South Florida Water Management District

GOVERNING BOARD MONTHLY MEETING
AGENDA

November 10, 2016
9:00 AM
District Headquarters - B-1 Auditorium
3301 Gun Club Road
West Palm Beach, FL 33406

FINAL REVISED 11/09/2016 5:10 PM

1. Call to Order - Dan O'Keefe, Chairman, Governing Board

2. Pledge of Allegiance - Dan O'Keefe, Chairman, Governing Board

3. Employee Recognitions - Presented by Peter Antonacci, Executive Director
   - November Employee of the Month: Richard "Tom" James, Lead Scientist, Water Resources Division
   - November Team of the Month: 2016 Cooperative Funding Program Team
   - 30 Year Service Award: Mitchell Krolick, Information Technology
   - 35 Year Service Award: Lambert Granie, Fort Lauderdale Field Station

4. Agenda Revisions - Tia Barnett, Director, Board & Executive Services

5. Abstentions by Board Members from items on the Agenda

6. Big Cypress Basin Board Report - Rick Barber, Chair

7. Water Resources Advisory Commission (WRAC) Report - Jim Moran, Chair

8. Project & Lands Committee Report - Melanie Peterson, Chair

9. Audit & Finance Committee Report - Mitch Hutchcraft, Chair

10. Consider Approval of the Minutes from the October 13th Governing Board meeting

Consent Agenda

11. Public Comment on Consent Agenda

12. Move Consent Agenda Items to Discussion Agenda

13. Board Comment on Consent Agenda

14. Waivers for Water Resource Advisory Commission (WRAC) members pursuant to Section 112.313, Florida Statutes

15. Regulatory Consent Items

Conservation Easements and Releases

Agenda Item Background: Lee County
The applicant requests release of 0.04 acres of upland buffer areas within the recorded conservation easement to accommodate minor site plan reconfigurations within Lot 9 of Spring Creek West. The area to be released was not part of a mitigation plan, so no mitigation is required. The original conservation easement acreage totaled 3 acres; as a result of this partial release, the conservation easement will be 2.96 acres. (Regulation, staff contact: Melissa Roberts, ext.7795)

Recommended Action:
Approve a partial release of a recorded conservation easement within property owned by P. Ronald Sabatino for a project known as Spring Creek West (Application No. 151027-18, Permit No. 36-02469-S).

Agenda Item Background: Broward County
R and R Davie, LLC requests release of a 2.91-acre conservation easement to expand an existing vehicular storage lot. The applicant is providing 3.46 acres of wetland restoration and 2.61 mitigation bank credits from Loxahatchee Mitigation Bank as mitigation. A new conservation easement will be recorded over the 3.46-acre wetland restoration area, 2.93 acres of uplands and 0.6 acres of flushing channels. (Regulation, staff contact: Ricardo Valera, ext. 6404).

Recommended Action:
Approve the full release of a recorded conservation easement for a project known as Rick Case Vehicle Storage Expansion (Application No. 160408-17, Permit No. 06-04006-P).

Agenda Item Background: Osceola County
RCID requests release of 0.5 acres of a recorded conservation easement to allow for infrastructure improvements. Mitigation consists of 1.5 acres of preservation at a location owned by RCID with greater ecological value. (Regulation, staff contact: Charles Walter, ext. 3824).

Recommended Action:
Approve a partial release of a recorded conservation easement for a project known as Reedy Creek Improvement District (RCID) (Application No. 160901-6,

Permit No. 48-00714-P)

Agenda Item Background: Seminole Tribe, Amend Work Plan
Under this amended work plan, the following activities are planned in the Hollywood Reservation: (Everglades Policy & Coordination, staff contact, Armando Ramirez, ext. 6684)

Proposal for the construction of two Class I Injection wells and one monitoring well at the wastewater treatment plant. The proposal has been reviewed with the cooperation of the Florida Department of Environmental Protection and the United States Environmental Protection Agency (EPA) and is being permitted by EPA.

Recommended Action:
Concur with the First Amendment to the Twenty Eighth Annual Work Plan for the Seminole Tribe of Florida.

16. Right of Way Occupancy New Permits (Field Operations & Land Management, staff contact, Karen Estock, ext. 6282)

Agenda Item Background: Miami-Dade County
A request by Miami-Dade County Parks, Recreation and Open Spaces Department (Application Number 13-0808-1) for issuance of Right of Way Occupancy Permit Number 14685 for the Biscayne Trail (Segment C) linear park within the east right of way of L-31E consisting of unimproved trail, safety fencing with gates, access gates, signage, and spur trails extending east on C-103 and C-102, each with a rest area consisting of benches, bike racks, a trash receptacle set on a concrete slab, and native tree plantings. The project is a new segment of the County's South-Dade Greenway Network trail system, previously permitted within other reaches of District rights of way.

Recommended Action:
Approve a request by Miami-Dade County Parks, Recreation and Open Spaces Department (Application Number 13-0808-1) for issuance of Right of Way Occupancy Permit Number 14685.

17. Release of Reservations (Real Estate, staff contact, Kathy Massey, ext. 6835)

Agenda Item Background:
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, because these represents clouds on titles. 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 recommends consideration and approval of the following:
Broward County
- Release canal and road reservations, and issue non-use commitment for the Town of Davie (File Nos. 10-16-3, NUC 1717 and 18714) for 8.77 acres

Miami-Dade County
- Release canal reservations for John D. Burns and Blanca V. Burns, (File Nos. 10-16-2 and 18713) for 1.12 acres

- Release canal reservations for Sapphire Nurseries, LLC (File No. 10-16-4) for 19.35 acres
- Release canal reservations for 14500 Holdings, LLC (File Nos. 10-16-1 and 18711) for 8.28 acres
- Release canal, road and mineral reservations for Florida Power & Light Company (File Nos. 10-16-5 and 18716) for 238.70 acres; includes 40.0+/- acres to be released as to mineral reservations within Everglades National Park, to be conveyed to the United States of America, requiring a waiver of policy

Palm Beach County

- Release canal and road reservations for Victor Kweller, as Trustee (File No. 18715) for 0.11 acres
- Release canal reservations for Ronald David Simon (File No. 18712) for 10.0 acres
- Issue non-use commitments for Running D Ranch Corporation (File Nos. NUC 1714 and NUC 1718) for 24.57 acres

Recommended Action:
Resolution No. 2016 - 1101 Approve release of canal, road and issuance of non-use commitments.

18. Florida Power & Light Company conveyance of Utility Easement (Real Estate, staff contact, Kathy Massey, ext. 6835)

Agenda Item Background:
The District provides nature-based recreational activities on the DuPuis Management Area, which was acquired through the Save Our Rivers Program for conservation and water resource purposes. To facilitate and enhance public recreation on the property, an easement containing 0.20 +/- acre is being granted to Florida Power & Light Company to provide the necessary utilities for a new public restroom facility being constructed at the DuPuis Equestrian Campground.

Recommended Action:
Resolution No. 2016 - 1102 Convey to Florida Power & Light Company a utility easement to provide electrical service to the District's DuPuis Equestrian Campground new public restroom facility.

19. Release of a C-4 Canal Right of Way (Real Estate, staff contact, Kathy Massey, ext. 6835)

Agenda Item Background:
The Applicant has requested a release of 0.38 acre, more or less, of the C-4 canal right of way lying South of Lot 2, Block 29, Sweetwater Estates, Miami-Dade County, for residential purposes. The landowner has constructed a pool, pool deck, aluminum pool fence, carport, metal shed, gazebo and other existing backyard structures in the right of way area and this release will resolve some of the encroachments.

Recommended Action:
Resolution No. 2016 - 1103 Release right of way interests containing 0.38 acre, more or less, to the applicant at appraised value on the C-4 right of way, Section 2, Township 54 South, Range 39 East, Miami-Dade County, subject to satisfaction of certain terms, conditions and requirements.

20. Cattle Grazing Lease, Garry Webb (Real Estate, staff contact, Ray Palmer, ext. 2246)

Agenda Item Background:
The District owns real property located in St. Lucie County, Florida, known as Cypress Creek/Trail Ridge, Encumbrance ID KE10E-059. The District purchased the property in May 2005. The specific property is located within the footprint of the CERP Indian River Lagoon-South Project. The District acquired the property for the Cypress Creek Complex Component to use the land for natural water storage, rehydration and habitat restoration. It is appropriate under these circumstances to continue the lease on the 557.20 acre property for cattle grazing. The revenues generated from this lease will assist Land Management in managing this and other District-owned lands.

At the time of acquisition of the property in 2005, the District accepted a lease assignment to continue cattle grazing. The lease assignment initially expired on May 12, 2010, but was amended and extended four times and expired on May 12, 2016, continuing on a month-to-month basis. The proposed 5th Amendment will be for a lease for cattle grazing extending the lease from its most recent expiration date of May 12, 2016 through a new expiration date of May 12, 2021. Annual rent will be calculated and adjusted each year based on the Leasing Policy market rent formula and land management requirements have been updated to reflect the current practices.

Recommended Action:
Resolution No. 2016 - 1104 Issue a 5-year cattle grazing lease extension to the existing Lease Agreement with Garry Webb on 557.20 acres, more or less in St. Lucie County.

21. Cattle Grazing Lease, Pearce Cattle Company (Real Estate, staff contact, Ray Palmer, ext. 2246)

Agenda Item Background:
The District owns certain real property located in St. Lucie County, Florida, identified as Encumbrance ID KE10E-062. The District purchased the property in April 2005. It is located within the C-23/C-24 STA Component of the CERP Indian River Lagoon-South Project. The District acquired the land to provide water quality treatment and provide for diversion of flows from the middle estuary to the North Fork of the St. Lucie River. It is appropriate under these circumstances to continue the cattle grazing lease on the 234.83 acre property as an interim land management tool. The revenues generated from this lease will assist Land Management in managing this and other District-owned lands.

The Lease was awarded to Pearce Cattle Company on August 1, 2006 through a competitive bid process to allow cattle grazing. Pearce Cattle Company was the previous lease holder, which expired on July 31, 2016. A request for bid, 6000000773, for a new agricultural grazing lease with a 10-year term for the subject lands was issued July 7, 2016. Responsive bids were due August 10, 2016. The highest winning bid received was submitted by Matt Pearce, Pearce Cattle Company, in the annual amount of $2,505.75. A line item deduction for the North St. Lucie River Water Control District's 298 assessment, as it is considered a lessee expense in the Bid.

Recommended Action:
Resolution No. 2016 - 1105 Issue a 10-year cattle grazing lease agreement with Pearce Cattle Company on 234.83 acres, more or less in St. Lucie County. (Contract No. 4600003473)

22. Convey 4.21 +/- acres to the U.S. National Park Service (Real Estate, staff contact, Marcy Zehnder, ext. 6694)

Agenda Item Background:
In June 2008, the District's Governing Board approved an agreement with Florida Power & Light Company (FPL) to facilitate the relocation of FPL's transmission line corridor from the interior of Everglades National Park (ENP) to the eastern edge of ENP Expansion Area. The National Park Service (NPS) and the Florida Department of Environmental Protection (FDEP) both entered into similar agreements with FPL.

When confirming their ownership of the land along the eastern boundary of ENP Expansion Area, NPS found that they did not own a 4.21 +/- acre parcel of land and that the District is the owner. The District-owned parcel is within the relocated transmission line corridor that NPS must convey to FPL in fee title. NPS has requested that the District convey the parcel at no cost, so that they can comply with the terms and conditions of their existing agreement with FPL and continue to secure all ownership of the lands within the boundary of the ENP Expansion Area.

Recommended Action:
Resolution No. 2016 - 1106 Declare surplus land interests containing 4.21 acres, more or less, in fee, being a portion of Section 23, Township 54 South, Range 38 East, Miami-Dade County, L-31N Project; authorize the donation of said property to the United States of America for inclusion in Everglades National Park.

23. Access Agreement with Walt Disney Parks and Resorts U.S., Inc. (Marcy Zehnder, staff contact, ext. 6694)

Agenda Item Background:
The District is seeking to enter into an agreement with Walt Disney Parks and Resorts U.S., Inc. (Disney). The access agreement will allow the District to enter onto Disney owned property located in Sections 22, 23 and 27, Township 24 South, Range 27 East, Orange County, to access an existing well located on adjacent property owned by Reedy Creek Improvement District. The term of the access agreement is 10-years. The agreement can be terminated upon sixty-days written notice by either party. Disney may require the District to remove/or relocate the equipment in the future at the District's expense.

Recommended Action:
Resolution No. 2016 - 1107 Accept an access agreement, from Walt Disney Parks and Resorts U.S., Inc., at no cost, to access an existing monitoring well located on adjacent property owned by Reedy Creek Improvement District in Sections 22, 23 and 27 , Township 24 South, Range 27 East, Orange County.

24. Access Agreement with Reedy Creek Improvement District (Real Estate, staff contact, Marcy Zehnder, ext. 6694)

Agenda Item Background:
The District is seeking to enter into an agreement with Reedy Creek Improvement District (RCID). The access agreement will allow the District to maintain, access and collect data from an existing Floridan aquifer well, or re-install it in the future, on RCID owned property located in Section 23, Township 24 South, Range 27 East, Orange County. The District and the RCID have agreed upon the terms and conditions of the access agreement, and the location of the equipment. In exchange for the use of the property and access thereto, the District will make the collected data available to RCID. The term of the access agreement is 10-years. The agreement can be terminated upon sixty-days written notice by either party. RCID may require the District to remove/or relocate the equipment in the future at the District's expense.

Recommended Action:
Resolution No. 2016 - 1108 Accept an access agreement, at no cost, to maintain, access and collect data from an existing monitoring well, or re-install it in the future, on property owned by Reedy Creek Improvement District in Section 23, Township 24 South, Range 27 East, Orange County.

25. Communications Tower Antenna Space Lease Agreement (Information Technology, staff contact, Duane Piper, ext. 2638)

Agenda Item Background:
The District owns and maintains more than sixty communications towers throughout its boundaries. These towers present a leasing opportunity for telecommunications use. This is a proposal to enter into an agreement with ATC Managed Sites, LLC to lease space for radio operation rights on the District's communication towers for a 10-year period with two 1-year renewal options. This is a piggyback procurement from the Florida Department of Transportation agreement with ATC Management Sites, LLC. Compensation to the District shall be a percentage of gross revenues from the use of the space leased.

Recommended Action:
Resolution No. 2016 - 1109 Consider Authorization to enter into an agreement with ATC Management Sites, LLC for commercial wireless telecommunications for 10-years, with two 1-year renewal options. (Contract No. 4600003580)

26. 5-Year Cost Share Agreement with US National Park Service (Water Resources, staff contact, Kim Hanes, ext. 4749)

Agenda Item Background:
District staff is seeking approval to enter into a 5-year cost share agreement with the U. S. National Park Service (NPS). This agreement with NPS will provide support for the collection of surface water samples at interior marsh sampling sites within Everglades National Park (ENP) and continuous physiochemical and meteorological monitoring data from a marine monitoring network (MMN) situated in the adjacent ENP coastal region.

This agreement has the primary objectives to obtain water quality data to comply with monitoring requirements outlined in the Federal Everglades Settlement Agreement and the State Phosphorus Rule, and to collaborate on water resource monitoring within ENP and adjacent coastal regions. The initial cost-share agreement originated on October 1, 2001, has been extended every five years since then.

Recommended Action:
Resolution No. 2016 - 1110 Enter into 5-year cost-share agreement with the U.S. National Park Service for the collection of surface water from interior marsh sampling sites within Everglades National Park and physiochemical and meteorological data from the associated marine monitoring sites in the national park coastal areas in an amount not to exceed $984,250, for which $196,850 is budgeted in fiscal year 2017, and the remainder is subject to governing board approval of the fiscal year 2018-2021 budgets. (Contract No. 4600003547)

27. Publication of a Notice of Rule Development (Water Resources, staff contact, Terrie Bates, ext. 6952)

Agenda Item Background:
During the rulemaking effort to reserve water for the Caloosahatchee River (C-43) West Basin Storage Reservoir Project (C-43 Reservoir), the District included language stating: “all presently existing legal uses of water shall be protected so long as such use is not contrary to the public interest.” The inclusion of this language was challenged in DOAH Case No. 14-1329RP. The administrative law judge (ALJ) determined the language was invalid, stating that “[e]xisting legal uses are presumed not contrary to the public interest unless and until the District determines otherwise.” The ALJ went on to state that while the District “can make a ‘not contrary’ determination,” it cannot do so prospectively for the duration of a permit.

Language similar to that found to be invalid in the C-43 Reservoir reservation case exists in the water reservations for Picayune Strand, Fakahatchee Estuary, North Fork of the St. Lucie River, and Nearshore Central Biscayne Bay, in subsections 40E-10.041(1) and (2), 40E-10.051, and 40E-10.061(2), F.A.C., respectively. Therefore, rulemaking is necessary to delete the language to be consistent with the ALJ’s order.

Recommended Action:
Publish a Notice of Rule Development in the Florida Administrative Register to revise portions of Chapter 40E-10, Florida Administrative Code, Water Reservations, deleting language found invalid by an administrative law judge in DOAH Case No. 14-1329RP and authorize publication of a Notice of Proposed Rule, provided no requests for workshops are received.

28. Amend Grant Funding for the C-43 Water Quality Treatment and Testing Facility project (Everglades Policy & Coordination, staff contact, Stacey Ollis, ext. 2039)

Agenda Item Background:
In December 2014, the District was awarded Clean Water Act funding for construction and implementation of the C-43 Water Quality Treatment and Testing Facility Project - Phase I. An additional Grant Proposal was submitted in March 2015, and the project was awarded additional grant funding. As a result of the recent award, staff proposes to modify the multi-year cost-share grant agreement with the Florida Department of Environmental Protection to reflect an amount not-to-exceed $436,000, of which the District contribution is $228,000. The amended agreement total will be $2,131,985, of which the District's total contribution is $1,098,985, for which funds are budgeted.

Recommended Action:
Resolution No. 2016 - 1111 Amend a multi-year cost-share agreement with the Florida Department of Environmental Protection to provide the District with pass-through federal funding from the Clean Water Act Section 319 Grants for the C-43 Water Quality Treatment and Testing Facility Project – Phase I, in an amount not-to-exceed $436,000, of which the District contribution is $228,000, for an amended agreement total of $2,131,985, of which the District total contribution is $1,098,985, for which funds are budgeted. (Contract No. 4600003299-A02)

29. Inspector General Reports (Office of Inspector General, staff contact, Tim Beirnes, ext. 6398)

Agenda Item Background: The Audit and Finance Committee Charter provides for the Board's review and approval of audit reports.

Recommended Action:
Approve Inspector General's Audit Reports; The Audit of Bid Solicitation and Award Process, Audit of Procuring Professional Engineering Services for Restoration Projects, and Audit of Investment Management.

30. Central Florida Water Initiative Steering Committee project determination (Executive Office, staff contact, Len Lindahl, ext. 6283)

Agenda Item Background:
This item is to concur with the Central Florida Water Initiative (CFWI) Steering Committee's determination of projects that should be considered for encouragement of legislative funding. The 2015 CFWI Regional Water Supply Plan (RWSP) was approved in November 15, 2015. Among others, the RWSP developed and evaluated specific project options for the region. One of the 2020 CFWI Guiding Principles is "encourage funding for regional strategies necessary to achieve the objectives of the CFWI." Project options for encouragement of legislative funding during the FY2017 session for release in 2017-2018 was conducted. Three projects were selected by the Steering Committee for encouragement of legislative funding during the FY2017-2018 legislative session: Judge Farm Reservoir and Impoundment ($7,876,500), Southeast Polk County Wellfield ($450,000) and Cypress Lake Wellfield ($2,350,000).

Recommended Action:
Resolution No. 2016 - 1112 Concur with the Central Florida Water Initiative Steering Committee's determination of regional projects for encouragement of legislative funding.

31. Board Vote on Consent Agenda

32. Board Comment

Discussion Agenda

33. Technical Reports

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

    - Indian Trails Improvement District Berm Breach Repairs - Tom DeBold, Bureau Chief, Field Operations (ext. 2124)

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

34. Update on Implementation of Restoration Strategies Plan - Ernie Marks, Division Director, Everglades Policy & Coordination (ext. 6993)

Agenda Item Background:
Restoration Strategies is Florida's $880 million capital improvement plan designed to reduce phosphorus levels in flows currently entering the Everglades from the District's Stormwater Treatment Areas (STAs) to levels necessary to achieve the State's water quality criterion for phosphorus. The plan includes construction of a suite of storage, conveyance and water quality improvement projects that will work in conjunction with the existing STAs. This presentation will provide an overview of the Restoration Strategies plan, summarize historical STA data and provide the current status of design, construction and operations of the plan components.

35. Water Year 2016 - Southern Everglades Water Quality Overview - Stuart Van Horn, Bureau Chief, Water Resources (ext. 6628)

Agenda Item Background:
This presentation provides an overview of the total phosphorus requirements and trends for the Southern Everglades with updated data through Water Year 2016,

along with a contrast of current and historic conditions. The information contained in this presentation is published in a consolidated annual report which summarizes progress with restoration efforts and water quality conditions throughout the South Florida Ecosystem in keeping with statutory reporting requirements. The current annual report (South Florida Environmental Report 2017) is available to the public in draft form and provides an update on such progress.

36. Alternative Water Supply Pilot Project; SB552 - Len Lindahl, Assistant Executive Director (ext. 6283)

Agenda Item Background:
Section 373.037, Florida Statutes, provides the option for the water management districts to take the lead in developing and implementing one alternative water supply project within a restricted allocation area as a pilot alternative water supply development project. A summary of the statutory provisions and results of a general request for project proposals will be presented. Staff will provide proposed project evaluation criteria for Board input and consideration.

37. Cost Share Agreement with Collier County, Haldeman Creek Weir (Everglades Policy & Coordination, staff contact, Rod Braun, ext. 2925)

Agenda Item Background:
Since 2006, the District has provided financial assistance to local governments within the Big Cypress Basin (BCB) for 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 water control structure on Haldeman Creek, located in Collier County, is in need of replacement. The current condition of this coastal structure results in poor drainage and salt water intrusion during seasonal high tides. Collier County has requested financial assistance for replacement of the Haldeman Creek Weir. Replacement of the aging structure will improve structure functionality and prevent salt water intrusion. District staff is seeking approval to enter into a 12-month cost share agreement with Collier County in an amount not to exceed $800,000 or 40% of eligible expenses.

Recommended Action:
Resolution No. 2016 - 1113 Enter into a 12-month agreement with Collier County in an amount not to exceed $800,000 or 40% of eligible expenses, whichever is less, for replacement of the Haldeman Creek Weir, subject to approval by the Collier County Board of County Commissioners, for which dedicated Big Cypress Basin ad valorem funds are budgeted. (Contract No. 4600003476)

38. ***ITEM DELETED -*** 20-Year Lease to the University of Florida-IFAS (Real Estate, staff contact, Ray Palmer, ext. 2246)

39. Declare Surplus the “Pero Property” in Palm Beach County (Real Estate, staff contact, Ray Palmer, ext. 2246)

Agenda Item Background:
The Governing Board directed staff to analyze the options for disposal of District land including land interest, commonly referred to as the Pero Property. This property Tract W9100-176, which is 570.77 acres, more or less, of which the District owns a 60.6 percent interest, and Tract W9100-177 containing 10.47 acres, more or less, of which the District owns 100 percent interest, both located in Palm Beach County, and hereinafter referred to as the "Tracts." The District and Palm Beach County (the "County") entered into an Interlocal Agreement on June 6, 2000 requiring the consent of both parties and the US Department of Interior prior to selling or conveying the Tracts. A letter from the Department of Interior to the District that summarily supports the transfer of the Department of Interior's encumbrances is included in the Governing Board supporting documents. The County plans to consider surplus and sale of the 570.77 Tract in December 2016. The proceeds from the sale of Tracts will be divided between the District and the County at the same percentage as the ownership based on an appraisal. The property transfer will be subject to a perpetual agricultural conservation easement tor equivalent legal description. District staff recommends the Tracts be declared surplus, without reservation of phosphate, minerals, metals and petroleum under Section 270.11, Florida Statutes and be offered to the public for bid to be sold for the highest price obtainable, but not less than the greater of $10,000,000 or the combined appraised values of the Tracts.

Recommended Action:
Resolution No. 2016 - 1115 Declare surplus lands commonly known as the Pero Property, in Palm Beach County. This 581.24 acre property is comprised of two tracts. Tract one is 570.77 acres, more or less, of which the District owns a 60.6 percent interest. Tract two is 10.47 acres, more or less, of which the District owns 100 percent. The property will be sold without reservations of interest under Section 270.11, Florida Statutes; however, it will have a perpetual agricultural conservation easement.

The property will be offered to the public for bid to be sold for the highest price obtainable but not less than the appraised value.

40. Water Farm Contract, Caulkins Citrus Company, Ltd. (Everglades Policy & Coordination, staff contact, Eva Velez, ext. 6672)

Agenda Item Background:
As part of the 2016-2017 Florida Legislative session, the Legislature identified approximately $48 million for the construction of Northern Everglades Public Private Partnerships (NE PPP). The NE PPPs were identified by the Florida Department of Environmental Protection (FDEP) as projects that would aid in meeting the goals of the Basin Management Action Plans established for the Northern Everglades and its estuaries. District staff, at the request of FDEP and as a coordinating agency under the Northern Everglades and Estuaries Protection Program, request authorization to enter into Contract No. 46000003437 with Caulkins Citrus Company, Ltd., located in Martin County, for the Caulkins Water Farm Expansion Project (a NE PPP project) for a term of 11-years. The contract term consists of one year of construction and 10 years of operation.

The cost of construction is $7,446,179.94, for which funds appropriated under State Appropriation 1590A are budgeted in Fiscal Year 2016-2017. Payment for services will be an annual fixed amount of $5,500,000 for up to 80,000 acre-feet of net water quantity benefit. Payment for services are solely dependent on future legislative funding and no ad valorem funds are proposed for this project.

Recommended Action:
Resolution No. 2016 - 1116 Enter into Contract No. 46000003437 with Caulkins Citrus Company, Ltd. for the Caulkins Water Farm Expansion Project for a term of 11-years at a cost of $62,446,179.94, of which $7,446,179.94 is provided by the Florida Legislature and budgeted in Fiscal Year 2016-2017 and the remainder is solely dependent on future legislative funding. It also requires Governing Board approval of Fiscal Year 2017-2018 through Fiscal Year 2028-2029 budgets.

41. Legislative Appropriations for C-51 Reservoir Agreements with the Florida Department of Environmental Protection and Palm Beach Aggregates, LLC (Executive Office, staff contact, Len Lindahl, ext. 6283)

Agenda Item Background:
The Florida Legislature appropriated $500,000, from the Grants and Aids to Local Governments and Non-State Entities, Fixed Capital Outlay during the Fiscal Year 2014-2015 through the General Appropriations Act 1627B. The Florida Legislature has appropriated a total of $2,000,000, from the Grants and Aids to Local Governments and Non-State Entities, Fixed Capital Outlay during the Fiscal Year 2016-2017 through the General Appropriations Act 1590B - C-51 Reservoir Implementation from General Revenue Fund.

The C-51 Reservoir North Conveyance project is a component of the C-51 Reservoir Implementation Water Supply Project. Palm Beach Aggregates, LLC will design and construct the North Conveyance project and will own and maintain the associated infrastructure. Upon completion of the entire C-51 Reservoir Implementation project, Palm Beach Aggregates, LLC will turn the project over to the C-51 Not for Profit.

Staff is seeking approval of the Resolution authorizing the District to enter into a grant agreement with the Florida Department of Environmental Protection; and to enter into an agreement with Palm Beach Aggregates, LLC, for the design and construction of the C-51 North Conveyance project, a component to the C-51 Reservoir Implementation Project.

Recommended Action:
Resolution No. 2016 - 1117 Enter into a grant agreement with the Florida Department of Environmental Protection and authorize the Executive Director or Designee to execute a grant agreement and to submit reimbursement requests, in the amount of $2,500,000, as funded by the Florida Legislature in the General Appropriations Act Fiscal Year 2014-15 1627B and Fiscal Year 2016-17 1590B (Contract No. 4600003582); and to enter into an agreement with Palm Beach Aggregates, LLC for the North Conveyance, a component of the C-51 Reservoir Implementation Project, at no cost to the District. (Contract No. 4600003583)

42. Contract with L. J. Clark Construction, Inc., for the S72 and S75 project (Operations, Engineering and Construction, staff contact, Alan Shirkey, ext. 2579)

Agenda Item Background:
During the inspection of the S72 and S75 spillway structures in Glades County, District staff observed concrete deterioration and exposed rebar on the spillway walls and weir. Based on these observations, refurbishment of the S72 and S75 spillway structures in the Indian Prairie Basin was recommended to support the continued operation of these structures. The project includes repair of spalled concrete, replacement of gates, recoating of wing walls, adding steel plating on the weir crest and along the corners of the gate recesses, installing new hand and guard rails, adding staff gauges/stilling wells and any other structure-specific deficiencies identified. This work will strictly address repair and maintenance issues and will not change the level of service, intent or operations plan of the original structures.

Recommended Action:
Resolution No. 2016 - 1118 Enter into a 950-day contract with L. J. Clark Construction, Inc., the lowest responsive and responsible bidder, for the S72 and S75 Structure Refurbishment Project, in the amount of $6,264,100, for which $1,000,000 is budgeted in the Fiscal Year 2016-2017, and the remainder is subject to Governing Board approval of future years' budgets. (Contract number 4600003591)

43. General Public Comment

Staff Reports

44. Monthly Financial Report - Dorothy Bradshaw

45. General Counsel's Report - Brian Accardo

46. Executive Director's Report - Peter Antonacci

47. Board Comment

- Consideration of guiding principles with respect to the contract with U.S. Fish and Wildlife Service to manage lands owned by the District.

48. 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.

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REGULATORY ITEMS FOR GOVERNING BOARD ACTION
November 10, 2016

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II	SEMINOLE TRIBE WORK PLANS	2

Attachment: ca_reg_rm_100sd(II) (3267 : Regulatory Consent Agenda)

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.

Attachment: ca_reg_rm_100sd(II) (3267 : Regulatory Consent Agenda)

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.

Attachment: ca_reg_rm_100sd(II) (3267 : Regulatory Consent Agenda)

CONSERVATION EASEMENT AMENDMENTS AND RELEASES

1. PERMITTEE: R AND R DAVIE LLC — PERMIT NO. 06-04006-P
PROJECT: RICK CASE VEHICLE STORAGE EXPANSION — APPLICATION NO. 160408-17

SEC 21 TWP 50S RGE 40E — BROWARD COUNTY
APPROVE THE FULL RELEASE OF A RECORDED CONSERVATION EASEMENT FOR A PROJECT KNOWN AS RICK CASE VEHICLE STORAGE EXPANSION (APPLICATION NO. 160408-17, PERMIT NO. 06-04006-P).
SUMMARY:
R AND R DAVIE, LLC REQUESTS RELEASE OF A 2.91-ACRE CONSERVATION EASEMENT TO EXPAND AN EXISTING VEHICULAR STORAGE LOT. THE APPLICANT IS PROVIDING 3.46 ACRES OF WETLAND RESTORATION AND 2.61 MITIGATION BANK CREDITS FROM LOXAHATCHEE MITIGATION BANK AS MITIGATION. A NEW CONSERVATION EASEMENT WILL BE RECORDED OVER THE 3.46-ACRE WETLAND RESTORATION AREA, 2.93 ACRES OF UPLANDS AND 0.6 ACRES OF FLUSHING CHANNELS

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2. PERMITTEE: P. RONALD SABITINO AND POINTE AT PELICAN LANDING CONDOMINIUM ASSOCIATION INC — PERMIT NO. 36-02469-S
PROJECT: SPRING CREEK WEST — APPLICATION NO. 151027-18

SEC 21 TWP 47S RGE 25E — LEE COUNTY
APPROVE THE PARTIAL RELEASE OF A RECORDED CONSERVATION EASEMENT WITHIN PROPERTY OWNED BY P. RONALD SABATINO FOR A PROJECT KNOWN AS SPRING CREEK WEST (APPLICATION NO. 151027-18, PERMIT NO. 36-02469-S).
SUMMARY:
THE APPLICANTS REQUEST RELEASE OF 0.04 ACRES OF UPLAND BUFFER AREAS WITHIN THE RECORDED CONSERVATION EASEMENT TO ACCOMMODATE MINOR SITE PLAN RECONFIGURATIONS WITHIN LOT 9. THE AREA TO BE RELEASED WAS NOT PART OF A MITIGATION PLAN, SO NO MITIGATION IS REQUIRED. THE ORIGINAL CONSERVATION EASEMENT ACREAGE TOTALED 3 ACRES; AS A RESULT OF THIS PARTIAL RELEASE, THE CONSERVATION EASEMENT WILL BE 2.96 ACRES.

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3. PERMITTEE: REEDY CREEK IMPROVEMENT DISTRICT — PERMIT NO. 48-00714-P
PROJECT: REEDY CREEK IMPROVEMENT DISTRICT — APPLICATION NO. 160901-6

SEC 14,23 TWP 25S RGE 27E — OSCEOLA COUNTY
APPROVE THE PARTIAL RELEASE OF A RECORDED CONSERVATION EASEMENT FOR A PROJECT KNOWN AS REEDY CREEK IMPROVEMENT DISTRICT (APPLICATION NO. 160901-6, PERMIT NO. 48-00714-P).
SUMMARY:
REEDY CREEK IMPROVEMENT DISTRICT REQUESTS RELEASE OF 0.5 ACRES OF A RECORDED CONSERVATION EASEMENT TO ALLOW FOR INFRASTRUCTURE IMPROVEMENTS. MITIGATION CONSISTS OF 1.5 ACRES OF PRESERVATION AT A LOCATION WITH GREATER ECOLOGICAL VALUE.

Attachment: ca_reg_rm_100sd(II) (3267 : Regulatory Consent Agenda)

SEMINOLE TRIBE WORK PLANS

1. CONCUR WITH THE FIRST AMENDMENT TO THE TWENTY EIGHTH ANNUAL WORK PLAN FOR THE SEMINOLE TRIBE OF FLORIDA. THIS WORK PLAN IS THE PROCEDURAL MECHANISM UNDER WHICH THE DISTRICT ADDRESSES WATER USE, SURFACE WATER MANAGEMENT, NATURAL RESOURCE MANAGEMENT, WELL CONSTRUCTION, AND RIGHT OF WAY ACTIVITIES THE TRIBE PLANS TO UNDERTAKE. THIS MECHANISM WAS ESTABLISHED UNDER THE 1987 WATER RIGHTS COMPACT AMONG THE SEMINOLE TRIBE OF FLORIDA, THE STATE OF FLORIDA AND THE SFWMD (ALSO SEE SECTION 373.200, FLORIDA STATUTES).
   SUMMARY:
   UNDER THIS AMENDED WORK PLAN, THE FOLLOWING ACTIVITIES ARE PLANNED. WORKS IN THE HOLLYWOOD RESERVATION INCLUDE A PROPOSAL FOR THE CONSTRUCTION OF TWO CLASS I INJECTION WELLS AND ONE MONITORING WELL AT THE WASTEWATER TREATMENT PLANT. THE PROPOSAL HAS BEEN REVIEWED WITH THE COOPERATION OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA) AND IS BEING PERMITTED BY EPA.

Attachment: ca_reg_rm_100sd(II) (3267 : Regulatory Consent Agenda)

M E M O R A N D U M

TO: Governing Board Members

FROM: Karen Estock, Director, Field Operations & Land Management

DATE: November 10, 2016

SUBJECT: Right of Way - Occupancy Permit

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RIGHT OF WAY OCCUPANCY CONSENT AGENDA FOR GOVERNING BOARD APPROVAL

November 10, 2016

		PAGES
I	**RIGHT OF WAY OCCUPANCY NEW PERMITS:** Governing Board action is required for routine requests for permits which conform to applicable rules for utilization of Works and Lands of the District. Items are placed on this Consent Agenda when the staff's recommendation is for approval.	2

Attachment: 2016_11_GB Agenda_ROW (3251 : Right of Way - Occupancy Permit)

RIGHT OF WAY OCCUPANCY NEW PERMITS

Under consideration is a request by **Miami-Dade County Parks Recreation and Open Spaces Department** (Application Number 13-0808-1) for issuance of Standard Right of Way Occupancy Permit Number 14685. The project proposes a new segment of the Biscayne Trail (Segment C) linear park within the east right of way of L-31E consisting of unimproved trail, safety fencing with gates, access gates (i.e., District-standard gates being constructed at the applicant's expense and then turned over to the District), signage, and compacted limerock spur trails extending east on C-103 and C-102, each with a rest area consisting of benches, bike racks, a trash receptacle set on a concrete slab, and native tree plantings. (Location**:** L-31E beginning at SW 328 Street and extending north approximately 6 miles to C-1 (Black Creek Canal) with spur trails extending east on the south rights of way of C-103 and C-102. Miami-Dade County, Section (multiple), Township 56 & 57 South, Range 40 East).

A Standard Permit and hence Governing Board approval is required for this project due to the proposed use as a linear park. The project is part of the County's South-Dade Greenway Network trail system, existing portions of which have been previously permitted within other reaches of the District's rights of way. The proposed trail will link Homestead Bayfront Park to Black Point Park, and provide passive recreational amenities to the general public at the east end of C-103 and C-102, both of which extend into Biscayne National Park. The project originally proposed an asphalt trail on the crown of L-31E, but was determined to be inconsistent with operations and maintenance activities and was redesigned. The project, as currently designed, will not interfere with District's operations and maintenance activities and will provide improved safety and security features. All improvements and the rights of way adjacent to them will be maintained by the County, with the exception of the new access gates which will be maintained by the District.

Staff recommends approval of the request by Miami-Dade County Parks Recreation & Open Spaces Department (Application Number 13-0808-1) for issuance of a Standard Right of Way Occupancy Permit (Number 14685).

(Fee & Easement)

Attachment: 2016_11_GB Agenda_ROW (3251 : Right of Way - Occupancy Permit)

M E M O R A N D U M

TO: Governing Board Members

FROM: Lennart J. Lindahl, Assistant Executive Director

DATE: November 10, 2016

SUBJECT: Release of Reservations

Agenda Item Background:
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, because these represent clouds on titles. 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 and road reservations, and issue non-use commitment for Town of Davie, LLC (File Nos. 10-16-3, NUC 1717 and 18714) for 8.77 acres

- Miami-Dade County
  - Release canal reservations for John D. Burns and Blanca V. Burns, husband and wife, (File Nos. 10-16-2 and 18713) for 1.12 acres
  - Release canal reservations for Sapphire Nurseries, LLC (File No. 10-16-4) for 19.35 acres
  - Release canal reservations for 14500 Holdings, LLC (File Nos. 10-16-1 and 18711) for 8.28 acres
  - Release canal, road and mineral reservations for Florida Power & Light Company (File Nos. 10-16-5 and 18716) for 238.70 acres; includes 40.0+/- acres to be released as to mineral reservations within Everglades National Park, to be conveyed to the United States of America, requiring a waiver of policy

- Palm Beach County
  - Release canal and road reservations for Victor Kweller, as Trustee (File No. 18715) for 0.11 acres

  - Release canal reservations for Ronald David Simon (File No. 18712) for 10.0 acres
  - Issue non-use commitments for Running D Ranch Corporation (File Nos. NUC 1714 and NUC 1718) for 24.57 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 commitments 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 - 1101

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

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

WHEREAS, Florida Power & Light Company owns 40.00 acres, more or less, within the boundary of Everglades National Park that is to be conveyed to the United States of America, and has requested the release of the mineral reservations on said parcel, thereby requiring a waiver of policy regarding the release of mineral reservations in excess of 2.0+/- acres; and

WHEREAS, the District is empowered to grant such releases and non-use commitments 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, road and mineral reservations, and the issuance of non-use commitments, as described in Resolution Exhibit “A”, attached hereto and made a part hereof, and hereby waives the policy of not granting releases of mineral reservations over 2.0 +/- acres for the release being requested by Florida Power & Light Company of 40.0 +/- acres.

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

PASSED and **ADOPTED** this 10th day of November, 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:

_____

RESOLUTION - EXHIBIT "A"

Broward County

File Nos.:	10-16-3, NUC 1717 and 18714
Applicant:	Town of Davie
Reserving Deeds:	T-16198 (DB 46-240, 12/24/1908), E-1508 (DB 467-107, 10/16/1944), E-1517 (DB 469-396, 10/16/1944), E-1518 (DB 469-502, 10/20/1944), E-1519 (DB 463-495, 10/16/1944)
Action:	Release canal and road reservations and issue non-use commitment
Acres:	8.77 acres, more or less
Legal Description:	A portion of Tract "A", DIAMOND CREEK, PB 175-94, and a portion of Tract "A", BLACKSTONE CREEK, PB 175-82, Section 21, Township 50 South, Range 40 East
Location:	Vacant land West of SW 156th Avenue and East of I-75, Davie, Broward County

Miami-Dade County

File Nos.:	10-16-2 and 18713
Applicant:	John D. Burns and Blanca V. Burns, husband and wife
Reserving Deeds:	T-16198 (DB 46-240, 12/24/1908) and E-7031 (DB 3383-505, 12/22/1950)
Action:	Release canal reservations
Acres:	1.12 acres, more or less
Legal Description:	A portion of Tract 31, FLORIDA FRUIT LANDS COMPANY SUBDIVISION, PB 2-17, Section 13, Township 52 South, Range 39 East
Location:	9300 SW 177 Avenue, Miami, Miami-Dade County

File No.:	10-16-4
Applicant:	Sapphire Nurseries, LLC, a Delaware limited liability company
Reserving Deeds:	T-16189 (DB 46-252, 10/26/1908) and T-16189Cor (DB 65-357, 5/14/1912)
Action:	Release canal reservations
Acres:	19.35 acres, more or less
Legal Description:	A portion of Lot 16, Block 1; all of Lot 9, Block 2, and a portion of Lot 10, Block 2, TATUM BROTHERS REAL ESTATE & INVESTMENT COMPANY SUBDIVISION, PB 1-102, Sections 10 and 11, Township 52 South, Range 39 East
Location:	17801 NW 137th Avenue, Miami, Miami-Dade County

File Nos.:	10-16-1 and 18711
Applicant:	14500 Holdings, LLC, a Florida limited liability company
Reserving Deeds:	T-16198 (DB 46-240, 12/24/1908) and E-672 (DB 230-429, 6/25/1920)
Action:	Release canal reservations
Acres:	8.28 acres, more or less
Legal Description:	A portion of Tract 8 of FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, PB 2-17 Section 19, Township 52 South, Range 40 East
Location:	Vacant land at the Northwest corner of NW 146th Street and NW 107th Avenue, Hialeah Gardens, Miami-Dade County

Attachment: ca_re_200_Resolution_Exh_A_Massey_Release_of_Reservations (Resolution No. 2016 - 1101 : Release of Reservations)

Miami-Dade County (cont'd)

File Nos.:	10-16-5 and 18716
Applicant:	Florida Power & Light Company, a Florida corporation
Reserving Deeds:	T-16189 (DB 46-252, 10/26/1908), T-16189Cor (DB 65-357, 5/14/1912), T-16198 (DB 46-240, 12/24/1908), T-16284 (DB 50-407, 5/28/1910) and E-4606 (DB 2633-350, 1/25/1946)
Action:	Release canal, road and mineral reservations
Acres:	238.70 acres, more or less
Legal Description:	Portions of Section 36, Township 52 South, Range 38 East; portions of Sections 1, 12 and 13, Township 53 South, Range 38 East; portions of Government Lot 1, Township 53/54 South, Range 38 East; portions of Sections 1, 2, 11, 14, 23, 26 and 35, Townships 54 South, Range 38 East; portions of Government Lot 2, Townships 54/55 South, Range 38 East, and portions of Sections 1, 2, 10, 11 and 23, Township 55 South, Range 38 East
Location:	Vacant land located in Everglades National Park, Miami-Dade County

Palm Beach County

File No.:	18715
Applicant:	Victor Kweller, as Trustee of the Kweller Family Trust under Agreement dated February 14, 2002
Reserving Deed:	E-516 (DB 685-589, 4/15/1944)
Action:	Release canal and road reservations
Acres:	0.11 acres, more or less
Legal Description:	Lot 194-B, LAKERIDGE GREENS, PB 74-178, Section 3, Township 46 South, Range 42 East
Location:	6547 Bayhill Terrace, Boynton Beach, Florida, Palm Beach County

File No.:	18712
Applicant:	Ronald David Simon
Reserving Deed:	T-4385 (DB 357-516, 4/12/1926)
Action:	Release canal reservations
Acres:	10.0 acres, more or less
Legal Description:	Lots 117 and 118, Block 71, PALM BEACH FARMS COMPANY PLAT NO. 3, PB 2-45, Section 32, Township 46 South, Range 42 East
Location:	8295 Clint Moore Road, Boca Raton, Palm Beach County

File Nos.:	NUC 1714 and NUC 1718
Applicant:	Running D Ranch Corporation, a Florida corporation
Reserving Deeds:	QCD (DB 919-433, 9/12/1950), QCD (DB 975-62, 9/26/1950)
Action:	Issue non-use commitments
Acres:	24.57 acres, more or less
Legal Description:	A portion of Tracts 69, 70, 71, 84, 85 and 86, Block 45, together with 30 foot wide reserved strips, PALM BEACH FARMS CO. PLAT NO. 3, PB 2-45, Section 18, Township 45 South, Range 42 East
Location:	9469 and 9527 87th Place South, Boynton Beach, Palm Beach County

Attachment: ca_re_200_Resolution_Exh_A_Massey_Release_of_Reservations (Resolution No. 2016 - 1101 : Release of Reservations)

MEMORANDUM - EXHIBIT "A"

Broward County

File Nos.:	10-16-3, NUC 1717 and 18714
Applicant:	Town of Davie
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Fee Paid:	$1,450.00
Action:	Release canal and road reservations and issue non-use commitment
Acres:	8.77 acres, more or less
Legal Description:	A portion of Tract "A", DIAMOND CREEK, PB 175-94, and a portion of Tract "A", BLACKSTONE CREEK, PB 175-82, Section 21, Township 50 South, Range 40 East
Location:	Vacant land West of SW 156th Avenue and East of I-75, Davie, 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 Control District

Miami-Dade County

File Nos.:	10-16-2 and 18713
Applicant:	John D. Burns and Blanca V. Burns, husband and wife
Reserving Deeds:	T-16198 (DB 46-240, 12/24/1908) and E-7031 (DB 3383-505, 12/22/1950)
Fee Paid:	$250.00
Action:	Release canal reservations
Acres:	1.12 acres, more or less
Legal Description:	A portion of Tract 31, FLORIDA FRUIT LANDS COMPANY SUBDIVISION, PB 2-17, Section 16, Township 52 South, Range 39 East
Location:	9300 SW 177 Avenue, Miami, 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

File No.:	10-16-4
Applicant:	Sapphire Nurseries, LLC, a Delaware limited liability company
Reserving Deeds:	T-16189 (DB 46-252, 10/26/1908) and T-16189Cor (DB 65-357 5/14/1912)
Fees Paid:	$250.00
Action:	Release canal reservations
Acres:	19.35 acres, more or less
Legal Description:	A portion of Lot 16, Block 1; all of Lot 9, Block 2, and a portion of Lot 10, Block 2, TATUM BROTHERS REAL ESTATE & INVESTMENT COMPANY SUBDIVISION, PB 1-102, Section 11, Township 52 South, Range 39 East
Location:	17801 NW 137th Avenue, Miami, Miami-Dade County

Attachment: ca_re_200_Memorandum_Exh_A_Massey_Release_of_Reservations (Resolution No. 2016 - 1101 : Release of Reservations)

Miami-Dade County (cont'd)

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

File Nos.:	10-16-1 and 18711
Applicant:	14500 Holdings, LLC, a Florida limited liability company
Reserving Deeds:	T-16198 (DB 46-240, 12/24/1908) and E-672 (DB 230-429, 6/25/1920)
Fees Paid:	$500.00
Action:	Release canal reservations
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Legal Description:	A portion of Tract 8 of FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, PB 2-17 Section 19, Township 52 South, Range 40 East
Location:	Vacant land at the Northwest corner of NW 146th Street and NW 107th Avenue, Hialeah Gardens, 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

File Nos.:	10-16-5 and 18716
Applicant:	Florida Power & Light Company, a Florida corporation
Reserving Deeds:	T-16189 (DB 46-252, 10/26/1908), T-16189Cor (DB 65-357, 5/14/1912), T-16198 (DB 46-240, 12/24/1908), T-16284 (DB 50-407, 5/28/1910) and E-4606 (DB 2633-350, 1/25/1946)
Fee Paid:	$0.00
Action:	Release canal, road and mineral reservations
Acres:	238.70 acres, more or less
Legal Description:	Portions of Section 36, Township 52 South, Range 38 East; portions of Sections 1, 12 and 13, Township 53 South, Range 38 East; portions of Government Lot 1, Township 53/54 South, Range 38 East; portions of Sections 1, 2, 11, 14, 23, 26 and 35, Townships 54 South, Range 38 East; portions of Government Lot 2, Townships 54/55 South, Range 38 East, and portions of Sections 1, 2, 10, 11 and 23, Township 55 South, Range 38 East
Location:	Vacant land located in Everglades National Park, Miami-Dade County
Reviewed by:	No routing; vacant land located in Everglades National Park

Palm Beach County

File No.:	18715
Applicant:	Victor Kweller, as Trustee of the Kweller Family Trust under Agreement dated February 14, 2002
Reserving Deed:	E-516 (DB 685-589, 4/15/1944)
Fees Paid:	$250.00
Action:	Release canal and road reservations
Acres:	0.11 acres, more or less
Legal Description:	Lot 194-B, LAKERIDGE GREENS, PB 74-178, Section 3, Township 46 South, Range 42 East
Location:	6547 Bayhill Terrace, Boynton Beach, Florida, Palm Beach County

Attachment: ca_re_200_Memorandum_Exh_A_Massey_Release_of_Reservations (Resolution No. 2016 - 1101 : Release of Reservations)

Palm Beach County (cont'd)

Reviewed By:	No routing due to size and land use

File No.:	18712
Applicant:	Ronald David Simon
Reserving Deed:	T-4385 (DB 357-516, 4/12/1926)
Fee Paid:	$250.00
Action:	Release canal reservations
Acres:	10.0 acres, more or less
Legal Description:	Lots 117 and 118, Block 71, PALM BEACH FARMS COMPANY PLAT NO. 3, PB 2-45, Section 32, Township 46 South, Range 42 East
Location:	8295 Clint Moore Road, Boca Raton, 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

File Nos.:	NUC 1714 and NUC 1718
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Fee Paid:	$1,700.00
Action:	Issue non-use commitments
Acres:	24.57 acres, more or less
Legal Description:	A portion of Tracts 69, 70, 71, 84, 85 and 86, Block 45, together with 30 foot wide reserved strips, PALM BEACH FARMS CO. PLAT NO. 3, PB 2-45, Section 18, Township 45 South, Range 42 East
Location:	9469 and 9527 87th Place South, Boynton Beach, 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 - 1101 : Release of Reservations)

M E M O R A N D U M

TO: Governing Board Members

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

DATE: November 10, 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 and road reservations, and issue non-use commitment for Town of Davie (File Nos. 10-16-3, NUC 1717 and 18714) for 8.77 acres

- **Miami-Dade County**
  Release canal reservations for John D. Burns and Blanca V. Burns, husband and wife, (File Nos. 10-16-2 and 18713) for 1.12 acres

  Release canal reservations for Sapphire Nurseries, LLC (File No. 10-16-4) for 19.35 acres

  Release canal reservations for 14500 Holdings, LLC (File Nos. 10-16-1 and 18711) for 8.28 acres

  Release canal, road and mineral reservations for Florida Power & Light Company (File Nos. 10-16-5 and 18716) for 238.70 acres; includes 40.0+/- acres to be released as to mineral reservations within Everglades National Park, to be conveyed to the United States of America, requiring a waiver of policy

- **Palm Beach County**
  Release canal and road reservations for Victor Kweller, as Trustee (File No. 18715) for 0.11 acres

  Release canal reservations for Ronald David Simon (File No. 18712) for 10.0 acres

  Issue non-use commitments for Running D Ranch Corporation (File Nos. NUC 1714 and NUC 1718) for 24.57 acres

Attachment: ca_re_200_sd_Massey_Release_of_Reservations (Resolution No. 2016 - 1101 : Release of Reservations)

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 commitments 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

Attachment: ca_re_200_sd_Massey_Release_of_Reservations (Resolution No. 2016 - 1101 : Release of Reservations)

M E M O R A N D U M

TO: Governing Board Members

FROM: Lennart J. Lindahl, Assistant Executive Director

DATE: November 10, 2016

SUBJECT: Grant of Utility Easement

Agenda Item Backgound:
The District provides nature-based recreational activities on the Dupuis Management Area, which was acquired through the Save Our Rivers Program for conservation and water resource purposes. To facilitate and enhance public recreation on the property, an easement containing 0.20 +/- acre is being granted to Florida Power & Light Company to provide the necessary utilities for a new public restroom facility being constructed at the DuPuis Equestrian Campground (see map attached as Exhibit “A”).

Additional Background:
See maps attached hereto and made a part hereof, which contain the details and locations of the proposed easement.

Core Mission and Strategic Priorities:
The Governing Board, pursuant to Section 373.056(4), Florida Statutes, may grant utility easements on land owned by the district to any private or public utility for the limited purpose of obtaining utility service to district property under such terms and conditions as the governing board of the district may determine.

Funding Source:
N/A; the easement is being conveyed at no cost.

Staff Contact and/or Presenter
Kathy Massey, kmassey@sfwmd.gov, ext. 6835

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 1102

A Resolution of the Governing Board of the South Florida Water Management District to convey to Florida Power & Light Company a utility easement that provides service to the District's DuPuis Equestrian Campground; providing an effective date.

WHEREAS, to facilitate and enhance public recreation on the South Florida Water Management District's (District) property, an easement containing 0.20 acre, more or less, is being granted to Florida Power & Light Company (FPL) to provide the necessary utilities for a new public restroom facility being constructed at the DuPuis Equestrian Campground; and

WHEREAS, pursuant to Section 373.056(4), Florida Statutes, any water management district may grant utility easements on land owned by such district to any private or public utility for the limited purpose of obtaining utility service to district property under such terms and conditions as the governing board of such district may determine;

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 conveyance of an easement containing 0.20 +/- acre to Florida Power & Light Company to provide utility service to the District's DuPuis Equestrian Campground.

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

PASSED and **ADOPTED** this 10th day of November, 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:

_____

Easement to FP&L, DuPuis Wildlife and Environmental Area

South Florida Water Management District
3301 Gun Club Road, West Palm Beach, Florida 33406
561-686-8800; www.sfwmd.gov

0 0.006 0.012 0.018 0.024 Miles

0 0.01 0.02 0.03 Kilometers

DISCLAIMER:
This map is a conceptual or planning tool only. The South Florida Water Management District does not guarantee or make any representation regarding the information contained herein. It is not a Relocating or binding, and does not affect the interests of any persons or properties, including any present or future right or use of real property.

Map Produced on Date: 10/21/2016 5:10:30 PM

SFWMD Geospatial Services

Attachment: ca_re_201_Map_ExhA_Massey_FPL_DuPuis_Easement (Resolution No. 2016 - 1102 : Grant of Utility Easement)

M E M O R A N D U M

TO: Governing Board Members

FROM: Lennart J. Lindahl, Assistant Executive Director

DATE: November 10, 2016

SUBJECT: Release of C-4 Canal Right of Way

Agenda Item Background:
The Applicant has requested a release of 0.38 acre, more or less, of the C-4 canal right of way lying South of Lot 2, Block 29, SWEETWATER ESTATES, Miami-Dade County, for residential purposes. The landowner has constructed a pool, pool deck, aluminum pool fence, carport, metal shed, gazebo and other existing backyard structures in the right of way area and this release will resolve some of the encroachments (see map attached as Exhibit "A").

The release will be subject to the District's satisfaction of the Applicants completion of the following terms, conditions and requirements:

a. Applicant must provide a legal description and sketch for transfer instrument, subject to District review and approval.
b. All costs associated with this transaction shall be paid for by the Applicant, including but not limited to all recording costs, and under no circumstances shall the District be obligated to pay any amount to the Applicant or otherwise in connection with this transaction.
c. The Applicant shall pay to the District no less than appraised value for the release of the subject portion of the canal right of way. The appraiser, appraisal and appraised value must all be acceptable to and approved by the District.
d. The Applicant shall obtain all necessary permits and approvals from the District, Miami-Dade County, United States Army Corps of Engineers and any other governmental entities, if any, and pay all associated fees. There is no representation, guaranty or assurance made by the District that the District's Governing Board will in fact approve the issuance of any required District permits, and there is no obligation on the part of the District's Governing Board to approve the issuance of any required District permits. The District's review process for any required permits will be done separate, independent and unfettered of the fact that the District has approved this Resolution and shall be in accordance with the District's applicable rules.
e. All encroachments into the District's retained 25 foot right of way will be removed prior to any release.
f. All of the foregoing terms, conditions, and requirements set forth in subparagraphs (a.) through (e.), inclusive, must be satisfied to the satisfaction of the District in its sole and absolute discretion no later than December 31, 2017.

Additional Background:
The Applicant has paid a $1,000 non-refundable application fee and will pay appraised value for

the easement being released, together with all costs associated with the disposal.

Core Mission and Strategic Priorities:
The Governing Board, pursuant to Section 373.096 of the Florida Statutes, may release any right of way interest for which it has no present or apparent use under terms and conditions determined by the Board.

Staff Contact and/or Presenter:
Kathy Massey, kmassey@sfwmd.gov, extension 6835

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 1103

A Resolution of the Governing Board of the South Florida Water Management District to Release right of way interests containing 0.38 acre, more or less, to the applicant at appraised value on the C-4 right of way, Section 2, Township 54 South, Range 39 East, Miami-Dade County, subject to satisfaction of certain terms, conditions and requirements; providing an effective date.

WHEREAS, pursuant to a request from the applicants, Luis Gomez and Maria Gomez, husband and wife, who are the underlying fee owners (Applicant), the District has determined that it is in the public interest to release a portion of its current C-4 canal right of way to the Applicant to accommodate a pool, pool deck, aluminum pool fence, carport, metal shed, gazebo and other existing backyard structures. The area of the current right of way to be released contains 0.38 acre, more or less, and is located in Section 2, Township 54 South, Range 39 East, Miami-Dade County; and

WHEREAS, upon the satisfaction of certain terms, conditions and requirements, the Governing Board has determined that this portion of the C-4 right of way is not required by the District for present or apparent future use; and

WHEREAS, the Applicant has paid the application fee and the District will release its interest at appraised value; and

WHEREAS, pursuant to Section 373.096, Florida Statutes, the Governing Board of the District may release any right of way interest for which it has no present or apparent future use under terms and conditions determined by the Board.

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 has determined that the District has no present or apparent future use for the subject portion of canal right of way and therefore hereby approves releasing 0.38 acre, more or less, from the current C-4 right of way area located in Section 2, Township 54 South, Range 39 East, Miami-Dade County, to the Applicant/underlying fee owner at appraised value, provided all of the following terms, conditions, and requirements are satisfied to the satisfaction of the District, in its sole and absolute discretion:

1. Applicant must provide a legal description and sketch for transfer instrument, subject to District review and approval.
2. All costs associated with this transaction shall be paid for by the Applicant, including but not limited to all recording costs, and under no circumstances shall the District be obligated to pay any amount to the Applicant or otherwise in connection with this transaction.
3. The Applicant shall pay to the District no less than appraised value for the release of the subject portion of the canal right of way. The appraiser, appraisal and appraised value must all be acceptable to and approved by the District.
4. The Applicant shall obtain all necessary permits and approvals from the

District, Miami-Dade County, United States Army Corps of Engineers and any other governmental entities, if any, and pay all associated fees. There is no representation, guaranty or assurance made by the District that the District's Governing Board will in fact approve the issuance of any required District permits, and there is no obligation on the part of the District's Governing Board to approve the issuance of any required District permits. The District's review process for any required permits will be done separate, independent and unfettered of the fact that the District has approved this Resolution and shall be in accordance with the District's applicable rules.

5. All encroachments into the District's retained 25 foot right of way will be removed prior to any release.

6. All of the foregoing terms, conditions, and requirements set forth in subparagraphs (1.) through (5.), inclusive, must be satisfied to the satisfaction of the District in its sole and absolute discretion no later than December 31, 2017.

Section 2: The Governing Board of the South Florida Water Management District hereby authorizes the Chairman to execute the release document. No release instrument shall be delivered to the Applicant/underlying fee owner, or shall be effective, until all of the foregoing requirements have been fully completed and fulfilled to the District's satisfaction, and such release has been recorded in the Public Records of Miami-Dade County.

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

PASSED and **ADOPTED** this 10th day of November, 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:

_____

ca_re_202_Map_ExhA_Massey_C-4_Gomez.pdf

Exhibit "A"

Attachment: ca_re_202_Map_ExhA_Massey_C-4_Gomez (Resolution No. 2016 - 1103 : Release of C-4 Canal Right of Way)

Gomez - C-4 Release of Right of Way

South Florida Water Management District
3301 Gun Club Road, West Palm Beach, Florida 33406
561-686-8800; www.sfwmd.gov

N W E S

0 0.006 0.012 0.018 0.024 Miles

0 0.01 0.02 0.03 Kilometers

DISCLAIMER:
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Map Produced on Date: 10/21/2016 4:05:29 PM

SFWMD Geospatial Servic

M E M O R A N D U M

TO: Governing Board Members

FROM: Lennart J. Lindahl, Assistant Executive Director

DATE: November 10, 2016

SUBJECT: Cattle grazing lease: Garry Webb - 557.20 acres, more or less, in St. Lucie County

Agenda Item Background:
The District owns real property located in St. Lucie County, Florida, known as Cypress Creek/Trail Ridge, Encumbrance ID KE10E-059. The District purchased the property in May 2005. The specific property is located within the footprint of the CERP Indian River Lagoon-South Project. The District acquired the property for the Cypress Creek Complex Component to use the land for natural water storage, rehydration and habitat restoration. It is appropriate under these circumstances to continue the lease on the 557.20 acre property for cattle grazing. The revenues generated from this lease will assist Land Management in managing this and other District-owned lands.

At the time of acquisition of the property in 2005, the District accepted a lease assignment to continue cattle grazing. The lease assignment initially expired on May 12, 2010, but was amended and extended four times and expired on May 12, 2016, continuing on a month-to-month basis. The proposed 5th Amendment will be for a lease for cattle grazing extending the lease from its most recent expiration date of May 12, 2016 through a new expiration date of May 12, 2021. Annual rent will be calculated and adjusted each year based on the Leasing Policy market rent formula and land management requirements have been updated to reflect the current practices.

Core Mission and Strategic Priorities:
The objective of this lease is to obtain assistance in the stewardship and maintenance of this land by utilizing beef cattle grazing as a tool in the maintenance of grass pastures and native range and provide revenue for the maintenance and management of District lands.

The revenues generated from this lease will assist Land Management in managing this and other District-owned Interim and Restoration lands.

Funding Source:
There are no District costs associated with this item other than the cost of administering the lease. This lease extension is estimated to bring in $67,518 of net revenue to the District.

Staff Contact and/or Presenter:
Ray Palmer, rpalmer@sfwmd.gov, ext. 2246

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 1104

A Resolution of the Governing Board of the South Florida Water Management District to Issue a 5-year cattle grazing lease extension to the existing Lease with Garry Webb on 557.20 acres, more or less in St. Lucie County; providing an effective date. (Contract No. LS050804)

WHEREAS, the Governing Board, pursuant to Section 373.093, of the Florida Statutes, may lease lands or interests in land under terms and conditions determined by the Governing Board;

WHEREAS, the District and Garry Webb, desire to extend the current Lease Agreement on the premises for 5-years under Contract No. LS050804-A05 (the "Lease Agreement"); and

WHEREAS, the Lessee's main use of the Premises will be cattle grazing which will assist in the stewardship and maintenance of the grass pastures and native range; and

WHEREAS, Lessee's current lease expired May 12, 2016, yet has been continuing on a month-to-month basis. The proposed amendment will be for a lease extension for 5-years, from the most recent expiration date of May 12, 2016 through a new expiration date of May 12, 2021.

WHEREAS, the Governing Board of the South Florida Water Management District deems it appropriate and in the public interest to approve Garry Webb for a 5-year extension for Contract No. LS050804, an agricultural grazing lease on approximately 557.20 acres in St. Lucie County (Exhibit "A") (the "premises") in the gross amount of $13,503.60 annually.

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 Contract No. LS05084 cattle grazing lease with Garry Webb for 5-years from the most recent expiration date of May 12, 2016 through a new expiration date of May 12, 2021, on approximately 557.20 acres in St. Lucie County.

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

PASSED and **ADOPTED** this 10th day of November, 2016.

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

_____
Chairman

Attest:

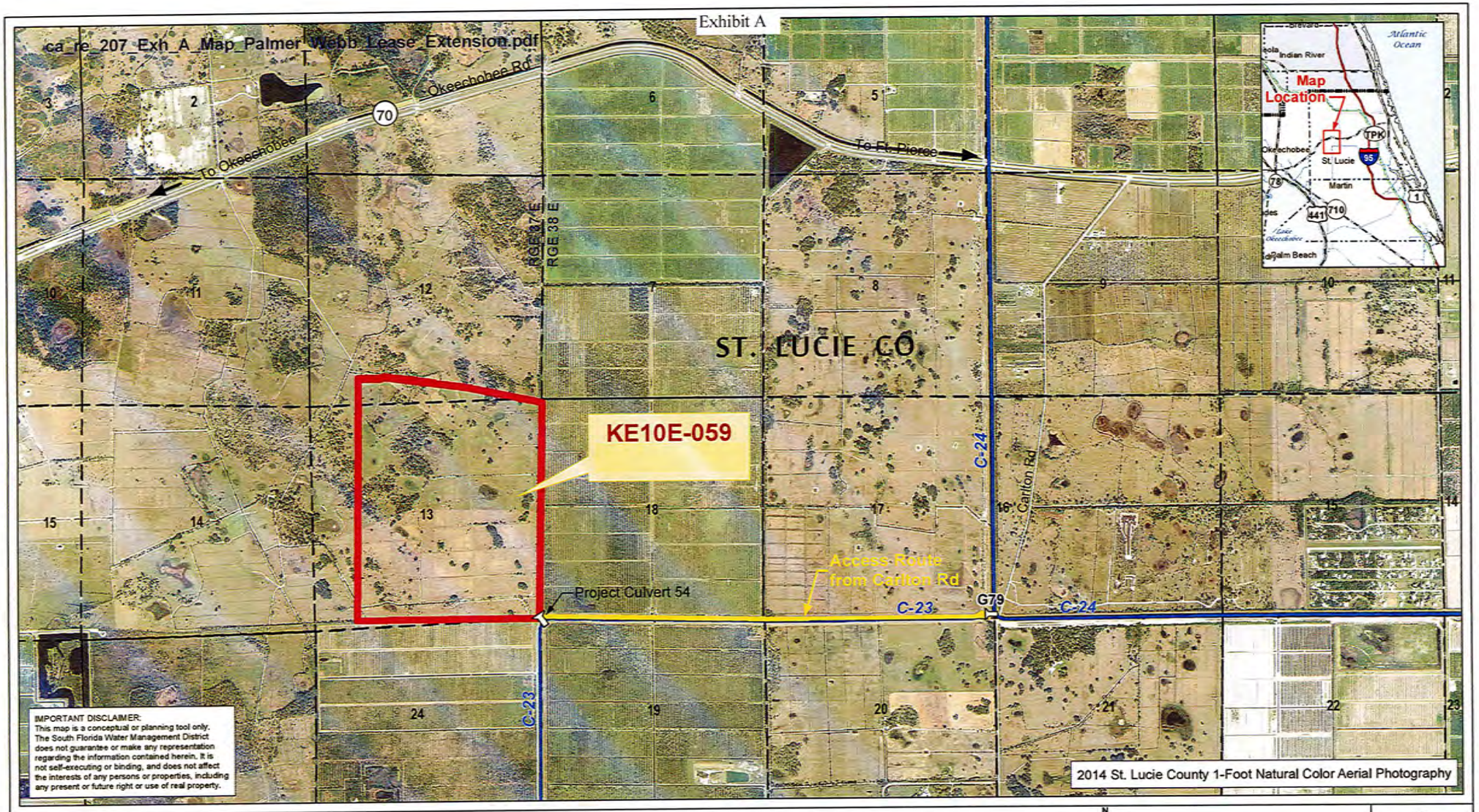
_____
District Clerk/Secretary

Legal form approved:
By:

_____
Office of Counsel

Print name:

_____



sfwmd.gov

South Florida Water Management District
3301 Gun Club Road, West Palm Beach, Florida 33406
561-686-8800 - FL WATS 1-800-432-2045 - www.sfwmd.gov
MAILING ADDRESS: P.O. Box 24680 - West Palm Beach, FL 33416-4680

Indian River Lagoon South

Cypress Creek Complex
Lease No. KE10E-059
Township 36 South
Range 37 East

N W E S
0 0.25 0.5
Miles

UPDATED
22-JUNE-2016

For copies of this map: (L:\ccvs_83\ec\areas\irlagoon\c23-24\2015-02-18_MAP_cmiessau_IRLsouth_CypressCrkComplex_LeaseKE10E-059.mxd), produced on 11/14/2013 by CMIESSAU, contact the GIS Section
Revised By P.S. Ellis - 06/22/2016

M E M O R A N D U M

TO: Governing Board Members

FROM: Lennart J. Lindahl, Assistant Executive Director

DATE: November 10, 2016

SUBJECT: Cattle grazing lease to Pearce Cattle Company on 234.83 acres, more or less, in St. Lucie County

Agenda Item Background:
The District owns certain real property located in St. Lucie County, Florida, identified as Encumbrance ID KE10E-062, (Exhibit "A"). The District purchased the property in April 2005. It is located within the C-23/C-24 STA Component of the CERP Indian River Lagoon-South Project. The District acquired the land to provide water quality treatment and provide for diversion of flows from the middle estuary to the North Fork of the St. Lucie River. It is appropriate under these circumstances to continue the cattle grazing lease on the 234.83 acre property as an interim land management tool. The revenues generated from this lease will assist Land Management in managing this and other District-owned lands.

Request for bid 6000000773 for a new agricultural grazing lease with a 10-year term for the subject lands was issued July 7, 2016. Responsive bids were due August 10, 2016. The highest bid received was in the annual amount of $2,505.75. The resulting winning bid was submitted by Matt Pearce, Pearce Cattle Company in the annual amount of $2,505.75. Pearce Cattle Company is the proposed Lessee for the new ten year term grazing lease with Contract No. 4600003473 (the "New Lease").

There is one Special Provision in the New Lease. The North St. Lucie River Water Control District (NSLRWCD) 298 Assessment was considered as a Lessee expense in the Bid, it will become a line item deduction in the lease revenue invoice. It was added to the original bid amount to determine the land rent factor of 0.1617 ($2,505.75 bid + $2,817.96 NSLRWCD = $5,323.71 gross revenue).

Core Mission and Strategic Priorities:
The objective of this lease is to obtain assistance in the stewardship and maintenance of this land by utilizing beef cattle grazing as a tool in the maintenance of grass pastures and native range and provide revenue for the maintenance and management of District lands.

The revenues generated from this lease will assist Land Management in managing this and other District-owned Interim and Restoration lands.

Funding Source:
There are no District costs associated with this item other than the cost of administering the lease. This lease extension is estimated to bring in $25,057.50 of net revenue to the District over the life of the 10-year lease.

Staff Contact and/or Presenter:
Ray Palmer, rpalmer@sfwmd.gov, ext. 2246

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 1105

A Resolution of the Governing Board of the South Florida Water Management District issuing a 10-year cattle grazing lease with Pearce Cattle Company on 234.83 acres, more or less in St. Lucie County, as more particularly described herein; providing an effective date. (Contract No. 4600003473)

WHEREAS, the Governing Board, pursuant to Section 373.093, of the Florida Statutes, may lease lands or interests in land under terms and conditions determined by the Governing Board;

WHEREAS, the District and Pearce Cattle Company, desire to enter into a lease on the premises for a 10-year term under Contract No. 4600003473 (the "Lease Agreement"); and

WHEREAS, the Lessee's main use of the Premises will be cattle grazing which will assist in the stewardship and maintenance of the grass pastures and native range; and

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to approve Matt Pearce, Pearce Cattle Company as the highest responsive and responsible bidder to Solicitation No 6000000773 for a new agricultural grazing lease on approximately 234.83 acres in St. Lucie County (Exhibit "A") (the "premises") in the net amount of $2,505.75 annually;

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 Contract No. 4600003473 cattle grazing lease with Pearce Cattle Company for 10-years on approximately 234.83 acres in St. Lucie County.

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

PASSED and **ADOPTED** this 10th day of November, 2016.

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

_____
Chairman

Attest:

_____
District Clerk/Secretary

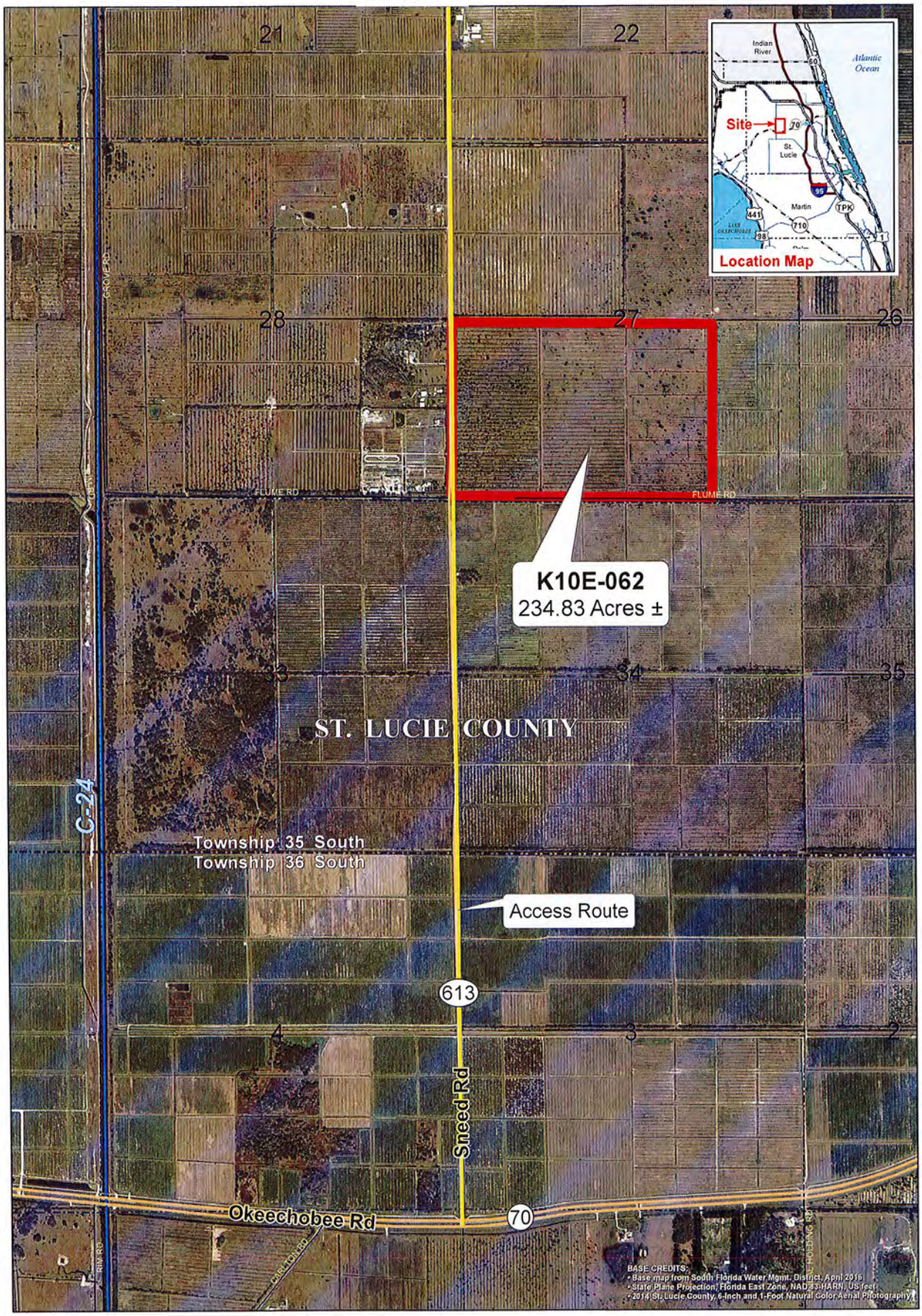
Legal form approved:
By:

_____
Office of Counsel

Print name:

_____

Exhibit A



South Florida Water Management District
3301 Gun Club Rd, West Palm Beach, FL 33406
(561) 686-8800; 1-800-432-2045; www.sfwmd.gov

Lease K10E-062
St. Lucie County
Section 27
Township 35 South, Range 38 East

0 620 1,240 Feet
0 0.15 0.3 Kilometers

IMPORTANT DISCLAIMER:
This map is a conceptual or planning tool only. The South Florida Water Management District does not guarantee or make any representation regarding the information contained herein. It is not self-executing or binding, and does not affect the interests of any persons or properties, including any present or future right or use of real property.

Map Date: April 2016

User Name: cmiessau Remedy Ticket: 27924 Map Produced on Date: 5/3/2016 5:36:08 PM \\ad.sfwmd.gov\dfsroot\data\aa_gis\arc_data\maps\Leasing\am\2016-04-29_Lease_K10E-062_IRLsouthC23C24STA_cm1.mxd

M E M O R A N D U M

TO: Governing Board Members

FROM: Lennart J. Lindahl, Assistant Executive Director

DATE: November 10, 2016

SUBJECT: Approve Surplus and Donation of 4.21 +/- acres to USA, National Park Service

Agenda Item Background:
In June 2008, the District's Governing Board approved an agreement with Florida Power & Light Company (FPL) to facilitate the relocation of FPL's transmission line corridor from the interior of Everglades National Park (ENP) to the eastern edge of ENP Expansion Area. The National Park Service (NPS) and the Florida Department of Environmental Protection (FDEP) both entered into similar agreements with FPL.

When confirming their ownership of the land along the eastern boundary of ENP Expansion Area, NPS found that they did not own a 4.21 +/- acre parcel of land and that the District was the owner. The District-owned parcel is within the relocated transmission line corridor that must be conveyed by NPS (USA) to FPL in fee title. NPS has requested that the District convey the parcel at no cost, so that they can comply with the terms and conditions of their existing agreement with FPL and continue to secure all ownership of the lands within the boundary of the ENP Expansion Area. A map depicting the 4.21 +/- acre parcel to be conveyed and the various interests to be conveyed pursuant to the various FPL agreements is attached as Exhibit "A".

Core Mission and Strategic Priorities:
This action supports the effort by the involved agencies to move the FPL transmission corridor from the interior of Everglades National Park to the easterly edge of the park, in accordance with the 2008 agreement between FPL and the District.

Funding Source:
The property was acquired in 1951 at a cost of $17. Staff recommends that the application fee be waived and that the parcel be conveyed at no cost, without reserving the District's right to mine and develop phosphate, minerals, metals and petroleum pursuant to Chapter 2701.11, Florida Statutes. The National Park Service will pay all fees associated with this conveyance.

Staff Contact and/or Presenter:
Marcy Zehnder, mzehnder@sfwmd.gov, ext. 6694

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 1106

A Resolution of the Governing Board of the South Florida Water Management District to declare surplus land interests containing 4.21 acres, more or less, in fee, being a portion of Section 23, Township 54 South, Range 38 East, Miami-Dade County, L-31N Project; authorize the donation of said property to the United States of America for inclusion in Everglades National Park; providing an effective date.

WHEREAS, at the request of the Applicant, National Park Service, the District has determined that it is in the public interest to surplus and donate a 4.21 +/- acre parcel owned by the District in fee title, located in Section 23, Township 54 South, Range 38 East, Miami-Dade County, to the United States of America for inclusion in Everglades National Park; and

WHEREAS, the parcel is also within the relocated transmission line corridor that the United States of America has agreed to convey to Florida Power & Light Company pursuant to an agreement between the parties; and

WHEREAS, the Governing Board has determined that the parcel, being 4.21 acres, more or less, is not required by the District for present or future use; and

WHEREAS, the Applicant has requested that the District waive both the application fee and the reservation of rights to mine and develop all phosphate, minerals, metals and petroleum in, on or under said property pursuant to Section 2701.11, Florida Statutes; and

WHEREAS, the Applicant will pay all fees and costs associated with the conveyance of the property; and

WHEREAS, the Governing Board, pursuant to Section 373.056(4), Florida Statutes, has the authority to convey to any governmental entity land, or rights in land, owned by the District not required for its purposes; and

WHEREAS, pursuant to Section 373.089(6), Florida Statutes, all lands acquired by the District prior to July 1, 1999 shall be considered to have been acquired for conservation purposes, and the Governing Board shall be required to make a determination that the lands are not needed for conservation purposes and approve the surplus of any such lands by at least a two-thirds (2/3) majority.

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 has determined that the District has no present or apparent future use for subject fee parcel and therefore hereby declares surplus land interests containing 4.21 acres, more or less, in fee simple, located in Section 23, Township 54 South, Range 38 East, Miami-Dade County, L-31N Project, without reserving the District's interest in and privilege to mine and develop all phosphate, minerals, metals and petroleum in, on or under the property pursuant to Section 270.11, Florida Statutes, and authorizes the donation of said property to the United States of America for Everglades National Park, and approves the waiver of the application fee.

Section 2. Consistent with the requirements of Section 373.089(6), Florida Statutes, the Governing Board hereby determines that the subject lands are not needed for conservation purposes, and that this Resolution was approved by the Governing Board by at least a two-thirds (2/3) vote.

Section 3. The Governing Board of the South Florida Water Management District hereby authorizes the Chairman or Vice Chairman to execute the conveyance document.

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

PASSED and **ADOPTED** this 10th day of November, 2016.

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

_____
Chairman

Attest:

_____
District Clerk/Secretary

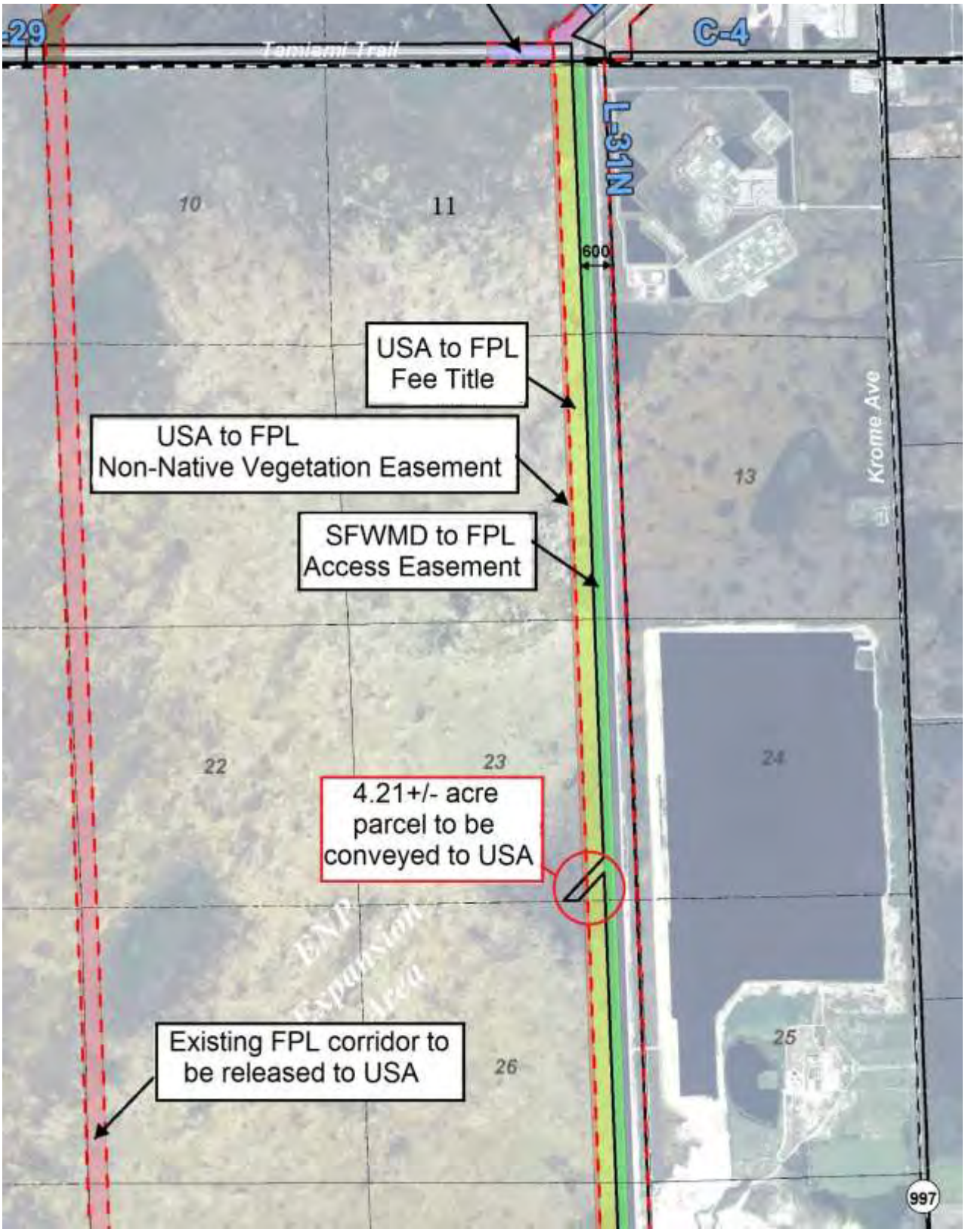
Legal form approved:
By:

_____
Office of Counsel

Print name:

_____

EXHIBIT "A"



Attachment: ca_re_210_ExhA_Zehnder_ENP_L-31N_Surplus_1 (Resolution No. 2016 - 1106 : Approve Surplus and Donation of 4.21 +/- acres to

M E M O R A N D U M

TO: Governing Board Members

FROM: Lennart J. Lindahl, Assistant Executive Director

DATE: November 10, 2016

SUBJECT: Approve acquisition of an access agreement with Walt Disney Parks and Resorts U.S., Inc.

Agenda Item Background:
This access agreement will allow the District to enter onto Walt Disney Parks and Resorts U.S., Inc. ("Disney") owned property located in Sections 22, 23 and 27, Township 24 South, Range 27 East, Orange County, to access an existing well, called ORF-60, located on adjacent property owned by Reedy Creek Improvement District. The term of the access agreement is 10-years. The agreement can be terminated upon sixty-days written notice by either party. Disney may require the District to remove/or relocate the equipment in the future at the District's expense.

Core Mission and Strategic Priorities:
The data collected from this monitoring well will guide and support the identification and development of new public water supplies for the Kissimmee River Basin and the Central Florida Water Initiative.

Funding Source:
The access agreement is being obtained at no cost to the District. Installation, maintenance and monitoring activities will be funded from SCADA's consumable budget.

Staff Contact and/or Presenter:
Marcy A. Zehnder, mzehnder@sfwmd.gov, ext. 6694

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 1107

A Resolution of the Governing Board of the South Florida Water Management District ("District") to accept an access agreement, from Walt Disney Parks and Resorts U.S., Inc., at no cost, to access an existing monitoring well located on adjacent property owned by Reedy Creek Improvement District in Sections 22, 23 and 27, Township 24 South, Range 27 East, Orange County; providing an effective date.

WHEREAS, the District desires to accept an access agreement for a term of 10-years, at no cost, from Walt Disney Parks and Resorts U.S., Inc. (Disney), over certain lands in Sections 22, 23 and 27, Township 24 South, Range 27 East, for access to the existing monitoring together with associated equipment, located on adjacent property owned by Reedy Creek Improvement District, and

WHEREAS, the District, pursuant to Section 373.139, Florida Statutes, is authorized to acquire land, or interests or rights in land.

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 accepts an access agreement, at no cost, over a portion of lands owned by Disney, located in Sections 22, 23 and 27, Township 24 South, Range 27 East, to an existing monitoring well which is located on adjacent property owned by Reedy Creek Improvement District. The term of the access agreement is for 10-years, and commences upon the date specified in the agreement. Disney and the District shall each have the unilateral right to terminate the access agreement upon sixty (60) days written notice.

Section 2: The Governing Board of the South Florida Water Management District hereby authorizes the Chairman to execute the access agreement.

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

PASSED and **ADOPTED** this 10th day of November, 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:

_____

Exhibit "A"

A Portion of Parcel Control Number(s) 262427000000002, 112427000000004, 232427000000003 in Sections 22, 23 and 27, Township 24 South, Range 27 East

Attachment: ca_re_204_Exh_A_Zehnder_Bertelsen_Disney_Well (Resolution No. 2016 - 1107 : Approve acquisition of an access agreement

M E M O R A N D U M

TO: Governing Board Members

FROM: Lennart J. Lindahl, Assistant Executive Director

DATE: November 10, 2016

SUBJECT: Approve acquisition of an access agreement with Reedy Creek Improvement District

Agenda Item Background:
The District is seeking to enter into an agreement with Reedy Creek Improvement District (RCID). This access agreement will allow the District to maintain, access and collect data from an existing Floridan aquifer well, or re-install in the future, on Reedy Creek Improvement District (RCID) owned property located in Section 23, Township 24 South, Range 27 East, Orange County. The District and the RCID have agreed upon the terms and conditions of the access agreement, and the location of the equipment. In exchange for the use of the property and access thereto, the District will make the collected data available to RCID. The term of the access agreement is 10-years. The agreement can be terminated upon sixty-days written notice by either party. RCID may require the District to remove/or relocate the equipment in the future at the District's expense.

Core Mission and Strategic Priorities:
The data collected from this monitoring well supports and guides the identification and development of new public water supplies for the Kissimmee River Basin and the Central Florida Water Initiative.

Funding Source:
The access agreement is being obtained at no cost to the District. Installation, maintenance and monitoring activities will be funded from SCADA's consumable budget.

Staff Contact and/or Presenter:
Marcy A. Zehnder, mzehnder@sfwmd.gov, ext. 6694

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 1108

A Resolution of the Governing Board of the South Florida Water Management District ("District") to accept an access agreement, at no cost, to maintain, access and collect data from an existing monitoring well, or re-install it in the future, on property owned by Reedy Creek Improvement District in Section 23, Township 24 South, Range 27 East, Orange County; providing an effective date.

WHEREAS, the District desires to acquire an access agreement for a term of 10-years, at no cost, from Reedy Creek Improvement District, over certain lands in Section 23, Township 24 South, Range 27 East, for maintenance, access and data collection from an existing monitoring well and associated equipment; and

WHEREAS, the District, pursuant to Section 373.139, Florida Statutes, is authorized to acquire land, or interests or rights in land.

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 accepts an access agreement, at no cost, over a portion of lands owned by Reedy Creek Improvement District, located in Section 23, Township 24 South, Range 27 East, to install, maintain, access and collect data from an existing monitoring well, and associated equipment or re-install it in the future. The term of the access agreement is for 10-years, and commences upon the date specified in the agreement. Reedy Creek and the District shall each have the unilateral right to terminate the access agreement upon sixty (60) days written notice.

Section 2: The Governing Board of the South Florida Water Management District hereby authorizes the Chairman to execute the access agreement.

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

PASSED and **ADOPTED** this 10th day of November, 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:

_____

Exhibit "A"

A Portion of Parcel 232427000000002 in Section 23, Township 24 South, Range 27 East:

Attachment: ca_re_205_ExhA_Zehnder_Bertelsen_RCID_Well (Resolution No. 2016 - 1108 : Approve acquisition of an access agreement with

M E M O R A N D U M

TO: Governing Board Members

FROM: Duane Piper, Chief Information Officer

DATE: November 10, 2016

SUBJECT: Tower Antenna Space Lease Agreement

Agenda Item Background:
The District owns and maintains more than sixty communications towers throughout its boundaries. These towers present a leasing opportunity for telecommunications use. This is a proposal to enter into an agreement with ATC Managed Sites, LLC to lease space for radio operation rights on the District's communication towers for a 10-year period with two 1-year renewal options. This is a piggyback procurement from the Florida Department of Transportation agreement. Compensation to the District shall be a percentage of gross revenues from the use of the space leased.

Additional Background:
This is a piggyback procurement from the Florida Department of Transportation agreement to lease space for radio operation rights on the District's communication towers for which compensation to the District shall be from use of premises by payment of the percentage of gross revenues.

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 - 1109

A Resolution of the Governing Board of the South Florida Water Management District to consider authorization to enter into an agreement with ATC Management Sites, LLC for commercial wireless telecommunications for 10-years, with two 1-year renewal options. (Contact No. 4600003580); providing an effective date (Contact No. 4600003580).

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to consider authorization to enter into a lease and operating agreement with ATC Managed Sites, LLC to lease space for radio operation rights on the District's communication towers.

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 entering into an agreement with ATC Managed Sites, LLC for commercial wireless communications for 10-years with two 1-year renewal options. ATC will pay the District a percentage of gross revenues for use of the leased space.

Section 2. This resolution shall take effect immediately upon adoption

PASSED and **ADOPTED** this 10TH day of November, 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:

_____

M E M O R A N D U M

TO: Governing Board Members

FROM: Terrie Bates, Director, Water Resources Division

DATE: November 10, 2016

SUBJECT: 5-Year Cooperative Cost-Share Agreement for Water Quality Monitoring Services

Agenda Item Background:
This is a 5-year cooperative cost-share agreement with the U. S. National Park Service (NPS) to provide support for the collection of surface water samples at interior marsh sampling sites within Everglades National Park (ENP) and continuous physiochemical and meteorological monitoring data from a marine monitoring network (MMN) situated in the adjacent ENP coastal region. This agreement has the primary objectives to obtain water quality data to comply with monitoring requirements outlined in the Federal Everglades Settlement Agreement and the State Phosphorus Rule, and to collaborate on water resource monitoring within ENP and adjacent coastal regions. The initial cooperative cost-share agreement originated on October 1, 2001, has been extended every five years since then.

Additional Background:
Sampling by the NPS under this agreement consists of water quality collection at 17 surface water interior marsh monitoring sites within the ENP, plus one rain collection site and 38 MMN stations. The NPS sampling program conforms to State and District sampling requirements and the data are used by the District to track long-term total phosphorus levels in the ENP marsh to determine progress with attaining the 10 ppb criterion within the Everglades as well as stage and physical parameters within the MMN to assess attainment of Florida Bay Minimum Flows and Levels (MFL) and C-111 Spreader Canal Restoration Project success. The initial cooperative cost-share agreement originated on October 1, 2001, with ongoing five year agreements serving to seek mutual support and interagency cooperation and coordination on monitoring efforts within the ENP and adjacent coastal areas.

Core Mission and Strategic Priorities:
The District is mandated to comply with water quality monitoring decreed in the Federal Everglades Settlement Agreement and the State Phosphorus Rule. Additionally, MMN monitoring meets mandated monitoring requirements associated with permits issued to the District from the Florida Department of Environmental Protection and the U.S. Army Corp of Engineers and also provides data for mission critical needs of the District. The NPS will be responsible for the collection of samples and data. The District's Water Quality Bureau coordinates with the ENP and conducts sample analysis and data reporting.

Staff Contact and/or Presenter
Terrie Bates, Division Director, Water Resources, tbates@sfwmd.gov, (561) 682-6952

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 1110

A Resolution of the Governing Board of the South Florida Water Management District entering into a 5-year cost-share agreement with the U.S. National Park Service for the collection of surface water from interior marsh sampling sites within Everglades National Park and physiochemical and meteorological data from the associated marine monitoring sites in the national park coastal areas in an amount not to exceed $984,250, for which $196,850 is budgeted in fiscal year 2017, and the remainder is subject to Governing Board approval of the Fiscal Year 2018-2021 budgets; providing an effective date. (Contract number 4600003547)

WHEREAS, the Governing Board of the South Florida Water Management District (District) deems it necessary, appropriate and in the public interest to enter into a 5-year cost-share agreement with the U.S. National Park Service (NPS), in the amount of $984,250, for which $196,850 is budgeted in Fiscal Year 2017, and the remainder is subject to Governing Board approval of the Fiscal Year 2018-2021 budgets, to provide collection of surface water samples from interior marsh sites (Project EVER) in Everglades National Park (ENP) and continuous monitoring data from the marine monitoring network (Project MMN) stations situated in the adjacent ENP coastal regions.

WHEREAS, the services provided by the NPS meets mission critical needs of the District as required by a variety of mandates including the Everglades Federal Settlement Agreement, the State Water Quality Standards Phosphorus Rule, the Florida Bay Minimum Flows and Levels (MFL) Rule, and the C-111 Spreader Canal Restoration Project. This agreement replaces an existing agreement with NPS that ends in September 2016;

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 number 4600003547 with the U.S. National Park Service.

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

PASSED and **ADOPTED** this 10th day of November, 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:

_____

M E M O R A N D U M

TO: Governing Board Members

FROM: Terrie Bates, Director, Water Resources Division

DATE: November 10, 2016

SUBJECT: Chapter 40E-10, F.A.C., Water Reservation Rulemaking

Agenda Item Background:
During the rulemaking effort to reserve water for the Caloosahatchee River (C-43) West Basin Storage Reservoir Project (C-43 Reservoir), the District included language stating: "all presently existing legal uses of water shall be protected so long as such use is not contrary to the public interest." The inclusion of this language was challenged in DOAH Case No. 14-1329RP. The administrative law judge (ALJ) determined the language was invalid, stating that "[e]xisting legal uses are presumed not contrary to the public interest unless and until the District determines otherwise." The ALJ went on to state that while the District "can make a 'not contrary' determination," it cannot do so prospectively for the duration of a permit.

Language similar to that found to be invalid in the C-43 Reservoir reservation case exists in the water reservations for Picayune Strand, Fakahatchee Estuary, North Fork of the St. Lucie River, and Nearshore Central Biscayne Bay, in subsections 40E-10.041(1) and (2), 40E-10.051, and 40E-10.061(2), F.A.C., respectively. Therefore, rulemaking is necessary to delete the language to be consistent with the ALJ's order.

Core Mission and Strategic Priorities
Water reservations set aside water required for the protection of fish and wildlife or public health and safety. District staff from Water Resources will conduct the rulemaking in coordination with Office of Counsel. The proposed rulemaking is consistent with the District's annual regulatory plan approved by the Board in September and certified to the Joint Administrative Procedures Committee.

Funding Source
Office of Counsel will fund the cost for publication of the notices.

Staff Contact
Terrie Bates, Division Director, ext. 6952

Notice of Development of Rulemaking

WATER MANAGEMENT DISTRICTS
South Florida Water Management District

RULE NO.: RULE TITLE:

40E-10.041: Water Reservation Areas: Lower West Coast Planning Area

40E-10.051: Water Reservation Areas: Upper East Coast Planning Area

40E-10.061: Water Reservation Areas: Lower East Coast Planning Area

PURPOSE AND EFFECT: During the rulemaking effort to reserve water for the Caloosahatchee River (C-43) West Basin Storage Reservoir Project (C-43 Reservoir), the District included language stating: "all presently existing legal uses of water shall be protected so long as such use is not contrary to the public interest." The inclusion of this language was challenged in DOAH Case No. 14-1329RP. The administrative law judge determined the language was invalid, stating that "[e]xisting legal uses are presumed not contrary to the public interest unless and until the District determines otherwise." Language similar to that found invalid in C-43 Reservoir reservation case exists in the water reservations for Picayune Strand, Fakahatchee Estuary, North Fork of the St. Lucie River, and Nearshore Central Biscayne Bay, in subsections 40E-10.041(1) and (2), 40E-10.051, and 40E-10.061(2), F.A.C., respectively.

SUBJECT AREA TO BE ADDRESSED: The language "all presently existing legal uses of water shall be protected so long as such use is not contrary to the public interest" will be deleted in the text for the following water reservations: 1) Picayune Strand; 2) Fakahatchee Estuary; 3) North Fork of the St. Lucie River; and 4) Nearshore Central Biscayne Bay. The preliminary draft rule text is available on the District's website at: www.sfwmd.gov/reservations, or may be obtained at no cost by contacting the persons listed below.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171, F.S.

LAW IMPLEMENTED: 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.430, F.S.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jennifer Brown, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: (561) 682-6278, email: jebrown@sfwmd.gov, or Jan Sluth, CP, FRP, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: (561) 682-6299, email: jsluth@sfwmd.gov.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Notice of Proposed Rule

WATER MANAGEMENT DISTRICTS
South Florida Water Management District

RULE NO.: RULE TITLE:
40E-10.041: Water Reservation Areas: Lower West Coast Planning Area
40E-10.051: Water Reservation Areas: Upper East Coast Planning Area
40E-10.061: Water Reservation Areas: Lower East Coast Planning Area
PURPOSE AND EFFECT: During the rulemaking effort to reserve water for the Caloosahatchee River (C-43) West Basin Storage Reservoir Project (C-43 Reservoir), the District included language stating: "all presently existing legal uses of water shall be protected so long as such use is not contrary to the public interest." The inclusion of this language was challenged in DOAH Case No. 14-1329RP. The administrative law judge determined the language was invalid, stating that "[e]xisting legal uses are presumed not contrary to the public interest unless and until the District determines otherwise." Language similar to that found invalid in C-43 Reservoir reservation case exists in the water reservations for Picayune Strand, Fakahatchee Estuary, North Fork of the St. Lucie River, and Nearshore Central Biscayne Bay, in subsections 40E-10.041(1) and (2), 40E-10.051, and 40E-10.061(2), F.A.C., respectively.
SUMMARY: The language "all presently existing legal uses of water shall be protected so long as such use is not contrary to the public interest" will be deleted in the text for the following water reservations: 1) Picayune Strand; 2) Fakahatchee Estuary; 3) North Fork of the St. Lucie River; and 4) Nearshore Central Biscayne Bay.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:
The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of $200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.
The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The District has completed for the Governor's Office of Fiscal Accountability and Regulatory Reform (OFARR) the "Is a SERC Required?" form, which is available upon request. Based on the completed "Is a SERC Required?" form, the proposed rule amendments are not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.
Any person who wishes to provide information regarding a statement of estimated regulatory

costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171, F.S.

LAW IMPLEMENTED: 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.430, F.S.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: February 9, 2017, beginning 9:00 a.m.

PLACE: BROWARD COUNTY - LOCATION TO BE DETERMINED

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk's office, telephone: (800) 432-2045, ext. 6805, or (561) 682-6805.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jennifer Brown, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: (561) 682-6278, email: jebrown@sfwmd.gov, or Jan Sluth, CP, FRP, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: (561) 682-6299, email: jsluth@sfwmd.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-10.041 Water Reservation Areas: Lower West Coast Planning Area.

(1) (a) and (b) No Change.

~~Notwithstanding the above, presently existing legal uses for the duration of the permit existing on July 2, 2009, are determined to be not contrary to the public interest, pursuant to Section 373.223(4), F.S.~~

(2) (a) and (b) No Change.

~~Notwithstanding the above, presently existing legal uses for the duration of the permit existing on July 2, 2009, are determined to be not contrary to the public interest, pursuant to Section 373.223(4), F.S.~~ Reservations contained in ~~this~~ subparagraphs 1. and 2. above shall be reviewed in light of changed conditions or new information by December 31, 2014.

(3) No Change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History–New 7-2-09, Amended 3-18-10, 7-21-13, 7-16-14,_____.

40E-10.051 Water Reservation Areas: Upper East Coast Planning Area.

North Fork of the St. Lucie River, as defined in subsection 40E-10.021(3), F.A.C.:

Surface waters up to and including the mean monthly flow of 130 cubic feet per second flowing over the Gordy Road Structure from November 1st through May 31st; see Appendix 2, Figure 2-2; are reserved from allocation. The water reserved under this rule will be available for fish and wildlife upon formal determination of the Governing Board, pursuant to state and federal law, that any one or all of the Comprehensive Everglades Restoration Plan's C-23/C-24 North and South Reservoirs and STA Project are operational. Reservations contained in this rule and the criteria contained in section 3.11.2 of the "Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District," incorporated by reference in Rule 40E-2.091, F.A.C., shall be revised pursuant to Section 373.223(4), F.S., in light of changed conditions or new information and concurrent with the approval specified, above.

~~Notwithstanding the above, presently existing legal uses for the duration of a permit existing on March 18, 2010, are determined to be not contrary to the public interest pursuant to Section 373.223(4), F.S.~~

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History–New-3-18-10, Amended 7-21-13, 7-14-14,_____.

40E-10.061 Water Reservation Areas: Lower East Coast Planning Area.

(1) and (2) No Change.

~~Notwithstanding the above, presently existing legal uses for the duration of a permit existing on July 18, 2013, are determined to be not contrary to the public interest pursuant to Section 373.223(4), F.S.~~

Reservations contained in the section shall be reviewed in light of changed conditions or new information.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History–New 7-21-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Terrie Bates, Division Director, Water Resources

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: South Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 10, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 30, 2016

M E M O R A N D U M

TO: Governing Board Members

FROM: Ernie Marks, Director, Everglades Policy & Coordination

DATE: November 10, 2016

SUBJECT: Amended Grant Funding for the C-43 Water Quality Treatment and Testing Facility Project

Agenda Item Background:
In December 2014, the District was awarded Clean Water Act funding for construction and implementation of the C-43 Water Quality Treatment and Testing Facility Project - Phase I. An additional Grant Proposal was submitted in March 2015, and the project was awarded additional grant funding. As a result of the recent award, staff proposes to modify the multi-year cost-share grant agreement with the Florida Department of Environmental Protection to reflect an amount not-to-exceed $436,000, of which the District contribution is $228,000. The amended agreement total will be $2,131,985, of which the District's total contribution is $1,098,985, for which funds are budgeted.

Additional Background:
Managed under the Northern Everglades Unit of the Office of State & Agricultural Policy, the C-43 Water Quality Treatment and Testing Facility Project is identified in the Caloosahatchee River Watershed Protection Plan and is aligned with the District's strategic priority of improving water quality. It is also identified as a key project of the Caloosahatchee River Estuary in Governor Rick Scott's 20-year plan for the restoration and protection of Florida's Everglades.

The Grant Funding Agreement provides the framework for grant reimbursable and cost-match deliverables during the Phase I demonstrations. Phase I involves bioassays and mesocosms to assess the ability of certain wetland plant communities to remove total nitrogen, particularly the recalcitrant fraction of dissolved organic nitrogen, from Caloosahatchee River water at varying hydrologic loading rates. Information gained from Phase I will inform future demonstration phases of the project.

Staff Contact and/or Presenter:
Stacey Ollis, sollis@sfwmd.gov, 561-682-2039

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 1111

A Resolution of the Governing Board of the South Florida Water Management District to amend a multi-year cost-share agreement with the Florida Department of Environmental Protection to provide the District with pass-through federal funding from the Clean Water Act Section 319 Grants for the C-43 Water Quality Treatment and Testing Facility Project - Phase I, in an amount not-to-exceed $436,000, of which the District contribution is $228,000, for an amended agreement total of $2,131,985, of which the District total contribution is $1,098,985, for which funds are budgeted; providing an effective date. (Contract No. 4600003299-A02)

WHEREAS, Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to amend a multi-year grant cost-share agreement with the Florida Department of Environmental Protection (FDEP) to provide the District with Clean Water Act 319 Grant funding for the C-43 Water Quality Treatment and Testing Facility Project - Phase I, of which the District shall receive $1,033,000 towards the total estimated project cost of $2,131,985.

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 staff to amend a multi-year grant cost-share agreement (Contract No. 4600003299-A02) with the Florida Department of Environmental Protection for a Clean Water Act Section 319 Grant for the C-43 Water Quality Treatment and Testing Facility Project - Phase I.

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

PASSED and **ADOPTED** this 10th day of November, 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:

_____

M E M O R A N D U M

TO: Governing Board Members

FROM: Tim Beirnes, Inspector General

DATE: November 10, 2016

SUBJECT: Audit Reports, Approval of

M E M O R A N D U M

TO: Governing Board Members

FROM: Lennart J. Lindahl, Assistant Executive Director

DATE: November 10, 2016

SUBJECT: Concurrence with CFWI Steering Committee's determination of regional prjts for encouragement

Agenda Item Background:
This item is to concur with the Central Florida Water Initiative (CFWI) Steering Committee's determination of projects that should be considered for encouragement of legislative funding. The 2015 CFWI Regional Water Supply Plan (RWSP) was approved in November 15, 2015. Among others, the RWSP developed and evaluated specific project options for the region. One of the 2020 CFWI Guiding Principles is "encourage funding for regional strategies necessary to achieve the objectives of the CFWI." Project options for encouragement of legislative funding during the FY2017 session for release in 2017-2018 was conducted. Three projects were selected by the Steering Committee for encouragement of legislative funding during the FY2017-2018 legislative session: Judge Farm Reservoir and Impoundment ($7,876,500), Southeast Polk County Wellfield ($450,000) and Cypress Lake Wellfield ($2,350,000).

Additional Background:
In November 2015, the Governing Boards of the St. Johns River, Southwest Florida, and South Florida water management districts approved the 2015 Central Florida Water Initiative Regional Water Supply Plan. The CFWI region covers five counties, including Orange, Osceola, Polk, Seminole and southern Lake. By approving the plan, the three water management districts met their respective water supply planning responsibilities under Chapter 373, Florida Statutes, for this region.

As part of the 2015 CFWI RWSP, the 2035 Water Resources Protection and Water Supply Strategies document (Solution Strategies) was approved. The Solutions Strategies further developed specific water supply project options for the region, including information on project cost estimates, feasibility, permittability, and identification of governance structure options. Sixteen regional multi-jurisdictional water supply project options were evaluated in the Solutions Strategies, including the Judge Farm Reservoir and Impoundment, the Southeast Polk County Wellfield, and the Cypress Lake Wellfield.

In April 2016, to continue the collaborative process, the Steering Committee approved the CFWI 2020 Guiding Principles, which includes as Guiding Principle #4 to "encourage funding for regional strategies necessary to achieve the objectives of the CFWI." The Steering Committee developed selection criteria and a schedule to consider projects for encouragement of legislative funding during the FY2017-2018 session for release in 2017-2018. The deadline to submit final project information was August 2016. On October 28, 2016, the Steering Committee selected projects for encouragement of legislative funding.

Core Mission and Strategic Priorities:

These projects will support the District core missions of water quality and water supply. Supporting alternative water supply is a strategic priority.

Staff Contact:
Len Lindahl, llindahl@sfwmd.gov, (561) 682-6283

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 1112

A Resolution of the Governing Board of the South Florida Water Management District to concur with the Central Florida Water Initiative (CFWI) Steering Committee's determination of regional projects for encouragement of legislative funding; providing an effective date.

WHEREAS, in November 2015, the Governing Boards of the St. Johns River, Southwest Florida, and South Florida water management districts approved the 2015 Central Florida Water Initiative Regional Water Supply Plan (2015 CFWI RWSP), and

WHEREAS, the CFWI region covers five counties, including Orange, Osceola, Polk, Seminole and southern Lake, and

WHEREAS, as part of the 2015 CFWI RWSP, the 2035 Water Resources Protection and Water Supply Strategies document (Solution Strategies) was approved. The Solutions Strategies further developed specific water supply project options for the region, including information on project cost estimates, feasibility, permittability, and identification of governance structure options. Sixteen regional multi-jurisdictional water supply project options were evaluated in the Solutions Strategies, including the Judge Farm Reservoir and Impoundment, the Southeast Polk County Wellfield, and the Cypress Lake Wellfield, and

WHEREAS, in April 2016, to continue the collaborative process, the Steering Committee approved the CFWI 2020 Guiding Principles, which includes as Guiding Principle #4 to "encourage funding for regional strategies necessary to achieve the objectives of the CFWI", and

WHEREAS, the Steering Committee developed selection criteria and a schedule to consider projects for encouragement of legislative funding during the FY2017 session for release in 2017-18. The deadline to submit final project information was August 2016. On October 28, 2016, the Steering Committee selected three projects for encouragement of legislative funding: Judge Farm Reservoir and Impoundment ($7,876,500), Southeast Polk County Wellfield ($450,000) and Cypress Lake Wellfield ($2,350,000), 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 hereby concurs with the Central Florida Water Initiative (CFWI) Steering Committee's determination of regional projects for encouragement of legislative funding: Judge Farm Reservoir and Impoundment ($7,876,500), Southeast Polk County Wellfield ($450,000) and Cypress Lake Wellfield ($2,350,000)

PASSED and **ADOPTED** this 10th day of November, 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:

_____

M E M O R A N D U M

TO: Governing Board Members

FROM: Ernie Marks, Director, Everglades Policy & Coordination

DATE: November 10, 2016

SUBJECT: Update on Implementation of Restoration Strategies Plan

Agenda Item Background:
Restoration Strategies is Florida's $880 million capital improvement plan designed to reduce phosphorus levels in flows currently entering the Everglades from the District's Stormwater Treatment Areas (STAs) to levels necessary to achieve the State's water quality criterion for phosphorus. The plan includes construction of a suite of storage, conveyance and water quality improvement projects that will work in conjunction with the existing STAs. This presentation will provide an overview of the Restoration Strategies plan, summarize historical STA data and provide the current status of design, construction and operations of the plan components.

M E M O R A N D U M

TO: Governing Board Members

FROM: Terrie Bates, Director, Water Resources Division

DATE: November 10, 2016

SUBJECT: Water Year 2016 - Southern Everglades Water Quality Overview

Agenda Item Background:
This presentation provides an overview of the total phosphorus requirements and trends for the Southern Everglades with updated data through Water Year 2016, along with a contrast of current and historic conditions. The information contained in this presentation is published in a consolidated annual report which summarizes progress with restoration efforts and water quality conditions throughout the South Florida Ecosystem in keeping with statutory reporting requirements. The current annual report (South Florida Environmental Report 2017) is available to the public in draft form and provides an update on such progress.

M E M O R A N D U M

TO: Governing Board Members

FROM: Terrie Bates, Director, Water Resources Division

DATE: November 10, 2016

SUBJECT: Pilot Alternative Water Supply Projects

Agenda Item Background:
Section 373.037, Florida Statutes, provides the option for the water management districts to take the lead in developing and implementing one alternative water supply project within a restricted allocation area as a pilot alternative water supply development project. A summary of the statutory provisions and results of a general request for project proposals will be presented. Staff will provide proposed project evaluation criteria for Board input and consideration.

BROWARD COUNTY FLORIDA
Broward County Commission
Mayor Marty Kiar
115 S. Andrews Avenue, Room 414 • Fort Lauderdale, Florida 33301
TEL: 954-357-7001

DISTRICT OFFICE
Government Center West
1 North University Drive
Plantation, FL 33324
mkiar@broward.org

Our Best. Nothing Less.

September 23, 2016

Chairman Daniel O'Keefe and Members of the Governing Board
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, Florida 33406

Dear Chairman O'Keefe and Members of the Governing Board,

On behalf of Broward County, I am writing to urge you, as members of the Governing Board of the South Florida Water Management District, to designate the C-51 Reservoir in western Palm Beach County as the District's pilot alternative water supply project in the Lower East Coast Regional Water Supply Planning Area. This action would advance provisions of Section 373.037, Florida Statutes, allowing the District to designate a pilot alternative water supply development project in a restricted allocation area.

Broward County has advocated for and helped lead development of the multi-jurisdictional C-51 Reservoir project for over a decade. It is rare for a single project to check so many boxes, but the C-51 Reservoir has been endorsed by broad stakeholders for the diverse benefits the project can deliver, including protection of water supplies against rising sea levels, saltwater intrusion, and drought; flood protection and water quality improvements; increased water storage and aquifer recharge; and reductions in harmful discharges to the Lake Worth Lagoon. In addition, the reservoir has the capacity to add critical storage and operational flexibility to the regional system, adding dynamic storage that will ultimately help mitigate excessive freshwater discharges to the coastal estuaries. In addition, the C-51 Reservoir represents a smart, efficient use of resources, by converting an existing rock mine into a deep storage reservoir and taking advantage of the recent improvements to the adjacent L-8 Reservoir. Operation of the C-51 Reservoir by the District in conjunction with the L-8 Reservoir will allow for maximum efficiency and impact in the use of existing conveyance systems.

I am proud that Broward County has been one of the strongest leaders in this effort, but we have worked with an excellent team, including the SFWMD. The C-51 progressed to this point through the dedicated work of the stakeholders represented in the C-51 Governance and Finance Work Group, including many municipalities, drainage districts, SFWMD, and Palm Beach County, as well as Palm Beach Aggregates, and with support from other entities which recognize the wide-ranging benefits of the project.

Significant progress has been made in the issuance of consumptive use permits to the participating entities, negotiation of capacity allocation agreements, and development of strategies to complete project funding are proceeding. Once these issues are resolved, construction would bring the project online in roughly 24 months. Governing Board designation of the C-51 Reservoir as the District's pilot would greatly aid the project's continued forward momentum. I urge your support.

Yours sincerely,

Marty Kiar
Mayor

Broward County Board of County Commissioners
Mark D. Bogen • Beam Furr • Dale V.C. Holness • Martin David Kiar • Chip LaMarca • Tim Ryan • Barbara Sharief • Lois Wexler
Broward.org

City of Dania Beach
Administration Office

100 West Dania Beach Blvd · Dania Beach, FL 33004 · (954) 924-3741 · (954) - 923-1109 (fax)

November 1, 2016

Chairman Daniel O'Keefe and Members of the Governing Board
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, Florida 33406

Dear Chairman O'Keefe and Members of the Governing Board:

As a participant in the C-51 Reservoir Governance and Finance Work Group (Work Group), the City of Dania Beach strongly supports designation of the C-51 Reservoir as the South Florida Water Management District's pilot alternative water supply project.

The Work Group, comprising officials from the municipalities, counties and drainage districts in Palm Beach and Broward County, met formally for a period of two years to advance the planning, project costing and provide recommendations on the project governance. We collectively funded and sought third-party refinement of the project design and planning-level cost estimates. The studies, which confirmed that the project was on the right path, brought the C-51 Reservoir to its current construction-ready status. As partners, we understand the importance of the project to long-term water resource sustainability within the region. The project has advanced incrementally with the issuance of consumptive use permits and negotiation of capacity allocation agreements. Financial commitments have been made and continue to grow along with the water resource challenges that reinforce the need for this project. Designation of the C-51 Reservoir as the District's pilot alternative water supply project by the Governing Board will greatly aid current discussions aimed at securing the needed financing to begin construction of the reservoir.

The benefits of the C-51 Reservoir are great and the project's many winning features are a significant reason why so many diverse cities, counties, and drainage districts agreed to participate in the Work Group. It is why those entities and many others including federally-recognized tribal communities, environmental groups, federal agencies, and others have offered public support for the project. The C-51 Reservoir will not only hold flood water and help reduce the severity of flooding in western Palm Beach County, it will also allow that water to be used in Broward County to recharge the Biscayne Aquifer, easing pressure on the county's water supply, especially in times of drought, and helping to push back against saltwater intrusion as sea level increases. In addition, the C-51 Reservoir makes smart use of and complements existing infrastructure, including the District's L-8 Reservoir and the existing network of canals capable of conveying water throughout southeast Florida.

The District has been a strong partner in the Work Group efforts and a significant supporter of the C-51 Reservoir to date and now has an opportunity to lend significant formal endorsement by designating C-51 as the District's pilot multi-jurisdictional alternative water development supply project. The C-51 Reservoir features broad support and multiple benefits and synergies with the District's operation. This project has earned diverse endorsements following a decade of collaboration, technical assessments, and evaluation. We strongly urge the Governing Board to formally designate the C-51 project as its pilot project.

Sincerely,

Robert Baldwin
City Manager

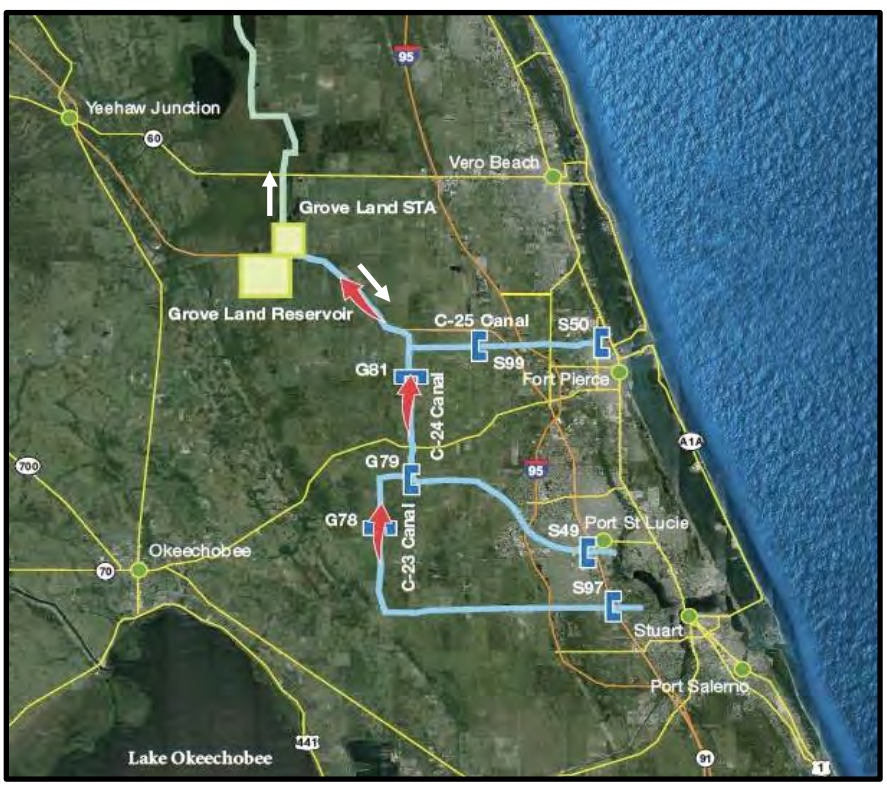
RB/TJA/law

Response to SFWMD Pilot Project Solicitation

Project: Grove Land Reservoir and Stormwater Treatment Area

Purpose

Grove Land Utilities, LLC (GLU) is submitting this document in response to the solicitation issued by the South Florida Water Management District on October 19, 2016 to submit projects that meet the definition of a Pilot Project under FS 373.037. The Grove Land Reservoir and Stormwater Treatment Area (GLRSTA) project meets this definition for SFWMD and also meets the definition for a Pilot Project in SJRWMD due to its physical location, which connects the two Districts in the Ft. Drum Marsh area, and its inclusion in the regional water supply plans of each District. While GLRSTA benefits both SFWMD and SJRWMD, the alternative water supply opportunities associated with the project may be more significant to the SJRWMD and the goals and objectives of the Central Florida Water Initiative (CFWI), which is also recognized in FS 373.037. Therefore, it is GLU's opinion that GLRSTA may be a more appropriate Project for SJRWMD to select as its Pilot Project, with SFWMD and CFWI acting in a supporting role, as opposed to SFWMD taking the lead pursuant to this solicitation. FS 373.037(3) clearly contemplates that a District (SJRWMD) may select as its Pilot (alternative water supply) Project, one that is located in another District (SFWMD) if the Project is in a restricted allocation area (which the Upper East Coast of SFWMD has been so designated) and a substantial quantity of water provided by the Project will be used within the boundaries of the District (SJRWMD) that designated the Project as its Pilot Project. In the case of GLRSTA, it is physically located in both Districts and would meet the definition as a Pilot Project for either, but under this analysis is likely best suited as the Pilot Project for SJRWMD.



Attachment: 36_AWS_Proposals (3269 : Pilot Alternative Water Supply Projects)

Project Description

The Project conceptual design includes an approximately 5,700 acre reservoir which would store water at a depth of 15 feet and an approximately 2,100 acre STA which would store water at a depth of two feet. The Project would store and treat water which would otherwise be discharged to tidal water bodies via the C-25, C-24, and C-23 Canals. Treated water can then be discharged north to the headwaters of the St. Johns River (SJRWMD) as an alternate water supply or to the C-25 Canal (SFWMD). In both cases, water will be treated in the STA to reduce nutrient concentrations prior to discharge.

The Project meets the statutory requirements outlined in the SFWMD solicitation. It is located in an area where the Governing Board of the water management district has applied allocation restrictions with regard to specific sources of water as it is located in the Upper East Coast Regional Water Supply Planning Area and is included in the Central Florida Water Initiative. Furthermore, the Project is identified as an alternative water supply and recommended project in both the SFWMD 2015 UEC regional water supply plan and CFWI.

Outcome and Benefits

The Project provides economical water supply and environmental benefits as freshwater discharges to the Indian River Lagoon (IRL) are reduced and an alternate water supply is provided for the CFWI. The following environmental and water supply benefits are expected to result from the construction of the Project:

- Approximately **136 MGD** of water made available to the headwaters of the St. Johns River and/or local beneficiaries (total water supply estimated as being approximately 122 MGD assuming 10% conveyance losses).

- Approximately 37 metric tons (MT) of Total Phosphorus (TP) to be removed annually through treatment in the STA. If all discharge from GLRSTA is directed to SJRWMD, an annual reduction of 52 MT of TP to the IRL will occur. If discharged to the SJRWMD, the water quality-based effluent limits (WQBELs) will be met.

- Approximately 68 MT of Total Nitrogen (TN) to be removed annually through treatment in the STA. If all discharge from GLRSTA is directed to SJRWMD, an annual reduction of 300 MT of TN to the IRL will occur. If discharged to the SJRWMD, the WQBELs will be met.

- Reduction of freshwater discharges to the IRL will occur as a result of redirecting flow which would otherwise be lost to tide to the headwaters of the St. Johns River. The estimated annual water quantity (discharge reduction) benefits are as follows:

    - 28,954 acre-feet/year to GLRSTA from the C-23 Canal (22% of annual flow)
    - 41,132 acre-feet/year to GLRSTA from the C-24 Canal (37% of annual total)
    - 81,812 acre-feet/year to GLRSTA from the C-25 Canal (57% of annual total)

Attachment: 36_AWS_Proposals (3269 : Pilot Alternative Water Supply Projects)

- Significant reduction in the projected 250 MGD CFWI water supply deficit will be provided. Other proposed surface water projects are estimated to have a water supply benefit ranging from 40 to 54 MGD with project costs being at least $100 million greater than the GLRSTA estimated cost. Therefore, the GLRSTA is a more economical solution when factoring in the greater benefit the Project provides to the CFWI (daily flows of 136 MGD).

Project Cost

The planning level costs for the Project are summarized below in **Table 1**.

Table 1
Total Estimated Capital and Annual O&M Costs (Conceptual Level)
Of the Grove Land Reservoir and Stormwater Treatment Area, 2014 Dollars[1,2]

Item	Value
Capital Cost:	
Reservoir	$268,204377
Stormwater Treatment Area	$47,943,916
Other Improvements:	
Increase Capacity of Intake Water Sources (SFWMD)	$29,582,149
Improvements at Upper St. Johns River Basin (SJRWMD)	$10,553,956
Total Capital Cost (w/o Land Costs)	**$356,284,397**
Reservoir Land Value	57,752,662
STA Land Value	21,391,757
Total Capital Cost (w/Land Costs)	**$435,428,815**
Annual O & M Cost:	
Reservoir	$878,537
Stormwater Treatment Area	$682,016
Other Improvements:	
Increase Capacity of Intake Water Sources (SFWMD)	$129,881
Improvements at Upper St. Johns River Basin (SJRWMD)	$233,804
Project Administration (includes estimated liability insurance premium)	$775,774
Total Annual O&M Cost	**$2,680,012**
Total Annualized Cost	
Annualized Capital Cost over 50 years at 3.5% annual discount rate	$18,563,012
Annual O&M Cost	$2,680,012
Total Annualized Cost w/Land Costs	$21,243,958
Total Unit Cost w/ Land Costs ($ per 1,000 gallons for 136 mgd x 0.90)	**$0.48**

[1] Costs do not include treatment and transmission costs, financing cost, contingency/financial risk and renewal and replacement

[2] August 2014 Financial Feasibility Study of the Grove Land Reservoir and Stormwater Treatment Area, Phase 2 Study – FINAL Report developed by Hazen & Sawyer 2013 costs updated to 2014

Attachment: 36_AWS_Proposals (3269 : Pilot Alternative Water Supply Projects)

Estimated Implementation Schedule:

It is estimated that design, permitting and construction of this project could be completed in six years. Design is currently ongoing and could be completed by December 31, 2019. Permit applications could be submitted by June 30, 2018 and permits obtained by December 31, 2019. Construction and start up would take approximately 3 years and be completed in 2022.

Funding Sought

The funding sought is for the balance of capital costs that are not attributable to and being funded by a specific government entity, beneficiary or constituency.

Criteria for Project Evaluation

The following project characteristics should be evaluated when identifying the effectiveness of proposed Pilot Projects:

1. Timing of construction/implementation
2. Stage of project development
3. Magnitude of benefits provided by project

Timing of construction can have significant economic implications. As construction is delayed/prolonged and the extent of environmental impacts is increased, the economic value of environmental assets may be negatively affected. Timely execution of large scale projects helps minimize this economic impact. Similarly, the stage of planning and development of the project is important, as the feasibility of the project must be fully understood. Lastly, the scale of the project benefits must be considered in order to identify a Pilot Project which is not limited to only localized beneficiaries but instead addresses water supply and/or water quality issues on a regional or super-regional basis.

Attachment: 36_AWS_Proposals (3269 : Pilot Alternative Water Supply Projects)

MAYOR
Richard J. Kaplan, Esq.

VICE MAYOR
M. Margaret Bates

COMMISSIONERS
Hayward J. Benson, Jr., Ed.D.
Howard Berger
Ken Thurston

CITY OF LAUDERHILL

ADMINISTRATION
Charles Farand
Desorae Giles-Smith, DCM
Kennie Hobbs, Jr., ACM

CITY ATTORNEY
Earl Hall, Esq.

CITY CLERK
Andrea Anderson

CHARLES FARANI
City Manag

October 27, 2016

Chairman Daniel O'Keefe and Members of the Governing Board
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, Florida 33406

Dear Chairman O'Keefe and Members of the Governing Board,

As a participant in the C-51 Reservoir Governance and Finance Work Group (Work Group), I wish to offer the City of Lauderhill's strong support for designation of the C-51 Reservoir as the South Florida Water Management District's pilot alternative water supply project.

The Work Group, comprising of officials from the municipalities, counties and drainage districts in Palm Beach and Broward County, met formally for a period of two years to advance the planning, project costing and provide recommendations on the project governance. We collectively funded and sought third-party refinement of the project design and planning-level cost estimates. The studies, which confirmed that the project was on the right path, brought the C-51 Reservoir to its current construction-ready status. As partners, we understand the importance of the project to long-term water resource sustainability with in the region. The project has advanced incrementally, with the issuance of consumptive use permits and negotiation of capacity allocation agreements. Financial commitments have been made, and continue to grow, along with the water resource challenges that reinforce the need for this project. Designation of the C-51 Reservoir as the District's pilot alternative water supply project by the Governing Board will greatly aid current discussions aimed at securing the needed financing to begin construction of the reservoir.

The benefits of the C-51 Reservoir are great, and the project's many winning features are a significant reason why so many diverse cities, counties, and drainage districts agreed to participate in the Work Group, and why those entities and many others—including federally-recognized tribal communities, environmental groups, federal agencies, and others—have offered public support for the project. The C-51 Reservoir will not only hold flood water and help reduce the severity of flooding in western Palm Beach County, it will also allow that water to be used in Broward County to recharge the Biscayne Aquifer, easing pressure on the county's water supply, especially in times of drought, and helping to push back against saltwater intrusion, especially as the sea level increases. In addition, the C-51 Reservoir makes smart use of and complements existing infrastructure, including the District's L-8 Reservoir and the existing network of canals capable of conveying water throughout southeast Florida.

5581 W. Oakland Park Blvd. • Lauderhill, FL 33313 • PH: 954.730.3002 • FAX: 954.730.3025
www.lauderhill-fl.gov

Attachment: 36_AWS_Proposals (3269 : Pilot Alternative Water Supply Projects)

The District has been a strong partner in the Work Group efforts and a significant supporter of the C-51 Reservoir to date, and you now have an opportunity to lend significant formal endorsement by designating C-51 as the District's pilot multi-jurisdictional alternative water development supply project. The C-51 Reservoir features broad support and multiple benefits and synergies with the District's operation. This project has earned diverse endorsements following a decade of collaboration, technical assessments, and evaluation. I strongly urge the Governing Board to formally designate the C-51 project as its pilot project.

Sincerely,

Charles "Chuck" Faranda

Attachment: 36_AWS_Proposals (3269 : Pilot Alternative Water Supply Projects)

LAKE WORTH DRAINAGE DISTRICT
13081 MILITARY TRAIL
DELRAY BEACH, FLORIDA 33484-1105

Board of Supervisors
James M. Alderman
Stephen Bedner
Jeffrey P. Phipps, Sr.
Harry Raucher
John I. Whitworth III
Executive Director
Robert M. Brown
Attorney
Mark A. Perry, P.A.

October 12, 2016

Daniel O'Keefe
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33401

Dear Chairman O'Keefe:

The Lake Worth Drainage District (LWDD) has served as a central component of the regional water resource management system in Palm Beach County for more than a century. The interconnected system of canals, pumps and water control structures managed by the LWDD provides reliable flood control and water supply benefits to approximately one-half the county's population.

The LWDD, along with other local governments in South Florida, has been working cooperatively for over five years to develop and implement a regional water supply alternative that is both sustainable and cost effective. The C-51 Reservoir Project has the potential to significantly improve the region's ability to manage regional water resource objectives by making wet season storage available to attenuate flood discharges and providing a source of clean, fresh water as an alternative urban water supply source during dry periods.

Occupying 2,200 acres of the Palm Beach Aggregates property in central Palm Beach County, the C-51 Reservoir has the ability to store up to 61,000 acre-feet of raw water. The initial phase would hold approximately 16,000 acre-feet and supply 35 million gallons per day (MGD) of raw water to participating utilities. Phase Two will add an additional 45,000 acre-feet of water storage. LWDD's canal system will play a critical role in providing a cost effective conveyance route to deliver regional water supply from the proposed reservoir to participating water utilities south of the C-51 Canal.

Since its inception, LWDD has cooperatively participated with Palm Beach Aggregates and the South Florida Water Management District in the development and implementation of the C-51 Reservoir Project. We look forward to a continued partnership in bringing this important project to completion.

Sincerely,

Robert M. Brown
Executive Director

c: Board of Supervisors, LWDD
Governing Board, SFWMD

Phone: (561) 498-5363 • Fax: (561) 495-9694 • www.lwdd.net

City of Pembroke Pines

Frank C. Ortis, Mayor
Carl Shechter, Vice-Mayor
Charles F. Dodge, City Manager

Angelo Castillo, Commissioner
Jay Schwartz, Commissioner
Iris A. Siple, Commissioner

November 3, 2016

Mark E. Elsner, P.E.
Water Supply – Bureau Chief
South Florida Water Management District
3301 Gun Club Road, MSC 4360
West Palm Beach, FL 33406

RE: SFWMD Pilot Alternative Water Supply Project Option Survey

Dear Mr. Elsner:

In response to the SFWMD Pilot Alternative Water Supply Project Option Survey, as water provider with interest in regional water resource sustainability and water supply diversification, I wish to express my support for the designation of the C-51 Reservoir Project - Phase 1, as submitted by Broward County, the City of Sunrise, the City of Dania Beach, the City of Lauderhill, and Palm Beach Aggregates, recognizing the broad and long-term water resource benefits to be derived with this project.

Thank you for your consideration.
Sincerely,

Karl M. Kennedy, P.E.
City Engineer

8300 S. Palm Dr. • Pembroke Pines, Florida 33025 • 954-518-9040

Attachment: 36_AWS_Proposals (3269 : Pilot Alternative Water Supply Projects)

City of Port St. Lucie

McCarty Ranch Extension Water Storage & Treatment Project

Summary:

This water storage and treatment project directly contiguous to the C-23 Canal would take approximately 1,871 acres of fallow citrus grove at the City's McCarty Ranch Extension Property and convert it to a shallow water storage and treatment facility, diverting up to 27,240 acre feet (8.884 billion gallons) of nutrient laden water from the C-23 Canal per year and reducing freshwater discharges into the St. Lucie River by up to 21%.

Background & Justification:

As set forth by the University of Florida Water Institute Report of March 2015 (the "Report"), the flood control and water delivery system that serves Florida's urban and agricultural interests has substantially and adversely impacted natural ecosystems in South Florida, including the St. Lucie and Caloosahatchee Estuaries, Lake Okeechobee and the Everglades. Planning has been underway by federal and state agencies as well as key stakeholders for decades. If we want to fix the many well-chronicled problems, we need to take action, and the Report gives us clear marching orders—We need to build storage and treatment, a lot of it.

Key Points:

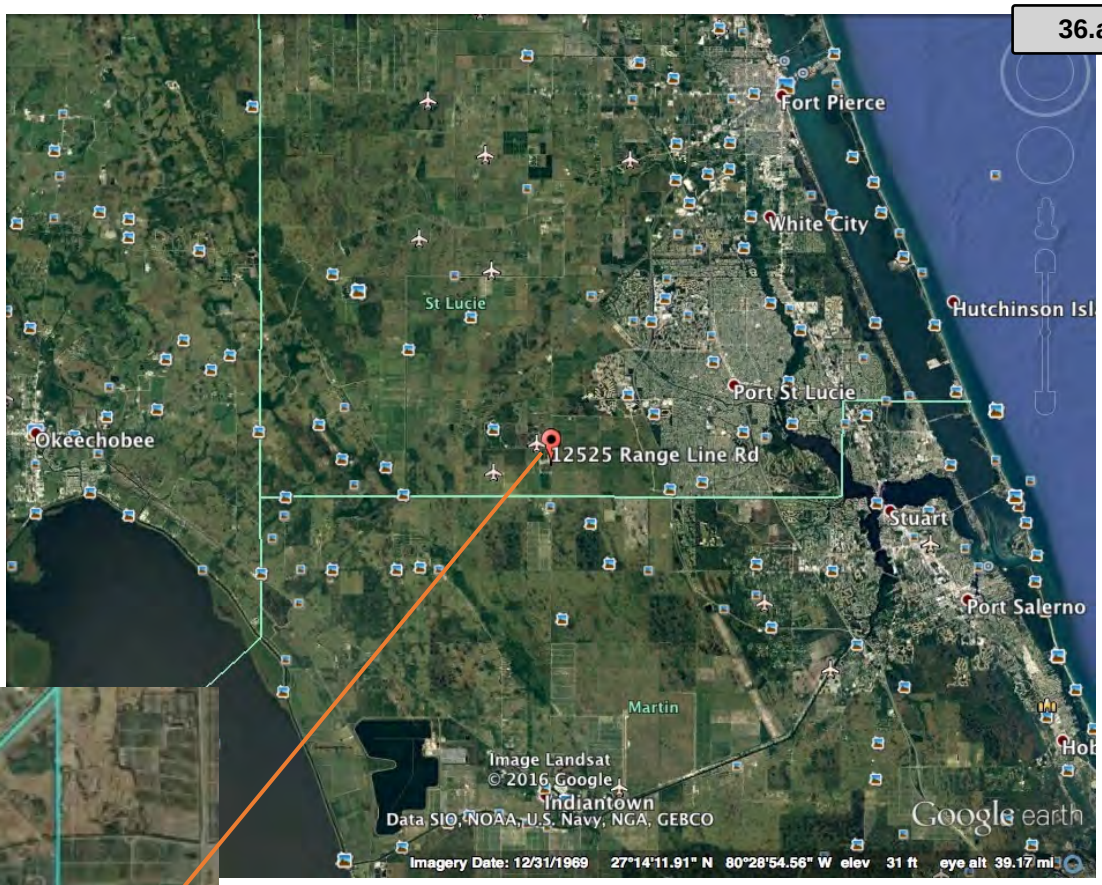
Amount of Request: $8 million
Amount of Storage/Year: Up to 27,24 acre feet (8.884 billion gallons) or 21 of average annual freshwater discharg from the C-23 to the Estuary.
Amount of Treatment: Annual amou of Nitrogen & Phosphorous removal up to 89,721 lbs and 18,471 lb respectively.
Construction Budget: $8 million
City match: $7.337 million in land plu approx. $180,000/year in operatir costs
Schedule: 24 months from award.
Benefits: Reduce freshwater discharge by up to 21%; reduce nutrient load and turbidity; ensure water supply; reduce flooding; increase groundwater recharge; and alternate water supply.

In fact, even if all of our well-laid plans, like the Comprehensive Everglades Restoration Plan, were built overnight, we would still need an additional 200,000 acre-feet of water storage within the St. Lucie River Watershed in order to reduce the damaging freshwater discharges which are ruining our St. Lucie River, Indian River Lagoon, and way of life. This is because, on average, 70-80% of the freshwater discharges to the St. Lucie River Estuary (the "Estuary") and 65-80% of the nutrient load originate from the local basin. Even during the Lost Summer of 2013, 63% of the freshwater discharges originated from the local basin. Currently, only one 40,000 acre-foot surface reservoir is under construction. Therefore, while we wait for the greater and more complex fixes to Lake Okeechobee and the Everglades, we can take meaningful action at the local level today.

Within the St. Lucie River Watershed, the C-23 is one of several large contributors of freshwater to the Estuary. Others are Lake Okeechobee, the C-44 Basin, Ten Mile Creek, the C-24 and the land draining into the tidal basin. Reducing any of these sources will help improve the health of the Estuary and Indian River Lagoon. The subject project would pump excess stormwater out of the C-23 Canal at times of high flow, keeping nutrient-laden freshwater discharges out of the Estuary. The water would be filtered of nutrients and sediments as it winds its way through the property and would be stored during the wet season to allow the nutrients to settle and pollutants to be reduced and then released back into the C-23 Canal during the dry season when demand is high. It could also provide the City with an alternate source of water for its drinking supply. As the State evaluates competing solutions to its water management challenges, it is important to consider that the subject project provides advantages over other storage and treatment options, such as dispersed water management on private lands, due to better life cycle costs. Since the City would operate and maintain the storage and treatment area in perpetuity as part of its utility, the State's one-time capital contribution would provide real results that future generations of Floridians can count on.

Attachment: 36_AWS_Proposals (3269 : Pilot Alternative Water Supply Projects)

Located within the Restricted Allocation Area of the C-23 Canal Basin



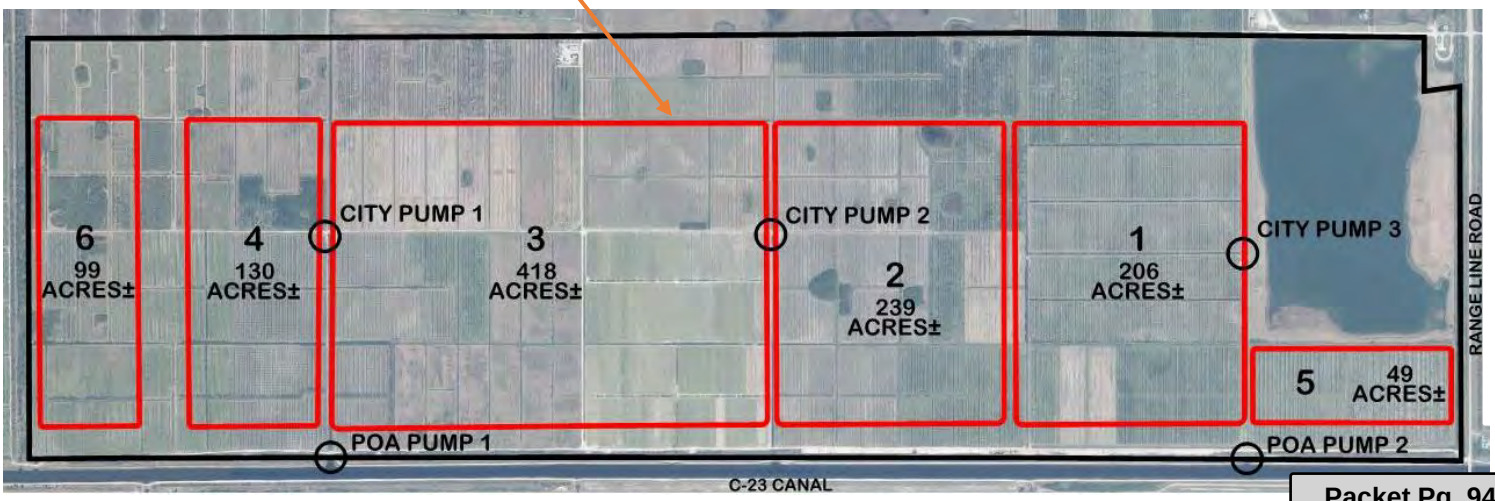
McCarty Ranch Preserve/McCarty Ranch Extension
12525 Range Line Rd.
Port St. Lucie, FL 34987

Located northeast of Lake Okeechobee and west of I-95 and Florida's Turnpike

Both properties total 5,100 acres

For more information, please contact:
John Eason, P.E., Civil Engineer, Utility Services Dept.

772-873-6487



Attachment: 36_AWS_Proposals (3269 : Pilot Alternative Water Supply Projects)

City of Stuart

121 SW Flagler Avenue • Stuart • Florida 34994
Telephone (772) 288-5332
Fax (772) 288-5381

Public Works Department
Samuel T. Amerson, P.E.
Public Works Director

samerson@ci.stuart.fl.us

November 3, 2016

Mark E. Elsner, P.E.
Water Supply–Bureau Chief
South Florida Water Management District (SFWMD)
3301 Gun Club Road
West Palm Beach, Florida 33406

SUBJECT: SFWMD Pilot Alternative Water Supply Project

Dear Mr. Elsner:

This letter transmits the City of Stuart's potential pilot project information, as requested in an email to Mr. David D. Peters, the City's Assistant Public Works Director in mid-October 2016.

Our understanding is that SFWMD staff is surveying stakeholders to inventory potential projects that may qualify as a pilot project under Section 373.037 of the Florida Statutes, for further consideration by the SFWMD Governing Board.

The two page write-up attached to this letter meets the statutory considerations, as follows:

1. Located in an area where the Governing Board of the water management district has applied allocation restrictions with regard to specific sources of water including the Lower East Coast Regional Water Supply Planning Area, Upper East Coast Regional Water Supply Planning Area, or Central Water Initiative Area as defined by the Statute
2. Provides water supply and environmental benefits
3. Identified as an alternative water supply project in a SFWMD regional water supply plan.

The City of Stuart thanks the SFWMD for the opportunity to submit a project for further consideration of this assistance.

Sincerely,

Samuel T. Amerson, P.E
Public Works Director

cc: David D. Peters, City of Stuart

Attachment: 36_AWS_Proposals (3269 : Pilot Alternative Water Supply Projects)

CITY OF STUART

SFWMD PILOT ALTERNATIVE WATER SUPPLY PROJECT OPTION SURVEY

This information is provided to the South Florida Water Management District (SFWMD) in response to a survey of potential projects that may qualify as a pilot projects under the 2016 Water Policy Bill (Chapter 2016-1, Laws of Florida). The project must be located in an area where the SFWMD Governing Board has applied water allocation restrictions with regard to specific sources of water, provides water supply and environmental benefits, and is an alternative water supply project in a regional water supply plan.

BACKGROUND

Currently, the City of Stuart water supply is obtained from the Surficial Aquifer. The City's wellfield comprises 30 production wells, although 21 are currently in service. The wells are completed with screened intervals ranging between 90 feet to 130 feet below land surface. The wellfield currently withdraws an average of approximately 3 million gallons per day. Individual wells are pumped at rates of 140 to 500 gallons per minute, from semi-consolidated sandy strata. The wellfield is located on a peninsula surrounded by the brackish St Lucie River, an outstanding Florida Water. A majority of the wellfield is close to the north end of the peninsula and extends southwards away from the river. There are wetlands along the western part of the peninsula along the St Lucie River that limit wellfield pumping (in wells 26, 27 and 30) and concerns about salt water intrusion during drought conditions. Projected sea level rise also has the potential to increase salt water intrusion and further erode the ability to operate the City's wellfield, although the City of Stuart does maintain vigilant saltwater intrusion and wetland monitoring networks, consisting of wells completed at varying depths around the peninsula.

In addition to the challenges presented by natural phenomena, there is chemical contamination in the wellfield from previous industries that operated in the City. Production wells 1 through 15, closer to the salt water at the northern edge of the peninsula, are the primary pumped wells and are used to capture a contaminant plume from a prior Turbo-Combustor Technology (TCT) spill; some of these wells must remain continuous operation to capture the contaminants. In addition, as a result of the recent promulgation of the EPA's third Unregulated Contaminant Monitoring Rule (UCMR 3) in May 2016, which regulates a number of emerging contaminants of concern, wells 1, 3, 5 and 24 can no longer be used since they contain levels of per-fluorinated compounds (PFC's), per-fluoro-octane-sulfonic acid (PFOS) and per-fluoro-octanoic acid (PFOA) far exceeding the EPA's advisory limit. These contaminants of concern have consistently been detected in the City's wells since the rule was promulgated in May 2016. Wells 16 through 21 are located near the Martin County airport and have been under an EPA clean-up order since the early 1990's. Well 25 was under the Florida Department of Environmental Protection's dry cleaning clean-up program until recently. This well has not been returned to service because it is located at the downgradient (north) side of the Old City Landfill, which is an unlined landfill in the center of the wellfield. Wells 28 and 29 are on the south side of the landfill and are pumped on a limited basis to keep the plume underlying the landfill on the landfill property.

It has been the most recent contaminants, the PFC's, which has threatened the City's supply. Currently a pilot project is being conducted to see if the water from wells 1, 3, 5 and 24 can be treated using granular activated carbon, however results are not promising due to other water quality interferences in the raw water. Using membranes to treat the water laden with these, and potentially undiscovered contaminants might be the only solution. If membranes are the answer to solving the issues in the surficial aquifer, a further step would be to significantly reduce the City's reliance on the surficial aquifer

Attachment: 36_AWS_Proposals (3269 : Pilot Alternative Water Supply Projects)

and develop a more reliable long term, uncontaminated supply for the City of Stuart. Consequently, the following project has been contemplated.

PROJECT DESCRIPTION

The City of Stuart is proposing development of a new water supply tapping a deeper, brackish aquifer, while also using a significantly reduced volume of water from the surficial aquifer for blending purposes.

New facilities will include a 7.0 mgd reverse osmosis (RO) water treatment facility with a combination of supply wells from two different aquifers, to minimize impacts. The wells will include five (5) Upper Floridan aquifer wells, together with continued utilization of up to 35 percent of the existing surficial supply. Use of a blended supply is a unique characteristic of this alternative supply pilot.

7.0 Mgd MDF Water Plant Capacity Raw Water Supply:

Water Supply	% of total	Capacity MGD	Recovered (assumed)	Required Raw Capacity MGD(gpm)	Number Wells
Upper Floridan	65	4.5	80%	5.625 (3,900)	5 (1 spare)
Surficial	35	2.5	95%	2.700(1,890)	8 - 10

Disposal of reject concentrate from the membrane facility will be through a 3,000 ft existing deep injection well. The deep injection well is located at the water reclamation facility; it is large enough to be modified to accommodate the combined wastestream, the concentrate and function as back-up disposal for the water reclamation facility.

TOTAL PROJECT COST: The total estimated budget level cost for this project is approximately $17,500,000.

FUNDING BEING SOUGHT: Rate Impacts

WATER MADE AVAILABLE: The water to be made available in this project will be two fold. It comprises water obtained from the Floridan aquifer to provide a reliable replacement supply of drinking water for City residents that is free from unregulated and emerging contaminants, as well as water made available in the surficial aquifer as a result of reduced pumping.

SCHEDULE: 2018 to 2022

OUTCOME AND BENEFITS: The outcome of this project will be as follows: Drinking Water will be obtained from a combination of the Upper Floridan aquifer and supplemented with approximately 2.7 mgd of surficial aquifer water.

This reduction of pumping in the surficial aquifer will reduce potential impacts to wetlands and become available for other environmental benefits on the Stuart peninsula and reduce salt water intrusion concerns under climate change scenarios.

Attachment: 36_AWS_Proposals (3269 : Pilot Alternative Water Supply Projects)

UTILITIES
DEPARTMENT

CITY OF SUNRISE FLORIDA

Phone: (954) 888-6055
Fax: (954) 846-7404

October 19, 2016

Chairman Daniel O'Keefe and Members of the Governing Board
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, Florida 33406

Dear Chairman O'Keefe and Members of the Governing Board,

As a participant in the C-51 Reservoir Governance and Finance Work Group (Work Group), I wish to offer the City of Sunrise's strong support for designation of the C-51 Reservoir as the South Florida Water Management District's pilot alternative water supply project.

The Work Group, comprising officials from the municipalities, counties and drainage districts in Palm Beach and Broward County, met formally for a period of two years to advance the planning, project costing and provide recommendations on the project governance. We collectively funded and sought third-party refinement of the project design and planning-level cost estimates. The studies, which confirmed that the project was on the right path, brought the C-51 Reservoir to its current construction-ready status. As partners, we understand the importance of the project to long-term water resource sustainability with in the region. The project has advanced incrementally, with the issuance of consumptive use permits and negotiation of capacity allocation agreements. Financial commitments have been made, and continue to grow, along with the water resource challenges that reinforce the need for this project. Designation of the C-51 Reservoir as the District's pilot alternative water supply project by the Governing Board will greatly aid current discussions aimed at securing the needed financing to begin construction of the reservoir.

The benefits of the C-51 Reservoir are great, and the project's many winning features are a significant reason why so many diverse cities, counties, and drainage districts agreed to participate in the Work Group, and why those entities and many others—including federally-recognized tribal communities, environmental groups, federal agencies, and others—have offered public support for the project. The C-51 Reservoir will not only hold flood water and help reduce the severity of flooding in western Palm Beach County, it will also allow that water to be used in Broward County to recharge the Biscayne Aquifer, easing pressure on the county's water supply, especially in times of drought, and helping to push back against saltwater intrusion, especially as the sea level increases. In addition, the C-51 Reservoir makes smart use of and complements existing infrastructure, including the District's L-8 Reservoir and the existing network of canals capable of conveying water throughout southeast Florida.

The District has been a strong partner in the Work Group efforts and a significant supporter of the C-51 Reservoir to date, and you now have an opportunity to lend significant formal endorsement by designating C-51 as the District's pilot multi-jurisdictional alternative water development supply

777 Sawgrass Corporate Parkway • Sunrise, Florida 33325
www.sunrisefl.gov

UTILITIES
DEPARTMENT

CITY OF SUNRISE FLORIDA

Phone: (954) 888-6055
Fax: (954) 846-7404

project. The C-51 Reservoir features broad support and multiple benefits and synergies with the District's operation. This project has earned diverse endorsements following a decade of collaboration, technical assessments, and evaluation. I strongly urge the Governing Board to formally designate the C-51 project as its pilot project.

Sincerely,

Timothy A. Welch, P.E.
Utilities Director

Attachment: 36_AWS_Proposals (3269 : Pilot Alternative Water Supply Projects)

SFWMD Pilot Alternative Water Supply Project Option Survey for

Cypress Lake Wellfield: AWS WTP Project

Prepared by Tohopekaliga Water Authority, November 4, 2016

The Tohopekaliga Water Authority (TWA) proposes the ***Cypress Lake Wellfield: AWS WTP Project*** for consideration by the South Florida Water Management District (SFWMD) as a potential Pilot Alternative Water Supply (AWS) project under Section 373.037, Florida Statutes. This planned AWS project meets the statutory considerations for a Pilot Program project:

1. This project is located within the Central Florida Water Initiative (CFWI) Area, which is statutorily defined as a restricted allocation area.
2. This project will provide both water supply and environmental benefits by pioneering the use of brackish reverse osmosis in the CFWI Area, setting a regional precedent to avoid use of added fresh groundwater withdrawals, and develop sustainable concentrate disposal alternatives.
3. This project is identified as an AWS project in the CFWI Regional Water Supply Plan, as adopted in 2015.

Project Description

The purpose of this project is to create a sustainable, large-scale alternative water supply by constructing a reverse osmosis (RO) water treatment plant (WTP) and associated appurtenances that will ultimately treat 37.5 million gallons per day (MGD) of brackish groundwater to produce up to 34 MGD of potable water. The project is identified in the Regional Water Supply Plan (RWSP) as the "Cypress Lake Wellfield: AWS WTP" and is a multi-jurisdictional project of regional benefit. The Water Cooperative of Central Florida (TWA, Orange County, Polk County, and City of St. Cloud) and Reedy Creek Improvement District (RCID) initiated the project to meet future limitations on fresh groundwater withdrawals by utilizing brackish groundwater as a sustainable, large-scale AWS. Phase I of the Cypress Lake Wellfield: AWS WTP project will design, construct, and commission raw water supply facilities, concentrate disposal facilities and monitoring wells, and an RO Water Treatment Facility capable of delivery approximately 15 to 17 MGD of potable water.

In October, 2011, the SFWMD issued to the Water Cooperative and RCID a Water Use Permit for the withdrawal of 37.5 MGD of brackish groundwater. Subsequently, the Water Cooperative and RCID has completed the Preliminary Design of the facility, which confirmed the feasibility of the project, and is preparing to proceed with the Final Design. The treatment facility will utilize reverse osmosis to treat the brackish groundwater; RO requires the ability to safely dispose of brine concentrate, a by-product of the reverse osmosis treatment process. The Water Cooperative has also prepared and submitted a permit application to the Florida Department of Environmental Protection for a Class V Group 4 concentrate disposal well.

Implementation of Phase I of the Cypress Lake AWS WTP will mark an important milestone in the development of large-scale alternative water supplies for the CFWI Area. While reverse osmosis has been widely utilized throughout South Florida and in coastal zones for the treatment of brackish water, the Cypress Lake AWS will represent the first brackish water reverse osmosis treatment project in the CFWI

Attachment: 36_AWS_Proposals (3269 : Pilot Alternative Water Supply Projects)

area, providing the SFWMD with a template for the wider adoption of brackish groundwater as a viable, practical alternative water supply in the CFWI area.

Total Project Cost

The total estimated Phase I project capital cost - including design, permitting, and construction capital cost - is currently projected at approximately $131,503,000 (in FY 2017 dollars). An estimated breakdown of the project costs by various infrastructure components are provided below.

Raw Water Supply Facilities	$24,374,000
Treatment Facilities:	$92,129,000
Concentrate Disposal & Monitoring Wells:	$15,000,000
Total Project Cost:	$131,503,000

Funding Sought

The applicant requests funding support from the SFWMD at a level deemed appropriate. Various planning, well permitting and testing, and preliminary design services have already been performed. Up to 50% co-funding of Phase I is requested by the applicant. As the projected total capital cost is estimated at $131,503,000 (in FY 2017 dollars), the applicant is requesting up to $65,751,500 in co-funding support from the SFWMD.

Water Made Available

Phase I of this project will produce up to 17 MGD of new water supply.

Schedule

The schedule reflects the anticipated time to complete design, permitting, and construction of Phase I of the Cypress Lake Wellfield AWS WTP. The funding request and schedule reflects the project status as of early FY2017.

Phase 1 Program Implementation

- Concentrate Disposal Well Exploratory Program: FY 17 - FY 18
- Design: FY 18 - FY 19
- Permitting: FY 17 - FY 19
- Production Well, and Raw Water Main Construction: FY 19 - FY 20
- WTP Construction: FY 20 - FY 21

Outcome and Benefits

This large-scale alternative water supply project will ultimately provide up to 34 MGD of additional water supply capacity as a multi-jurisdictional project of regional benefit. Phase I of the project will be designed to provide up to 17 MGD of potable water supply.

The project will pioneer the use of reverse osmosis for treatment of brackish groundwater in the CFWI area, setting a regional precedent to avoid added fresh groundwater withdrawals and develop proven, sustainable concentrate disposal alternatives.

Attachment: 36_AWS_Proposals (3269 : Pilot Alternative Water Supply Projects)

SFWMD Pilot Alternative Water Supply Project Option Survey for

Judge Farms Reservoir and Impoundment Project

Prepared by Tohopekaliga Water Authority, November 4, 2016

The Tohopekaliga Water Authority (TWA) proposes the ***Judge Farms Reservoir and Impoundment Project*** for consideration by the South Florida Water Management District (SFWMD) as a potential Pilot Alternative Water Supply (AWS) project under Section 373.037, Florida Statutes. This planned AWS project meets the statutory considerations for a Pilot Program project:

1. This project is located within the Central Florida Water Initiative (CFWI) Area, which is statutorily defined as a restricted allocation area.
2. This project will provide both water supply and environmental (e.g., nutrient reduction) benefits.
3. This project is identified as an AWS project in the CFWI Regional Water Supply Plan, as adopted in 2015.

Project Description

The purpose of this project is to construct a reservoir to provide stormwater treatment to reduce nutrient discharges to Lake Tohopekaliga and provide a supplemental source of water to augment reclaimed water supplies for irrigation, thus reducing potable water demands. The reservoir will remove an estimated 28,000 pounds of nitrogen and 5,400 pounds of phosphorus annually from being discharged to Lake Tohopekaliga and subsequently the Kissimmee River. The reservoir will have the capacity to provide up to 6 million gallons per day (mgd) of water to augment reclaimed water supplies for irrigation and other non-potable uses.

The westerly portion of the 452-acre property known as Judge Farms consists of a large depressional area that has historically been used for sod farming. Due to its natural bowl formation, size, and proximity to surface waters, the property is suitable for a reservoir. Three local stormwater/water conveyance tributaries—East City Ditch, Mill Slough, and the Judge Farms Ditch—flow immediately adjacent to or across the Judge Farms Property before discharging into Lake Tohopekaliga, located at the south end of the property. Future project phases will involve capturing stormwater flows from these three tributaries via intake structures and convey the water to the proposed 400 million gallon (MG) Judge Farms reservoir. A water treatment facility will be constructed to treat the captured stormwater for use as an AWS source for non-potable (reuse) system augmentation. As stated above, the other environmental benefit of the reservoir is its ability to reduce nutrient loads to Lake Tohopekaliga and the Kissimmee River, which has been declared an impaired water body due to excessive nutrient levels, by retaining or detaining stormwater runoff that historically flowed untreated into the lake.

TWA and Osceola County are project partners. The exact percentage split of project funding is not yet determined, as TWA and the County have split discrete project components. The County is providing design, permitting, and construction services for the reservoir, while TWA will reimburse the County for the cost of the property and will become the owner of the reservoir. Additionally, TWA will be paying for the cost of the intake structures, the water treatment facility, and pumping/distribution facilities. This application addresses the expected total cost of the project, and TWA will reimburse the County for its agreed share.

Total Project Cost

The total estimated project capital cost—including planning, permitting, design and construction capital costs—is currently projected at approximately $67,186,000. An estimated breakdown of the project costs by various project phases and infrastructure components can be found in the table provided below under the Schedule section.

Attachment: 36_AWS_Proposals (3269 : Pilot Alternative Water Supply Projects)

Funding Sought

The applicant requests funding support from the SFWMD at a level that the District deems appropriate. Various planning, permitting and design services have already been performed, and initial construction of the Phase 1 portion of the reservoir/impoundment has been initiated by the County. Up to 50% co-funding of future year project phases is requested by the applicant. As the projected FY2017-FY2020 total capital cost is estimated at $56,051,000, the applicant is requesting up to $28,025,500 in co-funding support from the District.

Water Made Available

This project will make up to 6 mgd, on an average daily flow basis, of new water supply available.

Schedule

Lake Toho Restoration/Alternative Water Supply (aka Judge Farms) Project
Water Storage Reservoir, Treatment, and Associated Facilities
Conceptual-Level Schedule for Capital Cost Expenditures
WSP | Parsons Brinckerhoff
May 2016

ID	Cost Category	Component Description	Responsibility	Estimated Cost
Fiscal Year 2016 (Oct 2015-Sep 2016)				
	Non-Construction	Planning, Permitting (incl. WUP), Legal Services (TWA)	TWA	$374,000
	Non-Construction	Engineering, Permitting, Construction Phase Services (County)	County	$1,865,000
1.	Construction	Construct Pond - Phase 1	County	$8,896,000
FY2016 CAPITAL COST TOTAL				**$11,135,000**
Fiscal Year 2017 (Oct 2016-Sep 2017)				
	Non-Construction	Engineering, Permitting, Legal Services (TWA)	TWA	$1,395,000
	Non-Construction	Engineering, Permitting, Construction Phase Services (County)	County	$1,865,000
2.	Construction	Construct Pond - Phase 2	County, w/ TWA contribution	$9,464,000
5.	Construction	Construct Outfall from Reservoir to Lake Toho	County, w/ TWA contribution	$290,000
FY2017 CAPITAL COST TOTAL				**$13,014,000**
Fiscal Year 2018 (Oct 2017-Sep 2018)				
	Non-Construction	Engineering, Permitting, Legal Services	TWA	$2,093,000
	Non-Construction	Construction Phase Services	TWA	$300,000
4.	Construction	Construct Surface Water Intake from Mill Slough	TWA	$5,999,000
FY2018 CAPITAL COST TOTAL				**$8,392,000**
Fiscal Year 2019 (Oct 2018-Sep 2019)				
	Non-Construction	Engineering, Permitting, Legal Services	TWA	$1,739,000
	Non-Construction	Construction Phase Services	TWA	$863,000
3.	Construction	Construct Surface Water Intake from East City Ditch	TWA	$7,029,000
6.	Construction	Construct Water Treatment Facility	TWA	$10,225,000
FY2019 CAPITAL COST TOTAL				**$19,856,000**
Fiscal Year 2020 (Oct 2019-Sep 2020)				
	Non-Construction	Construction Phase Services	TWA	$704,000
7.	Construction	Construct Pipeline East to New Developments	TWA	$7,825,000
8.	Construction	Construct Pipeline West to Reuse System	TWA	$6,260,000
FY2020 CAPITAL COST TOTAL				**$14,789,000**
GRAND TOTAL CAPITAL COST (Conceptual-Level Estimate)				**$67,186,000**
CONSTRUCTION PORTION				**$55,988,000**

Outcome and Benefits

The end goal of this project is to construct a reservoir to provide stormwater treatment to reduce nutrient discharges to Lake Tohopekaliga and provide a supplemental source of water to augment reclaimed water supplies for irrigation, thus reducing potable water demands. The reservoir will remove an estimated 28,000 pounds of nitrogen and 5,400 pounds of phosphorus annually from being discharged to Lake Tohopekaliga and subsequently the Kissimmee River. The reservoir will have the capacity to provide up to 6 mgd of water to augment reclaimed water demands for irrigation.

Attachment: 36_AWS_Proposals (3269 : Pilot Alternative Water Supply Projects)

M E M O R A N D U M

TO: Governing Board Members

FROM: Ernie Marks, Director, Everglades Policy & Coordination

DATE: November 10, 2016

SUBJECT: Cost-Share Agreement with Collier County for Haldeman Creek Weir Replacement

Agenda Item Background:
Since 2006, the District has provided financial assistance to local governments within the Big Cypress Basin (BCB) for 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 water control structure on Haldeman Creek, located in Collier County, is in need of replacement. The current condition of this coastal structure results in poor drainage and salt water intrusion during seasonal high tides. Collier County has requested financial assistance for replacement of the Haldeman Creek Weir. Replacement of the aging structure will improve structure functionality and prevent salt water intrusion. Staff proposes to enter into a 12-month cost share agreement with Collier County in an amount not to exceed $800,000 or 40% of eligible expenses.

Additional Background:
The current design and condition of the existing water control structure make it difficult to maintain and poorly suited for variable downstream tidal conditions. Collier County has determined that a new straight-weir type water control structure that incorporates updated design features will improve operations, maintenance and functionality of the water control structure. Replacing the structure will improve stormwater conveyance, provide a salinity barrier against saltwater intrusion and maintain dry season canal stages more effectively. This project complements the District's core mission of flood protection and water supply as set forth in the priorities of the Strategic Plan. The Everglades Policy and Coordination Division will support the Big Cypress Basin through execution and management of Contract No. 4600003476.

Staff Contact and/or Presenter:
Rod Braun, rbraun@sfwmd.gov, 561-682-2925

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 1113

A Resolution of the Governing Board of the South Florida Water Management District to enter into a 12-month agreement with Collier County in an amount not to exceed $800,000 or 40% of eligible expenses, whichever is less, for replacement of the Haldeman Creek Weir, subject to approval by the Collier County Board of County Commissioners, for which dedicated Big Cypress Basin ad valorem funds are budgeted; providing an effective date. (Contract No. 4600003476)

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to enter into a 12-month agreement with Collier County for replacement of the Haldeman Creek Weir, subject to approval by the Collier County Board of County Commissioners, in an amount not to exceed $800,000 or 40% of eligible expenses, for which dedicated Big Cypress ad valorem funds are budgeted; providing an effective date. (Contract No. 4600003476)

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. 4600003476 with Collier County.

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

PASSED and **ADOPTED** this 10th day of November, 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:

_____

ITEM DELETED -

M E M O R A N D U M

TO: Governing Board Members

FROM: Lennart J. Lindahl, Assistant Executive Director

DATE: November 10, 2016

SUBJECT: 20-year lease to the University of Florida Board of Trustees on approx. 260 acres, KC10E-009, Glades

Agenda Item Background:
The District owns property in Glades County, identified as Tract KC10E-009, and consisting of 260 acres, as shown in Exhibit "A". The Property is located within the footprint of the C-43 Water Quality Treatment & Testing Facility Project. The District acquired approximately 1,773 acres in January 2008 to implement a water quality treatment and testing facility within the Caloosahatchee River (C-43) Watershed upstream of the S-79 structure to help address the removal of nutrients and suspended solids. At the time of acquisition, the District committed to Glades County to surplus a portion of the acquisition. When approached by UF-IFAS to not surplus the property but to consider leasing it for citrus and water quality research, Glades County agreed that the District should try to negotiate a lease agreement with UF-IFAS rather than offer the property for sale.

The properties offered for lease are agricultural lands with a mixture of active and vacant citrus land. It is appropriate to lease a 260 acre property identified as Encumbrance ID KC10E-009 (See Exhibit "A") for water quality and citrus research. There will be no revenues generated from this lease. However, the lessee will share beneficial water quality research data with the District and the research will benefit and be supported by the agricultural industry.

Core Mission and Strategic Priorities:
The objective of this lease is to obtain water quality research data conducted by the Lessee that will be beneficial to the District.

Funding Source:
There are no District costs associated with this item other than the cost of administering the lease.

Staff Contact and/or Presenter:
Ray Palmer, rpalmer@sfwmd.gov, ext. 2246

ITEM DELETED -

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 1114

A Resolution of the Governing Board of the South Florida Water Management District issuing a 20-year lease for approximately 260 acres in Glades County, with the University of Florida Board of Trustees, on behalf of its Institute of Food and Agricultural Sciences, and rescind Resolution No. 2015-0515 which declared this property as surplus; providing an effective date. (Contract No. 4600003576)

WHEREAS, the Governing Board, pursuant to Section 373.093, of the Florida Statutes, may lease lands or interests in land under terms and conditions determined by the Governing Board; and

WHEREAS, the District and the University of Florida Board of Trustees, a public body corporate, on behalf of its Institute of Food and Agricultural Sciences (UF-IFAS), desire to enter into a Lease on the premises for a 20-year term under Contract No. 4600003576 (the "Lease Agreement"); and

WHEREAS, the Governing Board of the South Florida Water Management District desires to rescind Resolution No. 2015-0515 which requested declaring surplus land interests in this property; and

WHEREAS, the Lessee's main use of the Premises will be for water quality and citrus research; and

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to approve UF-IFAS for a lease on approximately 260 acres in Glades County (the "premises"). This will be a non-revenue lease. However, the lessee will share beneficial water quality research data with the District and the research will benefit and be supported by the agricultural industry;

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 entering into Contract No. 4600003576 with the University Of Florida Board Of Trustees, a public body corporate, on behalf of its Institute of Food and Agricultural Sciences for a 20-year lease on approximately 260 acres in Glades County.

Section 2. The Governing Board of the South Florida Water Management District hereby rescinds Resolution No. 2015-0515.

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

PASSED and **ADOPTED** this 10th day of November, 2016.

ITEM DELETED -

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

_____
Chairman

Attest:

_____
District Clerk/Secretary

Legal form approved:
By:

_____
Office of Counsel

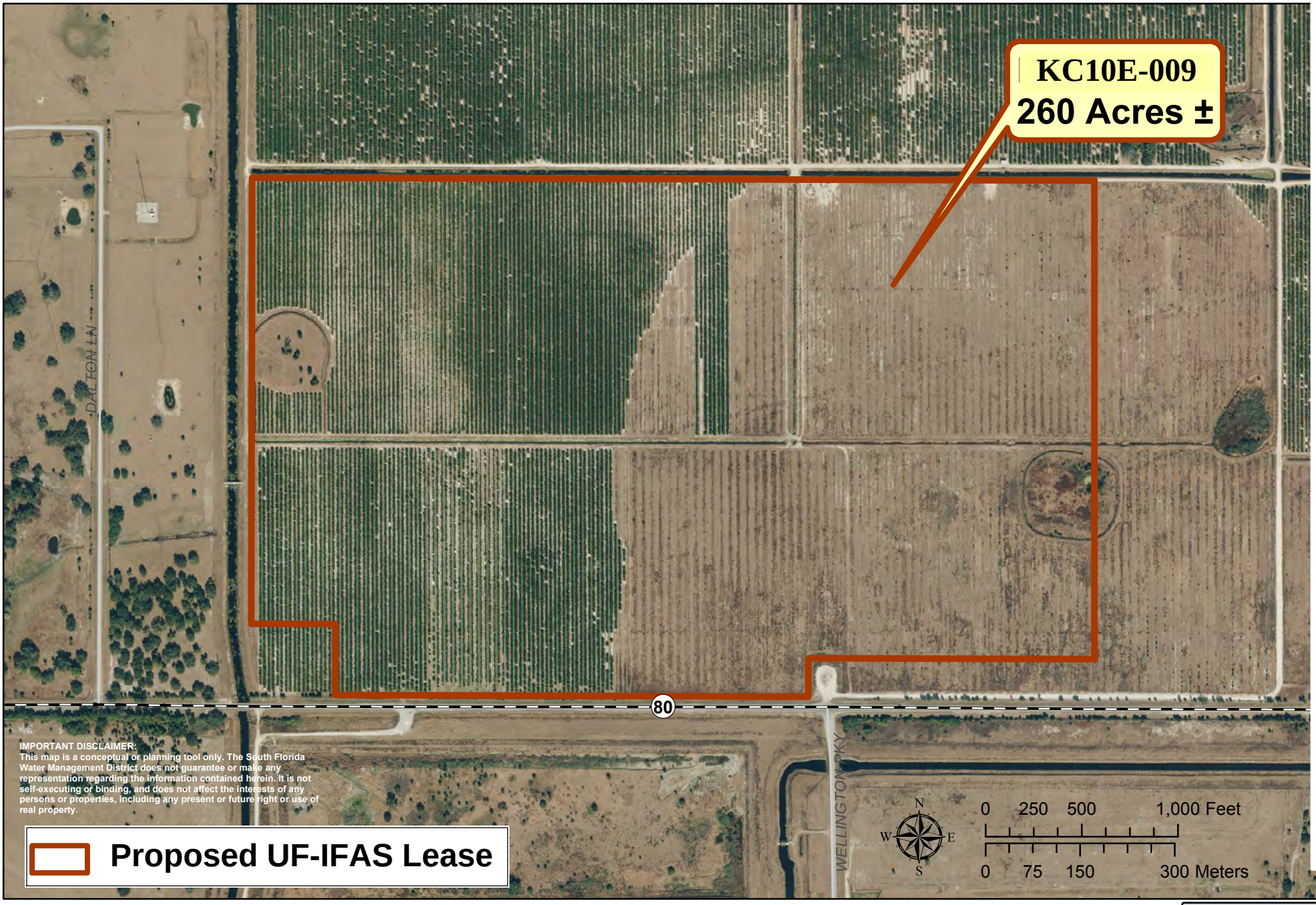
Print name:

_____

Exhibit A

Caloosahatchee River Basin Water Quality Treatment & Testing Facility

ITEM DELETED -



Attachment: ca_re_209_ExhA_Map_Palmer_Lease_UF-IFAS (Resolution No. 2016 - 1114 : 20-year lease

For copies of this map (\\\ad.sfwmd.gov\dfsroot\data\aa_gis\arc_data\maps\proj\c43\am\GB_RS_KC100-022.mxd)which was produ

M E M O R A N D U M

TO: Governing Board Members

FROM: Lennart J. Lindahl, Assistant Executive Director

DATE: November 10, 2016

SUBJECT: Declaring surplus land interests in Palm Beach County - Pero Surplus

Agenda Item Background:
The Governing Board directed staff to analyze the options for disposal of District land including land interest, commonly referred to as the Pero Property. This property Tract W9100-176, which is 570.77 acres, more or less, of which the District owns a 60.6 percent interest, and Tract W9100-177 containing 10.47 acres, more or less, of which the District owns 100 percent interest, both located in Palm Beach County, and hereinafter referred to as the "Tracts." The District and Palm Beach County (the "County") entered into an Interlocal Agreement on June 6, 2000 requiring the consent of both parties and the US Department of Interior prior to selling or conveying the Tracts. A letter from the Department of Interior to the District that summarily supports the transfer of the Department of Interior's encumbrances is included in the Governing Board supporting documents. The County plans to consider surplus and sale of the 570.77 Tract in December 2016. The proceeds from the sale of Tracts will be divided between the District and the County at the same percentage as the ownership based on an appraisal. The property transfer will be subject to a perpetual agricultural conservation easement or equivalent legal restriction. District staff recommends the Tracts be declared surplus, without reservation of phosphate, minerals, metals and petroleum under Section 270.11, Florida Statutes and be offered to the public for bid to be sold for the highest price obtainable, but not less than the greater of $10,000,000 or the combined appraised values of the Tracts.

Core Mission and Strategic Priorities:
By approving this item, the Governing Board determines that the fee ownership of the Tract is not required by the District for present or future use, and based on the ecological assessment is not needed for conservation purposes.

Funding Source:
Ad valorem funds will be used to pay for the costs of advertising and appraisal, but will be recovered from and paid by the successful bidder at closing. All closing costs will be paid by the successful bidder. Any disposal shall be subject to funding source.

Staff Contact and/or Presenter:
Ray Palmer, rpalmer@sfwmd.gov, Ext. 2246

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 1115

A Resolution of the Governing Board of the South Florida Water Management District declares surplus land interests commonly known as the Pero Property, in Palm Beach County. This 581.24 acre property is comprised of two tracts. Tract one is 570.77 acres, more or less, of which the District owns a 60.6 percent interest. Tract two is 10.47 acres, more or less, of which the District owns 100 percent. The property will be sold without reservations of interest under Section 270.11, Florida Statutes; however, it will have a perpetual agricultural conservation easement. The property will be offered to the public for bid to be sold for the highest price obtainable but not less than the appraised value; providing an effective date.

WHEREAS, pursuant to Resolution 2013-922, the Governing Board directed staff to further analyze the options for disposal of certain lands and to thereafter propose recommendations to the Governing Board for further approval; and

WHEREAS, that certain parcel of land containing 570.77 acres, more or less, identified as and hereinafter referred to as Tract W9100-176, of which the District owns a 60.6 percent interest, and that certain parcel of land containing 10.47 acres, more or less, identified as and hereinafter referred to as Tract W9100-177, of which the District owns 100 percent interest, both located in Palm Beach County, were included within Resolution 2013-922. Tract W9100-176 and Tract W9100-177 are hereinafter collectively referred to as the "Tracts"; and

WHEREAS, the District and Palm Beach County (the "County") entered into that certain June 6, 2000 Interlocal Agreement, amended by amendment dated February 5, 2002, (collectively, the "Interlocal Agreement") that provided terms and conditions regarding the joint acquisition, ownership and management of Tract W9100-176; and

WHEREAS, pursuant to the Interlocal Agreement and the acquisitions that were consummated, the undivided fee simple title to Tract W9100-176 is owned 60.6 percent by the District and 39.4 percent by the County; and

WHEREAS, pursuant to the Interlocal Agreement, among other terms and conditions, neither the District or the County shall sell, transfer or convey its fee title without the consent of the other party, the U.S. Department of Interior and the U.S. Army Corps of Engineers; and

WHEREAS, the surplus and sale of Tract W9100-176 is planned to be presented for approval by the Board of County Commissioners in December 2016; and

WHEREAS, the proceeds attributed to the sale of Tract W9100-176 will be allocated as follows: (i) an undivided sixty and six tenths percent (60.6%) to the District; and (ii) an undivided thirty nine and four tenths percent (39.4%) to the County, with one hundred percent (100%) percent of the proceeds attributed to Tract W9100-177 to the District. The values attributed to the respective Tracts shall be determined by appraisal; and

WHEREAS, staff has further analyzed the options for disposal of the Tracts, has obtained an ecological assessment ("Ecological Assessment"), and recommends to the Governing Board that the Tracts be declared surplus and be offered for bid; and

WHEREAS, the Governing Board has determined that the fee ownership of the Tracts is not required by the District for present or future use; and

WHEREAS, the Governing Board has determined that it is in the public interest to declare the Tracts surplus; and

WHEREAS, the District shall offer both of the Tracts together to the public for bid to be sold in the aggregate for the highest price obtainable, but in no event less than the greater of $10,000,000 combined, or the combined appraised value of the Tracts; and

WHEREAS, prior to offering the property for sale the District will receive a current independent appraisal report establishing an appraised value for the Tracts, subject to a perpetual agricultural conservation easement to be granted to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida; and

WHEREAS, the District shall not reserve any interest in the phosphate, minerals, metals and petroleum, pursuant to Section 270.11, Florida Statutes; and

WHEREAS, the District, pursuant to Section 373.089, Florida Statutes, has the authority to sell lands, or interests, or rights in land owned by the District not required for its purposes, for the highest price obtainable, but not less than the appraised value; and

WHEREAS, pursuant to Section 373.089(6), Florida Statutes, the Governing Board shall be required to make a determination that the lands are no longer needed for conservation purposes by at least a two-thirds (2/3) majority.

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: (i) determines that fee ownership of that certain parcel of land containing 570.77 acres, more or less, and identified as Tract W9100-176, of which the District owns a 60.6 percent interest, and that certain parcel of land containing 10.47 acres, more or less, and identified as Tract W9100-177, of which the District owns 100 percent interest, located in Palm Beach County, depicted in Exhibit "A" attached hereto, are not required by the District for present or future use; (ii) approves declaring Tracts W9100-176 and W9100-177 surplus, subject to the grant of a perpetual agricultural conservation easement restricting the Tracts to agricultural use, together with any structures and improvements and personal property appurtenant thereto, and (iii) approves offering Tracts W9100-176 and W9100-177 together to the public for bid and sold in the aggregate for the highest price obtainable, but in no event less than the greater of $10,000,000 combined or the combined appraised values of Tracts W9100-176 and W9100-177, in accordance with the provisions of Section 373.089, Florida Statutes. Any disposal shall be subject to funding source and subdivision ordinance requirements.

Section 2: The disposal of Tract W9100-176 is further subject to the approval by the Palm Beach County Board of County Commissioners of the surplus and sale, and subject to the terms and conditions of the Interlocal Agreement which terms include obtaining the consent of Palm Beach County, the U.S. Department of Interior and the U.S. Army Corps of Engineers.

Section 3: The proceeds attributed to the sale of Tract W9100-176 will be allocated as follows: (i) an undivided sixty and six tenths percent (60.6%) to the District; and (ii) an undivided thirty nine and four tenths percent (39.4%) to the County, with one hundred percent (100%) percent of the proceeds attributed to Tract W9100-177 to the District. The values attributed to the respective Tracts shall be determined by appraisal.

Section 4: The District shall not reserve an interest in the phosphate, minerals, metals and petroleum, pursuant to Section 270.11, Florida Statutes.

Section 5: Consistent with the requirements of Section 373.089(6), Florida Statutes and based on the Ecological Assessment, the Governing Board hereby determines that the subject lands are no longer needed for conservation purposes, and that this Resolution was approved by the Governing Board by at least a two-thirds (2/3) vote.

Section 6: The Governing Board of the South Florida Water Management District hereby authorizes the Chairman or Vice Chairman to execute the conveyance document. The Governing Board of the South Florida Water Management District hereby authorizes the Executive Director or the Executive Director's designee to execute all other documents necessary to consummate this transaction.

Section 7: This Resolution shall take effect immediately upon adoption.

PASSED and **ADOPTED** this 10th day of November, 2016.

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

_____
Chairman

Attest:

_____
District Clerk/Secretary

Legal form approved:
By:

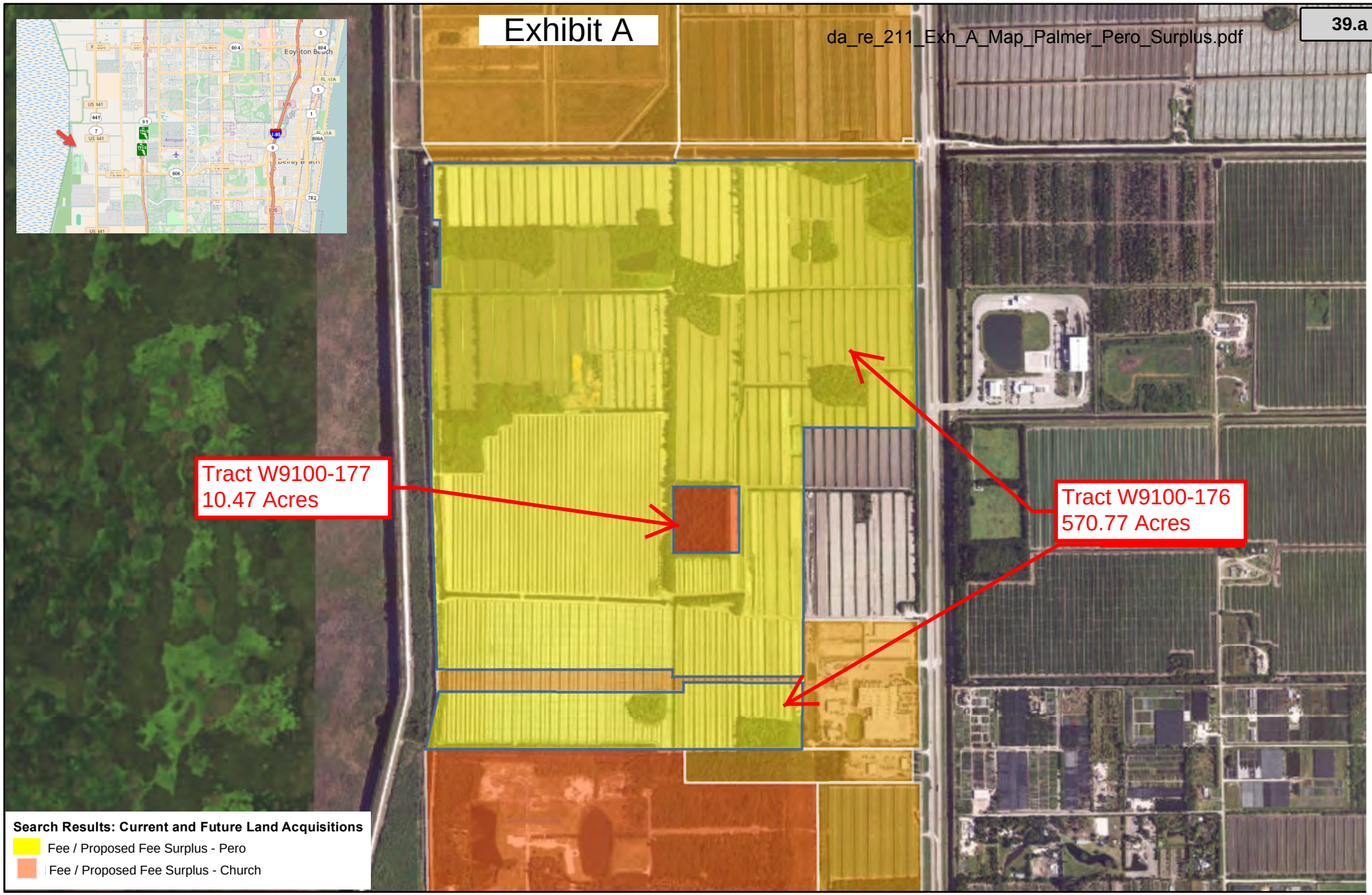
_____
Office of Counsel

Print name:

_____

Exhibit A

da_re_211_Exh_A_Map_Palmer_Pero_Surplus.pdf



Pero Property - Tracts W9100-176 and W9100-177

South Florida Water Management District
3301 Gun Club Road, West Palm Beach, Florida 33406
561-686-8800; www.sfwmd.gov

N W E S

0 0.1 0.2 0.3 0.4 Miles

0 0.25 0.5 0.75 Kilometers

DISCLAIMER:
This map is a conceptual or planning tool only.The South Florida Water Management District does not guarantee or make any representation regarding the information contained herein. It is not self-executing or binding, and does not affect the interests of any persons or properties, including any present or future right or use of real property.

Map Produced on Date: 8/31/2016 1:54:00 PM

SFWMD Geospatial Services

M E M O R A N D U M

TO: Governing Board Members

FROM: Ernie Marks, Director, Everglades Policy & Coordination

DATE: November 10, 2016

SUBJECT: Contract for the Caulkins Citrus Water Farm Expansion

Agenda Item Background:
As part of the 2016-2017 Florida Legislative session, the Legislature identified approximately $48 million for the construction of Northern Everglades Public Private Partnerships (NE PPP). The NE PPPs were identified by the Florida Department of Environmental Protection (FDEP) as projects that would aid in meeting the goals of the Basin Management Action Plans established for the Northern Everglades and its estuaries. District staff, at the request of FDEP and as a coordinating agency under the Northern Everglades and Estuaries Protection Program, request authorization to enter into Contract No. 46000003437 with Caulkins Citrus Company, Ltd., located in Martin County, for the Caulkins Water Farm Expansion Project (a NE PPP project) for a term of 11-years. The contract term consists of one year of construction and 10 years of operation. The cost of construction is $7,446,179.94, for which funds appropriated under State Appropriation 1590A are budgeted in Fiscal Year 2016-2017. Payment for services will be an annual fixed amount of $5,500,000 for up to 80,000 acre-feet of net water quantity benefit. Payment for services are solely dependent on future legislative funding and no ad valorem funds are proposed for this project.

Additional Background:
The Project is a “Water Farm” that stores excess surface water from regional canals on fallow/out of production citrus groves that would otherwise be discharged to local estuaries or rivers. The Project will expand the existing 450-acre Water Farm Pilot Project on the Caulkins citrus grove property that has been operating since 2014. The expanded project will pump water from the C-44 canal and store it on the 3,275 acre citrus grove.

Caulkins Citrus, Ltd. Is the owner of the lands where the project is proposed and is responsible for design and permitting. As the Service Provider, Caulkins Citrus, Ltd., will perform the water quantity and water quality services by operating and maintaining the constructed NE PPP project to achieve projected goals. Monitoring will be performed by the District and reporting will be completed by Caulkins. The Service Provider is responsible for any reversion activities, as deemed necessary by the Service Provider as required by Section 373.4591, Florida Statues after the termination of the contract.

Funding Source:
In 2016, The General Appropriations Act, Chapter 2016-66, Laws of Florida was amended pursuant to House Bill No. 5001 to appropriate monies to fund projects in the Northern Everglades and Estuaries Protection Program (NEEPP). Specifically, Line 1590A stated that “…No less than $47,838,034 of the funds provided in Specific Appropriation 1590A shall be used to implement the Northern Everglades and Estuaries Protection Program, as set forth in section 373.4595, Florida Statutes, through public-private partnerships as provided in section 373.4591, Florida Statutes."

No ad valorem funds will be used for this project.

Staff Contact:
Eva B. Velez, evelezto@sfwmd.gov, 561-682-6672

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 1116

A Resolution of the Governing Board of the South Florida Water Management District to enter into Contract No. 46000003437 with Caulkins Citrus Company, Ltd. for the Caulkins Water Farm Expansion Project for a term of 11-years at a cost of $62,446,179.94, of which $7,446,179.94 is provided by the Florida Legislature and budgeted in Fiscal Year 2016-2017 and the remainder is solely dependent on future legislative funding and also requires Governing Board approval of Fiscal Year 2017-2018 through Fiscal Year 2028-2029 budgets; providing an effective date.

Whereas, the Florida Legislature directed the Florida Department of Environmental Protection (FDEP) and the District to implement projects on private agricultural lands to store and treat water in the northern everglades consistent with the legislative objectives in Sections 373.4595 and 373.4591, Florida Statutes; and

Whereas, one of the projects under this legislatively created Northern Everglades Public Private Partnership ("NE PPP") program is the Caulkins Water Farm Expansion Project in Martin County; and

Whereas, the Caulkins project is a "Water Farm" that stores excess surface water from regional canals on fallow/out of production citrus groves that would otherwise be discharged to local estuaries or rivers;

Whereas, the project will expand the existing Water Farm Pilot Project on the Caulkins citrus grove property that has been operating since 2014. The expanded project will pump water from the C-44 canal and store it on the 3,275 acre citrus grove; and

Whereas, the contract consists of one year of construction and 10 years of operation. The cost of construction is $7,446,179.94, for which funds appropriated under State Appropriation 1590A are budgeted in Fiscal Year 2016-2017. Payment for operation of the project will be an annual fixed amount of $5,500,000 for up to 80,000 acre-feet of net water quantity benefit. The total cost of the 11 year contract is $62,446,179.94; and

Whereas, the District's obligation to pay Caulkins under this contract is entirely contingent on annual funding provided by the Florida Legislature. If the Florida Legislature does not provide funds to the Department or the District for this Project in any fiscal year, the District is not obligated to spend its own funds to pay Service Provider; and

Whereas, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize Contract No. 46000003437 with Caulkins Citrus Company, Ltd.

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 Contract 46000003437 with Caulkins Citrus Company, Ltd., for which $7,446,179.94 provided by the Florida Legislature and budgeted in Fiscal Year 2016-2017 and the remainder is solely dependent on future legislative funding

and Governing Board approval of Fiscal Year 2017-2018 through Fiscal Year 2028-2029 budgets.

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

PASSED and **ADOPTED** this 10th day of November, 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:

_____

M E M O R A N D U M

TO: Governing Board Members

FROM: John P. Mitnik, Chief Engineer

DATE: November 10, 2016

SUBJECT: C-51 Agreements w_FDEP Contract w_PB Aggregates

Agenda Item Background:
The Florida Legislature appropriated $500,000, from the Grants and Aids to Local Governments and Non-State Entities, Fixed Capital Outlay during the Fiscal Year 2014-2015 through the General Appropriations Act 1627B. The Florida Legislature has appropriated a total of $2,000,000, from the Grants and Aids to Local Governments and Non-State Entities, Fixed Capital Outlay during the Fiscal Year 2016-2017 through the General Appropriations Act 1590B - C-51 Reservoir Implementation from General Revenue Fund.

The C-51 Reservoir North Conveyance project is a component of the C-51 Reservoir Implementation Water Supply Project. Palm Beach Aggregates, LLC will design and construct the North Conveyance project and will own and maintain the associated infrastructure. Upon completion of the entire C-51 Reservoir Implementation project, Palm Beach Aggregates, LLC will turn the project over to the C-51 Not for Profit.

Staff is seeking approval of the Resolution authorizing the District to enter into a grant agreement with the Florida Department of Environmental Protection; and to enter into an agreement with Palm Beach Aggregates, LLC, for the design and construction of the C-51 North Conveyance project, a component to the C-51 Reservoir Implementation Project.

Core Mission and Strategic Priorities:
This project will support the District mission to expand and improve water supply and storage options.

Funding Source:
The funding source is the Florida Department of Environmental Protection, Water Management Lands Trust Fund and the General Revenue Fund. These agreements will be at no cost to the District.

Staff Contact:
Lennart J. Lindahl, Assistant Executive Director

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 1117

A Resolution of the Governing Board of the South Florida Water Management District to enter into a grant agreement with the Florida Department of Environmental Protection and authorize the Executive Director or Designee to execute a grant agreement and to submit reimbursement requests, in the amount of $2,500,000, as funded by the Florida Legislature in the General Appropriations Act Fiscal Year 2014-2015 1627B and Fiscal Year 2016-2017 1590B (Contract Number 4600003582); and to enter into an agreement with Palm Beach Aggregates, LLC for the North Conveyance, a component of the C-51 Reservoir Implementation Project, at no cost to the District; providing an effective date. (**Contract Number 4600003583)**

WHEREAS, through the Fiscal Year 2014-2015 General Appropriations Act 1627B, the Florida Legislature appropriated a total of $500,000, from the Grants and Aids to Local Governments and Non-State Entities, Fixed Capital Outlay - C-51 Reservoir Implementation from Water Management Lands Trust Fund; and

WHEREAS, through the Fiscal Year 2016-2017 General Appropriations Act 1590B, the Florida Legislature appropriated a total of $2,000,000, from the Grants and Aids to Local Governments and Non-State Entities, Fixed Capital Outlay - C-51 Reservoir Implementation from General Revenue Fund; and

WHEREAS, the Governing Board of the South Florida Water Management District Authorizes the Executive Director or Designee to execute a grant agreement with the Florida Department of Environmental Protection contract number 4600003582 and to submit reimbursements requests in the amount of $2,500,000,

WHEREAS, consistent with the appropriations language and in accordance with the procedures set forth in the executed grant agreement, the Department shall disburse to the District Water Management Lands Trust Fund and General Revenue Fund monies;

WHEREAS, the Governing Board of the South Florida Water Management District authorizes entering into an Agreement, contract number 4600003583, with Palm Beach Aggregates, LLC, for the design and construction of the North Conveyance, a component of the C-51 Reservoir Implementation project, 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 authorizes entering into and execute a grant agreement, Contract Number 4600003582A, with Florida Department of Environmental Protection in the amount of $2,500,000 for the C-51 Reservoir Implementation Project, as funded by the Florida Legislature through the Fiscal Year 2014-2015 General Appropriations Act 1627B and through the Fiscal Year 2016-2017 General Appropriations Act 1590B.

Section 2. The Executive Director of the South Florida Water Management District, or designee, is hereby authorized to submit for reimbursement requests to the Florida Department of Environmental Protection based on actual expenditures incurred by Palm Beach Aggregates, LLC.

Section 3. The Governing Board of the South Florida Water Management District hereby authorizes entering into an agreement, contract number 4600003583, with Palm Beach Aggregates, LLC, for the design and construction of the C-51 Reservoir North Conveyance, a component of the C-51 Reservoir Connection project, at no cost to the District.

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

PASSED and **ADOPTED** this 10th day of November, 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:

_____

M E M O R A N D U M

TO: Governing Board Members

FROM: John P. Mitnik, Chief Engineer

DATE: November 10, 2016

SUBJECT: S72 and S75 Structure Refurbishment Project

Summary:
During the inspection of the S72 and S75 spillway structures in Glades County, District staff observed concrete deterioration and exposed rebar on the spillway walls and weir. Based on these observations, refurbishment of the S72 and S75 spillway structures in the Indian Prairie Basin was recommended to support the continued operation of these structures. The project includes repair of spalled concrete, replacement of gates, recoating of wing walls, adding steel plating on the weir crest and along the corners of the gate recesses, installing new hand and guard rails, adding staff gauges/stilling wells and any other structure-specific deficiencies identified. This work will strictly address repair and maintenance issues and will not change the level of service, intent or operations plan of the original structures.

Core Mission and Strategic Priorities:
The S72 and S75 Structure Refurbishment Project supports the District's core mission of flood control. The successful construction of the project will provide required repair and maintenance of the S72 and S75 spillway structures.

Staff Contact and/or Presenter:
John Mitnik, 561-682-2679 / jmitnik@sfwmd.gov

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2016 - 1118

A Resolution of the Governing Board of the South Florida Water Management District to enter into a 950-day contract with L. J. Clark Construction, Inc., the lowest responsive and responsible bidder, for the S72 and S75 Structure Refurbishment Project, in the amount of $6,264,100, for which $1,000,000 is budgeted in the Fiscal Year 2016-2017, and the remainder is subject to Governing Board approval of future years' budgets; providing an effective date. (Contract number 4600003591)

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to enter into a 950-day contract with L. J. Clark Construction, Inc., the lowest responsive and responsible bidder for the S72 and S75 Structure Refurbishment Project, in the amount of $6,264,100.

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 950-day contract with L. J. Clark Construction, Inc., for the S72 and S75 Structure Refurbishment Project, in the amount of $6,264,100.

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

PASSED and **ADOPTED** this 10th day of November, 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:

_____

M E M O R A N D U M

TO: Governing Board Members

FROM: Dorothy Bradshaw, Director, Administrative Services Division

DATE: November 10, 2016

SUBJECT: Monthly Financial Report - Month Ending September 2016

M E M O R A N D U M

TO: Governing Board Members

FROM: Dorothy Bradshaw, Director, Administrative Services Division

DATE: November 10, 2016

SUBJECT: Monthly Financial Statement – September 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 September 30, 2016, with the Fiscal Year 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 complete, 89.8% of the District's budgeted operating revenue (excludes prior year reserves) has been collected, with 10.2% 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 Natural Resources Conservation Service and are on a reimbursement basis of receipt of funds. 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 93.9% of budget or $823.0 million.

- Over $280 million in Ad Valorem and Agricultural Privilege tax revenue were collected through the fiscal year. This represents a 96% collection of the total amount the District levies and over 100% of what the District budgets. 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. Collections exceed budget 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 $10.7 million received through the fiscal year within the ad valorem funds, 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

Attachment: Monthly Financial Statement Memo September FY2016_Nov GB (3274 : Monthly Financial Report - Month Ending September 2016)

Fund, $8.7 million 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 through the fiscal year is $113.7 million in the restricted funds. The majority of these revenues received are through reimbursement requests that are submitted quarterly based on actual expenses incurred.

- Investment Earnings was $4.7 million recognized through the fiscal year of which $3.6 million was budgeted. This represents a 128.5% of the budgeted amount.

- 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. $16.7 million has been received, including $12.9 million from Lake Belt mitigation fees, $2.8 million from ERP and $738K from WUP.

- Other budgeted revenue includes leases, sale of district property and revenue supporting District self-insured programs.
    - Lease revenue is collected from 77 active leases on over 105,000 acres of District owned lands. The timing of revenue received is based on the fee schedules within the agreements. The District has received $5.0 million in lease revenues exceeding 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 total $1.6 million which 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 personal and real property. $250K is budgeted because of our uncertainty regarding the amount of equipment which is surplused in a given year. Fiscal Year 2015-16 revenues received total $2.9 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 $288K which exceeds the budget.

Attachment: Monthly Financial Statement Memo September FY2016_Nov GB (3274 : Monthly Financial Report - Month Ending September 2016)

- Revenues recognized for the District's self-insured programs, largely health insurance, are $35.1 million representing 97.9% 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 September 30, 2016, with the fiscal year complete, the District has spent **$464.8 million or 53.0%** and has encumbered **$258.5 million or 29.5%** of its budget. The District has obligated (encumbrances plus expenditures) **$723.3 million** or **82.5%** of its budget. The majority of the remaining balance has been re-budgeted in the Fiscal Year 2016-17 budget or allocated for future year usage in the District's 5-year reserves spend down plan.

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 $57.2 million budgeted for this program, the District has obligated $50.5 million: $45.3 million expended and $5.2 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 $416.8 million budgeted for this program, the District has obligated $371.9 million: $161.2 million expended and $210.7 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 $335.1 million budgeted for this program, the District has obligated $235.7 million: $196.4 million expended and $39.3 million encumbered.

Attachment: Monthly Financial Statement Memo September FY2016_Nov GB (3274 : Monthly Financial Report - Month Ending September 2016)

- 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. 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 $26.8 million budgeted for this program, the District has obligated $24.2 million: $23.9 million expended and $330K encumbered.

- The **Outreach Program** Of the $1.4 million budgeted for this program, the District has obligated $1.3 million: $1.3 million expended and $5K encumbered.

- The **District Management and Administration** includes all Governing and Basin Board support, Management, information technology, general counsel, procurement, human resources, finance, audit, risk management, and administrative support services. Of the $39.4 million budgeted for this program, the District has obligated $39.7 million: $36.8 million expended and $2.9 million encumbered.

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

Attachment: Monthly Financial Statement Memo September FY2016_Nov GB (3274 : Monthly Financial Report - Month Ending September 2016)

South Florida Water Management District

Statement of Sources and Uses of Funds (Unaudited)

For the month ended: September 30, 2016. Percent of fiscal year completed: 100%

	CURRENT BUDGET	ACTUALS THROUGH 9/30/2016	VARIANCE (UNDER) / OVER BUDGET	ACTUALS AS A % OF BUDGET
Sources				
Taxes[1]	$ 277,892,829	$ 280,288,946	$ 2,396,117	100.86%
Intergovernmental Revenues	190,952,741	124,373,259	(66,579,482)	65.13%
Interest on Invested Funds	3,650,000	4,689,553	1,039,553	128.5%
License and Permit Fees	12,657,602	16,733,489	4,075,887	132.2%
Other[2]	39,260,185	44,689,770	5,429,585	113.8%
SUB-TOTAL OPERATING REVENUES	524,413,357	470,775,017	(53,638,340)	89.8%
Reserves	352,228,742	352,228,742	-	100.0%
Total Sources	**$ 876,642,099**	**$ 823,003,759**	**$ (53,638,340)**	**93.9%**

[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	$ 57,151,565	$ 45,285,559	$ 5,205,323	$ 6,660,683	79.2%	88.3%
Acquisition, Restoration and Public Works	416,804,688	161,267,575	210,674,373	44,862,740	38.7%	89.2%
Operation and Maintenance of Lands and Works	335,057,757	196,366,463	39,324,124	99,367,169	58.6%	70.3%
Regulation	26,783,835	23,851,722	330,359	2,601,754	89.1%	90.3%
Outreach	1,423,350	1,264,012	5,315	154,023	88.8%	89.2%
Management and Administration	39,420,904	36,769,337	2,940,085	(288,518)	93.3%	100.7%
Total Uses	**$ 876,642,099**	**$ 464,804,668**	**$ 258,479,580**	**$ 153,357,851**	**53.0%**	**82.5%**

[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 September 30, 2016, and covers the interim period since the most recent audited financial statements.

Attachment: Monthly Financial Statement Memo September FY2016_Nov GB (3274 : Monthly Financial

M E M O R A N D U M

TO: Governing Board Members

FROM: Peter Antonacci, Executive Director

DATE: November 10, 2016

SUBJECT: Executive Director's Report - Peter Antonacci

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INDIVIDUAL PERMITS ISSUED BY
AUTHORITY DELEGATED TO EXECUTIVE DIRECTOR
FROM October 1, 2016 TO October 31, 2016

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Attachment: IP Issued by ED October 2016 (3289 : Executive Director's Report - Peter Antonacci)

BROWARD COUNTY

1. S R 9 (I-95) PHASE 3A-1 (SEGMENT 1-1)
FLORIDA DEPARTMENT OF TRANSPORTATION

APPL. NO. 160919-13
PERMIT NO. 06-01465-S

SEC 4,9,16,17,15,21,22,28,33 TWP 50,49S RGE 42,42E

ACREAGE: 175.06
LAND USE: HIGHWAY

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONCEPTUAL APPROVAL MODIFICATION AND NEW CONSTRUCTION/OPERATION)
RECEIVING BODY: SOUTH FORK OF THE NEW RIVER AND NORTH FORK OF THE NEW RIVER
LAST DATE FOR AGENCY ACTION: DECEMBER 11, 2016

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2. S R 9 (I-95) PHASE 3A-1 (SEGMENT 1-2)
FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT 4

APPL. NO. 160919-16
PERMIT NO. 06-01465-S

SEC 4,9,16,17,15,21,22,28,33 TWP 50,49S RGE 42,42E

ACREAGE: 109.80
LAND USE: HIGHWAY

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONCEPTUAL APPROVAL MODIFICATION AND NEW CONSTRUCTION/OPERATION)
RECEIVING BODY: NORTH FORK OF THE NEW RIVER AND C-13 CANAL
LAST DATE FOR AGENCY ACTION: DECEMBER 11, 2016

Attachment: IP Issued by ED October 2016 (3289 : Executive Director's Report - Peter Antonacci)

COLLIER COUNTY

1. LELY RESORT COMMUNITY
LELY COMMUNITY DEVELOPMENT DISTRICT
SEC 21, 22, 27, 28, 33, 34 TWP 50S RGE 26E

APPL. NO. 160615-8
PERMIT NO. 11-00044-W
ACREAGE: 980.91
LAND USE: GOLF COURSE
LANDSCAPE

PERMIT TYPE: WATER USE RENEWAL
WATER SOURCE: MID-HAWTHORN AQUIFER,ON-SITE LAKE(S),LOWER TAMIAMI AQUIFER
ALLOCATION: 119.65 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: DECEMBER 29, 2016

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2. PARKLANDS COLLIER
PARKLANDS ASSOCIATES I L L L P
SEC 9 TWP 48S RGE 26E

APPL. NO. 160815-9
PERMIT NO. 11-02233-W
ACREAGE: 137.20
LAND USE: LANDSCAPE

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
WATER SOURCE: ON-SITE LAKE(S) / POND(S),LOWER TAMIAMI AQUIFER
ALLOCATION: 19.88 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: DECEMBER 27, 2016

Attachment: IP Issued by ED October 2016 (3289 : Executive Director's Report - Peter Antonacci)

HENDRY COUNTY

1. C AND B FARMS
   C AND B FARMS PROPERTY HOLDINGS LLLP
   SEC 29,30,31,32 TWP 46S RGE 34E

   APPL. NO. 141006-2
   PERMIT NO. 26-00303-W
   ACREAGE: 1270.20
   LAND USE: AGRICULTURAL

   PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
   WATER SOURCE: LOWER TAMIAMI AQUIFER,ON-SITE CANAL(S)
   ALLOCATION: 687 MILLION GALLONS PER MONTH
   LAST DATE FOR AGENCY ACTION: DECEMBER 12, 2016

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2. LITTLE CYPRESS FARMS
   C & B FARMS PROPERTY HOLDINGS LLLP
   SEC 17,18,19,20,29 TWP 46S RGE 34E

   APPL. NO. 141010-1
   PERMIT NO. 26-00373-W
   ACREAGE: 564.00
   LAND USE: AGRICULTURAL

   PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
   WATER SOURCE: LOWER TAMIAMI AQUIFER,ON-SITE CANAL(S)
   ALLOCATION: 319 MILLION GALLONS PER MONTH
   LAST DATE FOR AGENCY ACTION: DECEMBER 26, 2016

Attachment: IP Issued by ED October 2016 (3289 : Executive Director's Report - Peter Antonacci)

MIAMI-DADE COUNTY

1. S.R. 997/KROME AVE. FROM S.W. 296TH ST. TO S.W. 23
FLORIDA DEPARTMENT OF TRANSPORTATION

APPL. NO. 160310-17
PERMIT NO. 13-06278-P

SEC 19,30,31,6,7,24,25,36,1,12 TWP 56,57,56,57S
RGE 39,39,38,38E

ACREAGE: 102.67
LAND USE: ROADWAY

PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW CONSTRUCTION/OPERATION)
RECEIVING BODY: ON-SITE RETENTION, C-103 CANAL
LAST DATE FOR AGENCY ACTION: DECEMBER 3, 2016

Attachment: IP Issued by ED October 2016 (3289 : Executive Director's Report - Peter Antonacci)

ORANGE COUNTY

1. WESTERN WAY EXTENSION
REEDY CREEK IMPROVEMENT DISTRICT
SEC 20,21,19 TWP 24,24,24S RGE 27,27,27E

APPL. NO. 160823-11
PERMIT NO. 48-00714-P

ACREAGE: 45.60
LAND USE: ROADWAY

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONSTRUCTION/OPERATION MODIFICATION)
RECEIVING BODY: DISCHARGE IS TO REEDY CREEK VIA WETLANDS.
LAST DATE FOR AGENCY ACTION: OCTOBER 22, 2016

Attachment: IP Issued by ED October 2016 (3289 : Executive Director's Report - Peter Antonacci)

OSCEOLA COUNTY

1. LAKE X RANCH MITIGATION BANK
LAKE X HOLDINGS L L C
SEC 1-5, 8-17, 20-28 TWP 26S RGE 32E

APPL. NO. 131115-16
PERMIT NO. 49-00004-M
ACREAGE: 5499.00
LAND USE: MITIGATION

PERMIT TYPE: MITIGATION BANKING (NEW CONSTRUCTION/OPERATION), INCLUDES CONSERVATION EASEMENT TO THE DISTRICT)
RECEIVING BODY: ECONLOCKHATCHEE RIVER SWAMP STRAND VIA CAT ISLAND SWAMP
LAST DATE FOR AGENCY ACTION: NOVEMBER 29, 2016

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2. LIVE OAK LAKE
VIVEK INVESTMENT CORPORATION
SEC 8 TWP 26S RGE 31E

APPL. NO. 151204-6
PERMIT NO. 49-02551-P
ACREAGE: 111.89
LAND USE: RESIDENTIAL
COMMERCIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW CONSTRUCTION/OPERATION), INCLUDES CONSERVATION EASEMENT TO THE DISTRICT)
RECEIVING BODY: LIVE OAK LAKE VIA ONSITE WETLANDS
LAST DATE FOR AGENCY ACTION: NOVEMBER 2, 2016

Attachment: IP Issued by ED October 2016 (3289 : Executive Director's Report - Peter Antonacci)

PALM BEACH COUNTY

1. ARDEN IRRIGATION
HIGHLAND DUNES ASSOCIATES PROPERTY L L C
SEC 21,27,28,33,34 TWP 43S RGE 40E

APPL. NO. 160920-12
PERMIT NO. 50-10900-W
ACREAGE: 595.57
LAND USE: LANDSCAPE

PERMIT TYPE: WATER USE MODIFICATION
WATER SOURCE: SFWMD CANAL C-51,ON-SITE LAKE(S)
ALLOCATION: 93.12 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: JANUARY 2, 2017

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2. CRESTWOOD NORTH PUD
LENNAR HOMES LLC
SEC 15 TWP 43S RGE 41E

APPL. NO. 160125-22
PERMIT NO. 50-00618-S-63
ACREAGE: 141.98
LAND USE: RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONSTRUCTION/OPERATION MODIFICATION), INCLUDES CONSERVATION EASEMENT TO THE DISTRICT)
RECEIVING BODY: INDIAN TRAIL IMPROVEMENT DISTRICT M-1 CANAL
LAST DATE FOR AGENCY ACTION: NOVEMBER 14, 2016

Attachment: IP Issued by ED October 2016 (3289 : Executive Director's Report - Peter Antonacci)

POLK COUNTY

1. ARNOLD GROVES AND RANCH L T D
   ARNOLD GROVES AND RANCH, L T D. L L P
   SEC 33,34 TWP 30S RGE 30E

APPL. NO. 160914-14
PERMIT NO. 53-00275-W

ACREAGE: 140.00
LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE EXPIRED/PREVIOUSLY PERMITTED

WATER SOURCE: UPPER FLORIDAN AQUIFER

ALLOCATION: 23.41 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: DECEMBER 13, 2016

Attachment: IP Issued by ED October 2016 (3289 : Executive Director's Report - Peter Antonacci)