



South Florida Water Management District

GOVERNING BOARD MONTHLY MEETING AGENDA

September 8, 2016

9:00 AM

District Headquarters - B-1 Auditorium

3301 Gun Club Road

West Palm Beach, FL 33406

FINAL

1. Call to Order - Dan O'Keefe, Chairman, Governing Board
2. Pledge of Allegiance - Dan O'Keefe, Chairman, Governing Board
3. Oath of Office Administered to Federico E. Fernandez
4. Proclamations
 - A proclamation of the Governing Board of the South Florida Water Management District commending the Loxahatchee River District for more than 45 years of dedicated effort to protect the Loxahatchee River and Estuary by eliminating sources of pollution through successful implementation of a comprehensive and ongoing plan to convert septic tanks to centralized sewer systems.
 - A proclamation of the Governing Board of the South Florida Water Management District in support of the cooperation on recreation and educational opportunities on District-owned lands within the Town of Cutler Bay in Miami-Dade County.
5. Employee Recognitions - Presented by Peter Antonacci, Executive Director
 - September Employee of the Month: Fahmida Khatun, Senior Engineer, Hydrology & Hydraulics Bureau
 - 30 Year Service Award: Ken Mudd, Regulatory Professional 4, Environmental Resource Bureau
6. Agenda Revisions - Tia Barnett, Director, Board & Executive Services

7. Abstentions by Board Members from items on the Agenda
8. Project & Lands Committee Report - Melanie Peterson, Chair
9. Water Resources Advisory Commission (WRAC) Report - Jim Moran, Chair
10. Big Cypress Basin Report - Rick Barber, Chair
11. Approval of the Minutes from the August 11, 2016 meeting, held in West Palm Beach.

Consent Agenda

12. Public Comment on Consent Agenda
13. Move Consent Agenda Items to Discussion Agenda
14. Board Comment on Consent Agenda
15. Waivers for Water Resource Advisory Commission (WRAC) members pursuant to Section 112.313, Florida Statutes
16. Regulatory Consent Items

Conservation Easements and Releases

- Miami-Dade County
Approve the partial release of a recorded conservation easement for a project known as Landmark at Doral - Florida Power and Light Patrol Road/Bike Path and N.W. 62nd Street. (Application No. 151215-11, Permit No. 13-02759-P)

Summary:

Lennar Homes, LLC is requesting a release of 0.9 acres of a conservation easement to construct a roadway for a project known Landmark at Doral - Florida Power and Light Patrol Road/Bike Path and N.W. 62nd Street. The proposed mitigation is 0.58 credits from the FPL Everglades Mitigation Bank. The area to be released was not part of a mitigation plan. Approximately 18.89 acres remain preserved under the existing recorded easement. (Regulation, staff contact, Ricardo Valera, ext. 6404).

- Polk County
Approve the partial release of a recorded conservation easement for a project known as Solivita West. (Application No. 160720-10, Permit No. 49-00094-S-31)

Summary:

AV Homes is requesting the release of 0.17 acres of conservation easement within a project known as Solivita West in Polk County. This parcel was erroneously included within the conservation easement area due to survey error. It is part of an existing dirt road. Approximately 200.08 acres of the original conservation easement remain within Solivita West. (Regulation, staff contact, Chuck Walter, ext. 3824)

Water Use Variances

- Palm Beach County
Enter a final order authorizing a variance to the City of Lake Worth allowing for

modification from the day of the week landscape irrigation measures specified in Chapter 40E-24, F.A.C., to provide for water conservation through implementation of an advanced irrigation system.

17. Resolution No. 2016 - 0901 Approve release of canal reservations, and issuance of a non-use commitment. (Real Estate, staff contact, Kathy Massey, ext. 6835)

Summary:

The District has jurisdiction over certain reserved rights to construct canal and road right of ways, and mineral rights, together with the right of ingress, egress and exploration. Applications requesting releases of these reservations are routinely received from landowners, attorneys, title companies and lending institutions, who consider the reservations to be title defects. Applications are reviewed by appropriate District staff and applicable local governmental agencies to determine that there is no present or future need for the reservations.

Staff Recommendation:

Staff Contact, Kathy Massey, ext. 6835

Staff recommends approval of the following:

- Broward County
Release canal reservations for Metropolitan Baptist Church of Miami, Florida, Inc. (File Nos. 18705 and 18706) for 8.98 acres
- Palm Beach County
Release canal reservations and issue non-use commitment for Pulte Homes Corporation (File Nos. 18703, 18704 and NUC 1711) for 155.00 acres
- Miami-Dade County
Release canal reservations for United States of America, Department of Interior, National Park Service (File No. 8-16-1) for 259.72 acres

18. Approve two agreements with Florida Department of Transportation for the S-675 Crossing State Road 700 for Lakeside Ranch Stormwater Treatment Area Project. (Operations, Engineering and Construction, staff contact, John P. Mitnik, ext. 2679)

- A) Resolution No. 2016 - 0902 Construction Agreement with FDOT for S-675 Crossing SR 700 for Lakeside Ranch STA Project

Summary:

The Lakeside Ranch Stormwater Treatment Area (STA) South is one of the four components of the Lakeside Ranch STA project, which is also a component of the Northern Everglades Lake Okeechobee Watershed Construction Project Phase II Technical Plan, and will reduce the phosphorus load entering Lake Okeechobee.

The STA South construction is in progress. This Construction Agreement with FDOT allows the SFWMD to construct three reinforced box culverts, S-675, which crosses State Road 700, and is the project's outflow structure. Upon completion, the SFWMD will own and maintain this structure.

- B) Resolution No. 2016 - 0903 Maintenance Agreement with FDOT for S-675 Crossing SR 700 for Lakeside Ranch STA Project

Summary:

The Lakeside Ranch Stormwater Treatment Area (STA) South is one of the four components of the Lakeside Ranch STA project, which is also a component of the Northern Everglades Lake Okeechobee Watershed Construction Project Phase II Technical Plan, and will reduce the phosphorus load entering Lake Okeechobee.

The STA South construction is in progress. The Maintenance Memorandum of Agreement with FDOT allows the SFWMD to maintain three reinforced box culverts, S-675, which crosses State Road 700 and is the project's outflow structure. Upon completion, the SFWMD will own and maintain this structure.

19. Resolution No. 2016 - 0904 Authorize an amendment to Contract No. 4600002935-A02 by entering into a 2-year renewal option with Toler Enterprises, Inc. for Slope Mowing Services within the Ft. Lauderdale Field Station area of responsibility, in an amount not-to-exceed \$324,000, which is subject to Governing Board approval of the Fiscal Year 2016-2017 and Fiscal Year 2017-2018 budgets. (Contract No. 4600002935-A02) (Field Operations & Land Management, staff contact, Karen Estock, ext. 6282)

Summary:

Maintenance of the Right of Ways is required to ensure that vegetation is controlled at a manageable height and will uphold the operational integrity of the District's flood control system. This project for the Fort Lauderdale Field Station area, contracts approximately 1,080 acres to be mowed on an annual basis. Since this is a work order contract, the amount of acres to be mowed will fluctuate, based on the weather, budget, and construction projects in these areas.

20. Resolution No. 2016 - 0905 Authorize entering into an Agreement with the Florida Department of Environmental Protection to dedicate lands owned by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (TIITF) for implementation of the Broward County Water Preserve Areas and Biscayne Bay Coastal Wetlands Phase 1 Projects, components of the Comprehensive Everglades Restoration Plan. (Real Estate, staff contact, Marcy Zehnder, ext. 6694)

Summary:

The Broward County Water Preserve Areas and Biscayne Bay Coastal Wetlands Phase 1 projects (Projects), which are components of the Comprehensive Everglades Restoration Plan (CERP), include certain lands owned by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (TIITF). As the local sponsor for these federal Projects, the South Florida Water Management District will be required to certify all the land within the boundaries of the Projects to the U.S. Army Corps of Engineers (USACE) prior to initiating construction. To facilitate use of the TIITF-owned lands for Project purposes, staff proposes Governing Board approval to enter into a Cooperative Agreement, at no cost to the SFWMD, with the Florida Department of Environmental Protection, as managing agency for TIITF, under which the TIITF lands will be certified to the SFWMD and the USACE, thereby dedicating the lands to the Projects

21. Resolution No. 2016 - 0906 Authorize entering into an Agreement with the National Park Service for the Biscayne Bay Coastal Wetlands Phase I Project. (Real Estate, staff contact, Marcy Zehnder, ext. 6694)

Summary:

The Biscayne Bay Coastal Wetlands Phase I Project (Project), a component of the Comprehensive Everglades Restoration Plan, includes certain lands owned by the National Park Service (NPS) within or adjacent to Biscayne National Park. As the local sponsor for this federal project, the South Florida Water Management District (SFWMD) is responsible for certifying all the land within the boundaries of the Project to the U.S. Army Corps of Engineers prior to initiating project operations. To facilitate the use of the NPS-owned lands for Project purposes, staff proposes entering into a General Agreement, at no cost to the SFWMD, with the NPS under which the NPS consents to use of NPS-owned lands within the Project boundary for Project purposes, including restoration of freshwater flows within Biscayne National Park.

22. Resolution No. 2016 - 0907 Authorize entering into a 3-year contract with Florida Atlantic University for the purpose of providing technical scientific support and management of the Kissimmee River Restoration Riverwoods Field Laboratory in an amount not to exceed \$810,237, for which \$261,760 in dedicated funds is in the tentative Fiscal Year 2016 - 2017 budget, and the remainder is subject to Governing Board approval of the Fiscal Year 2018-2019 budgets. (Contract No. 4600003481) (Water Resources, staff contact, Lawrence Glenn, ext. 6499)

Summary:

The Kissimmee River Restoration Project is a 50/50 cost share between the U.S. Army Corps of Engineers and the South Florida Water Management District (District). As part of the cost share agreement, the District is charged with assessing physical, chemical, biological, and functional responses within the restored river/floodplain to evaluate project success. The District currently has a contract with Florida Atlantic University (FAU) to provide technical scientific support for the project evaluation and to manage the Kissimmee River Restoration Riverwoods Field Laboratory in Highlands County.

Due to the remote location of the project, distance from District headquarters, weekly field sampling and data collection, need for equipment storage and sample processing, the Riverwoods Field Laboratory serves as the base of field operations for District scientists evaluating ecosystem response. The proposed three-year contract is to continue FAU providing technical scientific support for the project evaluation and site maintenance and security for the 15-acre Riverwoods Field Laboratory and site in an amount not to exceed \$810,237 subject to Governing Board approval of the Fiscal Year 2017-2019 budgets. Costs for this contract, both expended and proposed, are creditable as part of the Kissimmee River Restoration project and are included in the District's total project cost estimate

23. Resolution No. 2016 - 0908 Approve a cost-share agreement with the Everglades Agricultural Area Environmental Protection District for applied research in the Stormwater Treatment Areas in the amount of \$780,000, of which the District's total contribution is \$400,000, for which funds are budgeted for subject to Governing Board approval of the Fiscal Year 2016 - 2017. (Water Resources, staff contact, Kim O'Dell, ext. 2650)

Summary:

This annual cost-share cooperative agreement (renewed annually since Fiscal Year 2006 - 2007) is to continue joint efforts between the District and Everglades Agricultural Area Environmental Protection District (EAA-EPD) scientists in conducting

applied research within the Stormwater Treatment Areas (STA), including components of the Restoration Strategies Science Plan. Due to their size and complexities, managing the STAs requires knowledge of different environmental variables, including the mechanisms and factors influencing phosphorus removal. This agreement provides for a technical team to be formed by the parties, and for joint funding of research priorities for the STAs. The EPD science team will conduct scientific investigations and work collaboratively with District scientists to jointly acquire new information and help support efforts to better manage and operate the STAs. The main studies covered under this project include: scientific investigations related to the STA-3/4 Periphyton-based Stormwater Treatment Area, evaluation of rooted floating aquatic vegetation as alternate vegetation for the lower reaches of the flow-way, cell internal water quality and submerged aquatic vegetation surveys, and continuation of investigations on sustainability in the STA.

24. Resolution No. 2016 - 0909 Authorize a 3-year contract with Audubon of Florida's Tavernier Science Center for hydrology, aquatic vegetation, and prey-base fauna monitoring in the Northern Florida Bay transition zones as part of the assessment of the C-111 Spreader Canal Western Project in an amount not to exceed \$450,000 subject to Governing Board approval of the Fiscal Year 2017 through Fiscal Year 2019 budgets. (Water Resources, staff contact, Eric Cline, ext. 4596)

Summary:

The Everglades - Florida Bay transition zone has specific performance measures designed to assess ecological trends and changes associated with the implementation of CERP, Mod Waters, Florida Bay MFL, Tamiami Trail bridging, C-111 Spreader Canal Western Project, and the operations of the South Dade Conveyance system. The final Environmental Impact Statement for the C-111 Spreader Canal Western Project relied on baseline data from this ecological monitoring program and the monitoring was incorporated as a condition of the U.S. Army Corps of Engineers (USACE) permit. The proposed 3-year contract with Audubon of Florida's Tavernier Science Center is to continue the monitoring of hydrology, aquatic vegetation, and prey-base fauna within the mangrove transition zones of Northern Florida Bay in an amount not to exceed \$450,000 subject to Governing Board approval of the Fiscal Year 2017 through Fiscal Year 2019 budgets. Audubon submitted the lowest proposal in response to a competitive solicitation.

25. Resolution No. 2016 - 0910 Authorize entering into a 12-month agreement with the City of Naples in an amount not to exceed \$738,600 or 25% of eligible expenses, whichever is less, for the construction of Reclaimed Water System Expansion Phase 5, for which dedicated Big Cypress Basin ad valorem funds are subject to Governing Board approval of the Fiscal Year 2016-2017 budget. (Everglades Policy & Coordination, staff contact, Rod Braun, ext. 2925)

Summary:

Since 2006, the District has provided financial assistance to local governments within the Big Cypress Basin (BCB) for projects that include flood protection, water quality improvement, natural system restoration, and alternative water supply projects that meet objectives of the BCB Strategic Plan and/or Lower West Coast Water Supply Plan. The City of Naples Reclaimed Water System Expansion Phase 5 includes installation of 11,600 linear feet of reclaimed water mains, associated valves and appurtenances. The City of Naples has requested financial assistance for Reclaimed Water System Expansion Phase 5, in an amount not to exceed \$738,600 or 25% of eligible expenses. Project objectives include increasing the availability of reclaimed

water within the City and offset the demand of traditional water sources by approximately 0.26 million gallons per day.

26. Resolution No. 2016 - 0911 Authorize a 3-year Memorandum of Agreement with the Florida Department of Transportation for the transfer of toll revenues generated on Alligator Alley from the State Transportation Trust Fund to the South Florida Water Management District's Everglades Fund for environmental projects to restore the natural values of the Everglades pursuant to Sections 338.26 and 373.4592, Florida Statutes. (Contract No. 4600003471) (Administrative Services, staff contact, Dorothy Bradshaw, ext. 2823)

Summary:

The purpose of this three-year, Memorandum of Agreement with the FDOT is to transfer toll revenue from the State Transportation Trust Fund to the Everglades Trust Fund with the District.

Section 338.26, Florida Statutes, directs the FDOT to continue the system of tolls on Alligator Alley and to deposit such fees generated from tolls in the State Transportation Trust Fund for use to meet all outstanding contractual obligations, to operate and maintain the highway and toll facilities including reconstruction and restoration. Any amount of tolls generated annually in excess of that required to meet those obligations, may be transferred to the Everglades Fund, a sub fund within the Everglades Trust Fund of the District, for environmental projects to restore the natural values of the Everglades, subject to compliance with any applicable Federal laws and regulations.

27. Resolution No. 2016 - 0912 Authorize entering into an agreement with Osceola County Board of County Commissioners in an amount not to exceed \$600,000 for the construction of Eagle Bay Drainage Improvements, for which funds are budgeted, subject to approval by the Osceola County Board of County Commissioners. (Everglades Policy & Coordination, staff contact, Rod Braun, ext. 2925)

Summary:

The Eagle Bay Subdivision, located in the City of Kissimmee, has experienced severe flooding resulting in human health and safety concerns. Offsite stormwater discharges contribute to the local flooding problems as stormwater flows to the subdivision and then ultimately to East Lake Tohopekaliga in Osceola County. Osceola County undertook a comprehensive analysis and determined that a bypass structure, spreader swale and additional water control structures will alleviate the severe flooding while providing water quality benefits to both Boggy Creek and East Lake Tohopekaliga. Project improvements will be designed to capture and convey offsite discharge in an effort to eliminate flood control concerns within the subdivision. Staff proposes to enter into a cost-share agreement not to exceed \$600,000 with Osceola County Board of County Commissioners, subject to their approval, for the construction of flood control improvements in the Eagle Bay Subdivision.

28. Resolution No. 2016 - 0913 Authorize a 1-year extension to the Enterprise License Agreement with Environmental Systems Research Institute, Inc. (Esri) from October 1, 2016 through September 30, 2017. This agreement provides unlimited access to GIS (Geographical Information System) mapping software and upgrades used throughout the District. The annual cost is \$380,000 for which funds are subject to Governing Board approval of the Fiscal Year 2016 - 2017 budget. (Information Technology, staff contact, Duane Piper, ext. 2638)

Summary:

Environmental Systems Research Institute, Inc. will provide an Enterprise License Agreement for an additional 1-year in the amount of \$380,000. The time period for the extension is October 1, 2016 through September 30, 2017. The Enterprise License Agreement provides unlimited access to software, software maintenance, ArcGIS Online Level 4 Organizational Annual Subscription, and the Enterprise Advantage Program.

29. Resolution No. 2016 - 0914 Authorize entering into a Purchase Order with Oracle America, Inc. for Software Maintenance and Upgrades, from October 25, 2016 through October 24, 2017. The District's Oracle database software is utilized by Operations, SAP, Regulation and Web Portal Applications. The annual cost is \$851,985 for which funds are subject to Governing Board approval of the Fiscal Year 2016 - 2017 budget. (Information Technology, staff contact, Duane Piper, ext. 2638)

Summary:

Oracle America, Inc. will provide software maintenance in the amount of \$851,985. The time period for support is October 25, 2016 through October 24, 2017. This maintenance includes technical support and upgrade service on all Oracle software supporting numerous District databases and websites.

30. Resolution No. 2016 - 0915 Authorize entering into a Purchase Order with SAP Public Services, Inc. for software maintenance and upgrades, from October 1, 2016 through September 30, 2017. SAP is the integrated Enterprise Resource Planning Software used for the District's core business functions (Accounting, Finance, Procurement, Human Resources, Payroll, Plant Maintenance, and Project Management). The annual cost is \$588,669 for which funds are subject to Governing Board approval of the Fiscal Year 2016 - 2017 budget. (Information Technology, staff contact, Duane Piper, ext. 2638)

Summary:

SAP Public Services, Inc. will provide software maintenance in the amount of \$588,669. The time period for the maintenance is October 1, 2016 through September 30, 2017. SAP is the integrated Enterprise Resource Planning Software used for the District's core business functions (Accounting, Finance, Procurement, Human Resources, Payroll, Plant Maintenance, and Project Management).

31. Resolution No. 2016 - 0916 Authorize entering into a Purchase Order with Oracle Corporation for the annual renewal of the Sun Microsystems server, storage, and peripheral hardware maintenance, from November 1, 2016 through October 31, 2017. Critical District applications such as SAP, DBHYDRO, Operations and other core applications reside on the Sun Microsystems hardware. The annual cost is \$205,341 for which funds are subject to Governing Board approval of the Fiscal Year 2016 - 2017 budget. (Information Technology, staff contact, Duane Piper, ext. 2638)

Summary:

Oracle Corporation will provide hardware maintenance for the Sun Microsystems equipment in the amount of \$205,341. The time period for support is November 1, 2016 through October 31, 2017. The Sun Microsystems maintenance includes servers, storage, peripherals and the Sun Solaris operating system.

32. Resolution No. 2016 - 0917 Approve certifying to the Joint Administrative Procedures Committee that the Governing Board has reviewed the 2016/2017 Annual Regulatory Plan and that the District regularly reviews and has recently reviewed its rules to determine if the rules remain consistent with the District's rulemaking authority and the laws implemented, as required by Section 120.74, Florida Statutes, effective immediately. (Office of Counsel, staff contact, Brian J. Accardo, ext. 6232)

Summary:

The District must complete and certify a rulemaking plan by October 1 of each year. This Annual Regulatory Plan is required by Section 120.74, Florida Statutes, to inform the legislature and the public of what rules the agency intends to promulgate during the upcoming year. The Governing Board Chairman and General Counsel must certify that they have reviewed the plan and that the District regularly reviews and has recently reviewed its rules to determine they remain consistent with the District's statutory authority. The plan will be submitted to the legislature's Joint Administrative Procedures Committee and published on the District's website.

33. Resolution No. 2016 – 0918 Authorize an amendment to Section 101-41 and Section 101-48 of the District Policies Code to delegate authority to the Executive Director to deny those permit applications under part II and part IV of Chapter 373, Florida Statutes, that remain incomplete beyond the timeframes provided in Rule 40E-1.603, Florida Administrative Code, and Section 5.5.3.5 of the Environmental Resource Permit Applicant's Handbook, Volume I, and to take final action on petitions for variances to the mandatory year-round landscape irrigation conservation measures set forth in Chapter 40E-24, Florida Administrative Code. (Office of Counsel, staff contact, Maricruz Fincher, ext. 6842)

Summary:

This item pertains to delegation of authority to the Executive Director. Two new delegations are recommended. First, all permit applications recommended for denial by staff currently are presented to the Governing Board for final action. Within that category of permit applications are those that remain incomplete beyond the timeframes provided in Rule 40E-1.603, Florida Administrative Code (F.A.C.), and Section 5.5.3.5 of the Environmental Resource Permit Applicant's Handbook, Volume I. There is a backlog of these incomplete permit applications that go before the Governing Board for final action. If the Executive Director, through designated staff, is delegated the authority to take final action on these incomplete permit applications, the backlog of permit denials could be expediently acted upon and a future backlog of incomplete permit applications would be prevented. The delegation would allow the Executive Director, through designated staff, the ability to deny incomplete permit applications unless an applicant requests referral to the Governing Board for final action. The Governing Board would retain its authority to take final action to deny all other permit applications. This process further improves the practice first established under Governing Board Resolution No. 2009-614.

Second, all petitions for variances to the mandatory year-round landscape irrigation conservation measures set forth in Chapter 40E-24, F.A.C., including those requested on the basis of more efficient landscape irrigation technology as described in Section 373.62, Florida Statutes, go before the Governing Board for final action. The use of alternative irrigation schedules and more efficient landscape irrigation technology

could be implemented more quickly by the petitioners if the authorization to take final action is delegated to the Executive Director and designated staff.

34. Board Vote on Consent Agenda

35. Board Comment

Discussion Agenda

36. Technical Reports

A) Water Conditions Report - John P. Mitnik, Chief Engineer, Operations, Engineering & Construction (ext. 2679)

B) Ecological Conditions Report - Terrie Bates, Division Director, Water Resources (ext. 6952)

37. Florida Bay Project Update - Peter Antonacci, Executive Director

38. Fiscal Year 2016 - 2017 Budget Discussion - Peter Antonacci, Executive Director

39. Resolution No. 2016 - 0919 Authorize entering into two-year agreements with Cooperative Funding Program applicants in an amount not to exceed a total of \$9,082,900 for the purpose of implementing local alternative water supply, stormwater management, and water conservation projects. (Water Resources, staff contact, Terrie Bates, ext. 6952)

Summary:

This item is for authorization to enter into two-year agreements with the Cooperative Funding Program (CFP) applicants in an amount not to exceed a total of \$9,082,900 one-time funding. The CFP provides partnership opportunities and financial incentives to implement local stormwater management, alternative water supply, and water conservation projects.

40. Resolution No. 2016 - 0920 Authorize entering into an agreement with the U.S. Department of the Army to evaluate alternatives and prepare a Post Authorization Change Report for the C-111 South Dade Project that will be used to seek Congressional authorization to replace temporary pump stations S-332B and S-332C and associated discharge pipes with permanent facilities; and affirming South Florida Water Management District's financial capability to satisfy the obligations of the Non-Federal Sponsor described in the agreement, for which the South Florida Water Management District will be responsible for providing 50 percent of the cost, and for which \$25,000 is budgeted for Fiscal Year 2015-2016 and the remaining funding is subject to Governing Board approval of future fiscal year budgets (Contract No. 4600003435). (Everglades Policy & Coordination, staff contact, Matt Morrison, ext. 6844)

Summary:

The South Florida Water Management District (SFWMD) and U.S. Army Corps of Engineers (USACE) propose to jointly prepare a Post Authorization Change Report (PACR) for Congressional authorization to replace two C-111 South Dade Project

temporary pump stations with permanent facilities. Preparation of the PACR requires execution of a cost-share agreement between the SFWMD and USACE under which the SFWMD pays \$25,000 in cash and the remainder of its 50 percent share of the study cost as in-kind contributions. Staff proposes to enter into a cost-share agreement with the USACE and to authorize the Division Director of Administrative Services to sign a Non-Federal Sponsor Self-Certification of Financial Capability indicating that SFWMD has the financial capability to fulfill its obligations under the agreement.

41. General Public Comment

Staff Reports

42. Monthly Financial Report - Dorothy Bradshaw
43. General Counsel's Report - Brian Accardo
44. Executive Director's Report - Peter Antonacci
45. Board Comment
46. Adjourn

Members of the public wishing to address the Governing Board on agenda items which require a vote are to complete a Public Comment Card and submit the card to the front desk attendant. You will be called by the Board Chairman or designee to speak. Governing Board policy limits comments from the public to 3 minutes unless otherwise determined by the Governing Board Chairman. Your comments will be considered by the Governing Board prior to adoption of the Consent Agenda. Unless otherwise determined by the Chairman, Board action on Consent Agenda items moved to the discussion agenda will occur at or after 9:00 a.m. on Thursday.

MEMORANDUM

TO: Governing Board Members
FROM: Jill Creech, Director, Regulation
DATE: September 08, 2016
SUBJECT: Regulatory Consent Agenda

- Conservation Easement Amendments and Releases
- Water Use Variances

CONSENT AGENDA TABLE OF CONTENTS
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September 8, 2016

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REGULATION AGENDA ITEMS

PERMIT DENIAL: Those listed on the consent agenda are routine in nature and non-controversial. Such denials are typically due to failure of applicant to complete the application. Unique or controversial projects or those requiring a policy decision are normally listed as discussion items. Permit types include:

Environmental Resource (ERP): Permits that consider such factors as the storage of storm water to prevent flooding of a project (upstream or downstream projects); the treatment of stormwater prior to discharge from the site to remove pollutants; and the protection of wetlands on the project site.

Surface Water Management: Permits for drainage systems, which address flood protection, water quality, and environmental protection of wetlands.

Water Use: Permits for the use of ground and/or surface water from wells, canals, or lakes.

Lake Okeechobee Works of the District: Permits that set concentration limits for total phosphorus in surface discharge from individual parcels in the Lake Okeechobee Basin.

EAA Works of the District: Permits to reduce the total phosphorus load from the EAA by 25 percent in water discharged to Works of the District.

Wetland Resource: Permits for dredge and fill activities within Waters of the State and their associated wetlands.

ADMINISTRATIVE HEARING: A case in litigation conducted pursuant to the Administrative Procedures Act (Chapter 120, Florida Statutes) involving the determination of a suit upon its merits. Administrative hearings provide for a timely and cost effective dispute resolution forum for interested persons objecting to agency action.

FINAL ORDER: The Administrative Procedures Act requires the District to timely render a final order for an administrative hearing after the hearing officer submits a recommended order. The final order must be in writing and include findings of fact and conclusions of law.

CONSENT ORDER: A voluntary contractual agreement between the District and a party in dispute which legally binds the parties to the terms and conditions contained in the agreement. Normally used as a vehicle to outline the terms and conditions regarding settlement of an enforcement action.

CONSERVATION EASEMENT: A perpetual interest to the District in real property that retains land or water areas in their existing, natural, vegetative, hydrologic, scenic, open or wooded condition and retains such areas as suitable habitat for fish, plants, or wildlife in accordance with Section 704.06, F.S.

TECHNICAL DENIAL: This action normally takes place when a proposed project design does not meet water management criteria or the applicant does not supply information necessary to complete the technical review of an application.

EMERGENCY ORDER and AUTHORIZATION: An immediate final order issued without notice by the Executive Director, with the concurrence and advice of the Governing Board, pursuant to (Section 373.119(2), Florida Statutes, when a situation arises that requires timely action to protect the public health, safety or welfare and other resources enumerated by rule and statute.

MEMORANDUM OF AGREEMENT/UNDERSTANDING: A contractual arrangement between the District and a named party or parties. This instrument typically is used to define or explain parameters of a long-term relationship and may establish certain procedures or joint operating decisions.

PETITION: An objection in writing to the District, requesting either a formal or an informal administrative hearing, regarding an agency action or a proposed agency action. Usually a petition filed pursuant to Chapter 120, Florida Statutes, challenges agency action, a permit, or a rule. Virtually all agency action is subject to petition by substantially affected persons.

SEMINOLE TRIBE WORK PLAN: The District and the Seminole Indians signed a Water Use Compact in 1987. Under the compact, annual work plans are submitted to the District for review and approval. This plan keeps the District informed about the tribe plans for use of their land and the natural resources. Although this is not a permit, the staff has water resource related input to this plan.

SITE CERTIFICATIONS: Certain types of projects (power plants, transmission lines, etc.) are permitted by the Governor and Cabinet under special one-stop permitting processes that supercede normal District permits. The Water Management Districts, DEP, DCA, FGFWFC, and other public agencies are mandatory participants. DEP usually coordinates these processes for the Governor and Cabinet.

VARIANCES FROM, OR WAIVERS OF, PERMIT CRITERIA: The Florida Administrative Procedures Act provides that persons subject to an agency rule may petition the agency for a variance from, or waiver of, a permitting rule. The Governing Board may grant a petition for variance or waiver when the petitioner demonstrates that 1) the purpose of the underlying statute will be or has been achieved by other means and, 2) when application of the rule would create a substantial hardship or would violate principles of fairness.

1. PERMITTEE: LENNAR HOMES LLC PERMIT NO. 13-02759-P
PROJECT: LANDMARK AT DORAL - FLORIDA POWER AND APPLICATION NO. 151215-11
LIGHT PATROL ROAD

SEC 17 TWP 53S RGE 40E
MIAMI-DADE COUNTY

MIAMI-DADE COUNTY

APPROVE THE PARTIAL RELEASE OF A RECORDED CONSERVATION EASEMENT FOR A PROJECT KNOWN AS LANDMARK AT DORAL - FLORIDA POWER AND LIGHT PATROL ROAD/BIKE PATH AND N.W. 62ND STREET. (APPLICATION NO. 151215-11, PERMIT NO. 13-02759-P)

SUMMARY:

LENNAR HOMES, LLC IS REQUESTING A RELEASE OF 0.9 ACRES OF A CONSERVATION EASEMENT TO CONSTRUCT A ROADWAY FOR A PROJECT KNOWN LANDMARK AT DORAL - FLORIDA POWER AND LIGHT PATROL ROAD/BIKE PATH AND N.W. 62ND STREET. THE PROPOSED MITIGATION IS 0.58 CREDITS FROM THE FPL EVERGLADES MITIGATION BANK. THE AREA TO BE RELEASED WAS NOT PART OF A MITIGATION PLAN. APPROXIMATELY 18.89 ACRES REMAIN PRESERVED UNDER THE EXISTING RECORDED EASEMENT.

2. PERMITTEE: AV HOMES PERMIT NO. 49-00094-S-31
PROJECT: SOLIVITA WEST APPLICATION NO. 160720-10

SEC 15,16,21,22 TWP 27S RGE 28E
POLK COUNTY

POLK COUNTY

APPROVE THE PARTIAL RELEASE OF A RECORDED CONSERVATION EASEMENT FOR A PROJECT KNOWN AS SOLIVITA WEST. (APPLICATION NO. 160720-10, PERMIT NO. 49-00094-S-31)

SUMMARY:

AV HOMES IS REQUESTING THE RELEASE OF 0.17 ACRES OF CONSERVATION EASEMENT WITHIN A PROJECT KNOWN AS SOLIVITA WEST IN POLK COUNTY. THIS PARCEL WAS ERRONEOUSLY INCLUDED WITHIN THE CONSERVATION EASEMENT AREA DUE TO SURVEY ERROR. IT IS PART OF AN EXISTING DIRT ROAD. APPROXIMATELY 200.08 ACRES OF THE ORIGINAL CONSERVATION EASEMENT REMAIN WITHIN SOLIVITA WEST.

Attachment: ca_reg_rm_100_sd (I) (3140 : Regulatory Consent Agenda)

WATER USE VARIANCES

1. PERMITTEE: CITY OF LAKE WORTH
PROJECT: CITY OF LAKE WORTH APPLICATION NO. 160624-16

SEC 16,21,26,27,28,33 TWP 44S RGE 43E PALM BEACH COUNTY
ENTER A FINAL ORDER AUTHORIZING A VARIANCE TO THE CITY OF LAKE WORTH ALLOWING
FOR MODIFICATION FROM THE DAY OF THE WEEK LANDSCAPE IRRIGATION MEASURES
SPECIFIED IN CHAPTER 40E-24, F.A.C., TO PROVIDE FOR WATER CONSERVATION THROUGH
IMPLEMENTATION OF AN ADVANCED IRRIGATION SYSTEM.

Attachment: ca_reg_rm_100_sd (I) (3140 : Regulatory Consent Agenda)

MEMORANDUM

TO: Governing Board Members
FROM: Richard Bassell, Division Director
DATE: September 08, 2016
SUBJECT: Release of Reservations

Summary:

The District has jurisdiction over certain reserved rights to construct canal and road right of ways, and mineral rights, together with the right of ingress, egress and exploration. Applications requesting releases of these reservations are routinely received from landowners, attorneys, title companies and lending institutions, who consider the reservations to be title defects. Applications are reviewed by appropriate District staff and applicable local governmental agencies to determine that there is no present or future need for the reservations.

Staff Recommendation:

Staff recommends approval of the following:

- Broward County
Release canal reservations for Metropolitan Baptist Church of Miami, Florida, Inc. (File Nos. 18705 and 18706) for 8.98 acres
- Palm Beach County
Release canal reservations and issue non-use commitment for Pulte Homes Corporation (File Nos. 18703, 18704 and NUC 1711) for 155.00 acres

Additional Background:

See Memorandum Exhibit "A" and maps attached hereto and made a part hereof, which contain the details and locations of the releases and non-use commitment to be approved and issued.

Core Mission and Strategic Priorities:

Pursuant to Section 373.096 of the Florida Statutes, the Governing Board of the District may release any reservation for which it has no present or apparent use under terms and conditions determined by the Board.

Funding Source:

None; the reservations were acquired at no cost to the District.

Staff Contact and/or Presenter:

Kathy Massey, kmassey@sfwmd.gov, 561-682-6835

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0901

A Resolution of the Governing Board of the South Florida Water Management District to approve release of canal reservations, and issuance of a non-use commitment; providing an effective date.

WHEREAS, certain underlying landowners have requested that the South Florida Water Management District (District) release certain canal reservations, and issue a non-use commitment as to mineral reservations;

WHEREAS, the District is empowered to grant such releases and non-use commitment pursuant to Section 373.096, Florida Statutes;

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves the release of canal reservations, and the issuance of a non-use commitment, as described in Resolution Exhibit "A", attached hereto and made a part hereof.

Section 2. This Resolution shall take effect immediately upon adoption.

PASSED and **ADOPTED** this 8th day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

_____ Chairman

Legal form approved:

By:

_____ Office of Counsel

Print name:

Attest:

_____ District Clerk/Secretary

RESOLUTION - EXHIBIT "A"**Broward County**

File Nos.: 18705 and 18706
 Applicant: Metropolitan Baptist Church of Miami, Florida, Inc., a Florida not for profit corporation
 Reserving Deeds: T-1140 (DB 47-51, 11/18/1924) and NBB-78 (DB 113-62, dated 3/24/1926 and rerecorded DB 123-472)
 Action: Release canal reservations
 Acres: 8.98 acres, more or less
 Legal Description: A portion of Tract 53, THE EVERGLADES SUGAR AND LAND CO. SUBDIVISION, PB 2-75, Section 4, Township 51 South, Range 41 East
 Location: 8701 Sheridan Street, Cooper City, Broward County

Miami-Dade County

File No.: 8-16-1
 Applicant: United States of America, Department of the Interior, National Park Service
 Reserving Deeds: T-16198 (DB 46-240, 12/24/1908) and T-16284 (DB 50-407, 5/28/1910)
 Action: Release canal reservations
 Acres: 259.72 acres, more or less
 Legal Description: Portions of Sections 11, 14, 23, 26 and 35, Township 54 South, Range 38 East, and Section 2, Township 55 South, Range 38 East, and Hiatus Lot 2, Township 54/55 South, Range 38 East
 Location: Vacant land located in Everglades National Park, Miami-Dade County

Palm Beach County

File Nos.: 18703, 18704 and NUC 1711
 Applicant: Pulte Homes Corporation, a Michigan corporation
 Reserving Deeds: T-2426 (DB 317-179, 10/15/1925), T-2954 (DB 325-518, 2/23/1925), T-4385 (DB 357-516, 3/31/1926), T-3925 (DB 371-413, 2/25/1926) and E-5331 (DB 773-249, 7/5/1946)
 Action: Release canal reservations and issue non-use commitment
 Acres: 155.00 acres, more or less
 Legal Description: A portion of Block 28, PALM BEACH FARMS COMPANY PLAT NO. 3, PB 2-45, Section 29, Township 44 South, Range 42 East
 Location: Vacant land South of Lake Worth Road and West of Florida's Turnpike, Lake Worth, Palm Beach County

MEMORANDUM - EXHIBIT "A"**Broward County**

File Nos.: 18705 and 18706
 Applicant: Metropolitan Baptist Church of Miami, Florida, Inc., a Florida not for profit corporation
 Reserving Deeds: T-1140 (DB 47-51, 11/18/1924) and NBB-78 (DB 113-62, dated 3/24/1926 and rerecorded DB 123-472)
 Fee Paid: \$500.00
 Action: Release canal reservations
 Acres: 8.98 acres, more or less
 Legal Description: A portion of Tract 53, THE EVERGLADES SUGAR AND LAND CO. SUBDIVISION, PB 2-75, Section 4, Township 51 South, Range 41 East
 Location: 8701 Sheridan Street, Cooper City, Broward County
 Reviewed By: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and Central Broward Water Control District

Miami-Dade County

File No.: 8-16-1
 Applicant: United States of America, Department of the Interior, National Park Service
 Reserving Deeds: T-16198 (DB 46-240, 12/24/1908) and T-16284 (DB 50-407, 5/28/1910)
 Fee Paid: \$0.00
 Action: Release canal reservations
 Acres: 259.72 acres, more or less
 Legal Description: Portions of Sections 11, 14, 23, 26 and 35, Township 54 South, Range 38 East, and Section 2, Township 55 South, Range 38 East, and Hiatus Lot 2, Township 54/55 South, Range 38 East
 Location: Vacant land located in Everglades National Park, Miami-Dade County
 Reviewed By: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and Miami-Dade County Department of Environmental Resource Management

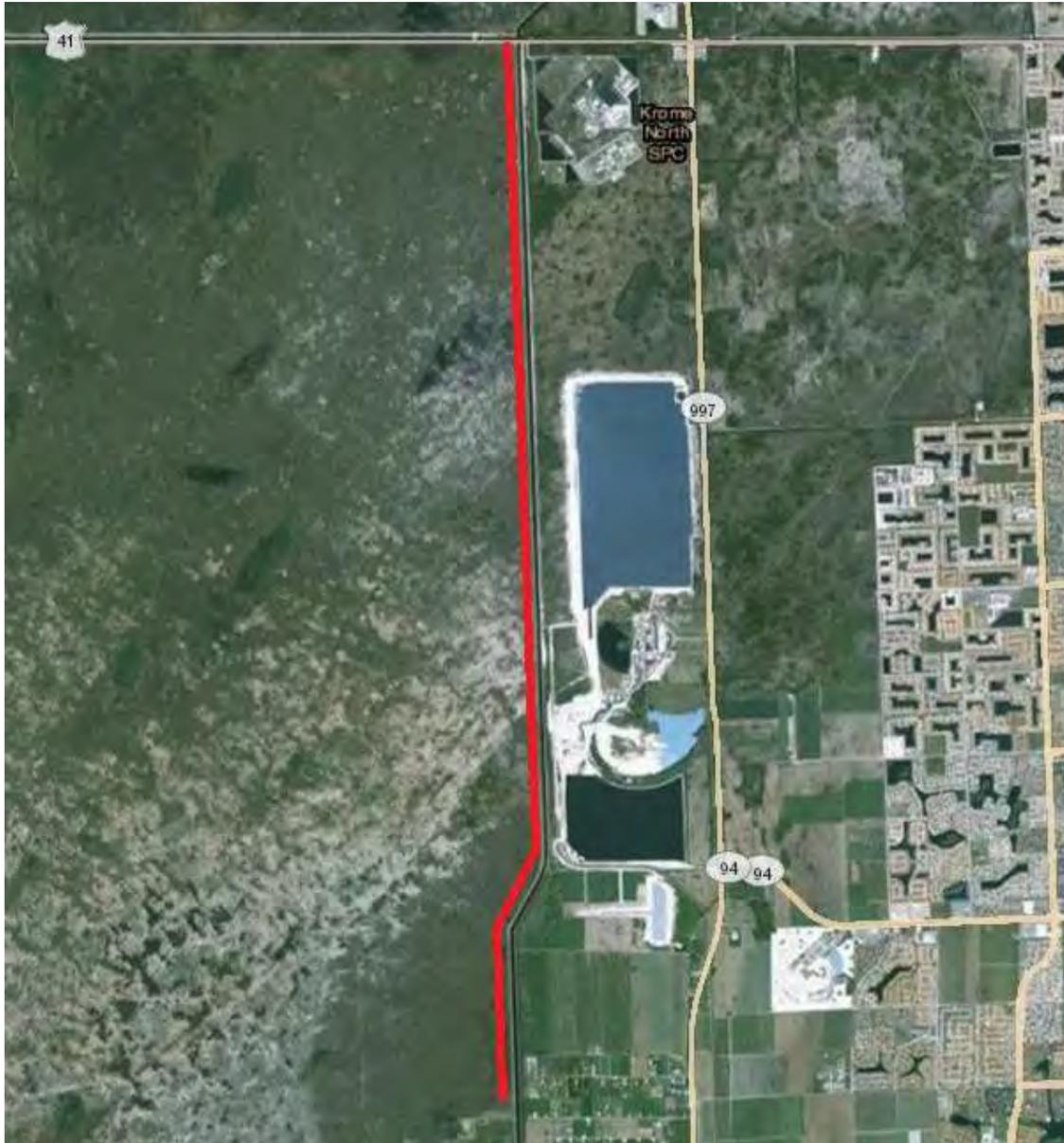
Palm Beach County

File Nos.: 18703, 18704 and NUC 1711
 Applicant: Pulte Homes Corporation, a Michigan corporation
 Reserving Deeds: T-2426 (DB 317-179, 10/15/1925), T-2954 (DB 325-518, 2/23/1925), T-4385 (DB 357-516, 3/31/1926), T-3925 (DB 371-413, 2/25/1926) and E-5331 (DB 773-249, 7/5/1946)
 Fee Paid: \$4,600.00
 Action: Release canal reservations and issue non-use commitment
 Acres: 155.00 acres, more or less
 Legal Description: A portion of Block 28, PALM BEACH FARMS COMPANY PLAT NO. 3, PB 2-45, Section 29, Township 44 South, Range 42 East
 Location: Vacant land South of Lake Worth Road and West of Florida's Turnpike, Lake Worth, Palm Beach County

Reviewed By: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and Lake Worth Drainage District

Attachment: ca_re_200_Memorandum_Exh_A_Massey_Release_of_Reservations (Resolution No. 2016 - 0901 : Release of Reservations)

File No. 8-16-1
United States of America, Department of the Interior,
National Park Service, 259.72+/- acres
Vacant land located in Everglades National Park, Miami-Dade County



Attachment: ca_re_200_Memorandum_Maps_Massey_Release_of_Reservations (Resolution No. 2016 - 0901 : Release of Reservations)

**File No. 8-16-1
 United States of America, Department of the Interior,
 National Park Service, 259.72+/- acres
 Vacant land located in Everglades National Park, Miami-Dade County**

**Property Location: South of Tamiami Trail (U.S. Highway 41, State Road 90),
 1.0+/- mile West of Krome Avenue (State Road 997), and West
 of and adjacent to the West line of the L-31N right of way**



Attachment: ca_re_200_Memorandum_Maps_Massey_Release_of_Reservations (Resolution No. 2016 - 0901 : Release of Reservations)

**File Nos. 18703, 18704 and NUC 1711
Pulte Homes Corporation, 155.00+/- acres
Vacant land South of Lake Worth Road and West of Florida's Turnpike,
Lake Worth, Palm Beach County**



Attachment: ca_re_200_Memorandum_Maps_Massey_Release_of_Reservations (Resolution No. 2016 - 0901 : Release of Reservations)

**File Nos. 18703, 18704 and NUC 1711
Pulte Homes Corporation, 155.00+/- acres
Vacant land South of Lake Worth Road and West of Florida's Turnpike,
Lake Worth, Palm Beach County**

**Property Location: West of Florida's Turnpike and 0.25+/- mile South of Lake
Worth Road (State Road 802)**



Attachment: ca_re_200_Memorandum_Maps_Massey_Release_of_Reservations (Resolution No. 2016 - 0901 : Release of Reservations)

M E M O R A N D U M

TO: Governing Board Members

FROM: John P. Mitnik, Chief Engineer

DATE: September 08, 2016

SUBJECT: Construction Agreement with FDOT for S-675 Crossing SR 700 for Lakeside Ranch STA Project

Summary:

The Lakeside Ranch Stormwater Treatment Area (STA) South is one of the four components of the Lakeside Ranch STA project, which is also a component of the Northern Everglades Lake Okeechobee Watershed Construction Project Phase II Technical Plan, and will reduce the phosphorus load entering Lake Okeechobee.

The STA South construction is in progress. This Construction Agreement with FDOT allows the SFWMD to construct three reinforced box culverts, S-675, which crosses State Road 700, and is the project's outflow structure. Upon completion, the SFWMD will own and maintain this structure.

Core Mission and Strategic Priorities:

This project will support the Northern Everglades Lake Okeechobee Watershed Construction Project Phase II Technical Plan, which was developed and approved in 2008. The Lakeside Ranch STA South Project is under construction. The S-675 construction will complete the project's outlet to discharge the outflow to the L-47 Canal to Lake Okeechobee. The SFWMD has access to the project lands/sites, has completed the design, and has received the permits for the construction.

Staff Contact and/or Presenter:

John P. Mitnik, Chief District Engineer, Operations, Engineering and Construction Division
561-682-2679 / jmitnik@sfwmd.gov

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0902

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a Construction Agreement with the Florida Department of Transportation, Permit No. 2015-A-490-0055, for the construction of three reinforced box culverts, S-675, crossing State Road 700, for the Lakeside Ranch Stormwater Treatment Area South construction project, at no cost to the District; providing an effective date. (Contract No. 4600003242)

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize entering into a Construction Agreement with the Florida Department of Transportation, for the construction of three reinforced box culverts, S-675, crossing State Road 700, at no cost to the District.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves the Construction Agreement with the Florida Department of Transportation, Permit No. 2015-A-490-0055, for the construction of three reinforced box culverts, S-675, crossing State Road 700, for the Lakeside Ranch Stormwater Treatment Area South construction project.

Section 2. This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 8th day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD
By:

Chairman

Attest:

Legal form approved:

By:

District Clerk/Secretary

Office of Counsel

Print name:

MEMORANDUM

TO: Governing Board Members

FROM: John P. Mitnik, Chief Engineer

DATE: September 08, 2016

SUBJECT: Maintenance Agreement with FDOT for S-675 Crossing SR 700 for Lakeside Ranch STA Project

Summary:

The Lakeside Ranch Stormwater Treatment Area (STA) South is one of the four components of the Lakeside Ranch STA project, which is also a component of the Northern Everglades Lake Okeechobee Watershed Construction Project Phase II Technical Plan, and will reduce the phosphorus load entering Lake Okeechobee.

The STA South construction is in progress. The Maintenance Memorandum of Agreement with FDOT allows the SFWMD to maintain three reinforced box culverts, S-675, which crosses State Road 700 and is the project's outflow structure. Upon completion, the SFWMD will own and maintain this structure.

Core Mission and Strategic Priorities:

This project will support the Northern Everglades Lake Okeechobee Watershed Construction Project Phase II Technical Plan, which was developed and approved in 2008. The Lakeside Ranch STA South Project is under construction. The S-675 construction will complete the project's outlet to the discharge outflow to the L-47 Canal to Lake Okeechobee. The SFWMD has access to the project lands/sites, has completed the design, and has received the permits for construction.

Staff Contact and/or Presenter:

John P. Mitnik, Chief District Engineer, Operations, Engineering and Construction Division
561-682-2679 / jmitnik@sfwmd.gov

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0903

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a Maintenance Memorandum of Agreement with the Florida Department of Transportation, Permit No. 2015-A-490-0055, for the maintenance of three reinforced box culverts, S-675, crossing State Road 700, for the Lakeside Ranch Stormwater Treatment Area South project, at no cost to the District; providing an effective date. (Contract No. 4600003464)

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize entering into a Maintenance Memorandum of Agreement, with the Florida Department of Transportation, for the maintenance of three reinforced box culverts, S-675, crossing State Road 700, at no cost to the District.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves the Maintenance Memorandum of Agreement with the Florida Department of Transportation, Permit No. 2015-A-490-0055, for the maintenance of three reinforced box culverts, S-675, crossing State Road 700, for the Lakeside Ranch Stormwater Treatment Area South project.

Section 2. This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 8th day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

Chairman

Attest:

Legal form approved:

By:

District Clerk/Secretary

Office of Counsel

Print name:

M E M O R A N D U M

TO: Governing Board Members
FROM: Karen Estock, Director, Field Operations & Land Management
DATE: September 08, 2016
SUBJECT: Fort Lauderdale Slope Mowing

Summary:

Maintenance of the Right of Ways is required to ensure that vegetation is controlled at a manageable height and will uphold the operational integrity of the District's flood control system. This project for the Fort Lauderdale Field Station area, contracts approximately 1,080 acres to be mowed on an annual basis. Since this is a work order contract, the amount of acres to be mowed will fluctuate, based on the weather, budget, and construction projects in these areas.

Core Mission and Strategic Priorities:

Mowing the District's Right of Ways will reduce and control vegetative growth along canal banks which can impede operations, inspections and access to the District's water control facility.

Staff Contact and/or Presenter:

Karen A. Estock, Director; Field Operations & Land Management Division
kestock@sfwmd.gov, ext. 6282

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0904

A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to Contract No. 4600002935-A02 by entering into a 2-year renewal option with Toler Enterprises, Inc. for slope mowing services within the Ft. Lauderdale Field Station area of responsibility, in an amount not-to-exceed \$324,000, which is subject to Governing Board approval of the Fiscal Year 2016-2017 and Fiscal Year 2017-2018 budgets; providing an effective date. (Contract No. 4600002935-A02)

WHEREAS, the Governing Board of the South Florida Ware Management District deems it necessary, appropriate and in the public interest to authorize an amendment to Contract No. 4600002935-A02 by entering into a 2-year renewal option with Toler Enterprises, Inc. for slope mowing services within the Ft. Lauderdale Field Station area of responsibility, in an amount not-to-exceed \$324,000, which is subject to Governing Board approval of the Fiscal Year 2016-2017 and Fiscal Year 2017-2018 budgets.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves the amendment to Contract No. 4600002935-A02 by entering into the one 2-year renewal option with Toler Enterprises, Inc. for slope mowing services in the Ft. Lauderdale Field Station area.

Section 2. This Resolution shall take effect immediately upon adoption [or such other date as is appropriate].

PASSED and ADOPTED this 8th day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD
By:

Chairman

Attest:

District Clerk/Secretary

Legal form approved:
By:

Office of Counsel

Print name:

MEMORANDUM

TO: Governing Board Members

FROM: Richard Bassell, Division Director

DATE: September 08, 2016

SUBJECT: Cooperative Agreement with Florida Department of Environmental Protection - BCWPA and BBCW

Summary:

The Broward County Water Preserve Areas and Biscayne Bay Coastal Wetlands Phase 1 projects (Projects), which are components of the Comprehensive Everglades Restoration Plan (CERP), include certain lands owned by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (TIITF). As the local sponsor for these federal Projects, the South Florida Water Management District (SFWMD) will be required to certify all the land within the boundaries of the Projects to the U.S. Army Corps of Engineers (USACE) prior to initiating construction. To facilitate use of the TIITF-owned lands for Project purposes, staff proposes Governing Board approval to enter into a Cooperative Agreement, at no cost to the SFWMD, with the Florida Department of Environmental Protection, as managing agency for TIITF, under which the TIITF lands will be certified to the SFWMD and the USACE, thereby dedicating the lands to the Projects.

Additional Background:

Under the CERP Master Agreement, which is incorporated by reference into all CERP Project Partnership Agreements (PPA), the USACE agreed that the SFWMD is not required to acquire ownership of the land interests owned by other governmental agencies, provided that the governmental agency agrees to dedicate the land interests that it owns to the Project. The governmental agency must also agree that such lands will be retained in public ownership for uses compatible with the Project, and that such lands will not be conveyed or altered without the advance written consent of the SFWMD and the USACE.

The Governing Board at its August 11, 2016 meeting approved entering into a PPA with USACE for the construction, operation, maintenance, repair, replacement and rehabilitation of the Projects. Under the PPAs for the Projects, the USACE will grant the SFWMD cost-share credit for the TIITF-owned lands based on the appraised fair market value of the lands on the date that the lands are certified to the USACE for construction.

Staff Contact and/or Presenter:

Marcy Zehnder, mzehnder@sfwmd.gov, (561) 682-6694

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0905

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a Cooperative Agreement with the Florida Department of Environmental Protection to dedicate lands owned by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for implementation of the Broward County Water Preserve Areas and Biscayne Bay Coastal Wetlands Phase 1 Projects, components of the Comprehensive Everglades Restoration Plan; providing an effective date.

WHEREAS, the South Florida Water Management District (SFWMD) is the local sponsor for the U.S. Army Corps of Engineers (USACE) with regard to the Broward County Water Preserve Areas and Biscayne Bay Coastal Wetlands Phase 1 projects (Projects), and is responsible for acquiring lands located within the boundaries of the Projects and for certifying said lands to the USACE for the Projects; and

WHEREAS, the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (TIITF) owns certain land interests located within the Projects and has agreed to certify and dedicate the TIITF-owned properties to the SFWMD and USACE for the Projects; and

WHEREAS, SFWMD desires to enter into a Cooperative Agreement, at no cost to the SFWMD, with the Florida Department of Environmental Protection, as agent for and on behalf of TIITF, providing for certification of the TIITF-owned lands within the boundaries of the Projects to the SFWMD and USACE; and

WHEREAS, the SFWMD will manage the TIITF-owned lands certified for the Projects together with the other lands located within the Projects; and

WHEREAS, the SFWMD is authorized to enter into contractual agreements with public agencies pursuant to Section 373.083, Florida Statutes.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves the Cooperative Agreement with Florida Department of Environmental Protection concerning lands owned by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida within the boundaries of the Broward County Water Preserve Areas and Biscayne Bay Coastal Wetlands Phase 1 Projects.

Section 2. The Governing Board of the South Florida Water Management District hereby authorizes the Executive Director to execute the Cooperative Agreement.

Section 3. This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 8th day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT
DISTRICT, BY ITS GOVERNING BOARD

By:

Chairman

Attest:

District Clerk/Secretary

Legal form approved:

By:

Office of Counsel

Print name:

MEMORANDUM

TO: Governing Board Members

FROM: Richard Bassell, Division Director

DATE: September 08, 2016

SUBJECT: General Agreement with National Park Service for the Biscayne Bay Coastal Wetlands Phase I Project

Summary:

The Biscayne Bay Coastal Wetlands Phase I Project (Project), a component of the Comprehensive Everglades Restoration Plan, includes certain lands owned by the National Park Service (NPS) within or adjacent to Biscayne National Park. As the local sponsor for this federal project, the South Florida Water Management District (SFWMD) is responsible for certifying all the land within the boundaries of the Project to the U.S. Army Corps of Engineers (USACE) prior to initiating project operations. To facilitate the use of the NPS-owned lands for Project purposes, staff recommends entering into a General Agreement, at no cost to the SFWMD, with the NPS under which the NPS consents to use of NPS-owned lands within the Project boundary for Project purposes, including restoration of freshwater flows within Biscayne National Park.

Additional Background:

The SFWMD and USACE intend to enter into a Project Partnership Agreement for the construction, operation, maintenance, repair replacement and rehabilitation of the Project in the fall of 2016.

Staff Contact and/or Presenter

Marcy Zehnder, mzehnder@sfwmd.gov, 561-682-6694

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0906

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a General Agreement with the National Park Service for the Biscayne Bay Coastal Wetlands Phase I Project; providing an effective date.

WHEREAS, the South Florida Water Management District (SFWMD) is the local sponsor for the U.S. Army Corps of Engineers (USACE) with regard to the Biscayne Bay Coastal Wetlands Phase I Project (Project), and must acquire lands located within the boundaries of the Project and certify said lands to the USACE for the Project, and

WHEREAS, the Project, a component of the Comprehensive Everglades Restoration Plan, was authorized by Congress in Section 7002(5) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121); and

WHEREAS, the Project includes lands owned by the National Park Service (NPS) within or adjacent to Biscayne National Park; and

WHEREAS, the SFWMD desires to enter into a General Agreement, at no cost to the SFWMD, with the NPS that provides the NPS's consent to use NPS-owned lands for the purposes of the Project; and

WHEREAS, the SFWMD is authorized to enter into contractual agreements with public agencies pursuant to Section 373.083, Florida Statutes.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby authorizes entering into a General Agreement with the National Park Service concerning lands owned by the National Park Service within the boundaries of the Biscayne Bay Coastal Wetlands Phase I Project.

Section 2. The Governing Board of the South Florida Water Management District hereby authorizes the Executive Director to execute the General Agreement.

Section 3. This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 8th day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

Chairman

Attest:

Legal form approved:

By:

Office of Counsel

District Clerk/Secretary

Print name:

M E M O R A N D U M

TO: Governing Board Members

FROM: Terrie Bates, Director, Water Resources Division

DATE: September 08, 2016

SUBJECT: Kissimmee River Restoration - River Woods Contract

Summary:

The Kissimmee River Restoration Project is a 50/50 cost share between the U.S. Army Corps of Engineers and the South Florida Water Management District. As part of the cost share agreement, the District is charged with assessing physical, chemical, biological, and functional responses within the restored river/floodplain to evaluate project success. The District currently has a contract with Florida Atlantic University (FAU) to provide technical scientific support for the project evaluation and to manage the Kissimmee River Restoration Riverwoods Field Laboratory in Highlands County.

Due to the remote location of the project, distance from District headquarters, weekly field sampling and data collection, need for equipment storage and sample processing, the Riverwoods Field Laboratory serves as the base of field operations for District scientists evaluating ecosystem response. The proposed 3-year contract is to continue FAU providing technical scientific support for the project evaluation and site maintenance and security for the 15-acre Riverwoods Field Laboratory and site in an amount not to exceed \$810,237 subject to Governing Board approval of the Fiscal Year 2017-2019 budgets. Costs for this contract, both expended and proposed, are creditable as part of the Kissimmee River Restoration project and are included in the District's total project cost estimate.

Additional Background:

Riverwoods Field Laboratory is located in Cornwell, Florida on a reach of the Kissimmee River. The District has had three previous multi-year contracts with FAU to provide technical scientific support and to manage the Riverwoods Field Laboratory.

Core Mission and Strategic Priorities:

This action is in direct line with the strategic priority for completing Local Sponsor obligations required under the 1994 Kissimmee River Restoration Project Cooperative Agreement to adequately document ecological response to restoration of the Kissimmee River and floodplain.

Staff Contact and/or Presenter:

Lawrence Glenn, lglenn@sfwmd.gov, 561-682-6499 or Susan Gray, sgray@sfwmd.gov, 561-682-6919.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0907

A Resolution of the Governing Board of the South Florida Water Management District authorizing entering into a 3-year contract with Florida Atlantic University for the purpose of providing technical scientific support and management of the Kissimmee River Restoration Riverwoods Field Laboratory in an amount not to exceed \$810,237, for which \$261,760 in dedicated funds is in the tentative Fiscal Year 2017 budget, and the remainder is subject to Governing Board approval of the Fiscal Year 2018-2019 budgets; providing an effective date.(Contract Number 4600003481)

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize entering into a 3-year agreement with Florida Atlantic University in the amount of \$810,237 which funds are budgeted in Fiscal Year 2017-FY2019 budgets, to provide technical scientific support and management of the Riverwoods Field Laboratory for the Kissimmee River Restoration Evaluation Program; **now therefore**

BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves the execution of Contract No. 4600003481 with Florida Atlantic University.

Section 2. This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 8th day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD
By:

Chairman

Attest:

Legal form approved:

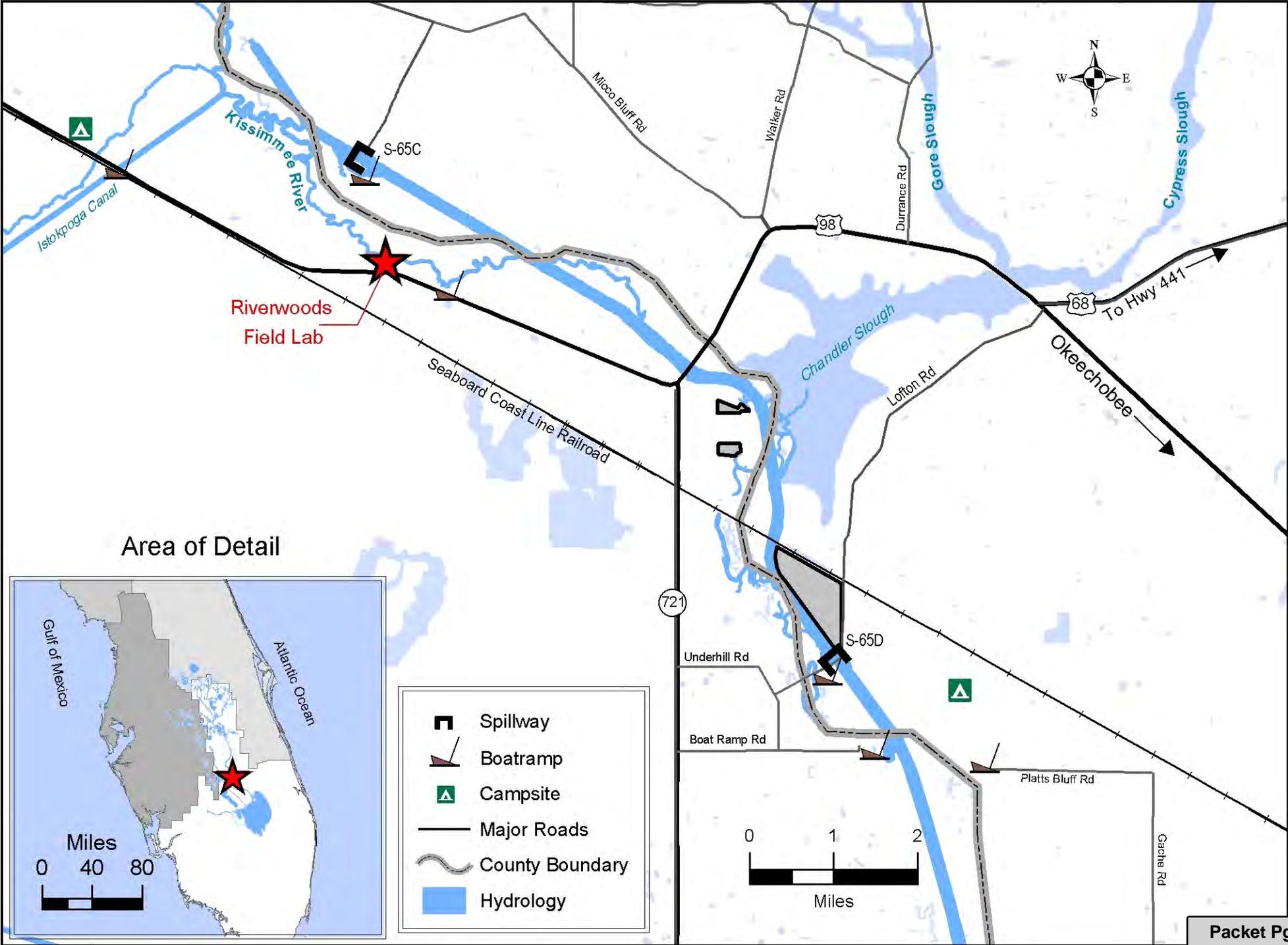
By:

District Clerk/Secretary

Office of Counsel

Print name:

Site of Riverwoods Field Lab



M E M O R A N D U M

TO: Governing Board Members

FROM: Terrie Bates, Director, Water Resources Division

DATE: September 08, 2016

SUBJECT: Everglades Agricultural Area Environmental Protection District (EAA EPD) Agreement

Summary:

This annual cost-share cooperative agreement (renewed annually since FY2006) is to continue joint efforts between the District and Everglades Agricultural Area Environmental Protection District (EAA-EPD) scientists in conducting applied research within the STAs, including components of the Restoration Strategies Science Plan. Due to their size and complexities, managing the STAs requires knowledge of different environmental variables, including the mechanisms and factors influencing phosphorus removal. This agreement provides for a technical team to be formed by the parties, and for joint funding of research priorities for the STAs. The EPD science team will conduct scientific investigations and work collaboratively with District scientists to jointly acquire new information and help support efforts to better manage and operate the STAs. The main studies covered under this project include:

- 1) scientific investigations related to the STA-3/4 Periphyton-based Stormwater Treatment Area (PSTA),
- 2) evaluation of rooted floating aquatic vegetation as alternate vegetation for the lower reaches of the flow-way,
- 3) cell internal water quality and submerged aquatic vegetation (SAV) surveys, and
- 4) continuation of investigations on SAV sustainability in the STAs.

Staff is proposing to enter into this cost-share agreement with EAA-EPD to continue a successful collaborative relationship and as a cost-effective means of carrying out essential applied science activities. It will be most beneficial for the District to continue a productive partnership that has generated high caliber scientific results and greatly enhanced our understanding of the STAs. In addition, the agreement supplements our in-house capabilities and staff resources for the STAs.

Core Mission and Strategic Priorities:

The information generated from these studies are important in evaluating STA condition and performance to guide short and long-term operation and as required under the STA permits, and in finding ways to further reduce and sustain phosphorus removal in these complex systems. This agreement includes work to support the Restoration Strategies Science Plan implementation.

Funding Source:

This item is funded by dedicated funds from the Restoration Strategies Science Plan, in the amount of \$400,000. The EAA-EPD will contribute \$380,000 as a cost-share partner.

Staff Contact and/or Presenter:

Terrie Bates, Director, Water Resources
561 682-6952 / tbates@sfwmd.gov

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0908

A Resolution of the Governing Board of the South Florida Water Management District approving a cost-share agreement with the Everglades Agricultural Area Environmental Protection District for applied research in the Stormwater Treatment Areas in the amount of \$780,000, of which the District's total contribution is \$400,000, for which funds are budgeted subject to Governing Board approval of the Fiscal Year 2016 - 2017; providing an effective date. (Contract Number 4600003475)

WHEREAS, managing the Stormwater Treatment Areas (STAs) requires knowledge and understanding of the different environmental variables that influence phosphorus removal;

WHEREAS, research studies to find ways to further improve the performance of the STAs are required by the STA permits, consent orders, and Restoration Strategies Plan;

WHEREAS, the Everglades Agricultural Area Environmental Protection District has an established STA science program and previous agreements have generated high caliber scientific findings that enhanced our understanding and abilities to manage the STAs; now therefore

BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves the agreement with the Everglades Agricultural Area Environmental Protection District.

Section 2. A copy of the agreement is attached hereto and made a part hereof.

Section 3. This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 8th day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD
By:

Chairman

Attest:

Legal form approved:
By:

District Clerk/Secretary

Office of Counsel

Print name:



SOUTH FLORIDA WATER MANAGEMENT DISTRICT LOCAL GOVERNMENTAL AGREEMENT

PO NO. 950000 _____

AGREEMENT NO. 4600003475

BETWEEN THE

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

AND THE

EVERGLADES AGRICULTURAL AREA
ENVIRONMENTAL PROTECTION DISTRICT

THIS AGREEMENT is entered into on _____, by and between the South Florida Water Management District (**DISTRICT**) and Everglades Agricultural Area Environmental Protection District (**EPD**) a political subdivision of the State of Florida, to accomplish the goals and purposes set forth below.

WHEREAS, the **DISTRICT** is a government entity created by Chapter 373, Florida Statutes; and

WHEREAS, the **DISTRICT** desires to provide financial assistance to the **EPD** to continue joint studies in the Stormwater Treatment Areas (STAs) to improve and sustain performance to reduce phosphorus discharged to the Everglades ecosystem; and

WHEREAS, the **EPD** warrants and represents that it has no obligation or indebtedness that would impair its ability to fulfill the terms and conditions of this **AGREEMENT**; and

WHEREAS, the **DISTRICT** and the **EPD** recognize that there is an ongoing need for optimizing the phosphorus removal performance and enhancing the sustainability of the STAs; and

WHEREAS the **DISTRICT** recognizes the benefit of the **EPD** supported research program in providing valuable information to help optimize STA performance and sustainability; and

WHEREAS, it is understood by both the **DISTRICT** and the **EPD** that the **DISTRICT** is providing access to the STAs to the **EPD** and its subcontractors for this project; and

WHEREAS, it is understood by both the **DISTRICT** and the **EPD** that the **EPD**, or its subcontractors, will provide all transportation, equipment and personnel, including airboat, for internal sampling and this equipment shall remain the property of the **EPD** or its subcontractors; and

WHEREAS, the Governing Board of the **DISTRICT**, at its September 8, 2016 meeting, approved entering into this **AGREEMENT** with **EPD**;

NOW, THEREFORE, in consideration of the covenants and representations set forth herein and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

ARTICLE 1 – OBLIGATIONS OF THE PARTIES

- 1.1 All work to be performed under this **AGREEMENT** is set forth in Exhibit “A”, Statement of Work, which is attached hereto and made a part of this **AGREEMENT**. The work specified in Exhibit “A” shall be under the direction of the **EPD** but shall be open to periodic review and inspection by either party.
- 1.2 The parties agree to perform the work set forth in Exhibit “A” attached hereto and made a part hereof, subject to availability of funds and in accordance with their respective authorities for joint studies in the Stormwater Treatment Areas (STAs).
- 1.3 The **DISTRICT** shall provide the field study site while the **EPD** will provide the scientific support for these studies.
- 1.4 The **EPD** is hereby authorized to contract with third parties (subcontracts) for services awarded through a competitive process required by Florida Statutes. The **EPD** shall not subcontract, assign or transfer any other work under this **AGREEMENT** without the prior written consent of the **DISTRICT**’s Project Manager. The **EPD** agrees to be responsible for the fulfillment of all work elements included in any subcontract and agrees to be responsible for the payment of all monies due under any subcontract. It is understood and agreed by the **EPD** that the **DISTRICT** shall not be liable to any subcontractor for any expenses or liabilities incurred under the subcontract(s).

ARTICLE 2 – TERM OF THE AGREEMENT

- 2.1 The period of performance of this **AGREEMENT** shall commence on the date of execution of this **AGREEMENT** and shall continue for a period of one (1) year. No work set forth in Exhibit “A” shall be performed beyond one year from the date of execution, unless authorized through execution of an amendment to cover succeeding periods.

ARTICLE 3 - COMPENSATION/CONSIDERATION/INVOICES

- 3.1 The **DISTRICT** and the **EPD** agree to jointly fund studies related to the STAs to accomplish the objectives specified herein. The total **DISTRICT** contribution shall not exceed the amount of Four Hundred Thousand Dollars and No Cents (\$400,000.00). The **DISTRICT** shall make payment upon completion and acceptance of the deliverables as described in the Payment and Deliverable Schedule set forth in Exhibit “B”, which is attached hereto and made a part of this **AGREEMENT**. In no event shall the **DISTRICT** be liable for any contribution hereunder in excess of \$400,000.00.

- 3.2 The **EPD** shall cost-share in the total amount of Three Hundred Eighty Thousand Dollars and No Cents (\$380,000.00) in conformity with the laws and regulations governing the **EPD**.
- 3.3 **EPD** shall email its invoices and any attachments to APInvoice@sfwmd.gov. All invoices must reference the **EPD's** legal name as authorized to do business with the State of Florida; **DISTRICT'S AGREEMENT** Number and Purchase Order (PO) Number as specified on the cover/signature page of the **AGREEMENT**; a unique invoice number not previously used; date; a description of the services performed, and the amount to be invoiced. **EPD** shall: 1) submit invoices using a pdf file at a resolution of no less than 300 dpi; 2) name the pdf file with the **EPD's** name and the PO number, and 3) provide all required attachments with the invoice file. If email or pdf filing is not possible, the **EPD** must provide the above to the following address:

South Florida Water Management District
Accounts Payable
P.O. Box 24682
West Palm Beach, FL 33416-4682

EPD must submit its invoices in compliance with the requirements of this subsection and all other terms and conditions of this **AGREEMENT** in order to receive prompt payment by the **DISTRICT** as described in Section 218.70, F.S. **EPD's** failure to follow the instructions set forth in the **AGREEMENT** regarding a proper invoice and acceptable services and/or deliverables may result in an unavoidable delay in payment by the **DISTRICT**.

ARTICLE 4 – PROJECT MANAGEMENT/NOTICE

- 4.1 All notices or other communication regarding this **AGREEMENT** shall be in writing and forwarded to the attention of the following individuals:

South Florida Water Management District

Attn: Tracey Piccone
 3301 Gun Club Road
 West Palm Beach, FL 33406
 Telephone No. (561) 682-6495
tpiccone@sfwmd.gov

Procurement Bureau

Attn: Marilyn Ivory
 3301 Gun Club Road
 West Palm Beach, FL 33406
 Telephone No. (561) 682-6381
mivory@sfwmd.gov

Everglades Agricultural Area - EPD

Attn: Robert Brown, Technical Advisor
 c/o Nautilus Strategies, Inc.
 P.O. Box 585
 Palm City, FL 34991
 Telephone No. (561) 718-3175

Financial Payments for EAAEPD to:

Attn. Ketty Labossiere
 Marcum LLP
 City Tower
 525 Okeechobee Blvd., Suite 750
 West Palm Beach, FL 33401
Ketty.labossiere@marcumllp.com

- 4.2 All notices between the parties under this **AGREEMENT** shall reference the **DISTRICT'S AGREEMENT** number 4600003475. All notices under this **AGREEMENT** shall be in writing and shall be deemed received if sent by electronic mail, overnight mail, or for cure and default notices, certified mail, to the respective addresses specified on the cover/signature page of the **AGREEMENT**. The **EPD** shall also provide a copy of all notices to the **DISTRICT'S** Project Manager. All notices required by this **AGREEMENT**

shall be considered delivered upon receipt. Should either party change its address, written notice of such new address shall promptly be sent to the other party.

- 4.3 Any dispute arising under this **AGREEMENT** which cannot be readily resolved shall be submitted jointly to the signatories of this **AGREEMENT** with each party agreeing to seek in good faith to resolve the issue through negotiation or other forms of non-binding alternative dispute resolution mutually acceptable to the parties. A joint decision of the signatories, or their designees, shall be the disposition of such dispute.

ARTICLE 5 – INSURANCE

- 5.1 The **EPD**, to the extent permitted by law, assumes any and all risks of personal injury, bodily injury and property damage attributable to negligent acts or omissions of the **EPD** and the officers, employees, servants and agents thereof. The **EPD** represents that it is self-funded for Worker’s Compensation and liability insurance, covering bodily injury, personal injury and property damage, with such protection being applicable to the **EPD**, its officers and employees while acting within the scope of their employment during performance of under this **AGREEMENT**. In the event that the **EPD** subcontracts any part or all of the work hereunder to any third party, the **EPD** shall require each and every subcontractor to identify the **DISTRICT** as an additional insured on all insurance policies as required by the **EPD**. Any contract awarded by the **EPD** shall include a provision whereby the **EPD**’s subcontractor agrees to indemnify, pay on behalf, and hold the **DISTRICT** harmless from all damages arising in connection with the **EPD**’s subcontract.
- 5.2 The **EPD** and the **DISTRICT** further agree that nothing contained herein shall be construed or interpreted as (1) denying to either party any remedy or defense available to such party under the laws of the State of Florida; (2) the consent of the State of Florida or its agents and agencies to be sued; or (3) a waiver of sovereign immunity of the State of Florida beyond the waiver provided in Section 768.28, Florida Statutes.
- 5.3 In the event the **EPD** subcontracts any part or all of the work hereunder to any third party, the **EPD** shall require each and every subcontractor to identify the **DISTRICT** as an additional insured on all insurance policies as required by the **EPD**. Any contract awarded by the **EPD** for work under this **AGREEMENT** shall include a provision whereby the **EPD**’s subcontractor agrees to indemnify, and pay on behalf, and hold the **DISTRICT** harmless from all damages arising in connection with the **EPD**’s subcontract.

ARTICLE 6 – TERMINATION/REMEDIES

- 6.1 Either party may terminate this **AGREEMENT** at any time for convenience upon ninety (90) calendar days prior written notice to the other party. In the event of termination, all funds not expended by the **EPD** for authorized work performed through the termination date shall be returned to the **DISTRICT** within sixty (60) days of termination. In the event of termination, both parties shall be relieved of any and all future obligations hereunder, including but not limited to, lost profits and consequential damages under this **AGREEMENT**.

ARTICLE 7 – RECORDS RETENTION

7.1 The **EPD** shall maintain records and the **DISTRICT** shall have inspection and audit rights below. The **EPD** shall similarly require each subcontractor to maintain and allow access to such records for audit purposes:

A. Maintenance of Records: The **EPD** shall maintain all financial and non-financial records and reports directly or indirectly related to the negotiation or performance of this **AGREEMENT** including supporting documentation for any service rates, expenses, research or reports. Such records shall be maintained and made available for inspection for a period of five (5) years from the expiration date of this **AGREEMENT**.

B. Examination of Records: The **DISTRICT** or designated agent shall have the right to examine in accordance with generally accepted governmental auditing standards all records directly or indirectly related to this **AGREEMENT**. Such examination may be made only within five (5) years from the expiration date of this **AGREEMENT**.

C. Extended Availability of Records for Legal Disputes: In the event that the **DISTRICT** should become involved in a legal dispute with a third party arising from performance under this **AGREEMENT**, the **EPD** shall extend the period of maintenance for all records relating to the **AGREEMENT** until the final disposition of the legal dispute. All such records shall be made readily available to the **DISTRICT**.

ARTICLE 8 – STANDARDS OF COMPLIANCE

- 8.1 The **EPD**, its employees, subcontractors or assigns, shall comply with all applicable federal, state and local laws and regulations relating to the performance of this **AGREEMENT**. The **DISTRICT** undertakes no duty to ensure such compliance, but will attempt to advise the **EPD**, upon request, as to any such laws of which it has present knowledge.
- 8.2 The **EPD** shall allow public access to all project documents and materials in accordance with the provisions of Chapter 119, Florida Statutes. Should the **EPD** assert any exemptions to the requirements of Chapter 119 and related Statutes, the burden of establishing such exemption, by way of injunctive or other relief as provided by law, shall be upon the **EPD**.
- 8.3 The parties to this **AGREEMENT** assure that no person shall be excluded on the grounds of race, color, creed, national origin, handicap, age or sex, from participation in, denied the benefits of, or be otherwise subjected to discrimination in any activity under this **AGREEMENT**.
- 8.4 This **AGREEMENT**, and any work performed hereunder, is subject to the Laws of the State of Florida. Nothing in this **AGREEMENT** will bind any of the parties to perform beyond their respective authority, nor does this **AGREEMENT** alter the legal rights and remedies which the respective parties would otherwise have, under law or at equity.

ARTICLE 9 – RELATIONSHIP BETWEEN THE PARTIES

- 9.1 The parties to this **AGREEMENT** are independent entities and are not employees or agents of the other parties. Nothing in this **AGREEMENT** shall be interpreted to establish any relationship other than that of independent entities, between the **DISTRICT**, the **EPD**, their employees, agents, subcontractors or assigns, during or after the term of this **AGREEMENT**. The parties to this **AGREEMENT** shall not assign, delegate or otherwise transfer their rights and obligations as set forth in this **AGREEMENT** without the prior written consent of the other parties. Any attempted assignment in violation of this provision shall be void.
- 9.2 The **DISTRICT** makes no warranties or representations as to its interest in the STAs or that the STAs are safe or suitable for use by the **EPD**. The **EPD** accepts the access granted to the STAs in its “AS IS”, “WHERE IS” and “WITH ALL FAULTS” condition.
- 9.3 It is the intent and understanding of the parties that this **AGREEMENT** is solely for the benefit of the **EPD** and the **DISTRICT**. No person or entity other than the **EPD** or the **DISTRICT** shall have any rights or privileges under this **AGREEMENT** in any capacity whatsoever, either as third-party beneficiary or otherwise.
- 9.4 The **EPD** shall not assign, delegate or otherwise transfer its rights and obligations as set forth in this **AGREEMENT** without the prior written consent of the **DISTRICT**. Any attempted assignment in violation of this provision shall be void.
- 9.5 Both the **DISTRICT** and the **EPD** shall have joint ownership rights to all work items, including but not limited to, all documents, technical reports, research notes, scientific data, computer programs, including the source and object code, which are developed, created or otherwise originated hereunder by the other party, its subcontractor(s), assign(s), agent(s) and/or successor(s) as required by the Exhibit “A”, Statement of Work. Both parties’ rights to deliverables received under this **AGREEMENT** shall include the unrestricted and perpetual right to use, reproduce, modify and distribute such deliverables at no additional cost to the other party. Notwithstanding the foregoing, ownership of all equipment and hardware purchased by the **EPD** under this **AGREEMENT** shall be deemed to be the property of the **EPD** upon completion of this **AGREEMENT**. The **EPD** shall retain all ownership to tangible property.
- 9.6 The **EPD** shall not pledge the **DISTRICT**'s credit or make the **DISTRICT** a guarantor of payment or surety for any **AGREEMENT**, debt, obligation, judgment, lien, or any form of indebtedness.
- 9.7 The **DISTRICT** assumes no duty with regard to the supervision of the **EPD** and the **EPD** shall remain solely responsible for compliance with all safety requirements and for the safety of all persons and property at the site of **AGREEMENT** performance.
- 9.8 **EPD** recognizes that any representations, statements or negotiations made by **DISTRICT** staff do not suffice to legally bind **DISTRICT** in a contractual relationship unless they have been reduced to writing and signed by an authorized **DISTRICT** representative. This

AGREEMENT shall inure to the benefit of and shall be binding upon the parties, their respective assigns, and successors in interest.

ARTICLE 10 – GENERAL PROVISIONS

- 10.1 Notwithstanding any provisions of this **AGREEMENT** to the contrary, the parties shall not be held liable for any failure or delay in the performance of this **AGREEMENT** that arises from fires, floods, strikes, embargoes, acts of the public enemy, unusually severe weather, outbreak of war, restraint of Government, riots, civil commotion, force majeure, act of God, or for any other cause of the same character which is unavoidable through the exercise of due care and beyond the control of the parties. Failure to perform shall be excused during the continuance of such circumstances, but this **AGREEMENT** shall otherwise remain in effect. This provision shall not apply if the "Statement of Work" of this **AGREEMENT** specifies that performance by EPD is specifically required during the occurrence of any of the events herein mentioned
- 10.2 Failures or waivers to insist on strict performance of any covenant, condition, or provision of this **AGREEMENT** by the parties shall not be deemed a waiver of any of its rights or remedies, nor shall it relieve the other party from performing any subsequent obligations strictly in accordance with the terms of this **AGREEMENT**. No waiver shall be effective unless in writing and signed by the party against whom enforcement is sought. Such waiver shall be limited to provisions of this **AGREEMENT** specifically referred to therein and shall not be deemed a waiver of any other provision. No waiver shall constitute a continuing waiver unless the writing states otherwise.
- 10.3 This **AGREEMENT**, and any work performed hereunder, is subject to the Laws of the State of Florida. Nothing in this **AGREEMENT** will bind any of the parties to perform beyond their respective authority, nor does this **AGREEMENT** alter the legal rights and remedies which the respective parties would otherwise have, under law or at equity.
- 10.4 Should any term or provision of this **AGREEMENT** be held, to any extent, invalid or unenforceable, as against any person, entity or circumstance during the term hereof, by force of any statute, law, or ruling of any forum of competent jurisdiction, such invalidity shall not affect any other term or provision of this **AGREEMENT**, to the extent that the **AGREEMENT** shall remain operable, enforceable and in full force and effect to the extent permitted by law.
- 10.5 This **AGREEMENT** may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. A photocopy, electronic or facsimile copy of this **AGREEMENT** and any signatory hereon shall be considered for all purposes as original.
- 10.6 Any inconsistency in this **AGREEMENT** shall be resolved by giving precedence in the following order:
- (a) Terms and Conditions outlined in preceding articles 1 – 10
 - (b) Exhibit "A" Statement of Work
 - (c) Exhibit "B" Payment and Deliverable Schedule
 - (d) All other exhibits, attachments and documents specifically incorporated herein by reference

10.7 This AGREEMENT may be amended, extended or renewed only with the written approval of the parties. The DISTRICT shall be responsible for initiating any amendments to this AGREEMENT, if required.

This AGREEMENT states the entire understanding and agreement between the parties and supersedes any and all written or oral representations, statements, negotiations, or agreements previously existing between the parties with respect to the subject matter of this AGREEMENT This AGREEMENT states the entire understanding and agreement between the parties and supersedes any and all written or oral representations, statements, negotiations, or agreements previously existing between the parties with respect to the subject matter of this AGREEMENT

IN WITNESS WHEREOF, the parties or their duly authorized representatives hereby execute this AGREEMENT on the date first written above.

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
BY ITS GOVERNING BOARD**

Lennart J. Lindahl, P.E.
Assistant Executive Director

By: _____
Dorothy A. Bradshaw, Director Administrative Services Division

SFWMD OFFICE OF COUNSEL APPROVED

By: [Signature]
Name: DEREK C BROWN
Date: 8-26-16

SFWMD PROCUREMENT APPROVED

By: [Signature]
Date: 9-1-16

**EVERGLADES AGRICULTURAL AREA
ENVIRONMENTAL PROTECTION DISTRICT**

By: _____

Title: _____

Exhibit A
Agreement No. 460003475 Statement of Work
Inter-agency Agreement to Conduct Scientific Studies Relevant to the
Stormwater Treatment Areas

I. Introduction

This cooperative agreement is for continuation of joint studies in the Stormwater Treatment Areas (STAs) (Figure 1). Specifically, this agreement provides for a technical team to be formed by the parties, and for joint funding of research priorities to further the common interests and collaborative intentions of the South Florida Water Management District (District) and the Everglades Agricultural Area Environmental Protection District (EAAEPD) regarding enhancement of understanding and improving performance of the STAs.

The STAs were constructed and operated to intercept and reduce total phosphorus (TP) from agricultural runoff. They are a key component of the Everglades restoration program. Five STAs, totaling approximately 57,000 acres of effective treatment area, have been operational for varying periods of time. Phosphorus removal capability of the STAs involve several mechanisms (such as plant uptake and peat formation, settling, adsorption, co-precipitation and microbial uptake), and these are affected by various biogeochemical factors. The heightened demands to achieve lower outflow TP concentrations requires that additional research be performed to facilitate better understanding of the mechanisms of phosphorus removal and to gather information to help in further improving and sustaining the performance of the STAs, including studies that are being implemented in support of the Restoration Strategies Science Plan. This agreement includes work on two Science Plan studies, the PSTA Study and the Rooted Floating Aquatic Vegetation Study, which are not covered by any other contracts. The EAAEPD has developed a productive applied research program relevant to STA optimization, and along with the District, recognizes the ongoing need for optimizing the phosphorus removal performance and enhancing the sustainability of the STAs. The studies conducted under this agreement include laboratory analyses and studies, mesocosm-scale studies, and field surveys.

II. Objectives

This cooperative agreement is for joint implementation of studies in the STAs to improve and sustain performance to reduce phosphorus discharged to the Everglades ecosystem, and to promote improved communications between the District and the EPDEAA in establishing a solid direction for STA optimization and sustainability. The District and the EAAEPD will jointly fund studies related to the STAs to accomplish the tasks specified herein. Results acquired through this contract are used to better understand STA performance, and the mechanisms and factors affecting the performance, and guide management and operational strategies.

III. Scope of Work

The EAAEPD science team will conduct scientific investigations and work collaboratively with District scientists to jointly acquire new information and help support efforts to better

manage and operate the STAs. The District shall provide access to the field study sites while the EAAEPD provides personnel and materials to conduct these studies. The EAAEPD science team will set up studies and conduct field investigations included in the study plan or new investigations that are agreed upon by the District and designated EAAEPD representatives. The main studies covered under this project include:

- 1) Scientific investigations related to the STA-3/4 Periphyton-based Stormwater Treatment Area (PSTA) Performance, Design, and Operational Factors, one of the initial Restoration Strategies Science Plan studies;
- 2) Scientific investigations to assess the effectiveness of rooted floating aquatic vegetation (rFAV) for enhancing STA P removal;
- 3) Water quality (surface water) and submerged aquatic vegetation (SAV) internal transect surveys; and
- 4) Continuation of investigations on SAV sustainability in the STAs.

If modifications are necessary during the term of this agreement, prioritization of studies will be discussed among the agencies and their representatives prior to implementation of changes. Information gathered through the investigations and studies will be shared via workshops, meetings, and report deliverables.

IV. Work Breakdown Structure

A. Restoration Strategies Science Plan Scientific Support (District cost-share)

The EAAEPD scientists will continue to participate in scientific studies related to the evaluation of the effectiveness and sustainability of the STA-3/4 PSTA system (**Figure 2**). The studies will focus on continued internal characterization of the PSTA system, evaluation of P loading effects on PSTA performance, and on the effectiveness of establishing PSTA on muck soils using a lime rock cap as an alternative to muck removal. In addition, EAAEPD scientists will continue investigations of rooted floating aquatic vegetation (rFAV) in the STAs.

An Excel file containing analytical results from data collected throughout the year will be submitted with Quarterly Report #4 utilizing the format shown in **Appendix 1**.

The specific tasks are as follows:

Task 1. Update of the Work Plans for PSTA and rFAV Studies

The EAAEPD scientific team will develop a periphyton-based STA (PSTA) work plan and a rooted floating aquatic vegetation (rFAV) work plan that include description of the individual studies, timelines, and procedures, methods, and QA/QC plan for sampling and analyses. The EAAEPD scientific team will send the two work plans to District Project Manager for review, and revise based on District edits. The final work plans will be submitted electronically.

The Work Plans should include the following components:

- Project description and objectives
- List of project personnel and their responsibilities
- Schedule of activities
- Detailed description of tasks, including the experimental approaches/methodologies and deliverables
- Field sampling protocol
- Analytical methods
- QA/QC management
- Documentation and record keeping
- Data analysis
- Plans for collaborative publication

Deliverables: PSTA Work Plan and r-FAV Work Plan

Task 2. Internal Monitoring of the STA-3/4 PSTA Cell

Previously in the STA-3/4 PSTA cell, the EAAEPD team has characterized internal profiles of water quality, SAV cover and sediment depths under a range of flow conditions. The STA-3/4 PSTA cell currently is being operated under a deeper water depth range than was maintained for most of its historical operational period. For the current effort, two internal water quality sampling collection efforts will be performed. Samples collected along internal transects within the PSTA cell will be analyzed for the different P species (total P, total dissolved P, soluble reactive P) and Ca. In addition, water temperature and pH will be measured in-situ at the time when water quality samples are taken. Enzyme activities also will be measured to determine the role of microbial activities in P cycling.

Surveys of macrophyte cover in the STA-3/4 PSTA Cell previously have been conducted both semi-quantitatively (using relative density categories) and quantitatively (using quadrat sampling for biomass per unit area). To date, the macrophyte community has been quite stable over time. For this FY, semi-quantitative monitoring of SAV in the PSTA cell will be performed on one occasion. At this time, SAV samples from the inflow, mid- and outflow regions of the cell also will be collected and analyzed for tissue P, nitrogen (N) and Ca contents. At these same locations, accrued sediment depth will be measured, and sediment samples will be collected for the analysis of bulk density, P, N, Ca and ash content.

The EAAEPD scientific team will attend relevant PSTA progress meetings and/or workshops (about 4 meetings/year), and present PSTA findings to District audience about 2 times during the term of this contract. In addition, a PSTA write-up for the annual South Florida Environmental Report will be submitted by the EAAEPD science team.

Deliverables: Report of findings and progress for Task 2 will be included in Quarterly Reports; experimental data will be submitted at the end of the contract and as requested by the District. In addition, attendance at meetings and presentation of PSTA findings and progress will be provided.

Task 3. Quantifying Operational Boundaries of PSTA: P Loadings and Water Depth

Based on findings to date, it appears that the presence of calcareous biological assemblages (such as periphyton mats) that produce phosphatase enzymes is a key factor in achieving ultra-low outflow TP levels in PSTA cells. Despite considerable research at the mesocosm, test cell, and pilot facility scale over the past 15 years, uncertainties remain regarding the operational boundaries that promote calcareous assemblages in PSTA systems. Specifically, it is critically important to understand the maximum P loading ranges and operational depths under which these key “PSTA” biota can be maintained and harnessed for low-level TP removal. For the current effort, the EAAEPD team will continue the operation of an existing mesocosm facility at the STA-1W research facility through FY 2017. This mesocosm facility is being used to explore effects of a range of P loading and depth regimes on periphyton and macrophyte communities as well as on treatment performance. This platform also is being used to document the process basis (e.g., effects of load and depth on biota and enzyme activity) for potential variations in treatment with increasing water depths and P loads. To date, operations with this mesocosm platform have been successful, with all depth treatments consistently providing sub-13 ppb outflow TP levels, so they are an ideal platform for establishing operational boundaries on “PSTA” biota and ultra-low P removal performance. A specific goal of the FY 2017 effort will be to evaluate the effect of increased inflow P loads on the integrity of the currently stable biological communities, as well as on P removal performance. These data will be critical to define the “upper boundary” of P loadings for successful maintenance of a well-performing PSTA system.

Meeting attendance and presentations related to PSTA are described in Task 2.

Deliverables: Report of findings and progress for Task 3 will be included in Quarterly Reports; experimental data will be submitted at the end of the contract and as requested by the District. In addition, attendance at meetings and presentation of PSTA findings and progress will be provided.

Task 4. Mesocosm Study: Alternatives to Muck Removal

In FY 2015, the EAAEPD team completed operations of a mesocosm study to explore the effectiveness of a limerock cap as an alternative to muck removal. The muck soils used for this study, however, were quite stable with respect to P release, so questions remain related to limerock effectiveness as a cap above more P-enriched muck soils. In 2016, a new mesocosm study was established, in which limerock caps of two thicknesses (5 and 15cm) were placed over P-enriched muck soils, obtained from a

farm field adjacent to STA-1W. To date, the limerock caps have proven effective at minimizing P release from the enriched soils, although the long-term effectiveness of the limerock caps, as well as the interactions between the caps and rooted submerged macrophytes are not yet well defined. A continued assessment of the effectiveness of the limerock in reducing P flux, as well as curtailing soil P mining by SAV, will be evaluated in this investigation.

Meeting attendance and presentations related to PSTA are described in Task 2.

Deliverables: Report of findings and progress for Task 4 will be included in Quarterly Reports; experimental data will be submitted at the end of the contract and as requested by the District. In addition, attendance at meetings and presentation of PSTA findings and progress will be provided.

Task 5. Support District development of Synopsis of Historical and Recent PSTA Project Data

The PSTA concept has been a topic of investigation since approximately 1999. Many early studies were performed in mesocosm and test-cell scales, primarily in STA-1W. The earliest pilot PSTA studies were performed in STA-2 and STA-1E. Some of these PSTA platforms provided low-level (sub-13 ppb) P outflows, but others did not, and it remains unclear as to what factors (e.g., P speciation of inflow waters, and/or widely varying TP levels in the upstream unit processes, and/or P-enriched substrates) were responsible for variations in performance. The District will analyze the findings from the historical PSTA studies, and compare to more recent findings from the currently operational STA-3/4 PSTA cell and mesocosm studies. The District will develop a synopsis document that compares and contrasts the P removal performance across all PSTA platforms (mesocosms, test cells, pilot-scale) from 1999 to present. For this task, the EAAEPD science team will provide support to the District including providing data, data summaries, as well as review and input on the SFWMD PSTA synopsis document (drafts through final).

Deliverables: Progress Reports of activities completed for Task 5 will be included in Quarterly Reports.

Task 6. Investigations of Rooted Floating Aquatic Vegetation (FAV)

It has been proposed that water lilies (rFAV), which commonly occur in P-deficient environments of the Water Conservation Areas (WCAs), may facilitate the ability of "back-end" STA communities to achieve ultra-low level P concentrations. The EAAEPD team recently initiated monitoring activities in rFAV communities in STA-1W, STA-1E and STA-5/6, focusing primarily on spatial and temporal characterization of water quality in rFAV and in nearby SAV beds. For the current effort, the EAAEPD team will perform appropriate follow-up studies, which likely will involve continued

water quality monitoring as follows; temporal sampling for the dry season (WY2017), and temporal sampling for the wet season (WY2018). Data analysis and final reporting will also include results from the spatial sampling conducted in June 2016 and the temporal sampling conducted in August 2016.

The EAAEPD scientific team will attend relevant rFAV progress meetings and/or workshops (about 2 meetings/year), and present rFAV findings to District audience about 2 times during the term of this contract. In addition, an rFAV write-up for the annual South Florida Environmental Report will be submitted by the EAAEPD science team.

Deliverables: Report of findings and progress for Task 6 will be included in Quarterly Reports; experimental data will be submitted at the end of the contract and as requested by the District. In addition, findings and progress will be presented at the District.

B. In-kind Contribution from the District

The District will make available to the EAAEPD data collected by the District from the STAs. This may include, but is not limited to the flow and water quality data at the inflow and outflow structures, calculated loading rates, metadata related to water quality data, soil data, topographic survey data, and any new soil or vegetation data gathered from the different STA cells during the course of this contract agreement.

The District will provide access to all the STA facilities, including the use of the research sites at S5A and STA-1W.

Deliverables:

6: The District will provide EAAEPD with data collected by the District upon request.

C. Cost-sharing and in-kind contribution from the EAA EPD

The EAAEPD scientific team will develop a FY2017 Project Plan that lists the studies and investigations to be conducted in FY2017 and a projection of studies for future years. The EAAEPD or its scientific team will share this list with the District and work with its own scientific staff to make sure that there is no duplication of efforts and to help ensure that the studies are in line for both parties. Some of the studies and investigations may include, but are not limited to:

- a. Water quality (surface water) internal transect surveys
- b. SAV internal transect surveys
- c. Continuation of investigation on SAV sustainability in the STAs

Internal Transect Surface Water Quality Surveys

Internal surface water quality monitoring of P species along STA flow-ways can be useful in identifying treatment effectiveness along the flow-way's inflow-to-outflow transects. When coupled with vegetation surveys, internal water quality monitoring enables comparisons of vegetation cover and health with treatment performance, various operating conditions, and management activities.

The EAAEPD scientific team will continue to collect transect data from selected STA flow-ways. Additional transect sampling may be requested by either party on an ad hoc basis, such as after a major event or to understand a decline in performance.

For all monitoring events, samples will be analyzed for TP, soluble reactive P (SRP), total soluble P (TSP), calcium (Ca), and pH.

Submerged Aquatic Vegetation Internal Transect Surveys

Phosphorus removal performance of STA cells is closely related to vegetation coverage and health. SAV in STA cells can be subject to a number of disturbances, including herbivory, wind events, varying hydrologic condition, and excessive loadings of nutrient or particle-laden waters. Because SAV communities can be detected only sporadically with aerial or satellite photography (i.e., when the plants "top out" in the water column), efficient "ground level" survey methods must be implemented to assess temporal changes in distribution of total SAV coverage, as well as coverage of the various SAV species.

Routine sampling locations are near the sites identified for water quality sampling; additional sites or surveys may be requested by either party to evaluate the impacts of a major event or to understand a decline in performance.

Investigation of Factors influencing Submerged Aquatic Vegetation Performance and Sustainability in STAs

Sequenced communities of emergent vegetation (EAV) followed by SAV have provided effective P removal in many of the STAs. However, SAV plant communities have not proven entirely sustainable, due in part to various factors such as extreme weather conditions and herbivory. Additionally, there is concern that the fine marl soils that are deposited in SAV cells can adversely impact vegetation health after years of STA operation. Despite selected enhancements, such as creation of vegetation strips to buffer wind action, substantial declines in SAV have been observed in several STA cells over the years. A better understanding is needed of the individual factors (e.g., water chemistry, soil chemistry, soil physical characteristics, herbivory), and interactions among factors, that influence SAV species distribution, persistence and colonization/recovery in STAs.

The EAAEPD science team will continue efforts to define these controlling factors through focused field studies on potential controlling factors such as water and floc depths, and mesocosm/microcosm assessments of herbivory.

Deliverables:

7: STA Project Plan

8: Results and report of findings as they become available; summary of findings for annual SFER Chapter 5B

9: Attendance in meeting (up to 4 meetings/year)

10: Technical presentations (up to 4 presentations/year)

V. Summary Schedule of Tasks and Deliverables

The EAAEPD science team will prepare and submit project reports that include project findings, project status, and any issues related to any of the studies. In addition, a write-up for the annual South Florida Environmental Report will be submitted by the EAAEPD science team on selected projects as agreed by both parties. The District may also request the supporting data, additional figures, or information as necessary. At the conclusion of this agreement or conclusion of each study, whichever is sooner, EAAEPD shall submit to the District the supporting data for all studies conducted under this agreement.

The EAAEPD science team will also participate in relevant STA discussions and meetings. Adhoc meetings or discussions may also be necessary during the term of this contract, which can be via teleconference or in person.

A summary of deliverables and payment schedule is presented in Exhibit B. All report deliverables will be submitted in WORD format, presentation materials will be submitted in POWERPOINT format, and data deliverables will be submitted in Excel format.

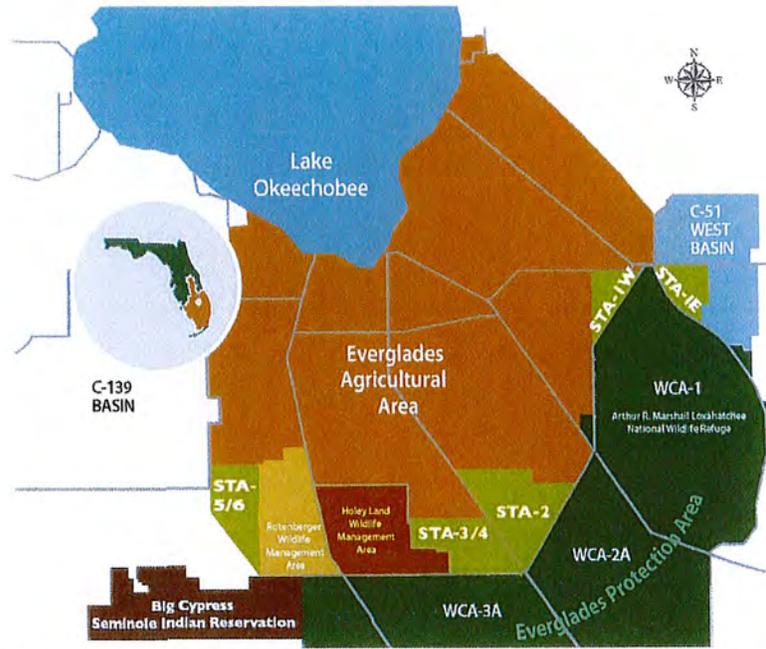


Figure 1. Location of the Everglades Stormwater Treatment Areas (STAs) 1 East (1E), 1 West (1W), 2, 3/4, and 5/6.

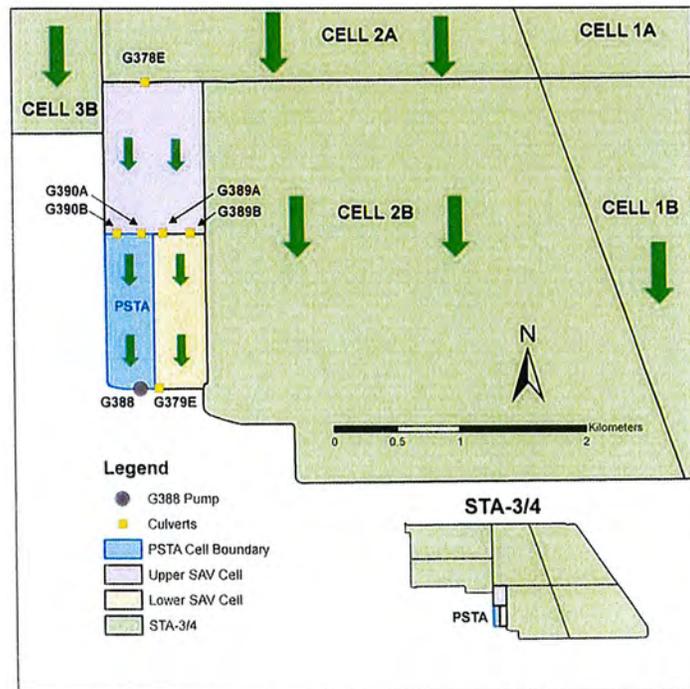


Figure 2. Schematics of STA-3/4 showing the general location of the PSTA cell in relation to the other cells within this STA.

Appendix 1. Data deliverables format

COLUMN	DESCRIPTION
LAB ID NUMBER	Lab identification- a unique name or number given to every sample, this can be a number or a mixture of numbers and letters
FIELD ID NUMBER	Field Identification-a unique name or number given to every sample, this can be a number or a mixture of numbers and letters
PROJECT/STUDY NAME	Project name
Project Manager	SFWMD Principal Investigator
STATION/SITE	Sampling location this is a point that has a GIS reference
REGION	A polygon this can be the STA's name
SUBREGION	A cell within STA
XCOORD	NAD83 Florida Stateplane East HARN 3601 FEET
YCOORD	NAD83 Florida Stateplane East HARN 3601 FEET
LATITUDE	Datum NAD83
LONGITUDE	Datum NAD83
SAMPLING DATE/TIME	Date and time of the sample
SAMPLE TYPE/MATRIX	Sample type (Macrophyte, soil, ground water, periphyton, etc...)
COLLECTOR NAME	Who collected this sample
HABITAT	Sampling area habitat (cattail, sawgrass, etc...)
SPECIES	Latin names only! no common specie name please
FQC	Field Quality Check (Equipment Blank, Field Duplicate, etc....)
FIELD COMMENT	Field notes
COLLECTION METHOD	What method was used to collect the sample (Pump, grab, auto sampler, etc.)
LABNAME	Name of the lab where sample is analyzed
SAMPLING DEPTH	At what depth this sample was collected?
PARAMETER NAME	Analyte
STORET CODE	Sample preparation procedure code that is related to the method number
METHOD NUMBER	Preparation procedure methodology the lab uses to analyze samples
ANALYSIS DATE/TIME	Sample analysis date and time
PRACTICAL QUANTITATION LIMIT	When applicable
METHOD DETECTION LIMIT	When applicable
RESULT	
UNITS	
REMARK CODE	
LABCOMMENTS	Lab Notes
COMMENTS	
DATA LOCATION	Name of the agency and the database where the data is managed/stored
DATA STEWARD	Who manages this data?

Exhibit B

Deliverables and Payment Schedule

Del. #	Description	Due	Amount to be Invoiced*
1A	Final Project Work Plan update for PSTA, including QA Plan for sampling and analysis	10/31/16	\$10,000
1B	Final Project Work Plan update for r-FAV, including QA Plan for sampling and analysis	10/31/16	\$10,000
2A	Quarterly Report 1: update on progress and key findings for PSTA Tasks 2 – 5	12/16/16	\$47,500
2B	Quarterly Report 1: update on progress and key findings for r-FAV Task 6	12/16/16	\$47,500
3A	Quarterly Report 2: update on progress and key findings for PSTA Tasks 2 – 5	3/17/17	\$47,500
3B	Quarterly Report 2: update on progress and key findings for r-FAV Task 6	3/17/17	\$47,500
4A	Quarterly Report 3: update on progress and key findings for PSTA Tasks 2 – 5	6/16/17	\$47,500
4B	Quarterly Report 3: update on progress and key findings for r-FAV Task 6	6/16/17	\$47,500
5A	Quarterly Report 4: update on progress and key findings for PSTA Tasks 2 – 5; Excel file of results	9/15/17	\$47,500
5B	Quarterly Report 4: update on progress and key findings for r-FAV Task 6; Excel file of results	9/15/17	\$47,500
6	Task B: District data provided to EAA EPD upon request.		In kind
7	Task C: STA Project Work Plan		EAAEPD Funds**
8	Task C: Results and report of findings as they become available		EAAEPD Funds**
9	Task C: Attendance in meetings (up to 4 meetings/yr.);		EAAEPD Funds**
10	Task C: Technical Presentations (up to 4 presentations/yr.)		EAAEPD Funds**
TOTAL			\$400,000***

*Amount specified in the table is for District cost-share.

The Everglades Agricultural Area Environmental Protection District will contribute **\$380,000 as a cost-share partner.

***PSTA tasks total \$200,000 and r-FAV tasks total \$200,000.

MEMORANDUM

TO: Governing Board Members

FROM: Terrie Bates, Director, Water Resources Division

DATE: September 08, 2016

SUBJECT: 3-year contract with Audubon of Florida's Tavernier Science Center

Summary:

The Everglades - Florida Bay transition zone has specific performance measures designed to assess ecological trends and changes associated with the implementation of CERP, Mod Waters, Florida Bay MFL, Tamiami Trail bridging, C-111 Spreader Canal Western Project, and the operations of the South Dade Conveyance system. The final Environmental Impact Statement for the C-111 Spreader Canal Western Project relied on baseline data from this ecological monitoring program and the monitoring was incorporated as a condition of the U.S. Army Corps of Engineers (USACE) permit. The proposed 3-year contract with Audubon of Florida's Tavernier Science Center is to continue the monitoring of hydrology, aquatic vegetation, and prey-base fauna within the mangrove transition zones of Northern Florida Bay in an amount not to exceed \$450,000 subject to Governing Board approval of the Fiscal Year 2017 through Fiscal Year 2019 budgets. Audubon submitted the lowest proposal in response to a competitive solicitation.

Additional Background:

Audubon of Florida's Tavernier Science Center has been measuring aquatic vegetation and prey-base fauna (invertebrates and fishes) across the mangrove transition zones of southern Biscayne Bay, Florida Bay and the Gulf of Mexico since the mid-1990s. The relatively short generation times of aquatic vegetation and prey-base fauna gives these indicators the ability to respond quickly to hydrologic and habitat conditions in a timeframe well suited for adaptive water management. A subset of these monitoring stations, combined with other monitoring stations funded by the USACE, in the mangrove habitats along the northern fringe of Florida Bay are poised to change as a result of a variety of water management projects including the C-111 Spreader Canal Western Project, Tamiami Trail bridging, and Frog Pond detention area projects. The work proposed for this multi-year contract meets the C-111 Spreader Canal Western Project permit requirements and will build upon previously collected baseline monitoring data in order to integrate data with USACE monitoring and discriminate between natural variability and water management effects.

Core Mission and Strategic Priorities:

This item is aligned with the District mission to balance and improve water quality, flood control, and natural systems. It supports multiple objectives within northeast Florida Bay including determining impacts of water management in Taylor Slough and the C-111 area on the natural system, assessing the effectiveness of the Florida Bay Minimum Flows and Levels rule, assessing the impacts of the Frog Pond detention area project, reporting of system condition for RECOVER, and documenting a shifting base condition from which to evaluate the C-111 Spreader Canal Western project.

Staff Contact and/or Presenter:

Eric Cline, ecline@sfwmd.gov, 561-753-2400 x4596 & Susan Gray, sgray@sfwmd.gov, 561-682-6919.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0909

A Resolution of the Governing Board of the South Water Management District authorizing a 3-year contract with Audubon of Florida's Tavernier Science Center for hydrology, aquatic vegetation, and prey-base fauna monitoring in the Northern Florida Bay transition zones as part of the assessment of the C-111 Spreader Canal Western Project in an amount not to exceed \$450,000 subject to Governing Board approval of the Fiscal Year 2017 through Fiscal Year 2019 budgets, providing an effective date.

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize entering into a 3-year contract with Audubon of Florida's Tavernier Science Center in the amount of \$450,000 for which funds are budgeted in Fiscal Year 2017-2019 budgets, to measure hydrology, aquatic vegetation, and prey-base fauna in the Northern Florida Bay transition zones as required by the C-111 Spreader Canal Western Project permit to determine the effects of operations and restoration projects; **now therefore**

BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby authorizes entering into a 3-year contract with Audubon of Florida's Tavernier Science Center.

Section 2. This resolution shall take effect immediately upon adoption.

PASSED and **ADOPTED** this 8th day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

Chairman

Legal form approved:

By:

Office of Counsel

Print name:

Attest:

District Clerk/Secretary

MEMORANDUM

TO: Governing Board Members

FROM: Ernie Marks, Director, Everglades Policy & Coordination

DATE: September 08, 2016

SUBJECT: Cost-Share Agreement with City of Naples for Reclaimed Water System Expansion Phase 5

Summary:

Since 2006, the District has provided financial assistance to local governments within the Big Cypress Basin (BCB) for projects that include flood protection, water quality improvement, natural system restoration, and alternative water supply projects that meet objectives of the BCB Strategic Plan and/or Lower West Coast Water Supply Plan. The City of Naples Reclaimed Water System Expansion Phase 5 includes installation of 11,600 linear feet of reclaimed water mains, associated valves and appurtenances. The City of Naples has requested financial assistance for Reclaimed Water System Expansion Phase 5, in an amount not to exceed \$738,600 or 25% of eligible expenses. Project objectives include increasing the availability of reclaimed water within the City and offset the demand of traditional water sources by approximately 0.26 million gallons per day.

Additional Background:

In 2007, the City undertook a comprehensive analysis of the 20-year projected water demand and available alternative water supplies. In order to ensure a long-term water supply, reduce consumption of potable water by at least 25%, eliminate the discharge of freshwater and effluent from the City's Water Reclamation Facility to Naples Bay, as well as distribute 100% of reclaimed water, the City approved an Integrated Water Resources Plan (IWRP). A majority of the initial components proposed in the IWRP have been completed to date, including four of the five phases to expand the existing reclaimed water distribution system. Phase 5 represents the last phase of a successful multi-year partnership with the City of Naples to expand the use of reclaimed water. The Everglades Policy and Coordination Division will support the Big Cypress Basin through execution and management of Agreement 4600003469.

Staff Contact and/or Presenter:

Rod Braun, rbraun@sfwmd.gov, 561-682-2925

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0910

A Resolution of the Governing Board of the South Florida Water Management District authorizing entering into a 12-month agreement with the City of Naples in an amount not to exceed \$738,600 or 25% of eligible expenses, whichever is less, for the construction of Reclaimed Water System Expansion Phase 5, for which dedicated Big Cypress Basin ad valorem funds are subject to Governing Board approval of the Fiscal Year 2016-2017 budget; providing an effective date. (Contract No. 4600003469)

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize entering into a 12-month agreement with the City of Naples for the construction of Reclaimed Water System Expansion Phase 5, in amount not to exceed \$738,600 or 25% of eligible expenses, for which dedicated Big Cypress ad valorem funds are subject to Governing Board approval of the Fiscal Year 2016-2017 budget; providing an effective date. (Contract No. 4600003469)

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby authorizes the execution of Contract No. 4600003469 with the City of Naples.

Section 2. This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 8th day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD
By:

Chairman

Attest:

Legal form approved:
By:

District Clerk/Secretary

Office of Counsel

Print name:

M E M O R A N D U M

TO: Governing Board Members

FROM: Dorothy Bradshaw, Director, Administrative Services Division

DATE: September 08, 2016

SUBJECT: MOA Between SFWMD & FDOT - Alligator Alley

Summary:

The purpose of this three-year, Memorandum of Agreement with the FDOT is to transfer toll revenue from the State Transportation Trust Fund to the Everglades Trust Fund with the District.

Section 338.26, Florida Statutes, directs the FDOT to continue the system of tolls on Alligator Alley and to deposit such fees generated from tolls in the State Transportation Trust Fund for use to meet all outstanding contractual obligations, to operate and maintain the highway and toll facilities including reconstruction and restoration. Any amount of tolls generated annually in excess of that required to meet those obligations, may be transferred to the Everglades Fund, a sub fund within the Everglades Trust Fund of the District, for environmental projects to restore the natural values of the Everglades, subject to compliance with any applicable Federal laws and regulations.

Section 373.4592, Florida Statutes, authorized the District to proceed expeditiously with implementation of the Everglades Program to begin restoration, revitalization and protection of the Everglades ecosystem, including Florida Bay.

Funds from this agreement will be used to continue the implementation of the Everglades and Florida Bay Restoration Program by assessing the ecological and hydrological needs of the ecosystem, conducting water quality and ecological monitoring, evaluating the responses to construction and operation of restoration projects, and adaptively managing for the benefit of the Everglades ecosystem, including Florida Bay.

Additional Background:

Pursuant to Sections 338.26 and 373.4592, Florida Statutes, the District is authorized to proceed expeditiously with implementation of the Everglades Program as defined within the Everglades Forever Act (EFA) utilizing the Everglades Fund.

Core Mission and Strategic Priorities:

This partnership was established to provide funding for environmental projects to restore the natural values of the Everglades, subject to compliance with any applicable Federal laws and regulations.

Staff Contact and/or Presenter:

Dorothy Bradshaw, 561-682-2823

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0911

A Resolution of the Governing Board of the South Florida Water Management District authorizing a three (3) year Memorandum of Agreement with the Florida Department of Transportation (FDOT) for the transfer of toll revenues generated on Alligator Alley from the State Transportation Trust Fund to the South Florida Water Management District's Everglades Fund for environmental projects to restore the natural values of the Everglades pursuant to Sections 338.26 and 373.4592, Florida Statutes (Contract No. 4600003471); providing an effective date.

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize a three (3) year memorandum of agreement with FDOT for the transfer of toll revenues from the State Transportation Trust Fund to the District's Everglades Fund. This agreement is for the period from June 30, 2016 through June 30, 2019.

WHEREAS, Section 338.26, Florida Statutes, directs the FDOT to continue the system of tolls on Alligator Alley and to deposit such fees generated from tolls in the State Transportation Trust Fund for use to meet all outstanding contractual obligations, to operate and maintain the highway and toll facilities including reconstruction and restoration. Any amount of tolls generated annually in excess of that required to meet those obligations, may be transferred to the Everglades Fund, a sub fund within the Everglades Trust Fund of the District, for environmental projects to restore the natural values of the Everglades, subject to compliance with any applicable Federal laws and regulations.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves the agreement with FDOT.

Section 2. A copy of the agreement is attached hereto and made a part thereof.

Section 3. This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 8th day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

Chairman

Attest:

District Clerk/Secretary

Legal form approved:

By:

Office of Counsel

Print name:

ORIGINAL

SFWMD 4600003471

MEMORANDUM OF AGREEMENT
BETWEEN
SOUTH FLORIDA WATER MANAGEMENT DISTRICT
AND
FLORIDA DEPARTMENT OF TRANSPORTATION

This Memorandum of Agreement (MOA) is entered into as of June 30, 2016, between the South Florida Water Management District (DISTRICT) and the Florida Department of Transportation (FDOT), collectively referenced to as the "PARTIES."

WITNESSETH THAT:

WHEREAS, the DISTRICT is a public entity of the State of Florida, created by the Florida Legislature and given those powers and responsibilities enumerated in Chapter 373, Florida Statutes, and is empowered to enter into contracts and agreements with public agencies, private corporations or other persons, pursuant to Section 373.083, Florida Statutes; and

WHEREAS, FDOT is an agency of the State of Florida, created by the Florida Legislature and given those powers and responsibilities enumerated in, among others, Chapters 334, 337, 338 and 339, Florida Statutes, and is empowered to enter into contracts and agreements with public agencies, private corporations or other persons, pursuant to Section 334.044, Florida Statutes; and

WHEREAS, in 1994, the Everglades Forever Act (EFA), Section 373.4592, Florida Statutes, authorized the DISTRICT to proceed expeditiously with implementation of the Everglades Program to begin restoration, revitalization and protection of the Everglades ecosystem, including Florida Bay; and

WHEREAS, Section 338.26, Florida Statutes requires the DISTRICT to deposit funds for projects conducted pursuant to the EFA into the Everglades Trust Fund, and

WHEREAS, Section 373.4592(14), Florida Statutes, directs the DISTRICT to establish the Everglades Fund to separately account for all moneys used for the purpose of funding the Everglades Construction Project, and

WHEREAS, Section 338.26, Florida Statutes, directs the FDOT to continue the system of tolls on Alligator Alley and to deposit such fees generated from tolls in the State Transportation Trust Fund for use to meet all outstanding contractual obligations, to operate and maintain the highway and toll facilities including reconstruction and restoration, to pay for those projects that are contained in the 1993-1994 adopted work program or the 1994-1995 tentative work program submitted to the Legislature on February 22, 1994, to design and construct a fire station at mile marker 63 on Alligator Alley, and to reimburse for the direct actual costs of operating such fire station July 1, 2014 through no later than June 30, 2018. Any amount of tolls generated annually in excess of that required to meet those obligations, may be transferred to the Everglades Fund, a sub fund within the Everglades Trust Fund of the DISTRICT, for environmental projects to restore the natural values of the Everglades, subject to compliance with any applicable Federal laws and regulations, and

WHEREAS, Section 338.165, Florida Statutes, allows **FDOT** to request the Division of Bond Finance to issue bonds secured by toll revenues collected on Alligator Alley to fund specific transportation projects, and

WHEREAS, the Division of Bond Finance has issued the State of Florida Department of Transportation Alligator Alley Refunding Bonds, Series 2007A; and

WHEREAS, the Division of Bond Finance, at the request of **FDOT**, may issue additional bonds, either to refund the outstanding bonds or to finance the cost of new capital projects authorized by law (collectively with the Series 2007A Refunding Bonds the "Bonds"); and

WHEREAS, the Resolution of the Division of Bond Finance for the issuance of the outstanding bonds, as it may be amended from time to time, specifies the required uses and flow of funds available from tolls collected on Alligator Alley; and

WHEREAS, Section 338.26, Florida Statutes, identifies the Everglades Fund to receive (a) excess toll revenues and (b) proceeds from bonds or notes secured by such revenues and

WHEREAS, the **PARTIES** recognize the need for cooperation to carry out the intended use of said excess tolls, the **PARTIES** represent that they are willing to provide said cooperation; and the **PARTIES** wish to enter into a **MOA** with each other; and

WHEREAS, the **PARTIES** wish to delineate certain parameters and tasks, through this **MOA**, that are related to transferring excess Alligator Alley toll revenues to the Everglades Fund of the **DISTRICT**.

NOW THEREFORE, the **PARTIES**, in consideration of the mutual benefits flowing from each to the other, do hereby agree as follows:

ARTICLE 1 - STATEMENT OF WORK

- 1.1 The **PARTIES** shall, to the satisfaction of each other and each in cooperation with the other, fully and timely perform all work items set forth in the following paragraphs.
- 1.2 The **FDOT** agrees to transfer excess toll revenues collected on Alligator Alley remaining after payment of all items required by the resolution of the Division of Bond Finance for the issuance of the Bonds, as is may be amended from time to time, reimbursement of **FDOT** of the cost of repair, renewal, restoration, and reconstruction costs otherwise paid from **FDOT** funds, and the payment of all other costs required by law through June 30, 2019, to the **DISTRICT'S** Everglades Fund. Such transfers shall be made annually by August 15th representing the excess revenues from the previous state fiscal year and shall be subject to and limited to the annual Legislative appropriation.
- 1.3 The **DISTRICT** agrees that any excess toll revenues that are transferred to the Everglades Fund shall be used in accordance with the applicable provisions of Florida Statutes, Section 338.26.
- 1.4 Attachment 1 is the most current Fiscal Analysis of Projected Excess Alligator Alley

Toll Revenues. This Analysis shall be updated at least annually and submitted to the **DISTRICT**.

ARTICLE 2 - TERM OF THE AGREEMENT

- 2.1 The period of performance of this **MOA** shall commence on the date of execution and continue through August 15, 2019. .

ARTICLE 3 - COMPENSATION/CONSIDERATION

- 3.1 The **PARTIES** agree that their respective obligations will be carried out at no cost to the other party.

ARTICLE 4 - PROJECT MANAGEMENT/NOTICE

- 4.1 The Project Manager for the **DISTRICT** is:

Administrative Services Division Director, or designee
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33416-4680
Telephone (561) 686-8800 Fax (561) 681-6275

- 4.2 The Project Manager for the **FDOT** is:

Rachel Cone, Assistant Secretary for Finance
and Administration, or designee
Florida Department of Transportation
605 Suwannee Street
Tallahassee, FL 32399-0450
Telephone (850) 414-4581 Fax (850) 414-5201

- 4.3 The **PARTIES** shall direct all matters arising in connection with the performance of this **MOA**, other than notices, to the attention of the Project Managers for attempted resolution or action. The Project Managers shall be responsible for overall coordination and oversight relating to the performance of this **MOA**.

- 4.4 All notices to the **FDOT** under this **MOA** shall be in writing and shall be deemed received if sent by certified mail, return receipt requested, to:

Rachel Cone, Assistant Secretary for Finance
and Administration, or designee
Florida Department of Transportation
605 Suwannee Street
Tallahassee, FL 32399-0450

SFWMD – FDOT Memorandum of Agreement
Page 3 of 6

- 4.5 All notices to the DISTRICT shall be in writing and shall be deemed received if sent by certified mail, return receipt requested, to:

Administrative Services Division Director,
South Florida Water Management District
Attn: Procurement and Contract Administration
3301 Gun Club Road
West Palm Beach, FL 33406

- 4.6 The PARTIES shall also provide a copy of all notices to the respective Project Managers. All notices required by this MOA shall be considered delivered *upon receipt*. Should either party change its address, written notice of such new address shall promptly be sent to the other party.
- 4.7 All correspondence to the DISTRICT under this MOA shall reference the DISTRICT'S Agreement Number 4600003471.

ARTICLE 5 - RECORDS RETENTION/OWNERSHIP

- 5.1 The FDOT and the DISTRICT shall maintain records in accordance with applicable Florida Statutes to include:
- 5.1.1 Maintenance of Records: The FDOT and the DISTRICT shall maintain all financial and non-financial records and reports directly or indirectly related to the negotiation or performance of this MOA, including supporting documentation for any toll rates, expenses or reports. Such records shall be maintained and made available for inspection for a period of five years from completing performance and receiving bond and/or cash proceeds under this MOA.
- 5.1.2 Examination of Records: The FDOT and the DISTRICT or designated agents shall have the right to examine, in accordance with generally accepted governmental auditing standards, all records directly or indirectly related to this MOA. Such examination may be made only within five years from the date of final receipt of proceeds under this MOA and upon reasonable notice, time and place.
- 5.1.3 Extended Availability of Records for Legal Disputes: In the event that the FDOT or the DISTRICT should become involved in a legal dispute with a third party arising from performance under this MOA, the PARTIES shall extend the period of maintenance for all records relating to the MOA until the final disposition of the legal dispute, and all such records shall be made readily available to the FDOT or the DISTRICT.

ARTICLE 6 - STANDARDS OF COMPLIANCE

- 6.1 The PARTIES, their employees, subcontractors or assigns, shall comply with all applicable Federal, State, and local laws and regulations relating to the performance of this MOA. Neither party undertakes any duty to ensure such compliance, but will attempt to advise the other party, upon request, as to any such laws of which it has present knowledge.
- 6.2 The laws of the State of Florida shall govern all aspects of this MOA.

- 6.3 The PARTIES shall allow public access to all project documents and materials in accordance with the provisions of Chapter 119, Florida Statutes. Should the DISTRICT or the FDOT assert any exemptions to the requirements of Chapter 119 and related Statutes, the burden of establishing such exemption, by way of injunctive or other relief as provided by law, shall be upon that party.

ARTICLE 7 - RELATIONSHIP BETWEEN THE PARTIES

- 7.1 Each party is an independent contractor and is not an agent of the other party. Nothing in this MOA shall be interpreted to establish any relationship other than that of an independent contractor between the PARTIES during or after the performance of this MOA. Neither PARTY shall have the authority to bind the other PARTY to any obligation whatsoever to any third party without the express written consent of the other PARTY.
- 7.2 The PARTIES shall not assign, delegate, or otherwise transfer its rights and obligations as set forth in this MOA, without the prior written consent of the other party.

ARTICLE 8 - GENERAL PROVISIONS

- 8.1 In the event any provisions of this MOA shall conflict or appear to conflict, the MOA, including all exhibits, attachments and all documents specifically incorporated by reference, shall be interpreted as a whole to resolve any inconsistency.
- 8.2 Failures or waivers to enforce any covenant, condition, or provision of this MOA by either party, their successors and assigns shall not be deemed a waiver of any of their rights or remedies, nor shall it relieve the other party from performing any subsequent obligations strictly in accordance with the terms of this MOA. No waiver shall be effective unless in writing and signed by the party against whom enforcement is sought. Such waiver shall be limited to provisions of this MOA specifically referred to therein and shall not be deemed a waiver of any other provision. No waiver shall constitute a continuing waiver unless the writing states otherwise.
- 8.3 Should any term or provision of this MOA be held, to any extent, invalid or unenforceable, as against any person, entity or circumstance during the term hereof, by force of any statute, law, or ruling of any forum of competent jurisdiction, such invalidity shall not affect any other term or provision of this MOA, to the extent that the MOA shall remain operable, enforceable and in full force and effect to the extent permitted by law.
- 8.4 This MOA may be amended only with the written approval of the PARTIES hereto.
- 8.5 This MOA states the entire understanding and agreement between the PARTIES and supersedes any and all written or oral representations, statements, negotiations, or agreements previously existing between the parties with respect to the subject matter of this MOA. The PARTIES recognize that any representations, statements or negotiations made by staff do not suffice to legally bind the PARTIES in a contractual relationship unless they have been reduced to writing and signed by authorized DISTRICT and FDOT representatives. This MOA shall inure to the benefit of and shall be binding upon the PARTIES, their respective assigns, and successors in interest.

IN WITNESS WHEREOF, the PARTIES or their duly authorized representatives hereby execute this MOA on the date first written above.

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT,
BY ITS GOVERNING BOARD**

By _____
Title: Lennart J. Lindahl, P.E.
Assistant Executive Director

OFFICE OF COUNSEL APPROVED:

Paul C. Brown 8-5-16

PROCUREMENT APPROVED:

J. Grady 8/5/16

FLORIDA DEPARTMENT OF TRANSPORTATION

Rachel D. Cone
Rachel Cone
Assistant Secretary for Finance and Administration

[Signature]
Legal Review

Sources and Uses

Alligator Alley

Fiscal Year	2017	2018	2019
Sources:			
Toll Revenue (updated 9-2015)	\$30,539,000	\$33,260,000	\$34,462,000
Total Sources:	\$30,539,000	\$33,260,000	\$34,462,000
Uses:			
Operating	(\$3,145,784)	(\$3,208,700)	(\$3,272,874)
FHP Operations	(\$1,353,540)	(\$1,380,611)	(\$1,408,223)
Maintenance	(\$4,112,578)	(\$4,101,658)	(\$4,101,658)
Debt Service	(\$3,447,750)	(\$3,452,000)	(\$3,451,000)
R&R Fund Deposit	(\$16,000,000)	(\$16,000,000)	(\$21,000,000)
Total Uses	(\$28,059,652)	(\$28,142,969)	(\$33,233,755)
Sources Less Uses:	\$2,479,348	\$5,117,031	\$1,228,245

Escrow Balance at June 30, 2016: \$ 4,696,454

Attachment 1

MEMORANDUM

TO: Governing Board Members

FROM: Ernie Marks, Director, Everglades Policy & Coordination

DATE: September 08, 2016

SUBJECT: Cost-Share Agreement with Osceola County for Eagle Bay Drainage Improvements

Summary:

The Eagle Bay Subdivision, located in the City of Kissimmee, has experienced severe flooding resulting in human health and safety concerns. Offsite stormwater discharges contribute to the local flooding problems as stormwater flows to the subdivision and then ultimately to East Lake Tohopekaliga in Osceola County. Osceola County undertook a comprehensive analysis and determined that a bypass structure, spreader swale and additional water control structures will alleviate the severe flooding while providing water quality benefits to both Boggy Creek and East Lake Tohopekaliga. Project improvements will be designed to capture and convey offsite discharge in an effort to eliminate flood control concerns within the subdivision. Staff proposes to enter into a cost-share agreement not to exceed \$600,000 with Osceola County Board of County Commissioners for the construction of flood control improvements in the Eagle Bay Subdivision.

Additional Background:

In late August through early September of 2015, back-to-back rain events resulted in approximately 7.5 inches of rainfall that caused severe flooding in the Eagle Bay Subdivision. It was determined that offsite discharges contributed to the flooding in the development. To alleviate flooding, drainage improvements will be constructed to convey stormwater back to the Boggy Creek system. The total estimated project cost is \$1,445,000.

Staff Contact and/or Presenter:

Rod Braun, rbraun@sfwmd.gov, (561) 682-2925

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0912

A Resolution of the Governing Board of the South Florida Water Management District authorizing entering into a cost-share agreement with Osceola County Board of County Commissioners in an amount not to exceed \$600,000 for the construction of Eagle Bay Drainage Improvements, for which funds are budgeted; providing an effective date. (Contract No. 4600003482)

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize entering into an agreement with Osceola County Board of County Commissioners for the construction of Eagle Bay Drainage Improvements, in amount not to exceed \$600,000, for which funds are budgeted; providing an effective date.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby authorizes the execution of a cost-share agreement with Osceola County Board of County Commissioners.

Section 2. This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 8th day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD
By:

_____ Chairman

Attest:

Legal form approved:
By:

_____ District Clerk/Secretary

_____ Office of Counsel

Print name:

MEMORANDUM

TO: Governing Board Members

FROM: Duane Piper, Chief Information Officer

DATE: September 08, 2016

SUBJECT: Environmental Systems Research Institute Enterprise License Agreement 1-Year Extension

Summary:

Environmental Systems Research Institute, Inc. (Esri) will provide an Enterprise License Agreement for an additional 1-year in the amount of \$380,000. The time period for the extension is October 1, 2016 through September 30, 2017. The Enterprise License Agreement provides unlimited access to software, software maintenance, ArcGIS Online Level 4 Organizational Annual Subscription, and the Enterprise Advantage Program.

Additional Background:

The Esri licenses allow the District to manage, deliver, and analyze spatial data that supports the District's programs including Operations, Maintenance & Construction, Regulation, and Water Resources. Specific applications using this Geographical Information System (GIS) software include the Integrated Real Estate Information System (IRIS), Operations Decision Support System (ODSS), Regulatory Support System (RegGSS), ePermitting and the Emergency Operations Center (EOC). The support also covers the District's current migration away from the legacy Google Earth Enterprise system to an Esri developed and supported web based mapping application.

Staff Contact and/or Presenter:

Duane Piper, Chief Information Officer, Information Technology Division, 561-682-2638 / dpiper@sfwmd.gov

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0913

A Resolution of the Governing Board of the South Florida Water Management District to authorize a 1-year extension to the Enterprise License Agreement with Environmental Systems Research Institute, Inc., from October 1, 2016 through September 30, 2017, in the amount of \$380,000 for which funds are subject to Governing Board approval of the Fiscal Year 2016 - 2017 budget.

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize a 1-year extension to the Enterprise License Agreement with Environmental Systems Research Institute, Inc., from October 1, 2016 through September 30, 2017, in the amount of \$380,000 for which funds are subject to Governing Board approval of the Fiscal Year 2016 - 2017 budget.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves extending the Enterprise License Agreement with Environmental Systems Research Institute, Inc.

Section 2. This resolution shall take effect immediately upon adoption

PASSED and ADOPTED this 8TH day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD
By:

_____ Chairman

Attest:

Legal form approved:

By:

_____ District Clerk/Secretary

_____ Office of Counsel

Print name:

M E M O R A N D U M

TO: Governing Board Members
FROM: Duane Piper, Chief Information Officer
DATE: September 08, 2016
SUBJECT: Oracle Annual Software Maintenance

Summary:

Oracle America, Inc. will provide software maintenance in the amount of \$851,985. The time period for support is October 25, 2016 through October 24, 2017. This maintenance includes technical support and upgrade service on all Oracle software supporting numerous District databases and websites.

Additional Background:

The District's Oracle infrastructure is utilized by Operations, SAP and all Portal Web Applications (Portal, Employee Emergency Notification Site, Weather/Real-Time Readings, Key Permit Application, ePermitting, Graphical Verification Analysis, and Regulation).

Staff Contact and/or Presenter:

Duane Piper, Chief Information Officer, Information Technology Division, 561-682-2638
/ dpiper@sfwmd.gov

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0914

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a Purchase Order with Oracle America, Inc. for software maintenance and upgrades, from October 25, 2016 through October 24, 2017 in the amount of \$851,985 for which funds are subject to Governing Board approval of the Fiscal Year 2016 - 2017 budget.

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize entering into a Purchase Order with Oracle America, Inc. for software maintenance and upgrades, from October 25, 2016 through October 24, 2017, in the amount of \$851,985 for which funds are subject to Governing Board approval of the Fiscal Year 2016 - 2017 budget.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves issuing a purchase order to Oracle America, Inc.

Section 2. This resolution shall take effect immediately upon adoption

PASSED and ADOPTED this 8TH day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD
By:

Chairman

Attest:

Legal form approved:
By:

District Clerk/Secretary

Office of Counsel

Print name:

MEMORANDUM

TO: Governing Board Members
FROM: Duane Piper, Chief Information Officer
DATE: September 08, 2016
SUBJECT: SAP Annual Software Maintenance

Summary:

SAP Public Services, Inc. will provide software maintenance in the amount of \$588,669. The time period for the maintenance is October 1, 2016 through September 30, 2017. SAP is the integrated Enterprise Resource Planning Software used for the District's core business functions (Accounting, Finance, Procurement, Human Resources, Payroll, Plant Maintenance, and Project Management).

Additional Background:

In addition to technical support and upgrades, the annual maintenance also provides access to the Support and Advisory Center, webinars, remote sessions, continuous quality checks, and monitoring by SAP.

Staff Contact and/or Presenter:

Duane Piper, Chief Information Officer, Information Technology Division, 561-682-2638 /
dpiper@sfwmd.gov

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0915

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a Purchase Order with SAP Public Services, Inc. for software maintenance and upgrades, from October 1, 2016 through September 30, 2017, in the amount of \$588,669 for which funds are subject to Governing Board approval of the Fiscal Year 2016 - 2017 budget.

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize entering into a Purchase Order with SAP Public Services, Inc. for software maintenance and upgrades from October 1, 2016 through September 30, 2017, in the amount of \$588,669 for which funds are subject to Governing Board approval of the Fiscal Year 2016 - 2017 budget.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves issuing a purchase order to SAP Public Services, Inc.

Section 2. This resolution shall take effect immediately upon adoption

PASSED and ADOPTED this 8TH day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD
By:

_____ Chairman

Attest:

Legal form approved:
By:

_____ District Clerk/Secretary

_____ Office of Counsel

Print name:

M E M O R A N D U M

TO: Governing Board Members
FROM: Duane Piper, Chief Information Officer
DATE: September 08, 2016
SUBJECT: Sun Microsystems Annual Hardware Maintenance

Summary:

Oracle Corporation will provide hardware maintenance for the Sun Microsystems equipment in the amount of \$205,341. The time period for support is November 1, 2016 through October 31, 2017. The Sun Microsystems maintenance includes servers, storage, peripherals and the Sun Solaris operating system.

Additional Background:

Critical District applications such as SAP, DBHYDRO, Operations, Oracle, and other core infrastructure applications reside on the Sun Microsystems hardware. Utilizing this support provides a high availability of services and reduced systems administration cost.

Staff Contact and/or Presenter:

Duane Piper, Chief Information Officer, Information Technology Division, 561-682-2638 /
dpiper@sfwmd.gov

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0916

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a Purchase Order with Oracle Corporation for the annual renewal of the Sun Microsystems server, storage, and peripheral hardware maintenance, from November 1, 2016 through October 31, 2017, in the amount of \$205,341 for which funds are subject to Governing Board approval of the Fiscal Year 2016 - 2017 budget.

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize entering into a Purchase Order with Oracle Corporation for the annual renewal of the Sun Microsystems server, storage, and peripheral hardware maintenance, from November 1, 2016 through October 31, 2017, in the amount of \$205,341 for which funds are subject to Governing Board approval of the Fiscal Year 2016 - 2017 budget.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby approves issuing a purchase order to Oracle Corporation.

Section 2. This resolution shall take effect immediately upon adoption

PASSED and ADOPTED this 8TH day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD
By:

_____ Chairman

Attest:

Legal form approved:
By:

_____ District Clerk/Secretary

_____ Office of Counsel

Print name:

M E M O R A N D U M

TO: Governing Board Members

FROM: Brian J. Accardo, General Counsel

DATE: September 08, 2016

SUBJECT: Fiscal Year 2016/2017 Annual Regulatory Plan

Summary:

The District must complete and certify a rulemaking plan by October 1 of each year. This Annual Regulatory Plan is required by Section 120.74, Florida Statutes, to inform the legislature and the public of what rules the agency intends to promulgate during the upcoming year. The Governing Board Chairman and General Counsel must certify that they have reviewed the Plan and that the District regularly reviews and has recently reviewed its rules to determine they remain consistent with the District's statutory authority. The Plan will be submitted to the legislature's Joint Administrative Procedures Committee and published on the District's website. The Plan itself does not initiate or predetermine rulemaking, but rather sets forth the District's general intention to develop identified rules during the current state fiscal year. Because much of the District's intended rulemaking involves multi-agency coordination or multi-step rulemaking, the District may not formally initiate rulemaking on the identified topics until late in the state fiscal year.

Rules pertaining to the following topics are identified in this year's Plan:

- Water reservations for the Kissimmee River, its floodplain, the headwater lakes and the Upper Chain of Lakes including corresponding consumptive use permit criteria (staff contact, Terrie Bates, ext. 6952).
- Administrative revisions to be consistent with the Administrative Law Judge's ruling in DOAH Case No. 14-1329 (staff contact, Terrie Bates, ext. 6952).
- Updates to Everglades Program rules regarding existing compliance methodology to include structures from completed construction projects within the Everglades Agricultural Area Basin (staff contact, Pam Wade, ext. 6901).
- Adoption of Everglades Program Feeder Canal Basin rules to incorporate BMP implementation and record-keeping requirements for landowners within the Feeder Canal Basin as described in the Long-Term Plan (staff contact, Pam Wade, ext. 6901).
- Updates to Lake Okeechobee Works of the District rules in response to 2016 Northern Everglades and Estuaries Protection Program amendments (staff contact, Pam Wade, ext.6901).

Core Mission and Strategic Priorities

The 2016/2017 Annual Regulatory Plan helps the District's 10-Year Strategic Plan by ensuring its rules are consistent with the District's rulemaking authority and the laws implemented. Additionally, the 2016/2017 Annual Regulatory Plan complies with Section 120.74, Florida

Statutes. Rulemaking will be conducted by District staff from Water Resources and Everglades Regulation, in coordination with Office of Counsel.

Staff Contact

Brian J. Accardo, General Counsel, Office of Counsel, 561-682-6232 / baccardo@sfwmd.gov

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0917

A Resolution of the Governing Board of the South Florida Water Management District certifying to the Joint Administrative Procedures Committee that the Governing Board has reviewed the 2016/2017 Annual Regulatory Plan and that the District regularly reviews and has recently reviewed its rules to determine if the rules remain consistent with the District's rulemaking authority and the laws implemented, as required by Section 120.74, Florida Statutes, effective immediately.

WHEREAS, the District must complete and certify a rulemaking plan by October 1 of each year. This Annual Regulatory Plan is required by Section 120.74, Florida Statutes, to inform the legislature and the public of what rules the agency intends to promulgate during the upcoming year.

WHEREAS, the Chairman of the Governing Board and General Counsel must certify that they have reviewed the plan and that the District regularly reviews and has recently reviewed its rules to determine if the rules remain consistent with the agency's rulemaking authority and the laws implemented.

WHEREAS, the District will submit the plan to the legislature's Joint Administrative Procedures Committee on October 1. The plan must be published on the District's website and maintained on a website for 10 years after the date of initial publication; **now therefore**

BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby certifies to the Joint Administrative Procedures Committee that the Governing Board has reviewed the 2016/2017 Annual Regulatory Plan and that the District completed a review of all of its rules in June of 2015, to determine if the rules remain consistent with the District's rulemaking authority and the laws implemented, as required by Section 120.74, Florida Statutes.

Section 2. A copy of the 2016/2017 Annual Regulatory Plan is attached hereto and made a part hereof.

Section 3. This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 8th day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

Chairman

Attest:

Legal form approved:

By:

Office of Counsel

District Clerk/Secretary

Print name:

South Florida Water Management District Annual Regulatory Plan 2016/2017

- Part I Each law enacted or amended during the previous 12 months which creates or modifies the duties or authority of the agency (120.74(1)(a)) **and update to the prior year’s regulatory plan or supplement (120.74(1)(c))**

- Part II Each law not otherwise listed in Part I which the agency expects to implement by rulemaking before July 1, 2017 (120.74(1)(b))

Part I Each law enacted or amended during the previous 12 months which creates or modifies the duties or authority of the agency (120.74(1)(a)) and update to the prior year's regulatory plan or supplement (120.74(1)(c))						
			Rulemaking Required		Rulemaking Not Required	
Law enacted or amended during prior 12 months that creates or modifies the District's authority or duties	Topic of the law	Does new law require rulemaking?	Date Notice of Rule Development published ¹	Date expected to publish Notice of Proposed Rule ²	If rulemaking is not required to implement the law, explain why	Division
Ch. 2016-1, s. 3, Laws of Fla. 373.036, Fla. Stat. (SB 0552)	Consolidated Water Management District Annual Report	No			This law is self-implementing.	Water Resources
Ch. 2016-1, s. 4, Laws of Fla. 373.037, Fla. Stat. (SB 0552)	Pilot program for alternative water supply development in restricted allocation areas	No			This law is self-implementing.	Water Resources
Ch. 2016-1, s. 5, Laws of Fla. 373.042 373.0421, Fla. Stat. (SB 0552)	Minimum flows and minimum water levels	No			The amendments reflect the South Florida Water Management District's current practice.	Water Resources
Ch. 2016-1, s. 7, Laws of Fla. 373.0465, Fla. Stat. (SB 0552)	Central Florida Water Initiative (CFWI)	No			DEP is required to adopt consumptive use permitting rules for the CFWI. No further rulemaking is required by the water management districts (WMDS) to implement DEP's CFWI rules.	Regulation

¹ Must be published before November 1; cite to FAR by Volume and Number

² Must be published before April 1

Part I Each law enacted or amended during the previous 12 months which creates or modifies the duties or authority of the agency (120.74(1)(a)) and update to the prior year's regulatory plan or supplement (120.74(1)(c))						
			Rulemaking Required		Rulemaking Not Required	
Law enacted or amended during prior 12 months that creates or modifies the District's authority or duties	Topic of the law	Does new law require rulemaking?	Date Notice of Rule Development published ¹	Date expected to publish Notice of Proposed Rule ²	If rulemaking is not required to implement the law, explain why	Division
Ch. 2016-1, s. 8, Laws of Fla. 373.1501(4), Fla. Stat. (SB 0552)	State authority to allocate water	No			This law codifies existing District authority.	Everglades Policy & Coordination
Ch. 2016-1, s. 10, Laws of Fla. 373.223, Fla. Stat. (SB 0552)	Conditions for a permit – water use monitoring	No			Authorizes WMDs to continue to apply water use monitoring criteria already in effect.	Regulation
Ch. 2016-1, s. 11, Laws of Fla. 373.2234, Fla. Stat. (SB 0552)	Preferred water supply sources	No			SFWMD has not identified any preferred water sources.	Water Resources
Ch. 2016-1, s. 12, Laws of Fla. 373.227, Fla. Stat. (SB 0552)	Water conservation incentive	No			Amendment is identical to rules previously adopted during the statewide consumptive use permitting consistency rulemaking.	Regulation
Ch. 2016-1, s. 13, Laws of Fla. 373.233, Fla. Stat. (SB 0552)	Competing applications	No			This law is self-implementing.	Regulation
Ch. 2016-1, s. 14, Laws of Fla. 373.4591(1) 373.4591(2), Fla. Stat. (SB 0552)	Public/Private Partnerships	No			This law is self-implementing.	Everglades Policy & Coordination

Part I Each law enacted or amended during the previous 12 months which creates or modifies the duties or authority of the agency (120.74(1)(a)) and update to the prior year's regulatory plan or supplement (120.74(1)(c))						
			Rulemaking Required		Rulemaking Not Required	
Law enacted or amended during prior 12 months that creates or modifies the District's authority or duties	Topic of the law	Does new law require rulemaking?	Date Notice of Rule Development published ¹	Date expected to publish Notice of Proposed Rule ²	If rulemaking is not required to implement the law, explain why	Division
Ch. 2016-1 S.15, Laws of Fla. 373.4595(3) 373.4595 (3)(a) 373.4595 (3)(a)1c 373.4595 (3)(a)2 373.4595 (3)(a)2a 373.4595 (3)(b) 373.4595 (3)(b)9 373.4595 (3)(b)13 373.4595 (4)(a)2, Fla. Stat. (SB 0552)	Northern Everglades and Estuaries Protection Program	No			This law is self-implementing.	Everglades Policy & Coordination
Ch. 2016-1 s.15, Laws of Fla. 373.4595(3)(b)7 373.4595(3)(b)10 373.4595(3)(b)21 373.4595(4)(b)8 373.4595(4)(c)8 373.4595 (4)(d)8, Fla. Stat. (SB 0552)	Northern Everglades and Estuaries Protection Program	Yes 40E-61 Works of the District Basins	Not yet published	March 2017		Regulation
Ch. 2016-1, s. 17, 19, 20, and 21, Laws of Fla. 373.536 373.705 373.707 373.709, Fla. Stat. (SB 0552)	Water Resource Development Work Program	No			This law is self-implementing.	Water Resources
Ch. 2016-1, s. 34, Laws of Fla. 403.0675, Fla. Stat. (SB 0552)	Progress reports	No			This law is self-implementing.	Water Resources

Attachment: 2016 Regulatory Plan (Resolution No. 2016 - 0917 : Fiscal Year 2016/2017 Annual Regulatory

Part I Each law enacted or amended during the previous 12 months which creates or modifies the duties or authority of the agency (120.74(1)(a)) and update to the prior year's regulatory plan or supplement (120.74(1)(c))						
			Rulemaking Required		Rulemaking Not Required	
Law enacted or amended during prior 12 months that creates or modifies the District's authority or duties	Topic of the law	Does new law require rulemaking?	Date Notice of Rule Development published ¹	Date expected to publish Notice of Proposed Rule ²	If rulemaking is not required to implement the law, explain why	Division
Ch. 2016-1, s. 36, Laws of Fla. 403.928, Fla. Stat. (SB 0552)	Assessment of water resources and conservation lands	No			This law is self-implementing.	Water Resources
Ch. 2016-6, Laws of Fla. 119.071, Fla. Stat. (SB 0182)	Public Records and Meetings/Trade Secrets	No			This law is self-implementing.	Board & Executive Services
Ch. 2016-20, Laws of Fla. 119.0701, Fla. Stat. (HB 0273)	Public Records/ Public Agency Contract for Services	No			This law is self-implementing.	Board & Executive Services
Ch. 2016-36, Laws of Fla. 215.4725, Fla. Stat. (SB 0086)	Scrutinized Companies	No			This law is self-implementing.	Administrative Services
2016-63, Laws of Fla. 1271.71 121.74, Fla. Stat. (HB 5005)	State-Administered Retirement Systems	No			This law is self-implementing.	Administrative Services
Ch. 2016-154, Laws of Fla. 287.05712, Fla. Stat. (SB 0126)	Public Records and Public Meetings/ Public-Private Partnerships	No			This law is self-implementing.	Board & Executive Services
Ch. 2016-164, Laws of Fla. 119.071, Fla. Stat. (SB 0752)	Public records; Inspector General Personnel	No			This law is self-implementing.	Board & Executive Services
2016-178, Laws of Fla. 119.071, Fla. Stat. (SB 1004)	Public Records/ Security System Plans	No			This law is self-implementing.	Board & Executive Services

Part I Each law enacted or amended during the previous 12 months which creates or modifies the duties or authority of the agency (120.74(1)(a)) and update to the prior year's regulatory plan or supplement (120.74(1)(c))						
			Rulemaking Required		Rulemaking Not Required	
Law enacted or amended during prior 12 months that creates or modifies the District's authority or duties	Topic of the law	Does new law require rulemaking?	Date Notice of Rule Development published ¹	Date expected to publish Notice of Proposed Rule ²	If rulemaking is not required to implement the law, explain why	Division
Ch. 2016-201, Laws of Fla. 375.041, Fla. Stat. (HB 0989)	Water and Land Conservation Constitutional Amendment	No			This law is self-implementing.	Administrative Services
2016-233, Laws of Fla. 373.089, Fla. Stat. (HB 1075)	State Areas	No			This law is self-implementing.	Real Estate

Part II Each law not otherwise listed in Part I which the agency expects to implement by rulemaking before July 1 (120.74(1)(b))			
Law Implemented	Rule Number & Title	Reason for the rule i.e., to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary or redundant rules	Division
373.042, 373.0421, 373.083, 373.109, 373.196, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239, 373.250, Fla. Stat.	40E-2.091 Publications Incorporated by Reference Applicant's Handbook for Water Use Permit Applications , section 3.11	Establish CUP criteria corresponding to the water reservation for the Kissimmee River, its floodplain, the headwater lakes & Upper Chain of Lakes Notice of rule development published July 16, 2014, Vol. 40 No. 137	Water Resources
373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470, Fla. Stat.	40E-10.011 – 40E-10.071 Water Reservation Areas: Upper and Lower Kissimmee Basin	Establish a water reservation for the Kissimmee River, its floodplain, the headwater lakes & Upper Chain of Lakes Notice of rule development published July 16, 2014, Vol. 40 No. 137	Water Resources
373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470, Fla. Stat.	40E-10.041 – 40E-10.061 Water Reservation Areas: Lower West Coast, Upper East Coast & Lower East Coast	Consistency with Administrative Law Judge's (ALJ) ruling in Division of Administrative Hearings (DOAH) Case No. 14-1329	Water Resources
373.016, 373.085(1)(b) and (2), 373.086(1), 373.451(6) and (7), 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), Fla. Stat.	40E-63.091-40E-63.148 Everglades Program	Update the existing rule-adopted compliance methodology to include structures from completed construction projects, e.g. A1-FEB, STA expansions, Diversion Projects, within the Everglades Agricultural Area Basin	Regulation
373.016, 373.085(1)(b) and (2), 373.086(1), 373.451(6) and (7), 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), Fla. Stat.	40E-63.500 -40E-63.520 Everglades Program Feeder Canal Basin	Incorporate BMP implementation and record keeping requirements for landowners within the Feeder Canal Basin as described in the Long-Term Plan	Regulation



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Pursuant to section 120.74, Florida Statutes, the undersigned hereby certify that they have reviewed the regulatory plan for the South Florida Water Management District (District) and that the District regularly reviews all of its rules to determine if the rules remain consistent with the agency's rulemaking authority and the laws implemented. The District completed its most recent review of its existing rules in June of 2015.

Dated this _____ day of September, 2016.

GENERAL COUNSEL

GOVERNING BOARD CHAIRMAN

MEMORANDUM

TO: Governing Board Members

FROM: Brian J. Accardo, General Counsel

DATE: September 08, 2016

SUBJECT: Amedment of District Policies Code Sections 101-41 and 101-48

Summary:

This item pertains to delegation of authority to the Executive Director. Two new delegations are recommended. First, all permit applications recommended for denial by staff currently are presented to the Governing Board for final action. Within that category of permit applications are those that remain incomplete beyond the timeframes provided in Rule 40E-1.603, Florida Administrative Code (F.A.C.), and Section 5.5.3.5 of the Environmental Resource Permit Applicant's Handbook, Volume I. There is a backlog of these incomplete permit applications that go before the Governing Board for final action. If the Executive Director, through designated staff, is delegated the authority to take final action on these incomplete permit applications, the backlog of permit denials could be expediently acted upon and a future backlog of incomplete permit applications would be prevented. The delegation would allow the Executive Director, through designated staff, the ability to deny incomplete permit applications unless an applicant requests referral to the Governing Board for final action. The Governing Board would retain its authority to take final action to deny all other permit applications. This process further improves the practice first established under Governing Board Resolution No. 2009-614.

Second, all petitions for variances to the mandatory year-round landscape irrigation conservation measures set forth in Chapter 40E-24, F.A.C., including those requested on the basis of more efficient landscape irrigation technology as described in Section 373.62, Florida Statutes, go before the Governing Board for final action. The use of alternative irrigation schedules and more efficient landscape irrigation technology could be implemented more quickly by the petitioners if the authorization to take final action is delegated to the Executive Director and designated staff.

Staff Recommendation:

Staff recommends that the Governing Board amend Section 101-41 and Section 101-48 of the District Policies Code to delegate authority to the Executive Director to deny those permit applications under part II and part IV of Chapter 373, Florida Statutes, that remain incomplete beyond the timeframes provided in Rule 40E-1.603, F.A.C., and Section 5.5.3.5 of the Environmental Resource Permit Applicant's Handbook, Volume I, and to take final action on petitions for variances to the mandatory year-round landscape irrigation conservation measures set forth in Chapter 40E-24, F.A.C.

Additional Background:

When a permit application has remained incomplete for an extended period of time as described in Rule 40E-1.603, F.A.C., and Section 5.5.3.5 of the Environmental Resource Permit Applicant's Handbook, Volume I, the District will send the applicant a letter informing the applicant that the District will deny the application for incompleteness unless the applicant requests that the application go to the Governing Board for final action. This process satisfies

the requirements for the Governing Board to create a process for referrals of denials to the Board as required by Sections 373.079(4)(a) and 373.083(5), Florida Statutes.

Staff Contact and/or Presenter:

Maricruz Fincher, Attorney, Office of Counsel, 561-682-6842 / mfincher@sfwmd.gov

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0918

A Resolution of the Governing Board of the South Florida Water Management District amending Section 101-41 and Section 101-48 of the District Policies Code to delegate authority to the Executive Director to deny those permit applications under part II and part IV of Chapter 373, Florida Statutes, that remain incomplete beyond the timeframes provided in Rule 40E-1.603, Florida Administrative Code, and Section 5.5.3.5 of the Environmental Resource Permit Applicant's Handbook, Volume I, and to take final action on petitions for variances to the mandatory year-round landscape irrigation conservation measures set forth in Chapter 40E-24, Florida Administrative Code.

WHEREAS, currently, all permit applications recommended for denial by staff are presented to the Governing Board for final action; and

WHEREAS, there is a backlog of incomplete permit applications that are required to go before the Governing Board for final action due to applicant failure to supply the information necessary to complete the applications; and

WHEREAS, if the Executive Director, through designated staff, is delegated the authority to take final action on these incomplete permit applications, the backlog of permit denials could be expediently acted upon and a future backlog of incomplete permit applications would be prevented; and

WHEREAS, the Governing Board wishes to have the Executive Director, through designated staff, take final action on permit applications that remain incomplete beyond the timeframes provided in Rule 40E-1.603, Florida Administrative Code, and Section 5.5.3.5 of the Environmental Resource Permit Applicant's Handbook, Volume I, unless an applicant requests referral to the Governing Board for final action; and

WHEREAS, the Governing Board wishes to retain its authority to take final action to deny all other permit applications; and

WHEREAS, the Governing Board wishes to have the Executive Director, through designated staff, take final action on petitions for variances to promote the use of efficient landscape irrigation technology, such as smart irrigation controllers, and to authorize flexibility in complying with the mandatory year-round landscape irrigation conservation measures set forth in Section 373.62, Florida Statutes, and Chapter 40E-24, Florida Administrative Code; and

WHEREAS, this process satisfies the requirements for the Governing Board to create a process for referrals of denials to the Board as required by Sections 373.079(4)(a) and 373.083(5), Florida Statutes.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board adopts the following amendments to the District Policies Code:

Sec. 101-41. - Agency Administration Delegations.

- (a) The Governing Board delegates to the Executive Director its authority to:
- ~~(1) Take final action on permit applications under parts II or IV of Chapter 373, Florida Statutes, or petitions for variances or waivers of permitting requirements under parts II or IV of Chapter 373, Florida Statutes or verification of exemptions to permitting criteria under part IV of Chapter 373, Florida Statutes and Chapter 403, Florida Statutes, and any rules promulgated thereunder. The Executive Director may execute this delegated authority through designated staff.~~
 - ~~(2) Employ an Ombudsman.~~

Sec. 101-48. - Regulatory and Planning Delegations.

- (a) The following are hereby delegated from the Governing Board to the Executive Director and General Counsel:
- (1) Approval of special case agreements that deviate from the Environmental Resource Permitting Bureau or enforcement responsibilities between the District and DEP.
 - (2) Review of, and recommendation of, appropriate changes to Chapter 298, Florida Statutes, Water Control District Water Control Plans, pursuant to Section 298.225, Florida Statutes.
 - (3) Issuance of general permits pursuant to Section 373.118(5), Florida Statutes.
 - (4) Approval of interagency agreements delegating permitting and/or enforcement responsibilities between the District and any adjoining water management district pursuant to Section 373.046(6), Florida Statutes.

The Executive Director or General Counsel may execute this delegated authority through designated staff.

(b) The Governing Board delegates to the Executive Director the following authority, which may be executed through designated staff:

- (1) Issue permits under parts II and IV of Chapter 373, Florida Statutes.
- (2) Deny permit applications under parts II and IV of Chapter 373, Florida Statutes, that remain incomplete beyond the timeframes provided in Rule 40E-1.603, Florida Administrative Code, and Section 5.5.3.5 of the Environmental Resource Permit Applicant's Handbook, Volume I, unless the applicant requests that the permit application be referred to the Governing Board for final action.
- (3) Take final action on petitions for variances or waivers of permitting requirements under parts II or IV of Chapter 373, Florida Statutes.
- (4) Verify exemptions under part IV of Chapter 373, Florida Statutes, and Chapter 403, Florida Statutes, and any rules promulgated thereunder.
- (5) Take final action on petitions for variances under Section 373.62, Florida Statutes, and Chapter 40E-24, Florida Administrative Code.

(c) The Governing Board will take final action on other permit application denials not described in subsection 101-48(b)(2) above.

Section 2. This resolution shall take effect immediately upon adoption.

PASSED and **ADOPTED** this 8th day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT
DISTRICT, BY ITS GOVERNING BOARD
By:

Chairman

Attest:

Legal form approved:
By:

District Clerk/Secretary

Office of Counsel

Print name:

MEMORANDUM

TO: Governing Board Members

FROM: Peter Antonacci, Executive Director

DATE: September 08, 2016

SUBJECT: Florida Bay Project Update - Peter Antonacci, Executive Director

MEMORANDUM

TO: Governing Board Members

FROM: Terrie Bates, Director, Water Resources Division

DATE: September 08, 2016

SUBJECT: Cooperative Funding Program

Summary

This item is for authorization to enter into two-year agreements with the Cooperative Funding Program (CFP) applicants in an amount not to exceed a total of \$9,082,900 one-time funding. The CFP provides partnership opportunities and financial incentives to implement local stormwater management, alternative water supply, and water conservation projects.

Additional Background

For nearly two decades, the District has provided funding to local governments, special districts, utilities, homeowners associations, water users and other public and private organizations for stormwater management, alternative water supply, and water conservation projects that are consistent with the agency's core mission. The CFP combines these funding programs into one streamlined program to provide partnership opportunities and financial incentives to implement local projects that complement regional flood control, restoration, water quality and water supply efforts.

Project applications were received from public and private entities, including local governments, special districts, utilities, homeowner associations, agricultural interests and other water users during the application period. A total of 142 applications were received. Projects were processed and organized based on considerations outlined by the Governing Board for each program type. Funding amounts are pursuant to the guidelines established by the Governing Board. Agreements will commence on October 1, 2016 and will terminate on October 31, 2018. The proposed budget may not be sufficient to allocate funding to all projects.

Core Mission and Strategic Priorities

These projects will support the following District core missions: flood control, restoration, water quality, and water supply efforts. Supporting alternative water supply, water conservation measures, and stormwater management projects are strategic priorities.

Staff Contact and/or Presenter

Terrie Bates, tbates@sfwmd.gov <<mailto:tbates@sfwmd.gov>>, (561) 682-6952

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0919

A Resolution of the Governing Board of the South Florida Water Management District authorizing entering into two-year agreements with Cooperative Funding Program applicants in an amount not to exceed a total of \$9,082,900 for the purpose of implementing local alternative water supply, stormwater management, and water conservation projects; providing an effective date.

WHEREAS, in 2016, the Governing Board combined the Alternative Water Supply, Stormwater Management, and Water Conservation funding programs into one streamlined program to provide partnership opportunities and financial incentives to implement local projects that complement regional flood control, restoration, water quality and water supply efforts;

WHEREAS, the Governing Board has budgeted one-time funding of \$9,082,900 in District ad valorem funds in the FY2017 budget for Cooperative Funding Program assistance;

WHEREAS, the Governing Board has determined the District has otherwise met all applicable requirements in order to grant the awards for the projects in the attached lists (Exhibits "A", "B", and "C") and has determined the projects best meet the considerations for funding set forth by the Governing Board in the Cooperative Funding Program considerations and guidelines;

WHEREAS, the staff requests approval should any project withdraw, reject, cancel, or if other funding becomes available, the funding be reallocated to projects on the attached lists (Exhibits "A", "B", and "C"); **now therefore**

BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby determines it is necessary, appropriate and in the public interest to approve the list of Cooperative Funding Program projects and the amount of funding for each project, as reflected in the attached Exhibits "A", "B", and "C".

Section 2. The Governing Board authorizes the Executive Director or his designee to reallocate funds to projects on the Governing Board approved lists (Exhibits "A", "B", and "C") should other funding become available or if any applicant withdraws, rejects, or cancels their project.

Section 3. The Executive Director or his designee is authorized to execute the Cooperative Funding Program agreements with the selected applicants listed in the Exhibits attached to this resolution in the amounts reflected therein.

Section 4. This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 8th day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

Chairman

Attest:

Legal form approved:

By:

District Clerk/Secretary

Office of Counsel

Print name:

**South Florida Water Management District
Cooperative Funding Program
Exhibit "A" Alternative Water Supply
DRAFT**

CFP No.	Entity	Project	County	Construction Cost this Phase	Requested Funding	CFP Maximum Funding Guideline	CFP Funding (Proposed)	Cumulative Funding
AWS-2011	Orange County Utilities	Lower Floridan Booster Pump Station (International Drive Area)	Orange	\$2,364,600	\$500,000	\$500,000	\$500,000	\$500,000
AWS-2020 & AWS-2021	Osceola County	Judge Farms Reservoir & Impoundment Project (CFWI ST-1 & RWSP #128) - Phase 1 and 2	Osceola	\$13,500,000	\$1,000,000	\$500,000	\$400,000	\$900,000
AWS-2012	City of Pompano Beach	Reclaimed Water System Expansion - NE Pompano and Lighthouse Point	Broward	\$1,650,000	\$500,000	\$500,000	\$400,000	\$1,300,000
AWS-2005	City of Delray Beach	Reclaimed Water System Expansion - Area 12C	Palm Beach	\$1,182,611	\$591,306	\$500,000	\$400,000	\$1,700,000
AWS-2000	City of Coconut Creek	Reclaimed Water Main Extension - Wiles Road	Broward	\$1,000,000	\$500,000	\$500,000	\$300,000	\$2,000,000
AWS-2006	Toho Water Authority	12-inch Reclaimed Water Main Extension - Lakeshore Park and Downtown	Osceola	\$750,000	\$375,000	\$375,000	\$300,000	\$2,300,000
AWS-2002	City of Sunrise	Sawgrass Water Reclamation Facility (WRF) - Phase I	Broward	\$15,408,000	\$500,000	\$500,000	\$300,000	\$2,600,000
AWS-2004	Fort Pierce Utilities Authority	RO Expansion - 2nd RO Concentrate Disposal Well	St. Lucie	\$4,200,000	\$1,000,000	\$500,000	\$200,000	\$2,800,000
AWS-2010	Toho Water Authority	South Bermuda WRF Reuse Pump Station Expansion	Osceola	\$300,000	\$150,000	\$150,000	\$150,000	\$2,950,000
AWS-2001	Lee County Utilities	Reclaimed Water ASR (Fort Myers Beach/Fiesta Village)	Lee	\$1,350,000	\$500,000	\$500,000	\$200,000	\$3,150,000
AWS-2018	City of Cape Coral	Water North 2 Utility Extension Program - Irrigation Transmission (City Priority #1)	Lee	\$17,150,000	\$500,000	\$500,000	\$200,000	\$3,350,000
AWS-2016	City of Cape Coral	Water North 2 Utility Extension Program - Irrigation Canal Pump Station East #10 (City Priority #2)	Lee	\$10,500,000	\$500,000	\$500,000	\$200,000	\$3,550,000
AWS-2009	City of Sunrise	Reclaimed Water Main Extension - Springtree Drive	Broward	\$236,428	\$118,213	\$118,214	\$115,000	\$3,665,000
AWS-2013 & AWS-2014	Ave Maria Utility Company, LLLP	Phase III Reclaimed Water System Expansion - Lined Storage Pond and Reclaimed Water Main Extension along Anthem Parkway	Collier	\$1,021,623	\$510,811	\$500,000	\$150,000	\$3,815,000

Attachment: CoopFundingProgram_Attachment (Resolution No. 2016 - 0919 : Cooperative Funding

¹City prioritized project as 3 or 4 for funding

²Operations maintenance and/or did not meet program requirements

**South Florida Water Management District
Cooperative Funding Program
Exhibit "A" Alternative Water Supply
DRAFT**

CFP No.	Entity	Project	County	Construction Cost this Phase	Requested Funding	CFP Maximum Funding Guideline	CFP Funding (Proposed)	Cumulative Funding
AWS-2015 ¹	City of Cape Coral	Water North 2 Utility Extension Program - Irrigation Canal Pump Station West #9 <i>(City Priority #3)</i>	Lee	\$10,500,000	\$500,000	\$500,000	\$0	\$0
AWS-2017 ¹	City of Cape Coral	Water North 2 Utility Extension Program - Reclaimed Water Storage Tanks and Reclaimed Water Booster Pump Station <i>(City Priority #4)</i>	Lee	\$10,800,000	\$500,000	\$500,000	\$0	\$0
AWS-2019 ²	Ave Maria Utility Company, LLLP	Ave Maria Lined Irrigation Lake Liner Replacement <i>(O&M - does not meet program requirements)</i>	Collier	\$698,000	\$349,000	\$349,000	\$0	\$0
AWS-2007 ²	Broward County Water and Wastewater Services	Secondary Canal Interconnections - Sample Road Recharge Line <i>(does not meet program requirements)</i>	Broward	\$1,000,000	\$500,000	\$500,000	\$0	\$0
AWS-2003 ²	City of Everglades City	Reclaimed Water Effluent Filter Replacement <i>(O&M - does not meet program requirements)</i>	Collier	\$1,500,000	\$250,000	\$500,000	\$0	\$0
AWS-2008 ²	Town of Bay Harbor Islands	Bay Harbor Islands Sewer Lateral Lining Project <i>(does not meet program requirements)</i>	Miami-Dade	\$2,100,000	\$1,000,000	\$500,000	\$0	\$0
TOTAL				\$97,211,262	\$10,344,330	\$8,992,214	\$3,815,000	

Attachment: CoopFundingProgram_Attachment (Resolution No. 2016 - 0919 : Cooperative Funding

¹City prioritized project as 3 or 4 for funding

²Operations maintenance and/or did not meet program requirements

**South Florida Water Management District
Cooperative Funding Program
Exhibit "B" Stormwater Management
DRAFT**

CFP No.	Entity	Project	County	Type	Receiving Waters	Eligible Construction Cost	Requested Funding	CFP Maximum Funding Guideline	CFP Funding (Proposed)	Cumulative Funding
SW-2047	Lee County Conservation 2020 Program	Six Mile Cypress Slough Preserve North Hydrological Restoration	Lee	Natural System Restoration	Caloosahatchee River	\$300,000	\$150,000	\$150,000	\$150,000	\$150,0
SW-2030	Indian Trail Improvement District	Moss Property Rehydration	Palm Beach	Natural System Restoration	Loxahatchee River	\$360,000	\$180,000	\$180,000	\$150,000	\$300,0
SW-2004	City of Port St. Lucie Utility Systems Department	City of Port St. Lucie Water Farm Phase 1	St. Lucie	Storage	C-23 and St Lucie River Estuary	\$705,000	\$400,000	\$250,000	\$200,000	\$500,0
SW-2019	Lehigh Acres - Municipal Services Improvement District	Moving Water South, Phase II	Lee	Natural System Restoration	Tidal Caloosahatchee	\$750,000	\$375,000	\$250,000	\$200,000	\$700,0
SW-2026	Lee County Division of Natural Resources	Fichter's Creek Restoration Project	Lee	Natural System Restoration	Caloosahatchee River	\$2,094,190	\$250,000	\$250,000	\$150,000	\$850,0
SW-2016	City of Port St. Lucie	Veterans Memorial Stormwater Quality Retrofit Phase 1 & 2	St. Lucie	Water Quality/Quantity Improvement	North Fork of St Lucie River	\$250,000	\$125,000	\$125,000	\$125,000	\$975,0
SW-2008 ¹	Spring Lake Improvement District	Spring Lake Improvement District Stormwater Treatment Area - Phase 4	Highlands	Water Quality/Quantity Improvement	Lake Istokpoga via Arbuckle Creek	\$2,587,276	\$1,962,276	\$250,000	\$200,000	\$1,175,0
SW-2046	City of Sanibel	Jordan Marsh Water Quality Treatment Park	Lee	Water Quality/Quantity Improvement	Sanibel River	\$400,000	\$200,000	\$200,000	\$150,000	\$1,325,0
SW-2076	Village of Pinecrest	SW 70th Ave. and 100th St. Stormwater Improvement Project for Sub-Basin C100DN-1E	Miami-Dade	Water Quality/Quantity Improvement	C-100 and Biscayne Bay	\$500,000	\$250,000	\$250,000	\$150,000	\$1,475,0
SW-2048	Lee County Conservation 2020 Program	Charlotte Harbor Buffer Preserve Hydrological Restoration	Lee	Natural System Restoration	Caloosahatchee River	\$150,000	\$75,000	\$75,000	\$75,000	\$1,550,0
SW-2023	Martin County Board of County Commissioners	Cypress Creek Weir Project	Martin	Natural System Restoration	Loxahatchee River	\$460,000	\$230,000	\$230,000	\$150,000	\$1,700,0
SW-2040	City of Bonita Springs	Felts Avenue Bio-Reactor	Lee	Water Quality/Quantity Improvement	Imperial River	\$650,000	\$250,000	\$250,000	\$100,000	\$1,800,0
SW-2022	Martin County Board of County Commissioners	Warner Creek Improvement Project	Martin	Water Quality/Quantity Improvement	Warner Creek and St Lucie River	\$1,500,000	\$250,000	\$250,000	\$175,000	\$1,975,0

Attachment: CoopFundingProgram_Attachment (Resolution No. 2016 - 0919 : Cooperative Funding

¹REDI Community

²Proposed funding under AWS CFP Applications - AWS-2020 and AWS-2021

**South Florida Water Management District
Cooperative Funding Program
Exhibit "B" Stormwater Management
DRAFT**

CFP No.	Entity	Project	County	Type	Receiving Waters	Eligible Construction Cost	Requested Funding	CFP Maximum Funding Guideline	CFP Funding (Proposed)	Cumulative Funding
SW-2088	Town of Windermere	First Avenue and Forest Street Drainage Improvements	Orange	Water Quality/Quantity Improvement	Lake Butler	\$431,715	\$223,903	\$215,858	\$175,000	\$2,150,0
SW-2059	Town of Miami Lakes	Miami Lakes Lake Sarah Drainage Improvements Project	Miami-Dade	Water Quality/Quantity Improvement	Lake Sarah, Lake Adela, Lake Hilda	\$1,161,868	\$350,000	\$250,000	\$125,000	\$2,275,0
SW-2089	Town of Sewall's Point	Mandalay to Marguerita / South Sewall's Point Road Improvements	Martin	Water Quality/Quantity Improvement	St Lucie River Estuary, IRL-S	\$500,000	\$250,000	\$250,000	\$100,000	\$2,375,0
SW-2095 ¹	Central County Water Control District	Pump Station #11 Project	Hendry	Flood Protection	Alico Canal, L-2 Canal	\$281,000	\$210,750	\$210,750	\$200,000	\$2,575,0
SW-2085	North Bay Village	North Bay Village Outfall Improvement Project	Miami-Dade	Infrastructure Improvement	Biscayne Bay	\$450,000	\$250,000	\$225,000	\$150,000	\$2,725,0
SW-2098 ¹	City of Clewiston	Ventura Avenue Drainage and Water Quality Project	Hendry	Water Quality/Quantity Improvement	Lake Okeechobee	\$333,000	\$250,000	\$249,750	\$175,000	\$2,900,0
SW-2002	Village of Palmetto Bay	Drainage Infrastructure Improvements Sub-Basin 59/60	Miami-Dade	Water Quality/Quantity Improvement	C-100 and Biscayne Bay	\$779,000	\$250,000	\$250,000	\$125,000	\$3,025,0
SW-2093	City of Sweetwater	Stormwater Improvements: Phase 2B	Miami-Dade	Water Quality/Quantity Improvement	C-4 and Biscayne Bay	\$3,848,791	\$152,270	\$250,000	\$125,000	\$3,150,0
SW-2013	Town of Southwest Ranches	Dykes Road Drainage and Water Quality Project	Broward	Water Quality/Quantity Improvement	C-11	\$378,868	\$189,433	\$189,434	\$100,000	\$3,250,0
SW-2070	Riviera Beach	Singer Island South	Palm Beach	Water Quality/Quantity Improvement	Lake Worth Lagoon	\$1,183,583	\$250,000	\$250,000	\$150,000	\$3,400,0
SW-2049	Monroe County BOCC	Key Largo II Roadway and Drainage Improvement Project	Monroe	Flood Protection	Florida Keys	\$800,000	\$250,000	\$250,000	\$150,000	\$3,550,0
SW-2034	City of Oakland Park	East South Zone	Broward	Water Quality/Quantity Improvement	C-13	\$649,777	\$250,000	\$250,000	\$100,000	\$3,650,0
SW-2027	Village of Islamorada	Venetian Shores Stormwater Management Project: Bayview Isle Dr. and Villa Bella Dr.	Monroe	Water Quality/Quantity Improvement	Florida Keys	\$746,425	\$250,000	\$250,000	\$150,000	\$3,800,0
SW-2092	City of West Palm Beach	Gregory Road Green Streets Initiative	Palm Beach	Water Quality/Quantity Improvement	Lake Worth Lagoon	\$55,000	\$50,000	\$27,500	\$27,500	\$3,827,5

Attachment: CoopFundingProgram_Attachment (Resolution No. 2016 - 0919 : Cooperative Funding

¹REDI Community

²Proposed funding under AWS CFP Applications - AWS-2020 and AWS-2021

**South Florida Water Management District
Cooperative Funding Program
Exhibit "B" Stormwater Management
DRAFT**

CFP No.	Entity	Project	County	Type	Receiving Waters	Eligible Construction Cost	Requested Funding	CFP Maximum Funding Guideline	CFP Funding (Proposed)	Cumulative Funding
SW-2087 ¹	City of Okeechobee	Centennial Park Stormwater Drainage Construction	Okeechobee	Water Quality/Quantity Improvement	Lake Okeechobee	\$250,000	\$250,000	\$187,500	\$175,000	\$4,002,5
SW-2021	Martin County Board of County Commissioners	Hilltop Water Quality Retrofit Project	Martin	Water Quality/Quantity Improvement	Warner Creek and St Lucie River	\$250,000	\$125,000	\$125,000	\$100,000	\$4,102,5
SW-2061	City of Key Colony Beach, FL	12th Street Stormwater	Monroe	Water Quality/Quantity Improvement	Florida Keys	\$500,000	\$250,000	\$250,000	\$100,000	\$4,202,5
SW-2050	Jupiter Inlet Colony	Neighborhood Rehabilitation Project (Septic Tank Conversion)	Palm Beach	Water Quality/Quantity Improvement	Intracoastal Waterway and Jupiter Inlet (South Sector, Indian River Lagoon)	\$4,674,244	\$935,000	\$250,000	\$75,000	\$4,277,5
SUBTOTAL - Projects Within Available Funding Level						\$27,979,737	\$9,433,632	\$6,640,792	\$4,277,500	
SW-2006	City of Boynton Beach	Ocean Inlet Drive Drainage Improvements Project	Palm Beach	Water Quality/Quantity Improvement	Lake Worth Lagoon	\$300,000	\$150,000	\$150,000		
SW-2041	City of Bonita Springs	Pine Lake Preserve Re-Hydration	Lee	Natural System Restoration	Imperial River	\$1,200,000	\$600,000	\$250,000		
SW-2086	Town of Windermere	Town-Wide Drainage Improvements	Orange	Water Quality/Quantity Improvement	Lake Butler	\$409,604	\$204,802	\$204,802		
SW-2020	City of Sanibel	Sanibel Floating Treatment Wetland (FTW) Demonstration Project	Lee	Water Quality/Quantity Improvement	Sanibel River	\$25,000	\$12,500	\$12,500		
SW-2064	Conservation Foundation of the Gulf Coast	Pine Island Flatwoods Restoration	Lee	Natural System Restoration	Lower Charlotte Harbor	\$435,500	\$217,000	\$217,750		
SW-2072	Riviera Beach	Avenue O Neighborhood Infrastructure Improvements	Palm Beach	Water Quality/Quantity Improvement	C-17 Canal and Lake Worth Lagoon	\$1,780,018	\$250,000	\$250,000		
SW-2037	Lee County Division of Natural Resources	Lakes Park Littoral Zone	Lee	Water Quality/Quantity Improvement	Hendry Creek	\$900,000	\$250,000	\$250,000		
SW-2073	Riviera Beach	W 6th Street to W 7th Street	Palm Beach	Water Quality/Quantity Improvement	C-17 Canal and Lake Worth Lagoon	\$246,530	\$123,265	\$123,265		

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**South Florida Water Management District
Cooperative Funding Program
Exhibit "B" Stormwater Management
DRAFT**

CFP No.	Entity	Project	County	Type	Receiving Waters	Eligible Construction Cost	Requested Funding	CFP Maximum Funding Guideline	CFP Funding (Proposed)	Cumulative Funding
SW-2096 ¹	Central County Water Control District	North Datil Paving and Swale Improvement Project	Hendry	Water Quality/Quantity Improvement	L-2 Canal, Western Evergla	\$679,950	\$250,000	\$250,000		
SW-2044	Naples	Naples Bay Restoration and Water Quality Improvements at the Cove	Collier	Water Quality/Quantity Improvement	Naples Bay	\$898,400	\$250,000	\$250,000		
SW-2065	City of Fort Myers	Caloosahatchee Shoreline Stabilization Phase 1	Lee	Infrastructure Improvement	Caloosahatchee River	\$525,000	\$250,000	\$250,000		
SW-2069	Riviera Beach	Federal Gardens W 11 St to W 14 St	Palm Beach	Water Quality/Quantity Improvement	C-17 Canal and Lake Worth Lagoon	\$525,450	\$250,000	\$250,000		
SW-2012	City of Coral Springs	Stormwater Improvement at Corporate Park	Broward	Water Quality/Quantity Improvement	C-14	\$340,000	\$170,000	\$170,000		
SW-2028	Village of Islamorada	Venetian Shores Stormwater Management Project: Palermo Dr. and Porto Salvo Dr.	Monroe	Water Quality/Quantity Improvement	Florida Keys	\$606,968	\$250,000	\$250,000		
SW-2015	Collier County	Griffin Road Area Stormwater Project	Collier	Natural System Restoration	Rookery Bay	\$1,200,000	\$250,000	\$250,000		
SW-2063	City of West Miami	West Miami Stormwater Drainage Improvements, Phase IV	Miami-Dade	Flood Protection	C-4 and Biscayne Bay	\$231,676	\$115,838	\$115,838		
SW-2074	Riviera Beach	Avenue H East and West - North of Blue Heron	Palm Beach	Water Quality/Quantity Improvement	Lake Worth Lagoon	\$1,546,500	\$250,000	\$250,000		
SW-2077	City of Cape Coral	Stormwater Improvements North 2 Utility Extension Program - East of Burnt Store Rd., Catch Basins	Lee	Water Quality/Quantity Improvement	Lower Charlotte Harbor	\$1,816,600	\$250,000	\$250,000		
SW-2014	Collier County	Lely Branch Canal Water Control Structure	Collier	Water Quality/Quantity Improvement	Lely Main Canal and Rookery Bay	\$497,400	\$248,700	\$248,700		
SW-2080	City of Cape Coral	Stormwater Improvements North 2 Utility Extension Program - West of Burnt Store Rd., Catch Basins	Lee	Water Quality/Quantity Improvement	Lower Charlotte Harbor	\$473,000	\$236,500	\$236,500		
SW-2081	Town of Cutler Bay	Town of Cutler Bay SW 100 Avenue Drainage Improvements	Miami-Dade	Water Quality/Quantity Improvement	C-100 and Biscayne Bay	\$945,192	\$250,000	\$250,000		
SW-2005	City of Boynton Beach	N.E. 20th Avenue Drainage Improvements Project	Palm Beach	Infrastructure Improvement	Groundwater	\$630,000	\$250,000	\$250,000		
SW-2031	Indian Trail Improvement District	M-1 Canal Enhancements	Palm Beach	Infrastructure Improvement	Loxahatchee River	\$1,576,260	\$250,000	\$250,000		

Attachment: CoopFundingProgram_Attachement (Resolution No. 2016 - 0919 : Cooperative Funding

¹REDI Community

²Proposed funding under AWS CFP Applications - AWS-2020 and AWS-2021

**South Florida Water Management District
Cooperative Funding Program
Exhibit "B" Stormwater Management
DRAFT**

CFP No.	Entity	Project	County	Type	Receiving Waters	Eligible Construction Cost	Requested Funding	CFP Maximum Funding Guideline	CFP Funding (Proposed)	Cumulative Funding
SW-2051	Jupiter Inlet Colony	Neighborhood Rehabilitation Project (Stormwater Improvements)	Palm Beach	Flood Protection	Intracoastal Waterway and Jupiter Inlet	\$2,422,093	\$485,000	\$250,000		
SW-2083	City of Coral Gables	Water Quality Improvements - City of Coral Gables Outfalls	Miami-Dade	Water Quality/Quantity Improvement	C-3, Biscayne Bay	\$100,000	\$100,000	\$50,000		
SW-2032	City of Homestead	Losner Park	Miami-Dade	Infrastructure Improvement	Biscayne Bay	\$3,516,477	\$250,000	\$250,000		
SW-2039	Monroe County BOCC	Key Largo I Roadway and Drainage Improvement Project	Monroe	Water Quality/Quantity Improvement	Florida Keys	\$850,000	\$250,000	\$250,000		
SW-2079	Town of Lantana	Lantana Cove Stormwater Improvements	Palm Beach	Water Quality/Quantity Improvement	Lake Worth Lagoon	\$270,000	\$135,000	\$135,000		
SW-2036	Monroe County BOCC	Stock Island I Roadway and Drainage Improvement Project	Monroe	Water Quality/Quantity Improvement	Florida Keys	\$1,123,675	\$250,000	\$250,000		
SW-2071	City of Lake Worth	Lake Worth 17th Avenue South Outfall Backflow Prevention	Palm Beach	Flood Protection	Lake Worth Lagoon	\$200,000	\$100,000	\$100,000		
SW-2084	Village of Virginia Gardens	Stormwater Improvement NW 38th St. and 58th Ct.	Miami-Dade	Infrastructure Improvement	Biscayne Bay	\$213,286	\$106,643	\$106,643		
SW-2018	Aventura	191st Street Roadway and Drainage Improvements	Miami-Dade	Infrastructure Improvement	Dumfoundling Bay	\$580,000	\$250,000	\$250,000		
SW-2035	City of Oakland Park	Main Street Stormwater Improvements	Broward	Infrastructure Improvement	C-13	\$330,000	\$150,000	\$165,000		
SW-2075	Town of Pembroke Park	John P. Lyons Lane/S.W. 31st Avenue Stormwater Improvements (Phase II)	Broward	Flood Protection	C-10	\$500,000	\$250,000	\$250,000		
SW-2090	City of Opalocka	Burlington Canal Stormwater Management Project	Miami-Dade	Infrastructure Improvement	NA	\$1,600,000	\$250,000	\$250,000		
SW-2091	City of West Palm Beach	Datura Green Streets Initiative	Palm Beach	Infrastructure Improvement	Lake Worth Lagoon	\$200,000	\$100,000	\$100,000		
SW-2009	City of Boynton Beach	North & South Roads Stormwater & Water Main Improvements	Palm Beach	Infrastructure Improvement	C-16 and Lake Worth Lagoon	\$1,050,000	\$250,000	\$250,000		
SW-2097	City of Doral	Doral- Stormwater Improve. Sub-Basin D3	Miami-Dade	Infrastructure Improvement	C-4, C-6, and Biscayne Bay	\$500,000	\$250,000	\$250,000		
SW-2042	City of Tamarac	Tamarac Culvert Headwall Project Phase 5	Broward	Infrastructure Improvement	C-14	\$800,000	\$250,000	\$250,000		

Attachment: CoopFundingProgram_Attachment (Resolution No. 2016 - 0919 : Cooperative Funding

¹REDI Community

²Proposed funding under AWS CFP Applications - AWS-2020 and AWS-2021

**South Florida Water Management District
Cooperative Funding Program
Exhibit "B" Stormwater Management
DRAFT**

CFP No.	Entity	Project	County	Type	Receiving Waters	Eligible Construction Cost	Requested Funding	CFP Maximum Funding Guideline	CFP Funding (Proposed)	Cumulative Funding
SW-2058	Town of Medley	NW 96th Street Drainage Improvements	Miami-Dade	Flood Protection	C-6 and Biscayne Bay	\$450,000	\$225,000	\$225,000		
SW-2007	City of Palm Beach Gardens	Stormwater Infrastructure Improvement Project	Palm Beach	Infrastructure Improvement	C-17, C-18, and Lake Worth Lagoon	\$1,250,000	\$250,000	\$250,000		
SW-2052	Town of Fort Myers Beach	North Estero Phase II Stormwater Improvements	Lee	Infrastructure Improvement	Estero Bay	\$3,627,300	\$250,000	\$250,000		
SW-2060	City of Miami	Citywide Storm Sewer Repair	Miami-Dade	Infrastructure Improvement	Biscayne Bay	\$250,000	\$250,000	\$125,000		
SW-2082	North Palm Beach Heights Water Control District	North Palm Beach Heights Water Control District NC-2 & NC-3	Palm Beach	Flood Protection	Loxahatchee River	\$250,000	\$125,000	\$125,000		
SW-2038	City of Bonita Springs	Sun Village Estates Sewer Expansion	Lee	Infrastructure Improvement	Imperial River	\$2,000,000	\$250,000	\$250,000		
SW-2078	City of South Miami	Palmer Park	Miami-Dade	Infrastructure Improvement	Biscayne Bay	\$166,000	\$83,000	\$83,000		
SW-2001	Tiger Ranch	Tiger Ranch	Polk	Water Quality/Quantity Improvement	Kissimmee River	\$350,000	\$250,000	\$175,000		
SW-2043	City of West Park	SW 40th Avenue/Barack Obama Drainage Improvements	Broward	Infrastructure Improvement	C-9	\$500,000	\$500,000	\$250,000		
SW-2025	City of Hollywood	SW - South 56th Avenue Flood Relief (Washington St to Plunkett)	Broward	Infrastructure Improvement	Groundwater	\$400,000	\$200,000	\$200,000		
SW-2017	City of Miami Gardens	NW 11 Avenue Drainage Project	Miami-Dade	Infrastructure Improvement	Groundwater	\$90,000	\$40,000	\$45,000		
SW-2053	Village of Wellington	Pump Station #5 Improvements	Palm Beach	Flood Protection	C-51 and Lake Worth Lagoon	\$450,000	\$225,000	\$225,000		
SW-2033 ¹	City of Belle Glade	Stormwater Drainage Reconstruction for a Section of SW Ave B	Palm Beach	Infrastructure Improvement	Lake Okeechobee	\$333,335	\$250,000	\$250,000		
SW-2055	City of Naples	City of Naples Septic Tank Replacement Project	Collier	Water Quality/Quantity Improvement	Gordon River/Naples Bay	\$2,724,000	\$1,000,000	\$250,000		
SW-2029	City of Hollywood	Conversion of Septic Tanks to Sewer System on Lincoln Street	Broward	Infrastructure Improvement	Intracoastal Waterway	\$468,000	\$234,000	\$234,000		
SW-2011	South Broward Drainage District	SBDD S-8 Pump Station Sluice Gate and By-Pass Culvert	Broward	Infrastructure Improvement	C-11	\$100,000	\$50,000	\$50,000		
SW-2010	Miami-Dade Co Dept. of Transportation and Public Works	C-100 Canal Outfalls Retrofit Drainage Improvement Project	Miami-Dade	Infrastructure Improvement	C-100 and Biscayne Bay	\$491,870	\$245,935	\$245,935		

¹REDI Community

²Proposed funding under AWS CFP Applications - AWS-2020 and AWS-2021

**South Florida Water Management District
Cooperative Funding Program
Exhibit "B" Stormwater Management
DRAFT**

CFP No.	Entity	Project	County	Type	Receiving Waters	Eligible Construction Cost	Requested Funding	CFP Maximum Funding Guideline	CFP Funding (Proposed)	Cumulative Funding
SW-2003	Blue Goose Growers	BGG-FL/GA Culvert Structure	Hendry	Infrastructure Improvement	Caloosahatchee River	\$68,000	\$68,000	\$34,000		
SW-2057	Town of Medley	Seawall Repair and Expansion	Miami-Dade	Infrastructure Improvement	C-6 and Biscayne Bay	\$500,000	\$250,000	\$250,000		
SW-2054 ²	Osceola County Board of County Commissioners	Northern Everglades Restoration Initiative Lake Toho West Pond Phase 1	Osceola	Water Quality/Quantity Improvement	Lake Tohopekaliga	\$6,500,000	\$250,000	\$250,000		
SW-2066 ²	Osceola County Board of County Commissioners	Northern Everglades Restoration Initiative Lake Toho West Pond Phase 2	Osceola	Water Quality/Quantity Improvement	Lake Tohopekaliga	\$6,500,000	\$250,000	\$250,000		
SW-2045	Orange County Environmental Protection Division	Lake Jennie Jewel Sediment Inactivation Project (not within District boundary)	Orange	Water Quality/Quantity Improvement	Lake Gatlin to Boggy Creek and Upper Kissimmee Chain of Lakes	\$133,425	\$66,713	\$66,713		
SW-2094	City of Haines City	Lake Eva Alum Stormwater Treatment system (<i>not within District boundary</i>)	Polk	Water Quality/Quantity Improvement	Peace Creek	\$400,000	\$200,000	\$200,000		
SW-2024	University of Central Florida Board of Trustees	Biorentention Cell in Belle Isle for Stormwater Management (<i>not within District boundary</i>)	Orange	Water Quality/Quantity Improvement	Lake Conway	\$360,000	\$180,000	\$180,000		
SUBTOTAL - Projects Below Available Funding Level						\$60,406,509	\$14,447,896	\$12,599,646	\$0	
TOTAL - ALL PROJECTS						\$88,386,246	\$23,881,528	\$19,240,437	\$4,277,500	

Attachment: CoopFundingProgram_Attachment (Resolution No. 2016 - 0919 : Cooperative Funding

¹REDI Community

²Proposed funding under AWS CFP Applications - AWS-2020 and AWS-2021

**South Florida Water Management District
Cooperative Funding Program
Exhibit "C" Water Conservation
DRAFT**

CFP No.	Entity	Project	County	Total Project Cost	Requested Funding	CFP Maximum Funding Guideline	CFP Funding (Proposed)	Cummulative Funding
WC-2000	Palm Beach Soil and Water Conservation District	Nursery Overhead Efficiency Project	Palm Beach	\$40,000	\$20,000	\$20,000	\$20,000	\$20,000
WC-2021	AV Homes Inc.	Solivita Irrigation Central Control Retrofit Project	Polk	\$1,957,535	\$600,000	\$100,000	\$100,000	\$120,000
WC-2011	Miami-Dade Water & Sewer Dept.	Residential High Efficiency Toilet Rebate Project 2017-2018	Miami-Dade	\$202,373	\$100,000	\$100,000	\$100,000	\$220,000
WC-2016	Agreserves Inc. DBA - Deseret Farms of Ruskin	Bayrock Grove Irrigation Monitoring	Hendry	\$24,988	\$18,741	\$12,494	\$12,490	\$232,490
WC-2006	Broward Water Partnership	Conservation Pays High Efficiency Toilet Rebate Program	Broward	\$200,000	\$100,000	\$100,000	\$100,000	\$332,490
WC-2015	City of St. Cloud	Toilet Rebate Program	Osceola	\$47,000	\$23,500	\$23,500	\$23,500	\$355,990
WC-2003	Coral Springs Improvement District	Toilet Rebate Program	Broward	\$15,048	\$7,524	\$7,524	\$7,520	\$363,510
WC-2005	Broward County Environmental Planning and Community Resilience Division	NatureScape Irrigation Service Smart Irrigation Technology Retrofit Program	Broward	\$21,859	\$10,929	\$10,929	\$10,930	\$374,440
WC-2019	City of Lauderdale Lakes	Water Savings Irrigation Retrofits	Broward	\$15,647	\$12,000	\$7,824	\$7,820	\$382,260
WC-2022	City of LaBelle	Indoor Plumbing Replacement	Hendry	\$35,960	\$26,970	\$26,970	\$26,970	\$409,230
WC-2024	City of West Palm Beach	Community Water Conservation Strategies, Phase VI - HET	Palm Beach	\$125,000	\$62,500	\$62,500	\$62,500	\$471,730
WC-2009	Broward County Water and Wastewater Services	USEPA WaterSense High Efficient Toilet Replacement/Credit Program	Broward	\$60,000	\$30,000	\$30,000	\$25,500	\$497,230
WC-2010 ¹	Toho Water Authority	Automatic Line Flushing Devices	Osceola	\$200,000	\$100,000	\$90,000	\$76,500	\$573,730
WC-2013	Field Operations Division of Martin County Engineering Department	Engineering Irrigation H2O Conservation Retrofit Project	Martin	\$19,250	\$9,625	\$9,625	\$8,180	\$581,910
WC-2001	City of Lake Worth	Automatic Line Flushers	Palm Beach	\$67,500	\$33,750	\$33,750	\$28,690	\$610,600

Attachment: CoopFundingProgram_Attachement (Resolution No. 2016 - 0919 : Cooperative Funding

¹Funding pursuant to CFP Guideline limits for Common Conservation Fixtures/Devices

²Project does not meet program requirements

³Entity withdrew application

**South Florida Water Management District
Cooperative Funding Program
Exhibit "C" Water Conservation
DRAFT**

CFP No.	Entity	Project	County	Total Project Cost	Requested Funding	CFP Maximum Funding Guideline	CFP Funding (Proposed)	Cummulative Funding
WC-2004	Bishopwood East of Forest Glen Neighborhood Association Inc. (BWEN)	BWEN Irrigation Water Conservation Project	Collier	\$41,415	\$20,708	\$20,707	\$17,600	\$628,200
WC-2012	Miami-Dade Water & Sewer Dept.	Landscape Irrigation Evaluation and Rebate Project 2017-2018	Miami-Dade	\$242,270	\$100,000	\$100,000	\$60,000	\$688,200
WC-2025	City of West Palm Beach	Water Conservation Software Technology: Phase 2 & 3	Palm Beach	\$270,000	\$100,000	\$100,000	\$60,000	\$748,200
WC-2026	Miami-Dade Water & Sewer Dept.	Water Conservation Software Technology Project FY2017 & FY2018	Miami-Dade	\$57,000	\$28,500	\$28,500	\$17,100	\$765,300
WC-2027	Polk County BOCC	Water Conservation Software Technology for Oak Hills water use area	Polk	\$205,920	\$100,000	\$100,000	\$60,000	\$825,300
WC-2023	Orange County Utilities	Water Conservation Software Technology Project for Southwest Orange County	Orange	\$169,981	\$84,991	\$84,991	\$50,990	\$876,290
WC-2017	Nettles Island, Inc. A Condominium	Irrigation Water Conservation Retrofit	St. Lucie	\$33,046	\$16,523	\$16,523	\$9,910	\$886,200
WC-2002 & WC-2007	City of Cooper City	Water Conservation Software Technology Projects	Broward	\$389,500	\$114,750	\$100,000	\$60,000	\$946,200
WC-2014	Florida Keys Aqueduct Authority	Cisterns in Paradise: Florida Keys Rain Catchment Initiative	Monroe	\$30,000	\$15,000	\$15,000	\$9,000	\$955,200
WC-2008	City of North Lauderdale	Automatic Flushing Plan Program	Broward	\$34,000	\$17,000	\$17,000	\$10,200	\$965,400
WC-2018	Malux Realty, LLC	Cistern Project at 2337 5th Ave - Mana Building	Miami-Dade	\$250,000	\$100,000	\$100,000	\$25,000	\$990,400
WC-2020 ²	Toho Water Authority	Commercial Property Irrigation Water Allocation Program <i>(does not meet program requirements)</i>	Osceola	\$59,397	\$29,699	\$29,699	\$0	
WC-2028 ³	City of Miami Beach	Miami Beach Conservation Project <i>(Entity withdrew application)</i>	Miami-Dade	\$20,000	\$10,000	\$10,000	\$0	
Total Projects				\$4,834,689	\$1,892,709	\$1,357,535	\$990,400	

Attachment: CoopFundingProgram_Attachment (Resolution No. 2016 - 0919 : Cooperative Funding

¹Funding pursuant to CFP Guideline limits for Common Conservation Fixtures/Devices

²Project does not meet program requirements

³Entity withdrew application

MEMORANDUM

TO: Governing Board Members

FROM: Ernie Marks, Director, Everglades Policy & Coordination

DATE: September 08, 2016

SUBJECT: C-111 South Dade Project Cost-Share Agreement to Develop a Post Authorization Change Report

Summary:

The South Florida Water Management District (SFWMD) and U.S. Army Corps of Engineers (USACE) propose to jointly prepare a Post Authorization Change Report (PACR) for Congressional authorization to replace two C-111 South Dade Project temporary pump stations with permanent facilities. Preparation of the PACR requires execution of a cost-share agreement between the SFWMD and USACE under which the SFWMD pays \$25,000 in cash and the remainder of its 50 percent share of the study cost as in-kind contributions. Staff proposes to enter into a cost-share agreement with the USACE and to authorize the Division Director of Administrative Services to sign a Non-Federal Sponsor Self-Certification of Financial Capability indicating that SFWMD has the financial capability to fulfill its obligations under the agreement.

Additional Background:

The C-111 South Dade Project Cooperation Agreement (PCA) was executed on January 13, 1995 and established the framework between the SFWMD and USACE for the construction, operation and maintenance of the C-111 South Dade Project including pump stations S-332B and S-332C. In order to meet federal responsibilities under the 1999 jeopardy biological opinion for the Cape Sable seaside sparrow, the USACE expedited the design and construction of temporary pump stations S-332B and S-332C instead of building the authorized permanent facilities. The temporary pump stations built in the early 2000s have exceeded their life expectancy and frequently require costly repairs. A SFWMD 2012 infrastructure inspection report indicated that the temporary pumps have serious deficiencies and are on an accelerated path of deterioration.

An amendment to the PCA was executed on August 14, 2014 identifying the need for SFWMD and USACE to enter an agreement to prepare a Post Authorization Change Report (PACR) to replace these temporary pumps with permanent facilities. The PACR is estimated to take two years at a total cost of \$1,700,000. Once complete, the PACR will be the official document that recommends replacement of the temporary pump stations with permanent facilities and will be brought back to the Governing Board for review and approval in the future. Congressional authorization of the PACR is necessary to construct the permanent facilities with a 50-50 federal - non-federal cost share for the design and construction.

Staff Contact and/or Presenter:

Matt Morrison, mjmorris@sfwmd.gov, 561-682-6844

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 0920

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into an agreement with the U.S. Department of the Army to evaluate alternatives and prepare a Post Authorization Change Report for the C-111 South Dade Project that will be used to seek Congressional authorization to replace temporary pump stations S-332B and S-332C and associated discharge pipes with permanent facilities; and affirming South Florida Water Management District's financial capability to satisfy the obligations of the Non-Federal Sponsor described in the agreement, for which the South Florida Water Management District will be responsible for providing 50 percent of the cost, and for which \$25,000 is budgeted for Fiscal Year 2015-2016 and the remaining funding is subject to Governing Board approval of future fiscal year budgets; providing an effective date (Contract No. 4600003435).

WHEREAS, the South Florida Water Management District (SFWMD) and U.S. Army Corps of Engineers (USACE) entered the C-111 South Dade Project Cooperation Agreement on January 13, 1995 under which modifications were to be constructed to the C-111 Project; and

WHEREAS, USACE transferred to the SFWMD temporary pump stations S-332B and S-332C instead of the authorized, permanent facilities; and

WHEREAS, these temporary pump stations have exceeded their life expectancy and frequently require costly repairs; and

WHEREAS, SFWMD and USACE entered into the First Amendment to the C-111 South Dade Project Cooperation Agreement on August 14, 2014, under which the parties agreed to significant changes to Project Cooperation Agreement; and

WHEREAS, one of the changes is that the SFWMD and the USACE evaluate alternatives and prepare a Post Authorization Change Report that recommends a solution for replacing pump stations S-332B and S-332C and associated discharge pipes, including as an alternative pump stations with hardened outer structures for additional protection during hurricanes and concrete-lined conveyance canals that helps to achieve the original project purpose as described in the Project's 1994 General Reevaluation Report; and

WHEREAS, the Post Authorization Change Report will be used to seek Congressional authorization for cost-sharing design and construction of the recommended features on a 50:50 basis in accordance with Section 316 of the Water Resources Development Act of 1996 and consider cost-sharing SFWMD's operation, maintenance, repair, replacement and rehabilitation of all project features, including the recommended features; and

WHEREAS, the Post Authorization Change Report will be brought back to the Governing Board for its review and approval; and

WHEREAS, the SFWMD, as the Non-Federal Sponsor, is required to enter into an Agreement with USACE to contribute 50 percent of the study costs as in-kind contribution and provide a minimum cash payment of \$25,000; and

WHEREAS, the total cost of developing the Post Authorization Change Report is estimated at \$1,700,000.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District authorizes execution of the Agreement with the U.S. Army Corps of Engineers to identify and evaluate alternatives and prepare a decision document that recommends a solution for replacing pump stations S-332B and S-332C and associated discharge pipes that helps to achieve the original project purpose as described in the Project's 1994 General Reevaluation Report.

Section 2. The South Florida Water Management District shall contribute 50 percent of the shared study costs as in-kind contributions and provide the required cash funds of \$25,000 at the time of executing the cost-share agreement.

Section 3. The Governing Board authorizes the Division Director of Administrative Services to sign a Non-Federal Sponsor's Self-Certification of Financial Capability expressing SFWMD's financial capability to satisfy the Non-Federal Sponsor's obligations as set forth in the Agreement.

Section 4. This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 8th day of September, 2016.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

_____ Chairman

Attest:

Legal form approved:

By:

_____ District Clerk/Secretary

_____ Office of Counsel

Print name:

MEMORANDUM

TO: Governing Board Members

FROM: Dorothy Bradshaw, Director, Administrative Services Division

DATE: September 08, 2016

SUBJECT: Monthly Financial Report - Month Ending July 2016

M E M O R A N D U M

TO: Governing Board Members

FROM: Dorothy Bradshaw, Director, Administrative Services Division

DATE: September 8, 2016

SUBJECT: Monthly Financial Statement – July 2016

This report provides an overview of District financial activity, including revenue collections and expenditures. Attached is a summary in the State Program format in compliance with Chapter 373.536(4)(e) F.S., which requires each District to provide a monthly financial statement in the form and manner prescribed by the Department of Financial Services to the District's Governing Board and make such monthly financial statement available for public access on its website. This unaudited financial statement is provided as of July 31, 2016, with the Fiscal Year 83.3% complete.

Schedule of Sources and Uses – This financial statement compares revenues received and encumbrances/expenditures made against the District's Fiscal Year 2015-16 \$876.6 million current budget. Encumbrances represent orders for goods and services which have not yet been received. Budget amounts include \$123.2 million in encumbrance carryforward from Fiscal Year 2014-15.

- With the fiscal year 83.3% complete, 81.5% of the District's budgeted operating revenue (excludes prior year reserves) has been collected, with 18.5% remaining to be collected predominantly in intergovernmental revenues. The intergovernmental revenues are restricted funding from the Save our Everglades Trust Fund, Land Acquisition Trust Fund, the Florida Fish and Wildlife Conservation Commission and NRCS. The primary source of operating revenue received to date is derived from Ad Valorem taxes. The largest remaining revenue source is prior year reserves budgeted in the current year. Including reserves, total Fiscal Year 2015-16 revenue sources collected were 88.9% of budget or \$779.4 million.
- Over \$280 million in Ad Valorem and Agricultural Privilege tax revenue were collected through July. Ad Valorem and Agricultural Privilege tax collections peak November through January driven by the receipt of property tax bills in October and the 4.0% maximum discount available when paid in full by November 30. These taxes are budgeted at a discounted rate of 95.0% to allow for the discounts property owners receive through early payment. Historical ad valorem trends for the past five years through July average a collection rate of 99.8%. There have been additional collections due to prior year payments received.
- There is \$5.4 million in budgeted intergovernmental revenue in ad valorem funds, which includes \$3 million in USACE reimbursements and \$1 million in Alligator Alley toll revenue. There was \$9.3 million received as of the end of July, which includes unbudgeted \$4.1 million from USACE for depreciation of the C-111 Project. There is \$184.3 million in budgeted intergovernmental revenue in restricted funds, including \$110.7 million from the Land Acquisition Trust Fund, \$41.4 million in Save Our Everglades Trust Fund, \$8.7 million in reimbursements from the Florida Fish and Wildlife Conservation Commission (FWC) for

aquatic/invasive plant control, \$6.1 million in Alligator Alley toll revenues, and \$6.9 million from the Land Acquisition Trust Fund for final debt service payments for retired land acquisition bonds. This category also includes anticipated Federal revenues of \$2.8 million for Allapattah restoration, \$886K for BOMA water quality testing grant, and reimbursement of monitoring costs from the National Park Service. Fiscal Year 2015-16 revenue received as of July totals \$85.5 million. Reimbursement requests are submitted based on actual expenses incurred.

- Budgeted Ad Valorem Investment Earnings is \$3.6 million for Fiscal Year 2015-16. \$3.5 million of revenue was recognized as of the end of July of which \$2.7 million is in ad valorem funds, which is 73.8% of the budget amount. The balance of \$844K was recognized in non-ad valorem funds.
- There is \$12.7 million in budgeted permit fee and mitigation revenue, including water use permit (WUP) application fees of \$749K, Environmental Resource Permit (ERP) application fees of \$2 million, and Lake Belt Mitigation Fees for land acquisition and C-139 Annex Restoration of \$9.8 million. \$14.6 million has been received, including \$11.3 million from Lake Belt mitigation fees, \$2.4 million from ERP and \$618K from WUP.
- Other budgeted revenue includes leases, sale of district property and revenue supporting District self-insured programs.
 - Lease revenue is collected from 76 active leases on 105,219 acres of District owned lands. The timing of revenue received is based on the fee schedules within the agreements. The District has received \$4.7 million in lease revenues of the \$2.7 million budgeted. The additional revenues collected include unanticipated revenues from White Rock mining and lease revenues on federally purchased lands. The use of lease revenue collected for lands purchased with State or Federal funds is restricted based on the guidelines in the acquisition or grant agreement.
 - Other budgeted revenue includes \$210K in civil penalties and enforcement fees and \$251K in miscellaneous revenues such as cash discounts, refund of prior year expenditures, and sale of recycled oil and scrap metal. Fiscal year collections to date of \$1.5 million is more than triple the budget. Of this amount, \$450K was received as Florida Crystals payment for land remediation in STA 1 West Expansion Project. Also included is \$525,961 prior year refund related to COPs projects from MCIP (Master Controlled Insurance Program) with the Florida Municipal Construction Insurance Trust.
 - Sale of District Property represents the sale of real property and land. This conservative budget of \$250K is due to uncertainty regarding the amount of equipment which is surplus in a given year. Fiscal Year 2015-16 revenues received total \$2.7 million, of which \$1.7 million resulted from the sale of 19.62 acres located on south Kanner Highway in Stuart, Martin County; \$405,000 from the sale of 39.76 acres in Palm Beach County; \$240,000 from 0.52 acres Right of Way easement in Broward County, \$70,000 from 0.18 acres of Pompano Canal Right of Way, Broward County and 19.71 acres in Polk and Martin counties for \$179,778. Other surplus items generated \$178K which is 71.3% of the budget.

- Revenues recognized for the District's self-insured programs, largely health insurance, are \$25.1 million representing 70.1% of the \$35.9 million budget. This includes District funding as well as premiums paid by employees, retirees, and COBRA participants.

Expenditure and Encumbrance Status – As of July 31, 2016, with 83.3% of the year complete, the District has spent **\$365.5 million or 47.5%** and has encumbered **\$249.5 million or 32.4%** of its budget. The District has obligated (encumbrances plus expenditures) **\$615 million or 70.2%** of its budget.

Summary of Expenditures and Encumbrances by Program – This financial statement illustrates the budget implementation effort to date for each of the District's program areas.

- The **Water Resources Planning and Monitoring Program** comprises all water management planning, including water supply planning, development of minimum flows and levels, and other water resources planning, and technical assistance (including local and regional plan and program review). Regional water supply plans for each planning area address the unique resources and needs of each region – Lower West Coast, Upper and Lower East Coast, Upper and Lower Kissimmee Basin. Agency work includes research, data collection, modeling, environmental monitoring and assessment activities that support various regulatory-driven mandates/agreements and comply with federal and state-issued permits for all restoration projects. Of the \$55.9 million budgeted for this program, the District has obligated \$42.8 million: \$38.1 million expended and \$4.7 million encumbered.
- The **Acquisition, Restoration and Public Works Program** includes the development and construction of all restoration capital projects. Restoration projects unique to the South Florida Water Management District include the Kissimmee River Restoration Project, design and implementation of the Northern Everglades and Estuaries Protection Program (NEEPP), Everglades Forever Act (EFA) projects, Critical Restoration Projects, and the Comprehensive Everglades Restoration Plan (CERP). This category also includes water resource development and water supply assistance projects, water control projects, cooperative projects and land acquisition for restoration. Of the \$418.3 million budgeted for this program, the District has obligated \$309.9 million: \$125 million expended and \$184.9 million encumbered.
- The **Operation and Maintenance of Lands and Works Program** includes all operation and maintenance of facilities, flood control and water supply structures, lands, and other works authorized by Chapter 373, F.S. The District's operations and maintenance consists of activities to effectively and efficiently manage the primary canals and associated structures in South Florida. Operation and maintenance program activities include the Central and Southern Florida (C&SF) Project, as well as the Big Cypress Basin system. Activities include the operation and maintenance of a multi-purpose water management system comprising 4,098 miles of canals and levees, 692 water control structures and weirs, 71 pumping stations and 618 smaller project culverts. Of the \$334.5 million budgeted for this program, the District has obligated \$207.9 million: \$151.1 million expended and \$56.8 million encumbered.
- The **Regulation Program** includes water use permitting, water well construction permitting, water well contractor licensing, environmental resource and surface water management permitting, permit administration and enforcement, and any delegated regulatory program.

Governing Board Members
September 8, 2016
Page 4

Other regulatory enforcement activities include the Southern and Northern Everglades Nutrient Source Control Program, and the Everglades Long-Term Plan, which mandates the implementation of Best Management Practices (BMP) programs in the Everglades Construction Project (ECP) and non-ECP Basins for the Southern Everglades. Of the \$27.3 million budgeted for this program, the District has obligated \$20 million: \$19.6 million expended and \$356K encumbered.

- The **Outreach Program** includes all environmental education activities, such as water conservation campaigns and water resource education; public information activities; all activities relating to local, regional, state, and federal governmental affairs; and all other public outreach activities. Of the \$1.5 million budgeted for this program, the District has obligated \$1.1 million: \$1 million expended and \$14K encumbered.
- The **District Management and Administration Program** includes all governing and basin board support, executive direction, information technology, general counsel, procurement, human resources, finance, audit, risk management, and administrative support services. Of the \$39 million budgeted for this program, the District has obligated \$33.4 million: \$30.6 million expended and \$2.8 million encumbered.

Expenditures in each program includes District expenditures for the self-insured program, largely health insurance.

We hope this report will aid in understanding the District's financial condition as well as expenditure performance against the approved budget. If you have any questions, please feel free to contact me at (561) 682-2823 or Candida Heater at (561) 682-6486.

DB/CJH
Attachment

South Florida Water Management District
Statement of Sources and Uses of Funds (Unaudited)
 For the month ended: July 31, 2016. Percent of fiscal year completed: 83.3%

	CURRENT BUDGET	ACTUALS THROUGH 7/31/2016	VARIANCE (UNDER) / OVER BUDGET	ACTUALS AS A % OF BUDGET
Sources				
Taxes ¹	\$ 277,892,829	\$ 280,084,555	\$ 2,191,726	100.79%
Intergovernmental Revenues	190,952,741	94,842,138	(96,110,603)	49.67%
Interest on Invested Funds	3,650,000	3,538,499	(111,501)	96.9%
License and Permit Fees	12,657,602	14,592,799	1,935,197	115.3%
Other ²	39,260,185	34,125,090	(5,135,095)	86.9%
SUB-TOTAL OPERATING REVENUES	524,413,357	427,183,081	(97,230,276)	81.5%
Reserves	352,228,742	352,228,742	-	100.0%
Total Sources	\$ 876,642,099	\$ 779,411,823	\$ (97,230,276)	88.9%

¹ Includes Ad Valorem and Agricultural Privilege Taxes

² Includes Leases, Sale of District Property, and Self Insurance Premiums

	CURRENT BUDGET	EXPENDITURES	ENCUMBRANCES ³	AVAILABLE BUDGET	% EXPENDED	% OBLIGATED ⁴
Uses						
Water Resources Planning and Monitoring	\$ 55,944,231	\$ 38,149,225	\$ 4,739,384	\$ 13,055,622	68.2%	76.7%
Acquisition, Restoration and Public Works	418,351,136	125,023,137	184,887,415	108,440,584	29.9%	74.1%
Operation and Maintenance of Lands and Works	334,498,482	151,076,686	56,778,200	126,643,596	45.2%	62.1%
Regulation	27,265,250	19,621,575	356,324	7,287,352	72.0%	73.3%
Outreach	1,538,668	1,041,889	13,509	483,270	67.7%	68.6%
Management and Administration	39,044,331	30,592,735	2,758,535	5,693,060	78.4%	85.4%
Total Uses	\$ 876,642,099	\$ 365,505,248	\$ 249,533,367	\$ 261,603,484	41.7%	70.2%

³ Encumbrances represent unexpended balances of open purchase orders and contracts.

⁴ Represents the sum of expenditures and encumbrances as a percentage of the current budget.

This unaudited financial statement is prepared as of July 31, 2016, and covers the interim period since the most recent audited financial statements.

MEMORANDUM

TO: Governing Board Members

FROM: Peter Antonacci, Executive Director

DATE: September 08, 2016

SUBJECT: Executive Director's Report - Peter Antonacci

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AUTHORITY DELEGATED TO EXECUTIVE DIRECTOR
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1. 858-COLLIER SOUTH APPL. NO. 150817-15
TAMIAMI CITRUS L L C PERMIT NO. 11-00354-W
SEC 13, 24 TWP 48S RGE 30E ACREAGE: 353.00
LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE MODIFICATION
WATER SOURCE: WATER TABLE AQUIFER, LOWER TAMIAMI AQUIFER, ON-SITE CANAL(S)
ALLOCATION: 58.58 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: OCTOBER 16, 2016

2. FIDDLERS CREEK APPL. NO. 160622-11
F C C MARSH L L C PERMIT NO. 11-01808-W
SEC 11-15, 22-24, 18, 19 TWP 51, 51S RGE 26, 27E ACREAGE: 1.00
LAND USE: GOLF COURSE
LANDSCAPE

PERMIT TYPE: WATER USE MODIFICATION
WATER SOURCE: ON-SITE LAKE(S) / POND(S)
ALLOCATION: 224.88 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: SEPTEMBER 20, 2016

3. JACKSON PRINGLE GROVE APPL. NO. 160803-2
CENTERSTATE BANK OF FLORIDA N A PERMIT NO. 11-00034-W
SEC 9 TWP 48S RGE 30E ACREAGE: 93.00
LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE EXPIRED/PREVIOUSLY PERMITTED
WATER SOURCE: LOWER TAMIAMI AQUIFER
ALLOCATION: 15.43 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: NOVEMBER 1, 2016

Attachment: IP Issued by ED August 2016 (3176 : Executive Director's Report - Peter Antonacci)

1. HOWARD RANCH
HUEY P AND DORCAS F HOWARD
SEC 31 TWP 45S RGE 28E

APPL. NO. 160516-18
PERMIT NO. 26-00644-W
ACREAGE: 129.30
LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
WATER SOURCE: SANDSTONE AQUIFER
ALLOCATION: 18.76 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: SEPTEMBER 7, 2016

Attachment: IP Issued by ED August 2016 (3176 : Executive Director's Report - Peter Antonacci)

1. TROYER BROTHERS APPL. NO. 160523-5
 TROYER BROTHERS PERMIT NO. 36-07597-W
 SEC 28,33,4,9,16,21 TWP 45,46S RGE 27,27E ACREAGE: 1181.00
 LAND USE: INDUSTRIAL

PERMIT TYPE: WATER USE RENEWAL
 WATER SOURCE: SANDSTONE AQUIFER, ON-SITE LAKE(S)
 ALLOCATION: 148.96 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: AUGUST 21, 2016

2. VILLAGEWALK OF BONITA SPRINGS APPL. NO. 160706-7
 VILLAGEWALK OF BONITA SPGS HOA INC PERMIT NO. 36-00061-W
 SEC 3 TWP 48S RGE 26E ACREAGE: 290.96
 LAND USE: LANDSCAPE

PERMIT TYPE: WATER USE RENEWAL
 WATER SOURCE: ON-SITE LAKE(S)
 ALLOCATION: 47.55 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: OCTOBER 4, 2016

1. B-4 FARM APPL. NO. 160429-9
 STAR FARMS CORPORATION PERMIT NO. 43-00023-W
 SEC 12,13 TWP 38S RGE 38E ACREAGE: 1245.00
 LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
 WATER SOURCE: SFWMD CANAL (C-23)
 ALLOCATION: 178.98 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: SEPTEMBER 28, 2016

2. CAULKINS WATER FARM EXPANSION APPL. NO. 160607-7
 CAULKINS CITRUS COMPANY LTD PERMIT NO. 43-00360-S
 SEC 16,17,18,19,20,21,28,29,30 TWP 39S RGE 40E ACREAGE: 2824.85
 LAND USE: AGRICULTURAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONSTRUCTION/OPERATION MODIFICATION)
 RECEIVING BODY: ON SITE RETENTION
 LAST DATE FOR AGENCY ACTION: AUGUST 6, 2016

3. DANFORTH CREEK STA PHASE II APPL. NO. 160609-2
 WATERSHED TECHNOLOGIES L L C PERMIT NO. 43-02760-W
 SEC 23 TWP 38S RGE 40E ACREAGE: 9.14
 LAND USE: INDUSTRIAL

PERMIT TYPE: WATER USE PROPOSED
 WATER SOURCE: DANFORTH CREEK
 ALLOCATION: 500.86 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: SEPTEMBER 7, 2016

4. WILLOUGHBY GOLF CLUB APPL. NO. 130813-4
 WILLOUGHBY GOLF CLUB INC PERMIT NO. 43-00266-W
 SEC TWP 38S RGE 41E ACREAGE: 200.00
 LAND USE: GOLF COURSE
 LANDSCAPE

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
 WATER SOURCE: SURFICIAL AQUIFER SYSTEM,ON-SITE LAKE(S)
 ALLOCATION: 24.05 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: AUGUST 16, 2016

Attachment: IP Issued by ED August 2016 (3176 : Executive Director's Report - Peter Antonacci)

1. LAKE NONA CENTRAL APPL. NO. 151113-8
 LAKE NONA LAND COMPANY LLC PERMIT NO. 48-02021-W
 SEC 13,14,23,24,18 TWP 24,24S RGE 30,31E ACREAGE: 381.60
 LAND USE: LANDSCAPE

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
 WATER SOURCE: UPPER FLORIDAN AQUIFER
 ALLOCATION: 64.05 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: AUGUST 24, 2016

2. WATERLEIGH P D PHASE 2 APPL. NO. 160322-9
 D R HORTON HOMES INCORPORATED PERMIT NO. 48-02499-W
 SEC 5,6,7,8 TWP 24S RGE 27E ACREAGE: 256.00
 LAND USE: DEWATERING

PERMIT TYPE: WATER USE PROPOSED
 WATER SOURCE: WATER TABLE AQUIFER
 ALLOCATION: NOT REQUIRED
 LAST DATE FOR AGENCY ACTION: SEPTEMBER 7, 2016

3. WORLD DRIVE EXTENSION APPL. NO. 160510-15
 REEDY CREEK IMPROVEMENT DISTRICT PERMIT NO. 48-00714-P
 SEC 13,14,24 TWP 24S RGE 27E ACREAGE: 47.38
 LAND USE: ROADWAY

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONSTRUCTION/OPERATION MODIFICATION)
 RECEIVING BODY: REEDY CREEK VIA THE MASTER STORMWATER MANAGEMENT SYSTEM.
 LAST DATE FOR AGENCY ACTION: AUGUST 9, 2016

Attachment: IP Issued by ED August 2016 (3176 : Executive Director's Report - Peter Antonacci)

1. ALLIGATOR LAKE
SE' BELLE SMITH DYMMEK
SEC 21,22,27,28,34 TWP 26S RGE 31E

APPL. NO. 160601-19
PERMIT NO. 49-00310-W
ACREAGE: 2080.00
LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE RENEWAL
WATER SOURCE: UPPER FLORIDAN AQUIFER
ALLOCATION: 130.01 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: AUGUST 30, 2016

2. FLORITURF SOUTH
FLORITURF SOD
SEC 22 TWP 28S RGE 31E

APPL. NO. 160429-4
PERMIT NO. 49-02284-W
ACREAGE: 173.00
LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE MODIFICATION
WATER SOURCE: UPPER FLORIDAN AQUIFER, ON-SITE BORROW PIT(S)
ALLOCATION: 29.92 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: SEPTEMBER 13, 2016

3. KINDRED PHASE 1 C AND 1 D
D R HORTON INCORPORATED
SEC 36 TWP 25S RGE 29E

APPL. NO. 160505-10
PERMIT NO. 49-02508-W
ACREAGE: 146.00
LAND USE: DEWATERING

PERMIT TYPE: WATER USE PROPOSED
WATER SOURCE: WATER TABLE AQUIFER
ALLOCATION: NOT REQUIRED
LAST DATE FOR AGENCY ACTION: SEPTEMBER 1, 2016

4. LAKESHORE AT NARCOOSSEE
PULTE HOME GROUP
SEC 8 TWP 25S RGE 31E

APPL. NO. 151124-13
PERMIT NO. 49-02371-P
ACREAGE: 1.99
LAND USE: RECREATIONAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONSTRUCTION/OPERATION MODIFICATION)
RECEIVING BODY: FELLS COVE
LAST DATE FOR AGENCY ACTION: AUGUST 16, 2016

5. THE BEND
 SEBELLE SMITH DYMMEK
 SEC 5,8-10,10,4,8,9 TWP 27,27S RGE
 31,31E

APPL. NO. 160601-18
 PERMIT NO. 49-00018-W
 ACREAGE: 391.00
 LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE RENEWAL
 WATER SOURCE: FLORIDAN AQUIFER SYSTEM,UPPER FLORIDAN AQUIFER
 ALLOCATION: 62.68 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: AUGUST 30, 2016

6. WESTSIDE PARCELS M 2 AND M 3
 WESTSIDE S P E L L C
 SEC 18 TWP 25S RGE 27E

APPL. NO. 160115-14
 PERMIT NO. 49-02533-P
 ACREAGE: 136.99
 LAND USE: RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW CONSTRUCTION/OPERATION), INCLUDES
 CONSERVATION EASEMENT TO THE DISTRICT)
 RECEIVING BODY: DISCHARGE IS TO WETLANDS 3 AND 4.
 LAST DATE FOR AGENCY ACTION: AUGUST 29, 2016

1. ALL ABOARD FLORIDA NORTH-SOUTH RAIL CORRIDOR SEGME APPL. NO. 150922-3
 ALL ABOARD FLORIDA OPERATIONS, L L C PERMIT NO. 13-05321-P
 SEC 4 TWP 43S RGE 43E ACREAGE: 254.69
 LAND USE: OTHER

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONSTRUCTION/OPERATION MODIFICATION)
 RECEIVING BODY: MULTIPLE
 LAST DATE FOR AGENCY ACTION: AUGUST 21, 2016

2. EAST BEACH WATER CONTROL DISTRICT APPL. NO. 160526-27
 EAST BEACH WATER CONTROL DISTRICT PERMIT NO. 50-00879-W
 SEC 13, 23-26, 35, 36,8,9,16-20, 29-32,5-8,1,12 ACREAGE: 8636.00
 TWP 42,42,43,43S RGE 36,37,37,36E LAND USE: DIVERSION AND
 IMPOUNDMENT
 AGRICULTURAL

PERMIT TYPE: WATER USE MODIFICATION
 WATER SOURCE: LAKE OKEECHOBEE
 ALLOCATION: 800.55 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: AUGUST 24, 2016

3. HYDER SQUARED (LIBERTY TRUST) APPL. NO. 160219-6
 441 ACQUISITION, L L C PERMIT NO. 50-11075-P
 SEC 19 TWP 46S RGE 42E ACREAGE: 112.76
 LAND USE: RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONCEPTUAL APPROVAL)
 RECEIVING BODY: LWDD L-35 AND E-1 CANALS
 LAST DATE FOR AGENCY ACTION: AUGUST 28, 2016

4. USACE HHD S-271/CULVERT C10A APPL. NO. 160614-13
 HARRY PEPPER AND ASSOCIATES, INC. PERMIT NO. 50-11084-W
 SEC 11 TWP 41S RGE 37E ACREAGE: 6.00
 LAND USE: DEWATERING

PERMIT TYPE: WATER USE PROPOSED
 WATER SOURCE: WATER TABLE AQUIFER
 ALLOCATION: NOT REQUIRED
 LAST DATE FOR AGENCY ACTION: SEPTEMBER 12, 2016

Attachment: IP Issued by ED August 2016 (3176 : Executive Director's Report - Peter Antonacci)

1. BALLANTRAE
BALLANTRAE COMMUNITY ASSOCIATION
SEC 13,14,23,24 TWP 37S RGE 40E

APPL. NO. 160114-9
PERMIT NO. 56-03068-W
ACREAGE: 100.00
LAND USE: LANDSCAPE

PERMIT TYPE: WATER USE RENEWAL
WATER SOURCE: ON-SITE LAKE(S) / POND(S)
ALLOCATION: 17.51 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: AUGUST 29, 2016

Attachment: IP Issued by ED August 2016 (3176 : Executive Director's Report - Peter Antonacci)