2017. However, Sumter and Turnpike state that the parties need additional time to finish re-processing the model and to conduct a second settlement conference. Accordingly, Sumter and Turnpike requested an extension of time until February 1, 2018, to allow the parties to complete the re-processing of the model and to conduct another settlement conference. That request was granted, providing that the case will be held in abeyance through February 1, 2018. A second settlement conference was held on January 22, 2018, at which it was determined that additional time is needed for the Turnpike to investigate the feasibility of settlement options. As a result, Sumter and Turnpike requested an extension of time until May 15, 2018, for the Turnpike to complete the feasibility analysis. The request was granted on January 25, 2018, and the case will be held in abeyance until May 15, 2018.

STYLE: Majestic Oaks Homeowners Association of Clearwater, Inc., v. Elysium Homeowners Association, Inc., and SWFWMD
COURT/CASE NO.: Division of Administrative Hearings, Case No. 17-5190
ATTORNEY: M. Bray/J. Thompson
ACTION: Administrative hearing challenging Environmental Resource Permit No. 43000205.002

DESCRIPTION: On July 10, 1985, the District issued Environmental Resource Permit ("ERP") No. 43000205.000 for a development project called Elysium, consisting of approximately 60.94 acres in Clearwater, Florida. On October 18, 2016, the District mailed a Notice of Permit Condition Violation to the Elysium Homeowners Association, Inc., ("Elysium HOA") the operation and maintenance entity under ERP No. 43000205.000. The District had received a complaint from Majestic Oaks Homeowners Association of Clearwater, Inc. ("Petitioner") that flooding was occurring directly to the east of Elysium, onto 19.8 acres that comprise the Majestic Oaks subdivision. The District investigated and issued a notice of violation to Elysium HOA. Thereafter, in July 2017, Elysium HOA brought the matter into compliance with ERP No. 43000205.000.

Thereafter, on or about August 1, 2017, Elysium HOA submitted an application for a minor modification of its ERP. On August 11, 2017, the District issued Notice of Intended Agency Action for approval of ERP No. 43000205.002 ("Modified Permit") to Elysium HOA, authorizing a minor modification to the drainage swale. On September 1, 2017, Petitioner timely submitted a legally sufficient Petition for Administrative Hearing ("Petition"), challenging the issuance of the Modified Permit. On September 18, 2017, the District referred the Petition to the Division of Administrative Hearings ("DOAH"). The case was assigned to an Administrative Law Judge, who entered an Initial Order on September 21, 2017. The parties timely responded to the initial order. Discovery and motion practice are ongoing.

The District on October 6, 2017, filed a motion to strike and motion in limine arguing that certain portions of the petition are wholly irrelevant to the proceeding, and should be stricken. That motion is pending. The District's discovery responses are due October 30, and the Petitioner's discovery responses are due November 1. The parties are in the process of setting depositions, and on October 24, the Petitioner filed a motion for entry upon land, which is pending.

On November 1, the deposition of Elysium HOA's engineer was held.

On November 5, 2017, the parties reached an agreement in principle to settle this matter. In order to finalize the terms of the agreement, which would necessarily include an application to the District to modify Elysium HOA's ERP and subsequent construction, the parties on November 13 filed a joint motion to abate the case temporarily. In connection with the proposed settlement, the parties agreed to cancel pending depositions. On November 14, the ALJ entered an order cancelling the November 30 hearing and ordering the parties to submit dates in February for a rescheduling of the hearing should the settlement fall through.

As of January 4, 2018, settlement negotiations are still pending. Pursuant to the ALJ's order, the administrative hearing that was previously cancelled has been rescheduled for February 28, 2018. No other action has been taken by the ALJ. The District's motion to strike and motion in limine is still pending. As of February 13, 2018, this case is still open and final hearing is scheduled for February 28. However, the parties have reached agreement in principal and are in the process of finalizing a written settlement agreement. Elysium HOA's Board will need to vote to accept or reject the agreement, once it is completed. The parties have agreed to request an additional one-month continuance in order to allow time to finalize the agreement and for the HOA Board to have an opportunity to act on the proposed agreement. Counsel for Majestic Oaks is preparing a joint motion to be filed imminently.

On February 13, 2018, the parties filed a Joint Motion for Continuance Pending Negotiation of Settlement Agreement, requesting that the final hearing scheduled for February 28th be continued, and stating that the parties believe that the settlement agreement can be finalized within 60 days. By order dated February 15, 2018, the ALJ granted the parties' motion, and cancelled the February 28th hearing. The same day, the ALJ entered an amended notice of final hearing, rescheduling the final hearing for May 9, 2018. Counsel for Elysium and Majestic Oaks are continuing to try to finalize a settlement agreement.

STYLE:
COURT/CASE NO.:
ATTORNEY:
ACTION:

SWFWMD v. Depa Hotel, Inc.
SWFWMD
A. Vining
Administrative hearing requested pursuant to an Administrative Complaint and Order issued by SWFWMD

DESCRIPTION:

On December 13, 2005, the District issued Environmental Resource Permit ("ERP") No. 44014233.002, authorizing the construction of a new surface water management system to serve a Hampton Inn in Port Richey, Florida. On October 31, 2008, the District issued a Permit Condition Violation letter to the original permittee that indicated the District had received a

complaint alleging that the construction of the project caused flooding to adjacent properties. The District determined that the project blocked offsite inflows from the east and filled historic basin storage onsite, which caused the flooding of the adjacent properties in violation of ERP No. 44014233.002. On June 23, 2009, ERP No. 44014233.002 was transferred to Depa Hotel, Inc. ("Depa"). Over the intervening years, Depa filed four ERP applications attempting to address the permit condition violation, but all were either withdrawn by Depa or denied by the District. Because of the failure of Depa to address the permit condition violation, the District issued an Administrative Complaint and Order on August 7, 2017, requiring Depa to modify ERP No. 44014233.002, and to complete all the activities authorized by the ERP modification within 270 days of issuance of the ERP modification. On September 1, 2017, Depa submitted a Request for Administrative Hearing, which the District dismissed without prejudice on September 18, 2017. An Amended Request for Administrative Hearing was submitted on October 2, 2017. On October 10, 2017, District staff provided Depa with a copy of its recommendation to the District's Governing Board that Depa's Amended Request for Administrative Hearing be dismissed with prejudice. On October 11, 2017, Depa filed a Motion to Correct Scribner's Error to the Amended Request for an Administrative Hearing, Reconsideration to Continue Response Time to File Amended Petition and Reconsideration to Submit Matter to DOAH requesting that the District reconsider its decision to dismiss the Amended Request for an Administrative Hearing with prejudice, or, alternatively, provide Depa with more time to submit another amended request for hearing. The District issued an Order Granting Motion to Correct Scrivener's Error on October 19, 2017. Then, on October 24, 2017, the District issued a Final Order of Dismissal with Prejudice and Order Denying Motion for Reconsideration to Continue Response Time to File Amended Petition and Reconsideration to Submit Matter to DOAH. On October 25, 2017, the Administrative Complaint and Order was finalized and the order rendered. On November 7, 2017, Depa submitted a Request for an Administrative Hearing. On November 13, 2017, Depa filed a Notice of Appeal, indicating it is appealing both the Final Order of Dismissal with Prejudice and the finalized Administrative Complaint and Order. See Appeals Section below. On December 21, 2017, the District issued a Final Order of Dismissal with Prejudice dismissing the Request for an Administrative Hearing submitted on November 7, 2017.

STYLE: Long Bar Pointe, LLLP v. Lake Flores I, LLC, & SWFWMD
COURT/CASE NO.: Division of Administrative Hearings, Case No. 17-005609
ATTORNEY: C. Tumminia
ACTION: Administrative petition challenging Environmental Resource Permit No. 49042599.001

DESCRIPTION: On July 28, 2017, the District issued Environmental Resource Permit ("ERP") No. 49042599.001 ("Permit") conceptually approving the future construction of a stormwater management system to serve a 1,274-acre mixed-use project in Manatee County. On August 18, 2017, and September 18, 2017, the District granted two requests by Long Bar Pointe, LLLP ("Petitioner"), for an extension of time to file a petition requesting an administrative hearing on the issuance of the Permit. On September 29, 2017, the District received a timely request for administrative hearing ("Petition") from the Petitioner. The deadline for granting or denying the Petition is October 14, 2017. On October 13, 2017, the District referred the Petition to the Division of Administrative Hearings ("DOAH"). The case was assigned to an Administrative Law Judge, who entered an Initial Order on October 19, 2017. The final hearing has been scheduled to occur in Tampa from January 24, 2017 to January 26, 2017. As of November 9, 2017, all parties have exchanged preliminary written discovery. On December 21, 2017, the parties agreed to and filed a Joint Motion for Continuance due to ongoing settlement negotiations. The ALJ entered an Order on December 21, 2017, rescheduling the final hearing to occur on February 27, 2017. On January 18, 2018, the parties agreed to and filed a Joint Motion for Continuance due to ongoing settlement negotiations. The ALJ entered an Order on January 18, 2018, rescheduling the final hearing to occur on March 27, 2017. **On February 20, 2018, representatives from SWFWMD and the Applicant met to discuss the potential for settlement of this matter. On March 5, 2018, the Parties agreed to and filed a Joint Motion for Continuance as a result of the ongoing settlement negotiations, and anticipate that the final hearing will be rescheduled for late April, 2018.**

MISCELLANEOUS
4 Cases as of March 6, 2018

STYLE: Tony's Roasted Pepper, LLC v. Hillsborough County and SWFWMD
COURT/CASE NO.: Thirteenth Judicial Circuit/Hillsborough County; Case No. 2016-CA-008690
ATTORNEY: V. Arenas-Battles/A. Vining
ACTION: Notice of Claim pursuant to the Bert J Harris, Jr., Private Property Rights Protection Act and Complaint for Trespass, Injunction, Inverse Condemnation, Breach of Contract and Claim for Compensation under The Bert J. Harris, Jr., Private Property Rights Protection Act

DESCRIPTION: On September 19, 2016, Tony's Roasted Pepper, LLC ("Plaintiff") served the District with a Notice of Claim pursuant to Section 70.001, F.S., the Bert J. Harris, Jr., Private Property Rights Protection Act ("Bert Harris Act"). The Notice of Claim alleges that Plaintiff's property was damaged by flooding caused by Hillsborough County's pumping from Lake Wee pursuant to emergency authorizations issued to the County by the District. In addition, Plaintiff alleges that the flooding caused damage to its property and requests damages in the amount of \$1,100,000 from the District and County. Pursuant to Section 70.001(4), Florida Statutes, the District has notified the Attorney General's Office of Legal Affairs and all contiguous property owners regarding its receipt of the Notice of Claim. District staff will respond to the Notice of Claim within the statutorily-required 150 days.

On October 14, 2016, the District was served with a Complaint for Trespass, Injunction, Inverse Condemnation, Breach of Contract, and a violation of the Bert Harris Act ("Complaint") in Circuit Court against it as well as Hillsborough County ("County") and the District. The District is not subject to the breach of contract claim. The Complaint alleges a loss in market value of Plaintiff's property in the amount of \$960,000, as well as requests damages in excess of \$15,000 from both the County and the District. On October 19, 2016, the County filed a Motion to Dismiss Count V for Failure to State a Cause of Action and its Answer and Affirmative Defenses regarding the remaining counts of Plaintiff's Complaint.

On November 2, 2016, the District filed its Motion to Dismiss the Complaint, alleging (a) the statute of limitations has run on the inverse condemnation claim and (b) the Plaintiff failed to state a cause of action on the remaining claims. On November 4, 2016, the District filed its Amended Motion to Dismiss Complaint as to all counts for failure to state a cause of action, except Count IV which only applied to the County. On the same date, the County filed a Motion to Dismiss Count V. On November 7, 2016, the Plaintiff filed a Motion to Strike the County's Affirmative Defenses. A hearing on the District's and County's Motions to Dismiss was scheduled for January 5, 2017.

On January 5, 2017, Plaintiff, the County and the District agreed to cancel the hearing and (1) enter an Order granting the District's and County's Motions to Dismiss; (2) allow Plaintiff 45 days in which to amend its Complaint; and (3) that Plaintiff would satisfy all pre-suit requirements for a Bert Harris claim prior to amending its Complaint. On January 18, 2017, the Court entered a Stipulated Order Granting Southwest Florida Water Management District's Motion to Dismiss Without Prejudice. On January 23, 2017, the Court entered a similar Stipulated Order Granting Hillsborough County's Motion to Dismiss Count V of Plaintiff's Complaint Without Prejudice. Discovery has commenced and is ongoing. On March 3, 2017, Plaintiff filed an Amended Complaint against the District and the County. On March 31, 2017, the District and the County each filed Motions to Dismiss the Amended Complaint. A hearing on the Motions to Dismiss has been scheduled for June 6, 2017. On May 26, 2017, the hearing on the Motions to Dismiss was rescheduled for August 1, 2017.

On August 1, 2017, the Motion to Dismiss was heard by the Court. The Court ruled as follows: (1) granted the District's motion to dismiss as to Count III (Inverse Condemnation); (2) granted the District's motion to dismiss as to Count II (Injunction) without prejudice to amend; (3) granted the District's motion to dismiss as to Count V (Bert Harris) without

prejudice to amend; and denied the District's motion to dismiss as to Count I (Trespass) and abated this cause of action until December 14, 2017. On August 18, 2017, the Court entered the Order on Defendant's Motion to Dismiss Plaintiff's Amended Complaint.

On September 15, 2017, the District received Plaintiff's Second Amended Complaint. The District's answer to the Amended Complaint is due on or before December 14, 2017.

On October 5, 2017, all parties filed their Joint Stipulation to Extension of Time for Defendants to Respond to the Second Amended Complaint, requesting an extension of time until December 14, 2017 for the County and the District to file their answers to the Second Amended Complaint. On October 16, 2017, the Court entered an Order granting the extension of time.

On December 14, 2017, the District filed its Answer and Affirmative Defenses to Plaintiff's Second Amended Complaint. On January 8, 2018, the Plaintiff filed its Reply to the District's and the County's Affirmative Defenses.

On March 5, 2018, Plaintiff filed a Joint Stipulation for Substitution of Counsel, substituting MacFarlane, Ferguson & McMullen, P.A. for J. Marshall Fry.

STYLE:	Uranowski, Christina v. SWFWMD
COURT/CASE NO.:	Fifth Judicial Circuit/Hernando County; Case No. 2016-CA-976
ATTORNEY:	T. Gonzalez
ACTION:	Complaint under the Florida Civil Rights Act alleging Retaliation, Handicap Discrimination, Gender Discrimination, and Age Discrimination

DESCRIPTION:	On September 17, 2015, the District issued a Notice of Discharge ("Notice") to Christina Uranowski ("Plaintiff"), discharging her from her at-will employment from the District effective at 5:00 p.m. that day. In September 2015, Plaintiff filed a Complaint with the U.S. Equal Employment Opportunity Commission ("EEOC Complaint") alleging that the District discriminated against her on the basis of her gender, age, and disability as well as that the District had retaliated against her based on prior protected activity. The District responded to the EEOC charge on November 4, 2015. The EEOC has not yet rendered a determination relative to the EEOC Complaint.
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On September 30, 2016, the District was served with a Complaint filed in Circuit Court for Hernando County alleging violations of the Florida Civil Rights Act including retaliation, handicap discrimination, gender discrimination, and age discrimination related to Plaintiff's discharge from District employment. The matter has been referred to the District's outside employment counsel who entered his appearance in the case on October 2, 2016. On October 20, 2016, the District filed its Answer and defenses to the Complaint. The Plaintiff filed its first Request for Production of Documents to Defendants on August 14, 2017. The District filed its response to the Plaintiff's request on September 18, 2017.

STYLE:	SR 40, LLC v. Riverside Village Homeowners' Association and Southwest Florida Water Management District
COURT/CASE NO.:	Sixth Judicial Circuit/Pasco County; Case No. 2017CA2879CAAXWS
ATTORNEY:	C. Tumminia/A. Vining
ACTION:	Complaint for Abatement Pursuant to Section 373.433, Florida Statutes, Damages Pursuant to Section 373.430, F.S., and Trespass

DESCRIPTION:

On March 3, 1987, the District issued Environmental Resource Permit (“ERP”) No. 43000835.000 (“Permit”) for the construction of a stormwater management system designed to serve a residential development known as Riverside Village Unit 4 (“Development”), located in Pasco County, Florida. On March 3, 2017, the District received a complaint from SR 40, LLC, the owner of property adjacent to the Development, regarding potential flooding caused by a berm washing out along the east side of the Development. District staff investigated the complaint to determine whether the stormwater management system was functioning properly. District staff identified two maintenance issues and requested that Riverside Village Homeowners’ Association (“Permittee”) take action to bring the Permit into compliance. On September 1, 2017, District staff notified the Permittee that the required actions were completed and the compliance file would be closed. On October 9, 2017, the District was served with a Complaint for Abatement pursuant to Section 373.433, Florida Statutes (“F.S.”), damages pursuant to Section 373.430, F.S., and trespass, alleging that the maintenance issues were not resolved, and the Development continues to flood SR 40’s property. The District has 30 days from October 9, 2017, to file an answer or appropriate motion.

On November 8, 2017, the District filed a Motion to Dismiss the complaint on various grounds. Prior to filing a response to the District’s Motion to Dismiss, the Plaintiff filed a First Amended Complaint that addressed some of the deficiencies highlighted in the Motion to Dismiss. On December 22, 2017, the District filed a Motion to Dismiss the Plaintiff’s First Amended Complaint. As of the date of this Report, no response has been filed.

STYLE:
COURT/CASE NO.:
ATTORNEY:
ACTION:

Lance Thomas v. North Port Gateway East Association, Inc. and SFWMD
 Twentieth Judicial Circuit/Charlotte County; Case No. 16-1505-CA
 V. Arenas-Battles

Action for Negligence related to a traffic accident where Plaintiff, Lance Thomas, claims that a condition in a District permit prohibited trimming of brush which contributed to obstruction of view resulting in a traffic accident.

DESCRIPTION:

On February 16, 2018, Plaintiff served the District with an Amended Complaint. The District will file its Answer to the Amended Complaint by March 18, 2018.

APPEALS**2 Cases as of March 6, 2018**

STYLE:
COURT/CASE NO.:
ATTORNEY:
ACTION:

Suncoast Waterkeeper, Inc. and Kathe Fannon v. SFWMD
 2D17-2484

M. Bray/C. Tumminia

Appeal of Dismissal of Petition for Administrative Hearing Challenging Conceptual Environmental Resource Permit No. 49040157.006

DESCRIPTION:

On April 12, 2017, the District issued Conceptual Environmental Resource Permit (“ERP”) 49040157.006 to Long Bar Pointe, LLLP and Cargor Partners VIII – Long Bar Pointe LLLP modifying and replacing Conceptual ERP 49040157.002 issued in September 2015. On May 4, 2017, the District received a petition for administrative hearing concerning the proposed ERP. The petition was determined to be insufficient as a matter of law, because it did not contain the elements that are required to be present in petitions for administrative hearing, as described and enumerated in Rule 28-106.201, F.A.C. Due to those deficiencies, an order was entered dismissing the petition on May 17, 2017 (“Order of Dismissal Without Prejudice”). The Order of Dismissal Without Prejudice specifically identified the deficiencies in the petition, and provided the Petitioners 14 days to file an amended petition curing the specified deficiencies. No amended petition was filed, either within the 14-day period or thereafter. On June 1, 2017, the petition was dismissed with prejudice on the grounds that it was not in substantial compliance with the requirements of Section 120.569(2)(c), F.S. and Rule 28-106.201, F.A.C. On June 15, 2017, Suncoast

Waterkeeper, Inc. and Kathe Fannon filed a notice of appeal. On June 30, 2017, the District filed a motion to dismiss the appeal, arguing that in failing to file an amended petition or otherwise object, the Appellants had waived their right to raise any objection for the first time in the appellate court, and that Appellants had failed to exhaust their administrative remedies. The District also filed a motion for attorneys' fees. Those motions are pending. On July 6, 2017, the Court denied the District's motion to dismiss the appeal without prejudice to argue the merits in the answer brief. The Court did not enter an order on the motion for attorneys' fees. On August 1, 2017, the District served copies of the index to the record on appeal, as required pursuant to Florida Rule of Appellate Procedure 9.110(e). On August 24, 2017, the Appellants served their initial brief. The District's answer brief is due by September 18, 2017. On September 18, 2017, the District filed and served the answer brief, and on September 29, 2017, the Appellants filed and served their reply brief. The parties currently await further action by the Court.

On January 3, 2018, the Court issued its opinion affirming the District's agency action per curiam. The Court also entered an order granting the District's motion for appellate attorneys' fees in an amount to be determined by an Administrative Law Judge at DOAH. The mandate has not yet been issued.

The Court issued its mandate on February 5, 2018. The case will be referred to DOAH shortly for an administrative hearing concerning the amount of the award of attorneys' fees, per the Second District's order.

Subsequent to the issuance of the Court's mandate, counsel for Appellants initiated a conversation with the District regarding his intent and willingness to settle the fee claim against Appellants without resort to further litigation. The parties are presently negotiating concerning that claim.

STYLE:
COURT/CASE NO.:
ATTORNEY:
ACTION:

Depa Hotel, Inc. v. SWFWMD
5D17-3547
A. Vining
Appeal of Dismissal of Petition for Administrative Hearing

DESCRIPTION:

On December 13, 2005, the District issued Environmental Resource Permit ("ERP") No. 44014233.002, authorizing the construction of a new surface water management system to serve a Hampton Inn in Port Richey, Florida. On October 31, 2008, the District issued a Permit Condition Violation letter to the original permittee that indicated the District had received a complaint alleging that the construction of the project caused flooding to adjacent properties. The District determined that the project blocked offsite inflows from the east and filled historic basin storage onsite, which caused the flooding of the adjacent properties in violation of ERP No. 44014233.002. On June 23, 2009, ERP No. 44014233.002 was transferred to Depa Hotel, Inc. ("Depa"). Over the intervening years, Depa filed four ERP applications attempting to address the permit condition violation, but all were either withdrawn by Depa or denied by the District. Because of the failure of Depa to address the permit condition violation, the District issued an Administrative Complaint and Order on August 7, 2017, requiring Depa to modify ERP No. 44014233.002, and to complete all the activities authorized by the ERP modification within 270 days of issuance of the ERP modification. On September 1, 2017, Depa submitted a Request for Administrative Hearing, which the District dismissed without prejudice on September 18, 2017. An Amended Request for Administrative Hearing was submitted on October 2, 2017. On October 10, 2017, District staff provided Depa with a copy of its recommendation to the District's Governing Board that Depa's Amended Request for Administrative Hearing be dismissed with prejudice. On October 11, 2017, Depa filed a Motion to Correct Scribner's Error to the Amended Request for an Administrative Hearing, Reconsideration to Continue Response Time to File Amended Petition and Reconsideration to Submit Matter to DOAH requesting that the District reconsider its decision to dismiss the Amended Request for an Administrative Hearing with prejudice, or, alternatively, provide Depa with more time to submit another amended request for hearing. The District issued an Order Granting Motion to Correct Scrivener's Error on October 19, 2017. Then, on October 24, 2017, the District issued a Final Order of Dismissal

with Prejudice and Order Denying Motion for Reconsideration to Continue Response Time to File Amended Petition and Reconsideration to Submit Matter to DOAH. On October 25, 2017, the Administrative Complaint and Order was finalized and the order rendered. On November 13, 2017, Depa filed a Notice of Appeal, indicating it is appealing both the Final Order of Dismissal with Prejudice and the finalized Administrative Complaint and Order. On January 2, 2018, the Index to the Record on Appeal was served on all the parties. On January 11, 2018, Depa served its Initial Brief. **On March 2, 2018, the District served its Answer Brief. The Record on Appeal was filed with the Court on March 5, 2018.**

DELEGATED CONSENT ORDERS

1 Case as of March 6, 2018

VIOLATOR:
BOARD POLICY:
ATTORNEY:
VIOLATIONS:

Ulysses Burden, Jr.

160-6

J. Thompson

Construction of irrigation water wells without a water well contractor's license; and construction of irrigation water wells without a well construction permit.

STATUS:

Consent Order SWF No. 18-010 was fully executed on February 13, 2018. Administrative penalties in the amount of \$500.00 were received on February 8, 2018. File Closed.

GENERAL COUNSEL'S REPORT

March 27, 2018

Routine Report

March 2018 – Rulemaking Update

Staff Recommendation:

Presenter: Karen E. West, General Counsel

RULEMAKING UPDATE
MARCH 2018
PROPOSED RULES & AMENDMENTS

RULE	INITIATION DATE	NEXT SCHEDULED ACTION	BOARD PROJECTED/ APPROVED DATE
1. Initiation and Approval of Rulemaking to Amend Rule 40D-2.302(1), F.A.C. to Repeal Reservations from Use of Morris Bridge Sink	May 2015	TBD	May 2015
2. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to adopt revised Minimum Levels for Lake Lowery in Polk County	October 2016	Complete. Rule effective March 20, 2018	October 2016
3. Initiation and Approval of Rulemaking to adopt Minimum Flows for Rule 40D-8.041, F.A.C., Rainbow River System	June 2017	TBD	June 2017
4. Initiation and Approval of Rulemaking to adopt Minimum Flows for Rule 40D-8.041, F.A.C., Crystal River/Kings Bay System	June 2017	Complete. Rule effective March 15, 2018	June 2017
5. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to Adopt Revised Minimum and Guidance Levels for Lake Alice located in Hillsborough County	December 2017	Effective approx. April 2018	December 2017
6. Initiation and Approval of Rulemaking to Amend Rule 40D-8.624, F.A.C., to Adopt Revised Minimum and Guidance Levels for Lake Damon located in Highlands County	February 2018	TBD	February 2018
7. Initiation and Approval of Rulemaking to Amend Rule 40D-1.659, F.A.C., and the Environmental Resource Permitting Applicant's Handbook Volume II, as Part of Statewide Environmental Resource Permitting Rule Amendments (SWERP II)	February 2018	Effective approx. June 2018	February 2018

Attachment: 03- 2018 General Counsel - Rulemaking Update (for March 2018 GB-Meeting) (3629 : March 2018-Rulemaking Update)

COMMITTEE/LIAISON REPORTS

March 27, 2018

Discussion Item

Agricultural and Green Industry Advisory Committee

Staff Recommendation:

For information only.

Presenter: Kelly S. Rice, Board Member

Agriculture and Green Industry Advisory Committee

MEETING DATE – MARCH 1, 2018

LIAISON REPORT – KELLY S. RICE

WUP Online Permit Info Center

- Ms. Michelle Eddy, Water Use Permit compliance technician lead, introduced the District's new online permit information center (ePIC), which provides a more user-friendly and interactive experience when locating permit information.
- Members questioned whether additional data is now required for permits, such as Chlorides, that may require additional testing on the water. Ms. Eddy suggested the information depends on the permit requirements.
- Members complimented the new system and also asked if there were any speed issues with the software. Ms. Eddy explained there were speed issues, but they should be resolved. She encouraged users to contact her if they are experiencing these issues, so she can have the technicians resolve it.

SWUCA Recovery Strategy Five-Year Assessment

- Mr. JP Marchand, Water Resources bureau chief, provided an overview of the Southern Water Use Caution Area (SWUCA) Recovery Strategy (2007-2025) and the five-year assessment (2012-2016).
- Members asked how many recharge wells the District has. Mr. Marchand explained the District is currently evaluating and designing recharge projects at the Flatford Swamp. The District is currently cooperatively funding recharge projects with Hillsborough County and City of Bradenton.
- Members asked if the Saltwater Intrusion Minimum Aquifer Level (SWIMAL) is achieved in the first project, whether other recharge projects would be funded. Mr. Marchand explained that pumping into multiple injection zones would provide better results than pumping into one.
- Members suggested the Regulatory team be mindful of the reasonable and changing demands of 2025 as goals are being set. A suggestion was made, in respect to agriculture projections, to work closely with FDACS to project true demands of the changing trends.

Total Maximum Daily Loads (TMDLs)

- Mr. Sky Notestein, Springs and Environmental Flows manager, explained that TMDLs are how much of a pollutant can go into a body of water and still meet water quality standards. Mr. Notestein explained an ongoing concern is the springs having too much nitrate, and DEP has identified certain areas that will be required to address TMDLs.
- Members mentioned this is a dynamic process and each basin is very different. Members suggested having Terry Hansen, DEP, at the next meeting to address the rules for the BMAP process.
- Members discussed how variations in spring flow affect load calculations. Mr. Notestein explained that every flow change affects the load, but how much depends on the dynamics of the spring.
- Members asked how far North does activity affect local springs. Mr. Notestein referred to the springshed map to show any activity within the boundaries of the spring.

FARMS Program and IFAS Research

- Ms. Patricia Robertshaw, staff environmental scientist, explained the FARMS program as a public and private partnership between the District and growers, with agreements typically lasting five to seven years. Ms. Robertshaw explained there are 51 research projects funded through IFAS and they are currently accepting input for research project funding for fiscal year 2020.

- Mr. Simon Bollin, Hillsborough County, presented a blue card to the committee to identify that the Gulf Coast Educational Research Center is out of compliance with their water use permit, and questioned how to get them compliant. Ms. April Breton, Water Use Permit manager, explained the Gulf Coast Educational Research Center is currently working with the District to reduce their pumping. In addition, there are retiring nearby quantities that might be transferrable to them.

Florida Water Star and FNGLA Updates

- Ms. Robin Grantham, lead communications coordinator, explained the District's initiative and goals behind Florida Water Star (FWS). Ms. Grantham explained the District recently made a partnership with the Florida Homebuilder Association to manage and promote FWS certification. Ms. Grantham added that the District is looking for CFI projects for golf courses, HOA's, small FARMS, etc. Also, FNGLA has created the Landscape Irrigation Committee, which will serve to maximize landscape irrigation and efficiency and achieve water savings.
- Members asked if there are certain types of irrigation or grass requirements to qualify for FWS rebates. Ms. Grantham explained the only requirement is less than 60 percent high-volume irrigation on the landscape area.
- Members asked about the turf restrictions that Toho Water Authority required for builders to meet FWS standards. Ms. Grantham explained that Toho Water Authority set turf restrictions initially but has since worked with the District to loosen their restrictions, which now reflect the same requirement of FWS (60 percent rule).
- Ms. Grantham briefly addressed a topsoil study that is being conducted by On Top of the World, which may become a FWS component in the future.

State-Wide Fertilizer Ordinances

- Mr. Mac Carraway, executive director of the Environmental Research and Education Foundation (EREF) and Agricultural Advisory Committee Chair, discussed the current state-wide and local fertilizer ordinances, which includes blackouts and sales bans, that have been put in place in effort to minimize further damage on impaired waters. Mr. Carraway introduced EREF, which was created to advocate for modification on restrictive ordinances and to change fertilizing behavior through education.
- Members complimented EREF's science-based approach in addressing water ordinances.

Legislative Update

- Ms. Cara Martin, Board and Executive Services manager, provided a brief update on the 2018 Legislative Session.

COMMITTEE/LIAISON REPORTS

March 27, 2018

Discussion Item

Committee/Liaison Reports

Staff Recommendation:

Presenter: Board Members

EXECUTIVE DIRECTOR'S REPORT

March 27, 2018

Discussion Item

Executive Director's Report

Staff Recommendation:

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

CHAIR'S REPORT

March 27, 2018

Discussion Item

Chair's Report

Staff Recommendation:

Presenter: Randall S. Maggard, Chair

CHAIR'S REPORT

March 27, 2018

Discussion Item

Other

Staff Recommendation:

Presenter: Randall S. Maggard, Chair

CHAIR'S REPORT

March 27, 2018

Routine Report

Employee Milestones

Staff Recommendation:

This Item is for information only and no action is required.

Presenter: Randall S. Maggard, Chair

Years of Service	Seniority Date	Preferred Full Name	Position Title	Office Location	Bureau
5	03/04/2013	Jezabel Pagan Garcia	Staff Engineer	Tampa	Water Resources
5	03/11/2013	Jim Golden	Senior Planner	Brooksville	Communications Board Services
5	03/25/2013	Tom Hughes	Information Technology Bureau Chief	Brooksville	Information Technology
10	03/10/2008	Sandie Will	Data Collection Bureau Chief	Brooksville	Data Collection
10	03/24/2008	Mary Margaret Hull	Lead Communications Coordinator	Brooksville	Communications Board Services
30	03/14/1988	Raymond Garcia	Senior Heavy Equipment Operator	Brooksville	Operations and Land Management
30	03/14/1988	Sal DeStefano	Senior Electrical-Controls Technician	Brooksville	Operations and Land Management