



South Florida Water Management District

GOVERNING BOARD MONTHLY MEETING AGENDA

May 14, 2020

9:00 AM

via Communications Media Technology

www.SFWMD.gov

FINAL

1. Call to Order - Chauncey Goss, Chairman, Governing Board
2. Pledge of Allegiance
3. Employee Recognitions
 - May Employee of the Month: Henry Chiquito, IT Tech Support Consultant - Specialist
 - May Team of the Month: Local Government Planning - Technical Review Team
 - 25-Year Service Award: Lucy Kelly, Human Resources Supervisor
 - 30-Year Service Award: Orlin Kellman, Engineering Tech 3
 - 30-Year Service Award: James Vincent, Electronics Tech Supervisor
 - 30-Year Service Award: Phillip White, Facilities Analyst
4. Agenda Revisions
5. Agenda Item Abstentions by Board Members
6. Consider Approval of the Minutes for the April 8th Workshop, April 9th Meeting, and April 29th Lunch & Learn Workshop
7. General Public Comment
8. Board Comment

Consent Agenda

9. Move Consent Agenda Items to Discussion Agenda

10. Public Comment on Consent Agenda Items
11. Environmental Risk Assessment Services Contracts (Staff contact, Stephen M. Collins, ext. 2959)

Agenda Item Background

This is a request for the Governing Board to authorize amendments to increase the not-to-exceed threshold amounts for four environmental risk assessment services contracts by \$600,000 each. The increases are needed to address additional environmental and ecological assessment activities resulting from accelerated timelines for initiation and construction of various District projects. These contracts support the design and implementation of the Everglades Restoration Strategies Regional Water Quality Program Projects including the Everglades Agricultural Area Reservoir Project, the STA-1 West Expansion Project, the Caloosahatchee Reservoir, the C-44 Reservoir/STA Project, the C-139 Annex Restoration Project, the Dispersed Water Storage program and Land Management staff for routine contaminant issues. These contracts are in the first of two 1-year renewals following their initial 3-year terms which began in September 2016. This request does not allocate or award funds specific to a project, but merely increases the contract not to exceed threshold for the remainder of each contract term.

A. AECOM Technical Services, Inc.

Agenda Item Background

This is a request to authorize an amendment to Contract Number 4600003425 with AECOM Technical Services, Inc., to increase the not-to-exceed threshold for environmental risk assessment services work order contract by \$600,000 from the current amount of \$1,890,000 to \$2,490,000.

Recommended Action:

Resolution No. 2020 - 0501 Authorize an amendment with AECOM Technical Services, Inc., for environmental risk assessment services, to increase the Contract not-to-exceed threshold amount from \$1,890,000 to \$2,490,000. (Contract Number 4600003425)

B. Environmental Consulting and Technology, Inc.

Agenda Item Background

This is a request to authorize an amendment to Contract Number 4600003423 with Environmental Consulting and Technology, Inc., to increase the not-to-exceed threshold for environmental risk assessment services work order contract by \$600,000 from the current amount of \$1,800,000 to \$2,400,000.

Recommended Action:

Resolution No. 2020 - 0502 Authorize an amendment with Environmental Consulting and Technology, Inc., for environmental risk assessment services, to increase the Contract not-to-exceed threshold amount from \$1,800,000 to \$2,400,000. (Contract Number 4600003423)

C. Professional Service Industries Inc.

Agenda Item Background

This is a request to authorize an amendment to Contract Number 4600003428 with Professional Service Industries, Inc., to increase the not-to-exceed threshold

for environmental risk assessment services work order contract by \$600,000 from the current amount of \$1,800,000 to \$2,400,000.

**Recommended Action:
Resolution No. 2020 - 0503 Authorize an amendment with Professional Service Industries Inc., for environmental risk assessment services, to increase the Contract not-to-exceed threshold amount from \$1,800,000 to \$2,400,000. (Contract Number 4600003428)**

D. Terracon Consultants, Inc.

Agenda Item Background

This is a request to authorize an amendment to Contract Number 4600003427 with Terracon Consultants, Inc., to increase the not-to-exceed threshold for environmental risk assessment services work order contract by \$600,000 from the current amount of \$900,000 to \$1,500,000.

**Recommended Action:
Resolution No. 2020 - 0504 Authorize an amendment with Terracon Consultants, Inc., for environmental risk assessment services, to increase the Contract not-to-exceed threshold amount from \$900,000 to \$1,500,000. (Contract Number 4600003427)**

12. Land Acquisition, C-111 South Dade Project, Miami-Dade County (Staff contact, Stephen M. Collins, ext. 2959)

Agenda Item Background:

The District is currently acquiring land from willing sellers for the C-111 South Dade Project in Miami-Dade County. This project will improve the natural values of Everglades National Park, including Florida Bay and restoration of historic hydrologic conditions in the C-111 Basin, where the South Glades is located. A settlement has been negotiated with six owners at \$1,912,350 for 21 tracts containing approximately 127.49 acres of land including all fees and costs.

**Recommended Action:
Resolution No. 2020 - 0505 Acquire land interests on 21 tracts containing a total of 127.49 acres, more or less, in the amount of \$1,912,350, for which dedicated funds (Save Our Everglades Trust Fund and Ad Valorem funds) are budgeted in Fiscal Year 2019-2020, for the C-111 South Dade Project in Miami-Dade County.**

13. Release of Reservations (Staff contact, Stephen M. Collins, ext. 2959)

Agenda Item Background:

The District has certain reserved rights to construct canal and road right of ways, along with mineral rights. Applications requesting release of these reservations are received as they constitute a defect on title which must be resolved prior to a property sale, especially when financing is involved. Applications are reviewed to determine if there is a present or future need. It has been determined there is no present or future need, and staff recommends reservations are released for payment of a value equal

to one percent of the appraised value of the land on the property appraiser's website in the county where the property is located. For canal reservations held by the Board of Trustees of the Internal Improvement Trust Fund (TIITF), the Florida Department of Environmental Protection (DEP) requires a recommendation from the District that there is no District need for TIITF held canal reservations prior to a release being issued. Revenue totaling \$96,262 is anticipated from the payment of release values associated with these reservations.

Staff Recommendation:

Staff recommends approval of the following, and to also inform DEP that there is no District need for TIITF canal reservations:

Broward County

- Release District canal and road reservations for 16000 Pines Rental Investments, LLC (File No.18842) for 0.40 +/- acre; subject to payment of release value \$2,786.89.
- Release District canal and road reservations for Sunshine MZL, LLC (File No.18841) for 0.89 +/- acre; subject to payment of release value \$3,873.10.
- Release District canal and road reservations for City of Pembroke Pines (File No.18843) for 4.19 +/- acres; release value N/A (government owned).
- Release District canal reservations for Beasley Family Towers, LLC (File No.18844) for 8.33 +/- acres; subject to payment of release value \$10,951.60.

Miami-Dade County

- Inform DEP of no District need for TIITF canal reservations for Paraiso Gardens, LLC (File No.1-5-20) for 4.15 +/- acres; release value N/A (TIITF canal reservations).

Palm Beach County

- Issue non-use commitment for Ft. Lauderdale Rescue Tabernacle, Inc. (File No. NUC-1782) for 24.74 +/- acres; subject to payment of release value \$33,445.51.
- Release District canal and road reservations for Rodney Paul Espinosa (50%) and The Harry Adam Espinosa 2017 Irrevocable Trust dated February 17, 2017 (50%) (File No.18845) for 3.81 +/- acres; subject to payment of release value \$3,866.95.
- Release District canal reservations for The Harry Adam Espinosa Revocable Trust dated May 24, 1991 (File No.18846) for 8.85 +/- acres; subject to payment of release value \$8,991.60.
- Release District canal and road reservations for AKD Real Estate Investments, LLC (File No. 18847) for 11.44 +/- acres; subject to payment of release value \$11,623.04.
- Release District canal reservations for Spanish River Nursery, Inc. (50%) and The Fermin A. Espinosa Trust dated October 10, 1991 (50%) (File No.18848) for 6.06 +/- acres; subject to payment of release value \$7,696.20.
- Release District road reservations for PEBB Atlantic, LLC (File No. 18840) for 4.76 +/- acres; subject to payment of release value \$13,027.

Recommended Action:

Resolution No. 2020 - 0506 Release District canal and road reservations, issue a non-use commitment, and inform Florida Department of Environmental Protection of a recommendation to release canal reservations held by the Trustees of the Internal Improvement Trust Fund.

14. Designation of STA-1West Expansion #1, Palm Beach County, as a Stormwater Treatment Area as Defined in Public Use Rule 40E-7.521(27), Florida Administrative Code and Authorization for the Florida Fish and Wildlife Conservation Commission to Establish the Property as a Public Small Game Hunting Area and Alligator Harvest Unit (Staff contact, Stephen Collins, ext. 2959)

Agenda Item Background:

Construction activities have recently been completed on the approximately 4,609-acre STA-1West Expansion #1 property located in Palm Beach County. This agenda item proposes designating the property as a “Stormwater Treatment Area” in accordance with Public Use Rules 40E-7.521(27), Florida Administrative Code (F.A.C.) and authorizing the Florida Fish and Wildlife Conservation Commission (FWC) to establish the Stormwater Treatment Area as a Public Small Game Hunting Area and Alligator Harvest Unit for the purpose of managing public waterfowl and alligator hunting opportunities on the property. Recreational use of this type will not interfere with or compromise the function of the STA.

Recommended Action:

Resolution No. 2020 - 0507 Designate the approximately 4,609-acre STA-1West Expansion #1 project area in Palm Beach County as a Stormwater Treatment Area as defined in Public Use Rule 40E-7.521(27), Florida Administrative Code, for the purpose of managing public recreation and to authorize the Florida Fish and Wildlife Conservation Commission to establish STA-1West Expansion #1 as a Public Small Game Hunting Area and Alligator Harvest Unit.

15. Sub-regional Water Quality Feasibility Study in Collier County (Staff contact, Jennifer Reynolds, ext. 6672)

Agenda Item Background:

On January 10, 2019, Governor DeSantis signed Executive Order 19-12 (Order), calling for greater protection of Florida’s environment and water quality. In the spirit of this Order, the District is proposing to initiate a collaborative water quality feasibility study with the Big Cypress Basin (BCB) and local stakeholders in Collier County. District and BCB staff will form a working group with local stakeholders to review existing data, evaluate sub-regional water quality conditions of flows into Collier Seminole State Park, Rookery Bay National Estuarine Reserve, and Ten Thousand Islands National Wildlife Refuge and develop options to address those concerns in a 12 - 18 month timeframe.

To perform the feasibility study, the District and BCB staff will partner with local stakeholders to capitalize on expertise and knowledge and if needed, solicit a price proposal from a consultant from the District’s Professional Engineering Services Contract in an amount not to exceed \$250,000.

Recommended Action:

Resolution No. 2020 - 0508 Authorize approval of a sub-regional water quality feasibility study in Collier County in collaboration with Big Cypress Basin staff and local stakeholders to evaluate water quality solutions in an amount not to

exceed \$250,000 for which Ad Valorem funds are budgeted in Fiscal Year 2019-2020.

16. Extension of Emergency Order 2020-004 and Future Extensions and Modifications (Staff contacts, Jennifer Smith, ext. 6285 and Paula Cobb, ext. 6232)

Agenda Item Background:

To extend Emergency Order 2020-004, the District issued Emergency Order 2020-013-DAO on May 7, 2020. The extension enables the District to implement Governor DeSantis' Executive Orders, continue to perform public work, and take prudent actions to ensure the health, safety, and welfare of the community. This includes measures such as holding District meetings on online forums only, which allows the District to continue engaging the public while adhering to recommended public health protocols. This item requests the Governing Board's concurrence with issuance of Order 2020-013-DAO and future extensions and modifications needed for consistency with future Executive Orders, in compliance with section 373.119(2) of the Florida Statutes.

Recommended Action:

Concur with Necessary Extensions and Modifications of Emergency Authorization for Continuity of Operations, Procurement, and Certain Other Measures Made Necessary by COVID-19.

17. Lease Revenue Contract with Palm Beach County (Staff contact, Candida Heater, ext. 6486)

Agenda Item Background:

This request is to authorize a 3-year lease revenue contract with two 1-year extension options with Palm Beach County for the Palm Beach County Sheriff's Office (PBSO) to occupy 19,692 square feet of office space at the District Headquarters Building B-2. The office space requested within this lease is to accommodate up to a maximum 115 PBSO employees. The total revenue for the District is approximately \$2,181,907 over the duration of the lease. The initial lease amount is \$20.87/square foot/year with a 3% per annual increase in the lease premium. The benefits of this proposed lease include revenue for the District and full utilization of District office facilities.

Recommended Action:

Resolution No. 2020 - 0509 Authorize entering into a 3-year lease revenue contract with two 1-year renewal options with Palm Beach County for the Palm Beach County Sheriff's Office (PBSO) to occupy 19,692 square feet of office space at the District Headquarters for a revenue amount of approximately \$2,181,907 over the duration of the contract. (Contract Number 4600004116)

18. West Palm Beach Field Station Project Culvert Replacement Project, Palm Beach County (Staff contact, Alan Shirkey, ext. 2579)

Agenda Item Background:

As part of the District's Operation and Maintenance Capital Program, the West Palm Beach Field Station Project Culvert Replacements Project consists of in-kind replacement of five metal corrugated culverts and complete removal of one culvert.

These culverts were originally installed by the U.S. Army Corps of Engineers (USACE) in the 1950's and 60's. Over the past decades, these culverts have been deteriorating and require replacement/removal.

Contract Number 4600003626 was approved by the Governing Board at its February 2017 meeting in the amount of \$4,694,000 with Douglas N. Higgins, Inc. Two change orders valuing a total of \$375,281 were previously executed to address the need to lower a culvert invert from its original design, provide supplemental bypass pumping to maintain flood control, provide site regrading, remove muck, address a utility conflict, and install guardrail not included in the original bid documents.

The Contractor also encountered difficulties in dewatering the L8/PC01 site, which resulted in additional time and additional costs, beginning May 2017 and ending October 2017. Dispute Negotiation between the District and Douglas N. Higgins, Inc. was settled in the amount of \$447,852, with a Substantial Completion date extension of 90 days and a Final Completion date extension of 77 days. Change Order No. 3 reflects this additional work and associated dollar and date changes

**Recommended Action:
Resolution No. 2020 - 0510 Authorize Change
Order Number 3 to Contract Number 4600003626
with Douglas N. Higgins, Inc., for the West Palm
Beach Field Station Project Culvert
Replacements, Palm Beach County, for an
additional amount of \$447,852.46 for which Ad
Valorem funds are budgeted in Fiscal Year 2019-
2020.**

19. Board Vote on Consent Agenda

Technical Reports

20. Water Conditions Report - John P. Mitnik
21. Ecological Conditions Report - Lawrence Glenn
 - Irrigation Restriction Orders
22. Public Comment

Discussion Agenda

23. Resolution Proclaiming May 17th-23rd as Water Reuse Week (Staff contact, Richard Nevulis, ext. 6242)

Agenda Item Background:

May typically marks the end of the dry season and can be a period of time when water needs are most acute. At this time, it is important to increase awareness regarding the re-use of our precious water resources. Over the last two decades, water reuse in the District has increased 48 percent to 282 million gallons per day and has become integral to south Florida's water resources. WaterReuse Florida, the state section of the WaterReuse Association, has designated May 17-23, 2020 as Water Reuse Week in Florida.

**Recommended Action:
Resolution No. 2020 - 0511 Proclaim May 17-23,
2020 as Water Reuse Week.**

24. District Mission Performance During COVID-19 Pandemic (Staff contact, Drew Bartlett, ext. 6993)

Agenda Item Background:

The District activated its Emergency Operations Center (EOC) and took swift, preventive action in early March to inhibit the spread of COVID-19 at District work sites. District staff successfully implemented social distancing and other healthy practices, and many began working from home.

Despite the disruption to business as usual, the District continues to perform its mission while protecting the health of the public and staff. This briefing item covers key District accomplishments over the last 60 days since activating the EOC.

Staff Reports

25. Monthly Financial Report - Candida Heater
- Emergency Procurements Because of COVID-19
26. General Counsel's Report - Paula Cobb
27. Executive Director's Report - Drew Bartlett
28. General Public Comment
29. Board Comment
30. Adjourn

MEMORANDUM

TO: Governing Board Members

FROM: Stephen M. Collins, Division Director, Real Estate

DATE: May 14, 2020

SUBJECT: Environmental Risk Assessment Services Contracts

Agenda Item Background

This is a request for the Governing Board to authorize amendments to increase the not-to-exceed threshold amounts for four environmental risk assessment services contracts by \$600,000 each. The increases are needed to address additional environmental and ecological assessment activities resulting from accelerated timelines for initiation and construction of various District projects. These contracts support the design and implementation of the Everglades Restoration Strategies Regional Water Quality Program Projects including the Everglades Agricultural Area Reservoir Project, the STA-1 West Expansion Project, the Caloosahatchee Reservoir, the C-44 Reservoir/STA Project, the C-139 Annex Restoration Project, the Dispersed Water Storage program and Land Management staff for routine contaminant issues. These contracts are in the first of two 1-year renewals following their initial 3-year terms which began in September 2016. This request does not allocate or award funds specific to a project, but merely increases the contract not to exceed threshold for the remainder of each contract term.

MEMORANDUM

TO: Governing Board Members

FROM: Stephen M. Collins, Division Director, Real Estate

DATE: May 14, 2020

SUBJECT: A. AECOM Technical Services, Inc.

Agenda Item Background:

This item before the Governing Board is to amend Contract No. 4600003425 with AECOM Technical Services, Inc., to increase the not to exceed threshold for the environmental risk assessment services work order contract. The above-referenced Contract was executed in 2016 with provisions for a 3-year term with two additional 1-year renewals. This Contract is currently working under the first 1-year renewal period. The request is to increase the not to exceed threshold from \$1,890,000 to \$2,490,000 for the Contract. The recommendation does not allocate or award funds to a specific project, but merely increases the Contract not to exceed threshold.

The Contract supports the design and implementation of the Everglades Restoration Strategies Regional Water Quality Program Projects including the Everglades Agricultural Area Storage Reservoir and STA A-2 Project, the STA-1 West Expansion Project, the C-43 Reservoir, the C-44 Reservoir/STA Project, the C-139 Annex Restoration Project, and other projects. As a result of accelerated timelines for project initiation and construction, planned thresholds for environmental and ecological assessment activities are being rapidly exceeded. Additionally, the Contract supports the Dispersed Water Storage program and Land Management programs involving routine contaminant issues.

The original contract not to exceed threshold was for \$900,000. The threshold was previously increased in 2018 to \$1,800,000, and another small increase in 2020 to \$1,890,000 to address the additional environmental and ecological assessment activities during the initial 4 years of this Contract. The Contract will expire in September 2021. Prior to the expiration of the current environmental risk assessment services contracts, the District will award new contracts based on Requests for Proposals.

Background, Core Mission and Strategic Priorities:

This Contract is used to support the District's Construction, Engineering, Planning, Permitting, Land Acquisition, Operations and Maintenance activities. This Contract will provide specialized external resources to assist with real estate environmental due diligence, contamination assessment/corrective actions, ecological/human health risk assessment, federal and state air permitting support, regulatory compliance and hazardous material emergency response.

Funding Source:

This Contract does not include a specific funding source. The funding for this Contract is provided based on environmental services for a specific project when needed.

Staff Contact and/or Presenter:

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2020 - 0501

A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment with AECOM Technical Services, Inc., for environmental risk assessment services, to increase the Contract not to exceed threshold amount from \$1,890,000 to \$2,490,000; providing an effective date. (Contract No. 4600003425)

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize an amendment to Contract No. 4600003425 with AECOM Technical Services, Inc., for environmental risk assessment services, to increase the Contract amount from \$1,890,000 to \$2,490,000.

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

Section 1. The Governing Board of the SFWMD hereby approves an amendment to Contract No. 4600003425 with AECOM Technical Services, Inc., for environmental risk assessment services, to increase the Contract amount from \$1,890,000 to \$2,490,000.

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

PASSED and ADOPTED this 14th day of May, 2020.

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

Chauncey P. Goss, II
Chairman

Attest:

Legal form approved:
By:

District Clerk/Secretary

Office of Counsel

Print name:

MEMORANDUM

TO: Governing Board Members
FROM: Stephen M. Collins, Division Director, Real Estate
DATE: May 14, 2020
SUBJECT: B. Environmental Consulting and Technology, Inc.

Agenda Item Background:

This item before the Governing Board is to amend Contract No. 4600003423 with Environmental Consulting and Technology, Inc., to increase the not to exceed threshold for the environmental risk assessment services work order contract. The above-referenced Contract was executed in 2016 with provisions for a 3-year term with two additional 1-year renewals. This Contract is currently working under the first 1-year renewal period. The request is to increase the not to exceed threshold from \$1,800,000 to \$2,400,000 for the Contract. The recommendation does not allocate or award funds to a specific project, but merely increases the Contract not to exceed threshold.

The Contract supports the design and implementation of the Everglades Restoration Strategies Regional Water Quality Program Projects including the Everglades Agricultural Area Storage Reservoir and STA A-2 Project, the STA-1 West Expansion Project, the C-43 Reservoir, the C-44 Reservoir/STA Project, the C-139 Annex Restoration Project, and other projects. As a result of accelerated timelines for project initiation and construction, planned thresholds for environmental and ecological assessment activities are being rapidly exceeded. Additionally, the Contract supports the Dispersed Water Storage program and Land Management programs involving routine contaminant issues.

The original contract not to exceed threshold was for \$900,000. The threshold was previously increased in 2018 to \$1,800,000 to address the additional environmental and ecological assessment activities during the initial 3-year term. The Contract will expire in September 2021. Prior to the expiration of the current environmental risk assessment services contracts, the District will award new contracts based on Requests for Proposals.

Background, Core Mission and Strategic Priorities:

This Contract is used to support the District's Construction, Engineering, Planning, Permitting, Land Acquisition, Operations and Maintenance activities. This Contract will provide specialized external resources to assist with real estate environmental due diligence, contamination assessment/corrective actions, ecological/human health risk assessment, federal and state air permitting support, regulatory compliance and hazardous material emergency response.

Funding Source:

This Contract does not include a specific funding source. The funding for this Contract is provided based on environmental services for a specific project when needed.

Staff Contact and/or Presenter:

Stephen M. Collins, smcollins@sfwmd.gov, 561-682-2959

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2020 - 0502

A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment with Environmental Consulting and Technology, Inc., for environmental risk assessment services, to increase the Contract not to exceed threshold amount from \$1,800,000 to \$2,400,000; providing an effective date. (Contract No. 4600003423)

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize an amendment to Contract No. 4600003423 with Environmental Consulting and Technology, Inc., for environmental risk assessment services, to increase the Contract amount from \$1,800,000 to \$2,400,000.

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

Section 1. The Governing Board of the SFWMD hereby approves an amendment to Contract No. 4600003423 with Environmental Consulting and Technology, Inc., for environmental risk assessment services, to increase the Contract amount from \$1,800,000 to \$2,400,000.

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

PASSED and ADOPTED this 14th day of May, 2020.

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

Chauncey P. Goss, II
Chairman

Attest:

Legal form approved:
By:

District Clerk/Secretary

Office of Counsel

Print name:

MEMORANDUM

TO: Governing Board Members

FROM: Stephen M. Collins, Division Director, Real Estate

DATE: May 14, 2020

SUBJECT: C. Professional Service Industries Inc.

Agenda Item Background:

This item before the Governing Board is to amend Contract No. 4600003428 with Professional Service Industries Inc., to increase the not to exceed threshold for the environmental risk assessment services work order contract. The above-referenced Contract was executed in 2016 with provisions for a 3-year term with two additional 1-year renewals. This Contract is currently working under the first 1-year renewal period. The request is to increase the not to exceed threshold from \$1,800,000 to \$2,400,000 for the Contract. The recommendation does not allocate or award funds to a specific project, but merely increases the Contract not to exceed threshold.

The Contract supports the design and implementation of the Everglades Restoration Strategies Regional Water Quality Program Projects including the Everglades Agricultural Area Storage Reservoir and STA A-2 Project, the STA-1 West Expansion Project, the C-43 Reservoir, the C-44 Reservoir/STA Project, the C-139 Annex Restoration Project, and other projects. As a result of accelerated timelines for project initiation and construction, planned thresholds for environmental and ecological assessment activities are being rapidly exceeded. Additionally, the Contract supports the Dispersed Water Storage program and Land Management programs involving routine contaminant issues.

The original contract not to exceed threshold was for \$900,000. The threshold was previously increased in 2018 to \$1,800,000 to address the additional environmental and ecological assessment activities during the initial 3-year term. The Contract will expire in September 2021. Prior to the expiration of the current environmental risk assessment services contracts, the District will award new contracts based on Requests for Proposals.

Background, Core Mission and Strategic Priorities:

This Contract is used to support the District's Construction, Engineering, Planning, Permitting, Land Acquisition, Operations and Maintenance activities. This Contract will provide specialized external resources to assist with real estate environmental due diligence, contamination assessment/corrective actions, ecological/human health risk assessment, federal and state air permitting support, regulatory compliance and hazardous material emergency response.

Funding Source:

This Contract does not include a specific funding source. The funding for this Contract is provided based on environmental services for a specific project when needed.

Staff Contact and/or Presenter:

Stephen M. Collins, smcollins@sfwmd.gov, 561-682-2959

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2020 - 0503

A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment with Professional Service Industries Inc., for environmental risk assessment services, to increase the Contract not to exceed threshold amount from \$1,800,000 to \$2,400,000; providing an effective date. (Contract No. 4600003428)

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize an amendment to Contract No. 4600003428 with Professional Service Industries Inc., for environmental risk assessment services, to increase the Contract amount from \$1,800,000 to \$2,400,000.

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

PASSED and ADOPTED this 14th day of May, 2020.

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

Chauncey P. Goss, II
Chairman

Attest:

District Clerk/Secretary

Legal form approved:
By:

Office of Counsel

Print name:

MEMORANDUM

TO: Governing Board Members

FROM: Stephen M. Collins, Division Director, Real Estate

DATE: May 14, 2020

SUBJECT: D. Terracon Consultants, Inc.

Agenda Item Background:

This item before the Governing Board is to amend Contract No. 4600003427 with Terracon Consultants, Inc., to increase the not to exceed threshold for the environmental risk assessment services work order contract. The above-referenced Contract was executed in 2016 with provisions for a 3-year term with two additional 1-year renewals. This Contract is currently working under the first 1-year renewal period. The request is to increase the not to exceed threshold from \$900,000 to \$1,500,000 for the Contract. The recommendation does not allocate or award funds to a specific project, but merely increases the Contract not to exceed threshold.

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Background, Core Mission and Strategic Priorities:

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Funding Source:

This Contract does not include a specific funding source. The funding for this Contract is provided based on environmental services for a specific project when needed.

Staff Contact and/or Presenter:

Stephen M. Collins, smcollins@sfwmd.gov, 561-682-2959

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2020 - 0504

A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment with Terracon Consultants, Inc., for environmental risk assessment services, to increase the Contract not to exceed threshold amount from \$900,000 to \$1,500,000; providing an effective date. (Contract No. 4600003427)

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize an amendment to Contract No. 4600003427 with Terracon Consultants, Inc., for environmental risk assessment services, to increase the Contract amount from \$900,000 to \$1,500,000.

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

Section 1. The Governing Board of the SFWMD hereby approves an amendment to Contract No. 4600003427 with Terracon Consultants, Inc., for environmental risk assessment services, to increase the Contract amount from \$900,000 to \$1,500,000.

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

PASSED and ADOPTED this 14th day of May, 2020.

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

Chauncey P. Goss, II
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: Stephen M. Collins, Division Director, Real Estate

DATE: May 14, 2020

SUBJECT: Land Acquisition, C-111 South Dade Project, Miami-Dade County

Agenda Item Background:

The District is currently acquiring land from willing sellers for the C-111 South Dade Project in Miami-Dade County. The Project will improve the natural values of Everglades National Park, including Florida Bay and restoration of historic hydrologic conditions in the C-111 Basin, where the South Glades is located. The six owners of 21 tracts containing approximately 127.49 acres are represented by an eminent domain attorney. The acquisition of these tracts represents about 40% of all remaining lands to be acquired within the project. A combined settlement was negotiated at \$15,000 per acre for all 21 tracts including all attorney's fees and costs. The appraised value averaged \$6,928 per acre for the 127.49 acres. Staff recommends the acquisition of the tracts at the total purchase price of \$1,912,350, or 113% over the appraised value, to avoid the risks and added expenses associated with future condemnation action.

Core Mission and Strategic Priorities:

The District is committed to planning, designing and constructing a project that meets the goals and criteria set forth in state law, including Section 373.1501(3), Florida Statutes.

Funding Source:

The acquisition of Tracts is from willing sellers. All costs, including acquisition, associated costs, and closing costs were or will be funded from the Save Our Everglades Trust Fund and Ad Valorem funds.

Staff Contact and/or Presenter:

Stephen M. Collins, smcollins@sfwmd.gov, 561-682-2959

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2020 - 0505

A Resolution of the Governing Board of the South Florida Water Management District to acquire land interests on 21 tracts containing a total of 127.49 acres, more or less, in the amount of \$1,912,350, for which dedicated funds (Save Our Everglades Trust Fund and Ad Valorem funds) are budgeted in Fiscal Year 2019-2020, for the C-111 South Dade Project in Miami-Dade County; providing an effective date.

WHEREAS, the South Florida Water Management District is currently acquiring land from willing sellers in connection with the implementation of the C-111 South Dade Project in Miami-Dade County; and

WHEREAS, pursuant to Resolution No. 2019-0605, the Governing Board of the South Florida Water Management District approved the acquisition of land interests, comprising 61 tracts totaling 351.52 acres, more or less, within the C-111 South Dade Project at the respective approved appraised value for each tract and approved requesting release from the Department of Environmental Protection of Save Our Everglades Trust Funds in connection with the acquisitions; and

WHEREAS, the South Florida Water Management District desires to purchase land interests from six different owners of 21 tracts containing a total of 127.49 acres, more or less, for the C-111 South Dade Project, in Miami-Dade County, identified as Tract Nos. GR100-117, GR100-118, GR100-119, GR100-120, GR100-121, GR100-122, GR100-123, GR100-124, GR100-125, GR100-126, GR100-138, GR100-152, GR100-153, GR100-154, GR100-156, GR100-160, GR100-163, GR100-164, GR100-188, GR703-022 and GR703-034 (the "Tracts") shown on the location map Exhibit "A", attached hereto and made a part hereof, in the amount of \$1,912,350, and declare surplus, disposal of, and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose for the original land acquisition; and

WHEREAS, the aforementioned \$1,912,350 purchase is above the approved combined appraised value of \$903,000 for the Tracts; and

WHEREAS, all costs are to be funded from the Save Our Everglades Trust Fund and Ad Valorem funds for the acquisition and associated costs; and

WHEREAS, the South Florida Water Management District is authorized to acquire land, or interests or rights in land, pursuant to Section 373.139, 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 purchase of land interests on 21 tracts, containing a total of 127.49 acres, more or less, in Miami-Dade County, C-111 South Dade Project, together with associated costs, for which dedicated funds (Save Our Everglades Trust Fund and Ad Valorem funds) are budgeted in Fiscal Year 2019-2020. The

combined purchase price of \$1,912,350 exceeds the \$903,000 approved, combined appraised value but is less than the anticipated cost of a future condemnation process. Acquiring the Tracts at the \$1,912,350 combined purchase price for 113% over the appraised value, is in the District's best interest to avoid the risks and added expenses associated with a future condemnation process:

Owner	Tract No.	Interest	Acres	Appraised Value	Purchase Price
Perla Soto f/k/a Perla Pino	GR100-117, 118, 119, 120, 121, 122, 123, 163 and 164	Fee	26.95	\$184,400	\$404,250
Ada Truesdell f/k/a Ada A. Diaz	GR100-124, 125, 126, 152, 153, 154 and 188	Fee	44.62	\$298,600	\$669,300
Pacifico Holdings, LLC	GR100-138 and GR100-160	Fee	10.00	\$65,100	\$150,000
Nautica Yacht Sales, Inc	GR100-156	Fee	3.75	\$24,400	\$56,250
Canarias Development of FLA, Inc	GR703-022	Fee	34.67	\$278,000	\$520,050
Carlos C. Rodriguez and Josefa Rodriguez	GR703-034	Fee	7.50	\$52,500	\$112,500

Amount	Fund	Fund Center	Functional Area	GL	Grant	Account Description
\$1,912,350	412000	3510144000	PK03	580020	112	Acquisition

Section 2. The Governing Board of the South Florida Water Management District hereby further approves declaring surplus, disposal of and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition.

Section 3. The Governing Board of the South Florida Water Management District hereby authorizes the Chairman or Vice Chairman to execute the Agreement for Sale and Purchase instrument. 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 4. This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 14th day of May, 2020.

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

Chauncey P. Goss, II
Chairman

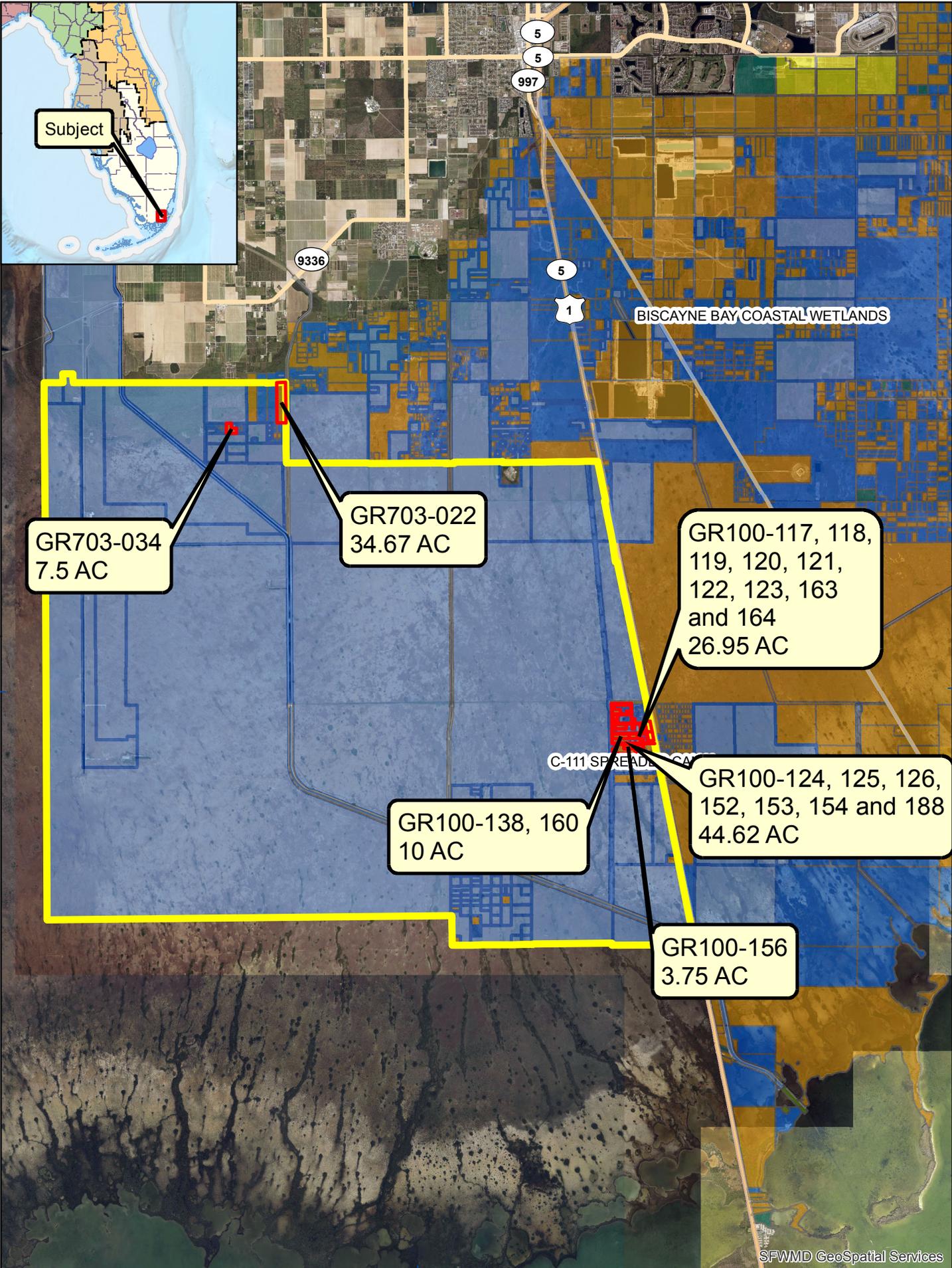
Attest:

District Clerk/Secretary

Legal form approved:
By:

Office of Counsel

Print name:



Attachment: Martin_Map_C-111 Multiple - Overall Map (Resolution No. 2020 - 0505 : C-111 South Dade Project, 21 Tracts)

M E M O R A N D U M

TO: Governing Board Members

FROM: Stephen M. Collins, Division Director, Real Estate

DATE: May 14, 2020

SUBJECT: Release of Reservations

Agenda Item Background:

The District has certain reserved rights to construct canal and road right of ways, along with mineral rights. Applications requesting release of these reservations are received as they constitute a defect on title which must be resolved prior to a property sale, especially when financing is involved. Applications are reviewed to determine if there is a present or future need. It has been determined there is no present or future need, and staff recommends reservations are released for payment of a value equal to one percent of the appraised value of the land on the property appraiser's website in the county where the property is located. For canal reservations held by the Board of Trustees of the Internal Improvement Trust Fund (TIITF), the Florida Department of Environmental Protection (DEP) requires a recommendation from the District that there is no District need for TIITF held canal reservations prior to a release being issued. Revenue totaling \$96,262 is anticipated from the payment of release values associated with these reservations.

Staff Recommendation:

Staff recommends approval of the following, and to also inform DEP that there is no District need for TIITF canal reservations:

Broward County

- Release District canal and road reservations for 16000 Pines Rental Investments, LLC (File No.18842) for 0.40 +/- acre; subject to payment of release value \$2,786.89.
- Release District canal and road reservations for Sunshine MZL, LLC (File No.18841) for 0.89 +/- acre; subject to payment of release value \$3,873.10.
- Release District canal and road reservations for City of Pembroke Pines (File No.18843) for 4.19 +/- acres; release value N/A (government owned).
- Release District canal reservations for Beasley Family Towers, LLC (File No.18844) for 8.33 +/- acres; subject to payment of release value \$10,951.60.

Miami-Dade County

- Inform DEP of no District need for TIITF canal reservations for Paraiso Gardens, LLC (File No.1-5-20) for 4.15 +/- acres; release value N/A (TIITF canal reservations).

Palm Beach County

- Issue non-use commitment for Ft. Lauderdale Rescue Tabernacle, Inc. (File No. NUC-1782) for 24.74 +/- acres; subject to payment of release value \$33,445.51.
- Release District canal and road reservations for Rodney Paul Espinosa (50%) and The Harry Adam Espinosa 2017 Irrevocable Trust dated February 17, 2017 (50%) (File No.18845) for 3.81 +/- acres; subject to payment of release value \$3,866.95.
- Release District canal reservations for The Harry Adam Espinosa Revocable Trust dated May 24, 1991 (File No.18846) for 8.85 +/- acres; subject to payment of release value \$8,991.60.

- Release District canal and road reservations for AKD Real Estate Investments, LLC (File No. 18847) for 11.44 +/- acres; subject to payment of release value \$11,623.04.
- Release District canal reservations for Spanish River Nursery, Inc. (50%) and The Fermin A. Espinosa Trust dated October 10, 1991 (50%) (File No.18848) for 6.06 +/- acres; subject to payment of release value \$7,696.20.
- Release District road reservations for PEBB Atlantic, LLC (File No. 18840) for 4.76 +/- acres; subject to payment of release value \$13,027.

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

Staff Contact and/or Presenter:

Stephen M. Collins, smcollins@sfwmd.gov, 561-682-2959

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2020 - 0506

A Resolution of the Governing Board of the South Florida Water Management District to release District canal and road reservations, issue a non-use commitment, and inform Florida Department of Environmental Protection of a recommendation to release canal reservations held by the Trustees of the Internal Improvement Trust Fund; providing an effective date.

WHEREAS, certain underlying landowners have requested that the South Florida Water Management District release certain District canal and road reservations and issue a non-use commitment as to District mineral rights, and inform the Florida Department of Environmental Protection (FDEP) of no need for canal reservations held by the Trustees of the Internal Improvement Trust Fund (TIITF); and

WHEREAS, the District is empowered to grant such releases, non-use commitment and recommendation 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 District canal and road reservations, the issuance of a non-use commitment, and recommendation informing FDEP that there is no need for TIITF held canal reservations, as described in Resolution Exhibit "A" attached hereto and made a part hereof.

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

PASSED and ADOPTED this 14th day of May, 2020.

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

Chauncey P. Goss, II
Chairman

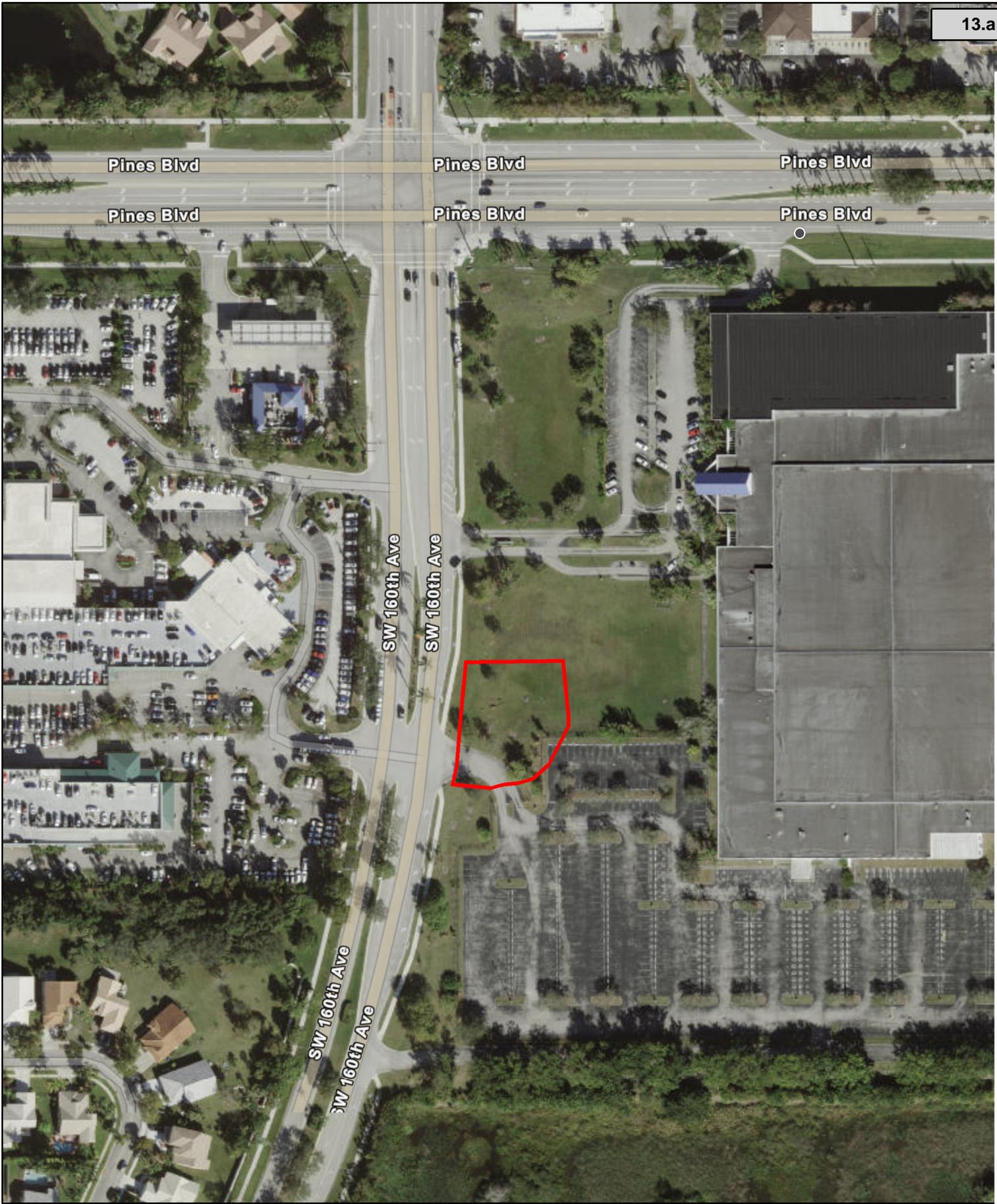
Attest:

Legal form approved:
By:

District Clerk/Secretary

Office of Counsel

Print name:

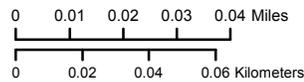


Attachment: Bianco_May maps_combined_Rel_of_Res (Resolution No. 2020 - 0506 : Release of Reservations)

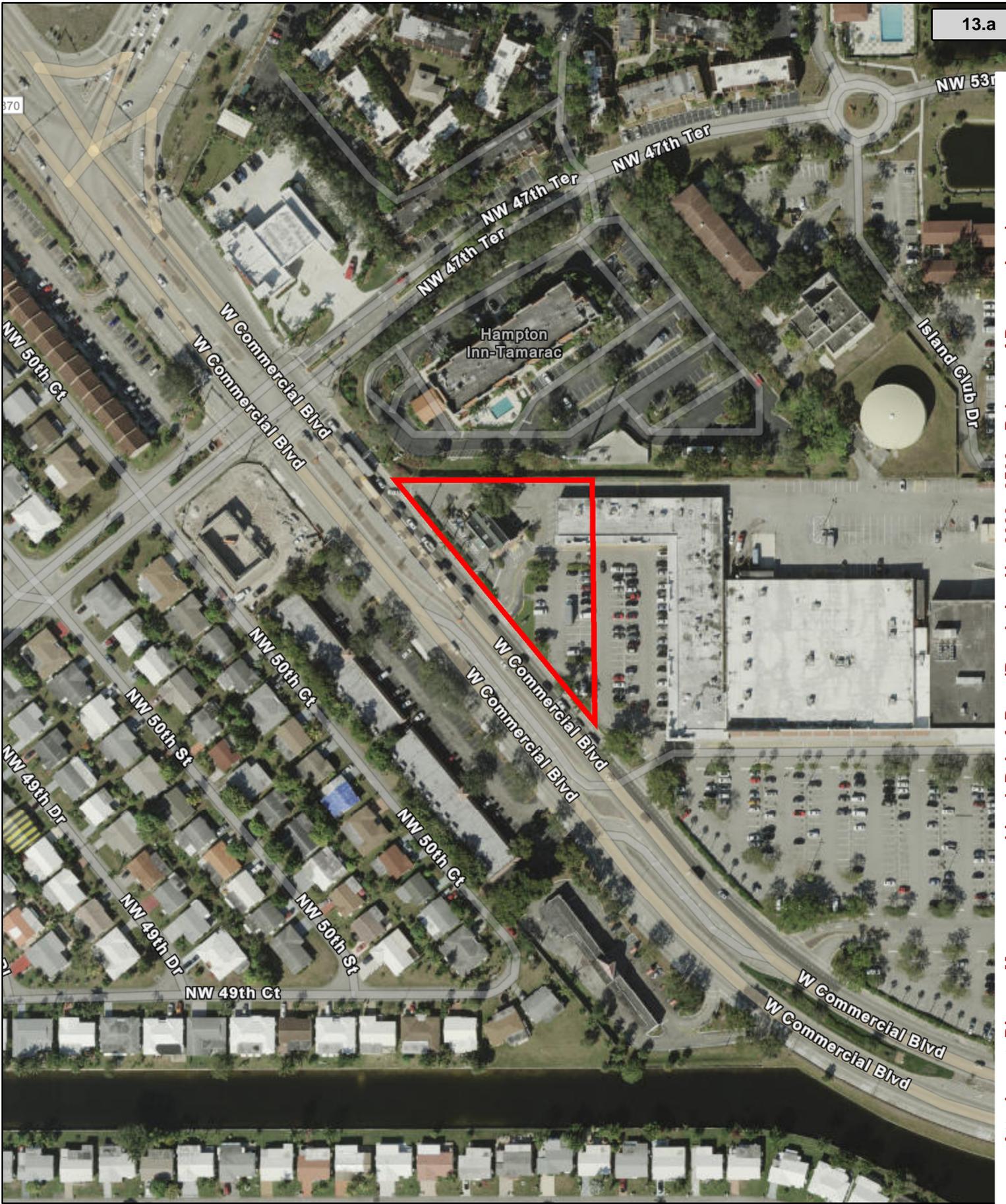
File No. 18842 (0.40+/- acre)



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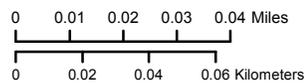


Attachment: Bianco_May maps_combined Rel_of Res (Resolution No. 2020 - 0506 : Release of Reservations)

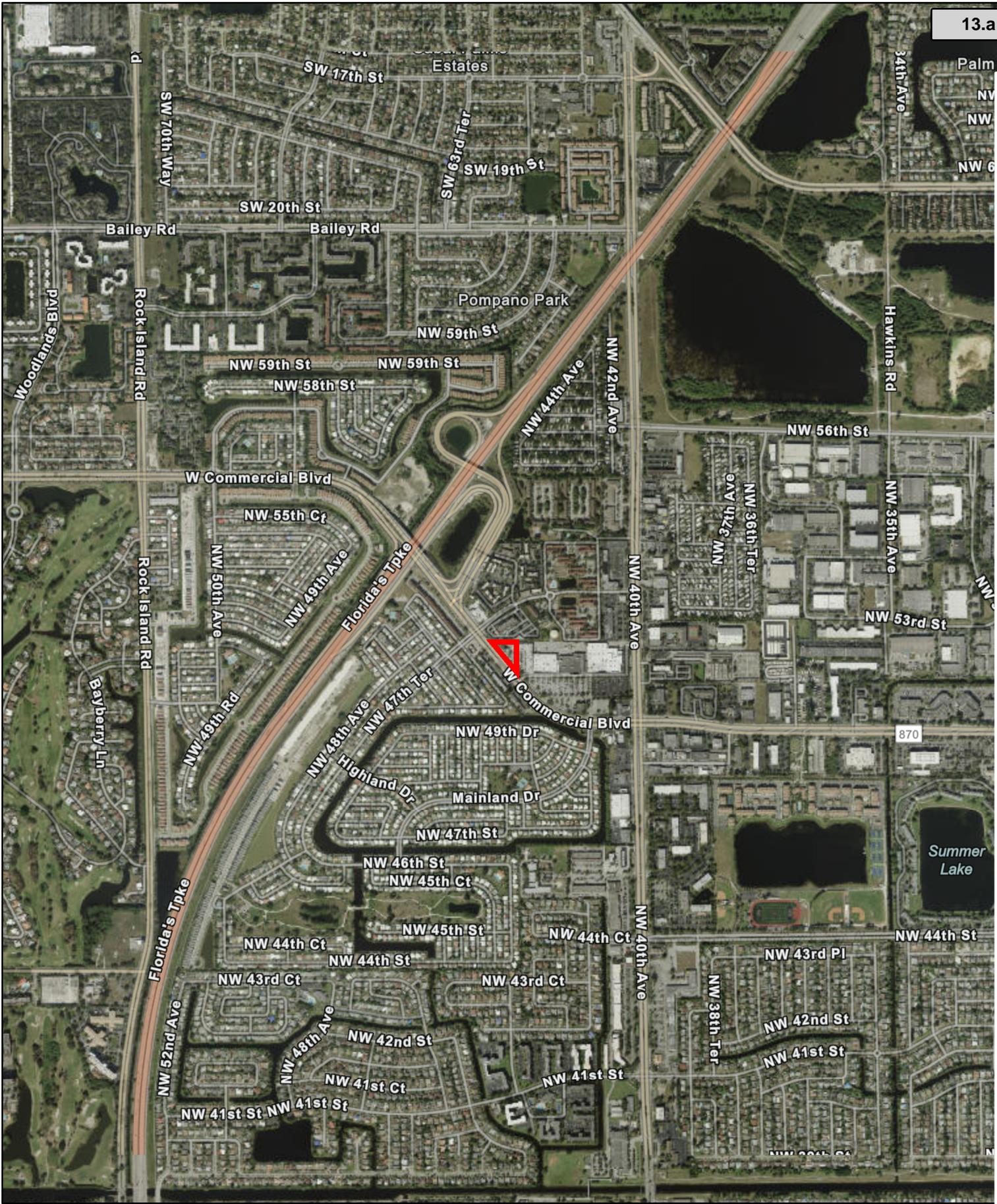
File No. 18841 (0.89+/- acre)



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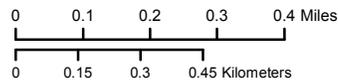


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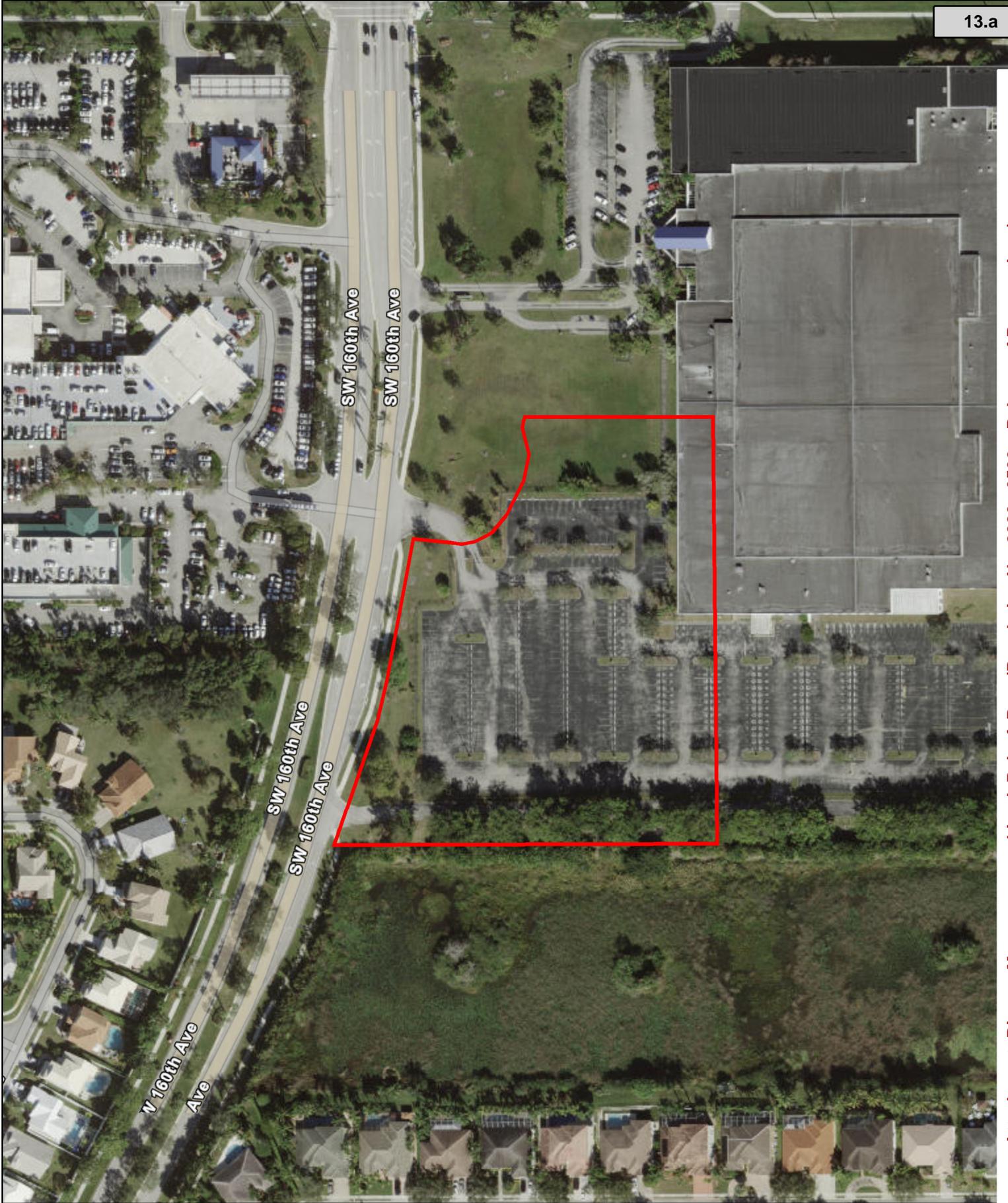
File No. 18841 (0.89+/- acre)



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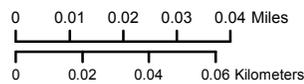


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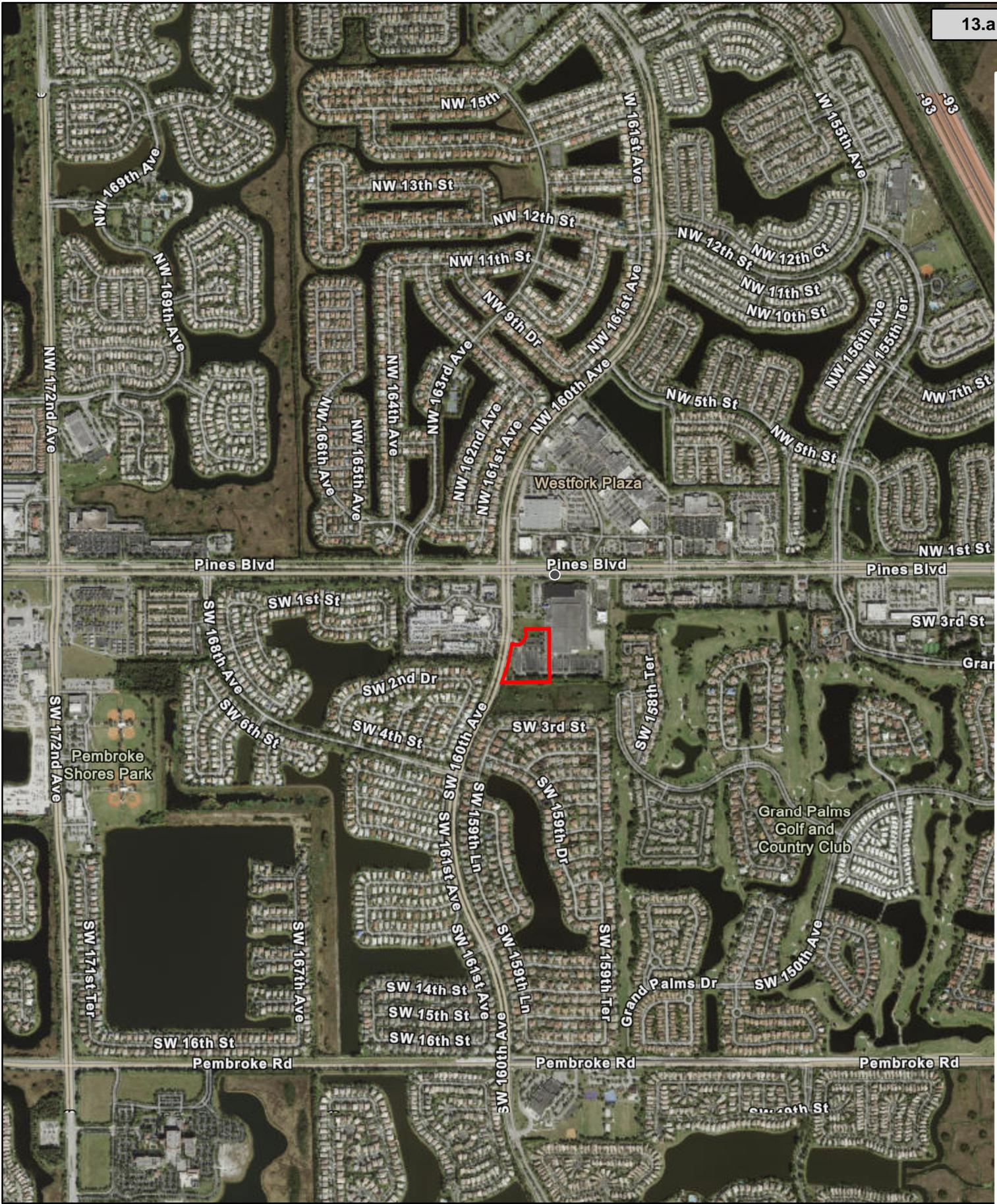
File No. 18843 (4.19+/- acres)



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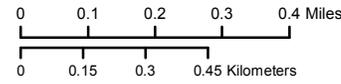


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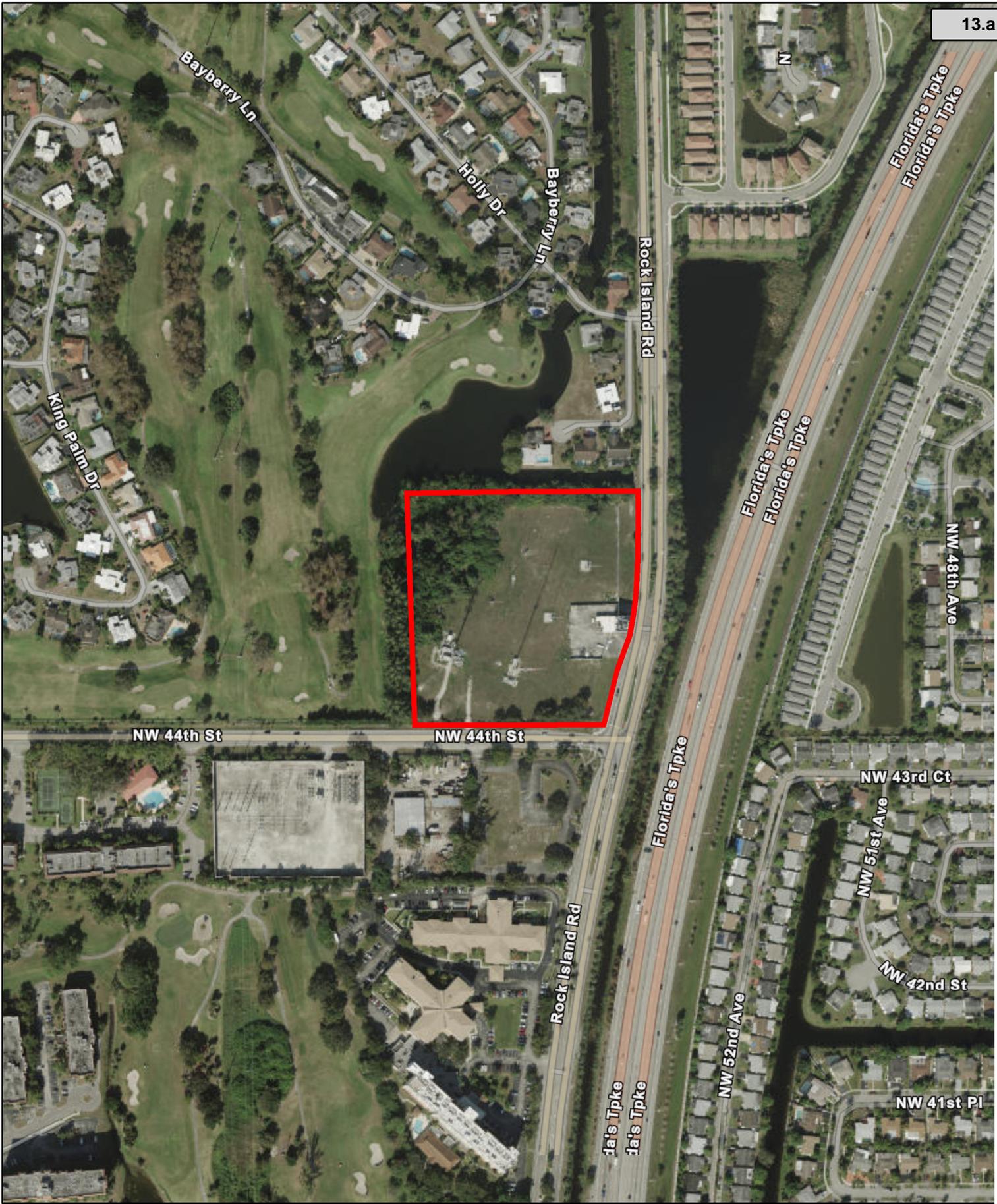
File No. 18843 (4.19+/- acres)



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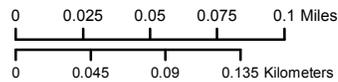


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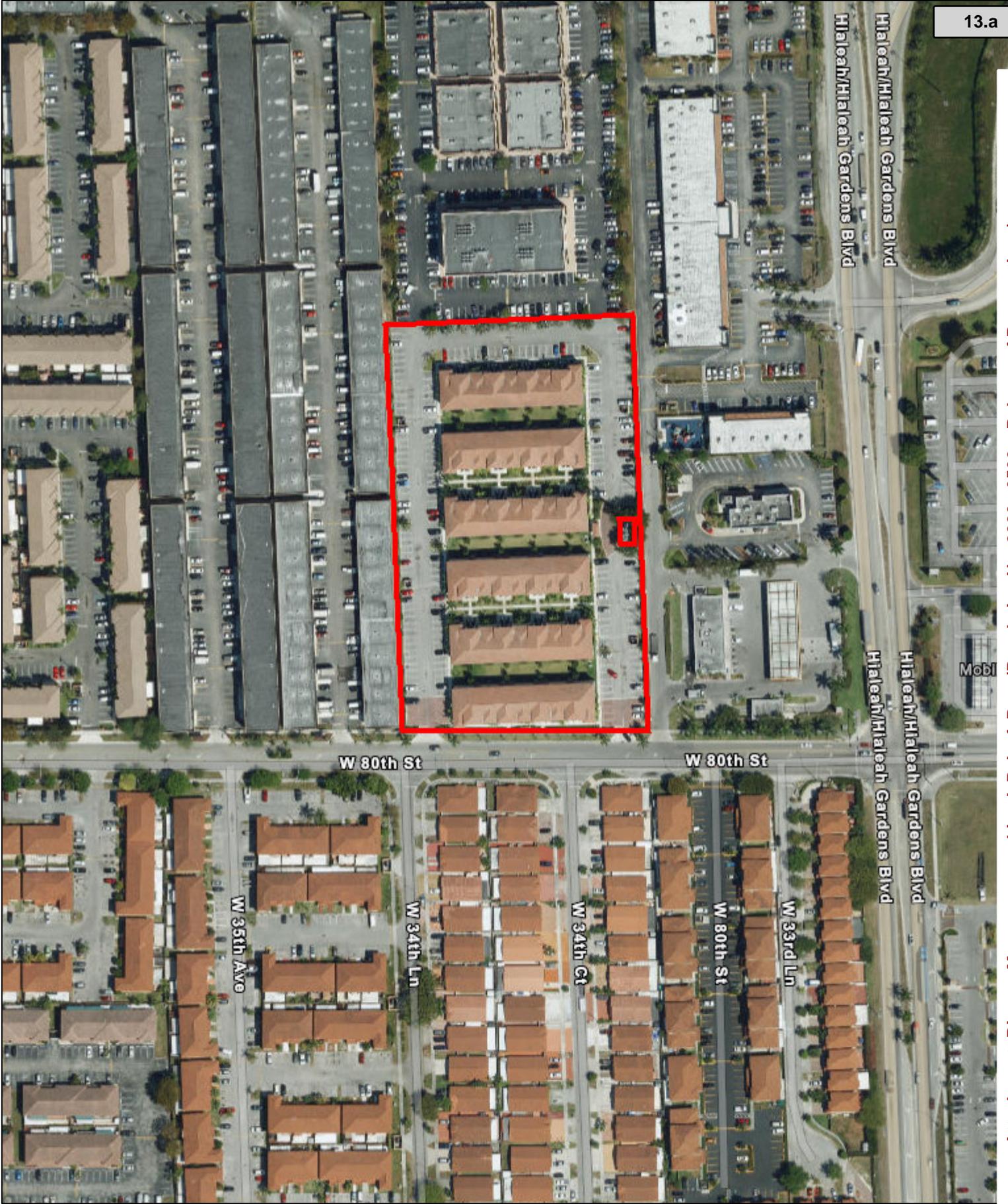
File No. 18844 (8.33+/- acres)



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Attachment: Bianco_May maps_combined_Rel_of_Res (Resolution No. 2020 - 0506 : Release of Reservations)

File No. 1-5-20 (4.15+/- acres)



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Attachment: Bianco_May maps_combined_Rel_of_Res (Resolution No. 2020 - 0506 : Release of Reservations)

File No. 1-5-20 (4.15+/- acres)

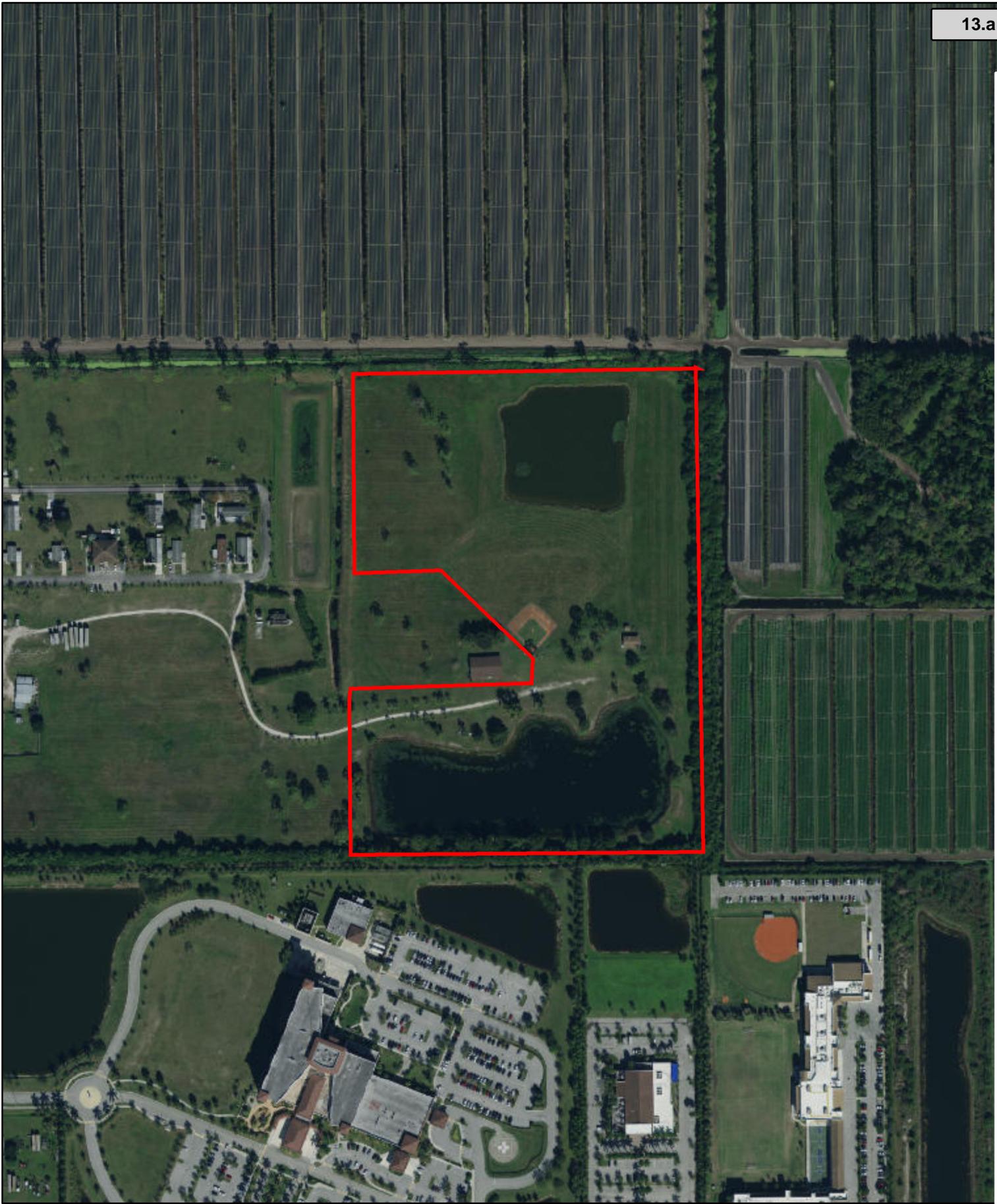


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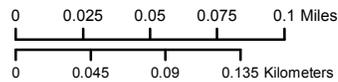


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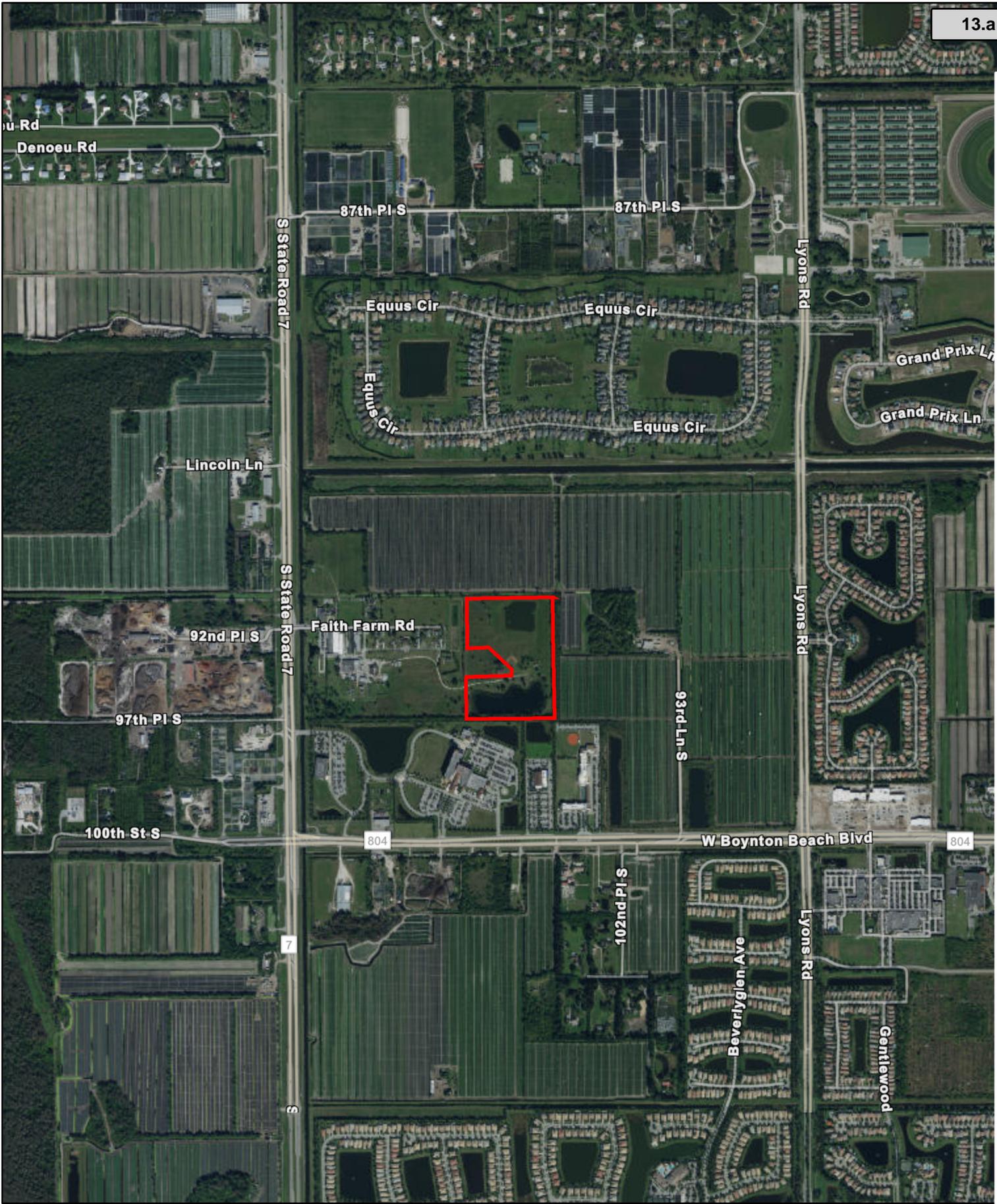
NUC-1782 (24.74+/- acres)



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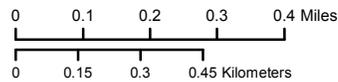


Attachment: Bianco_May maps combined Rel_of Res (Resolution No. 2020 - 0506 : Release of Reservations)

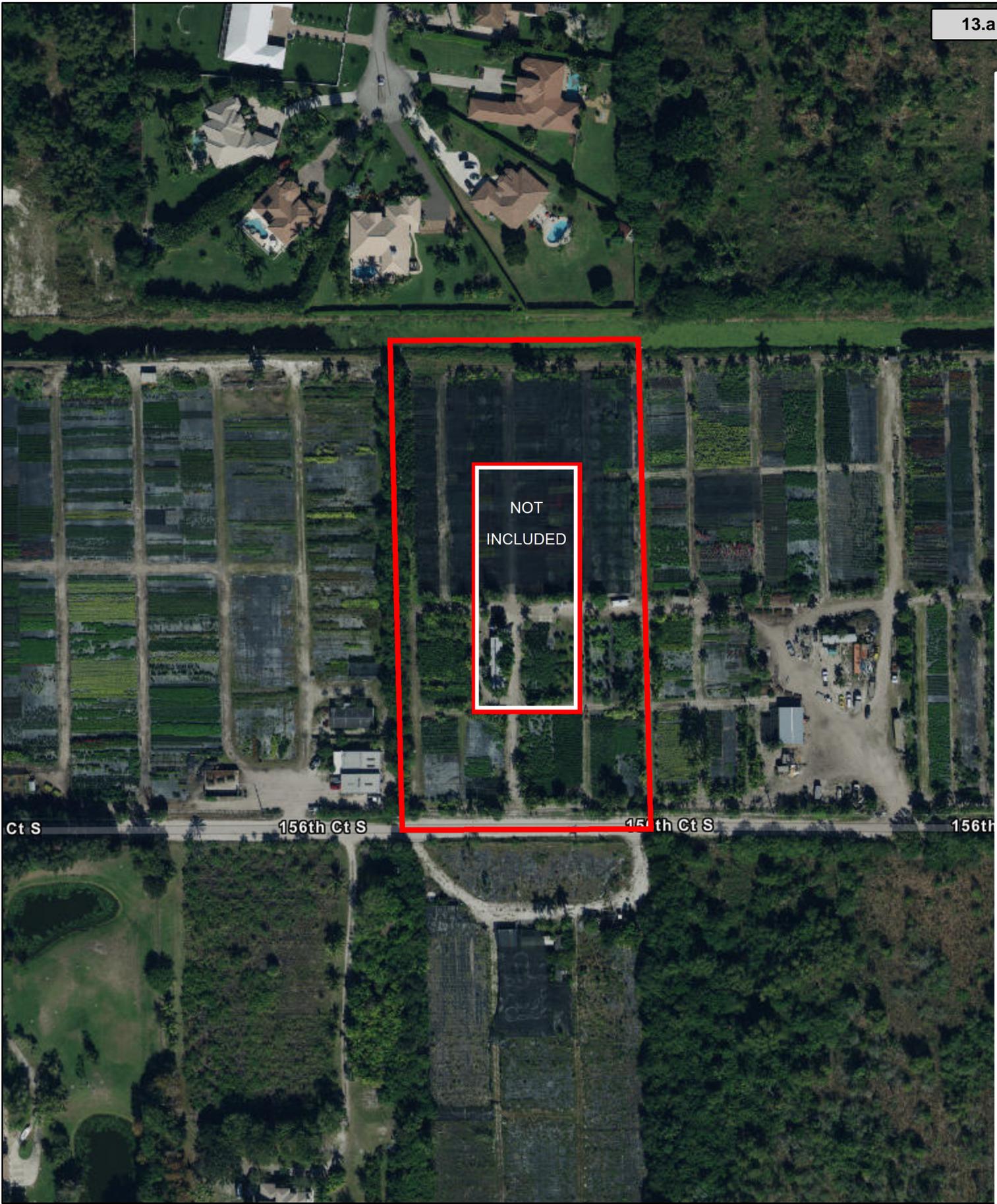
NUC-1782 (24.74+/- acres)



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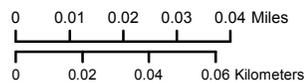


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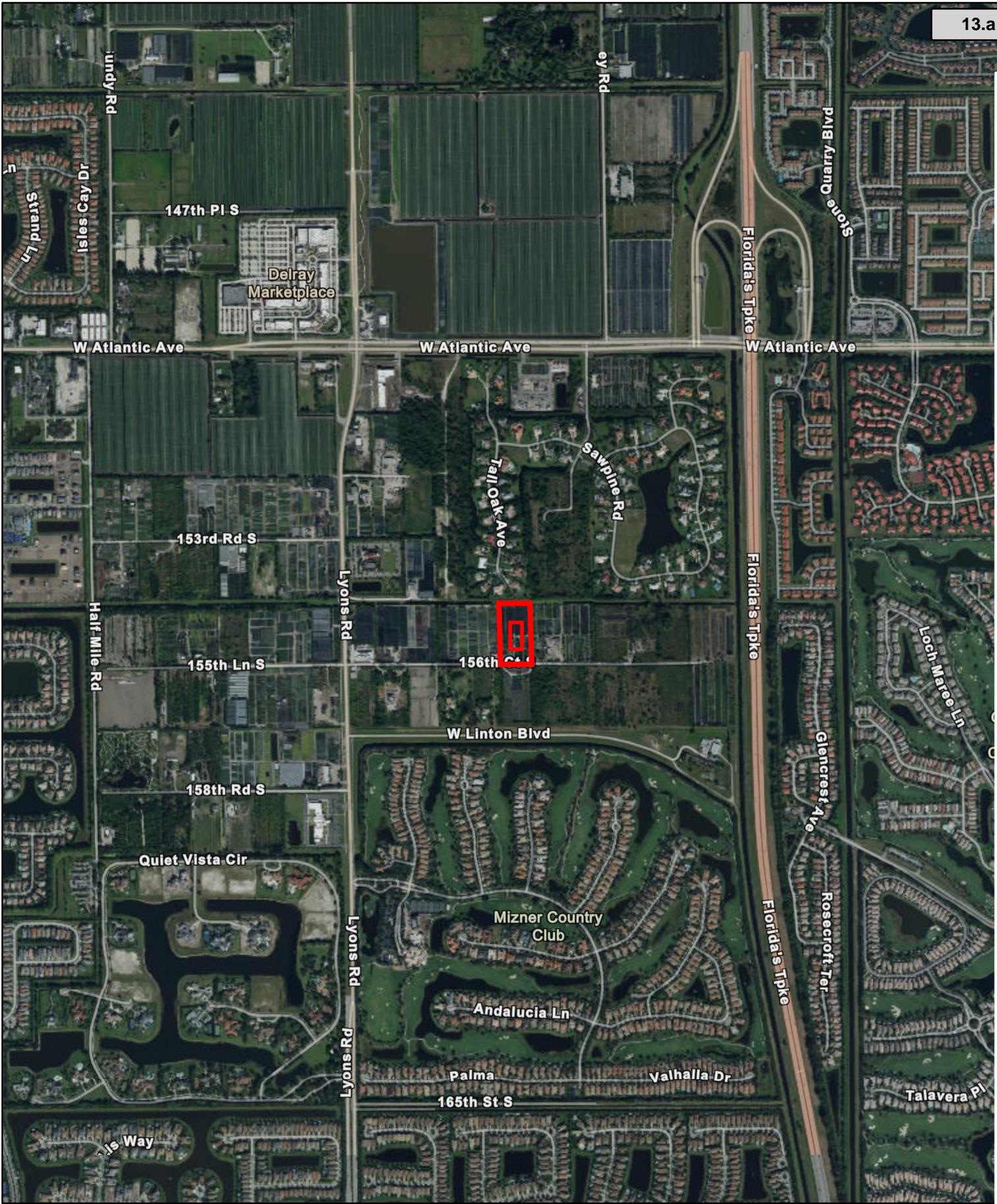
File No. 18845 (3.81+/- acres)



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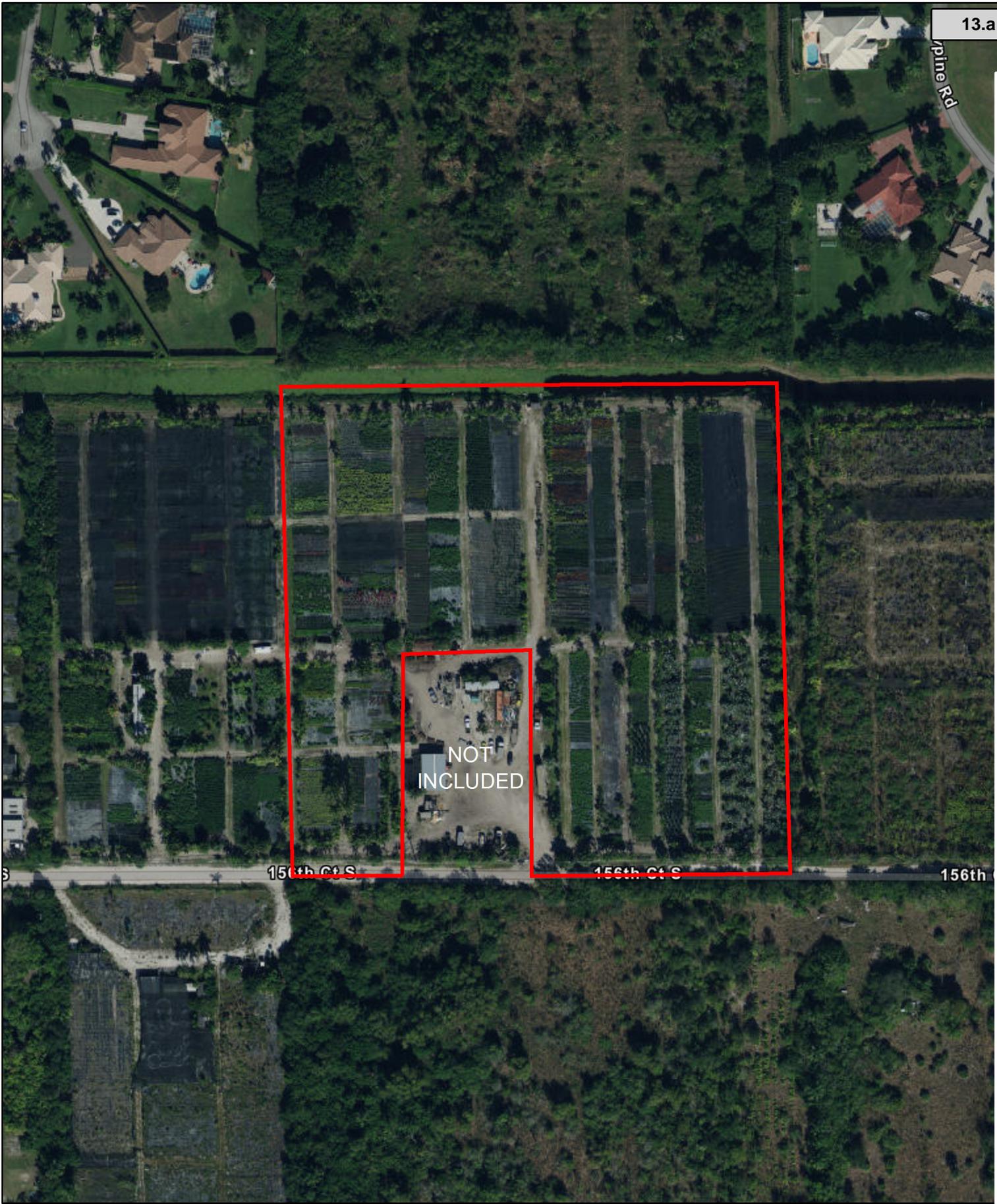
File No. 18845 (3.81+/- acres)



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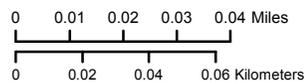


Attachment: Bianco_May maps_combined_Rel_of_Res (Resolution No. 2020 - 0506 : Release of Reservations)

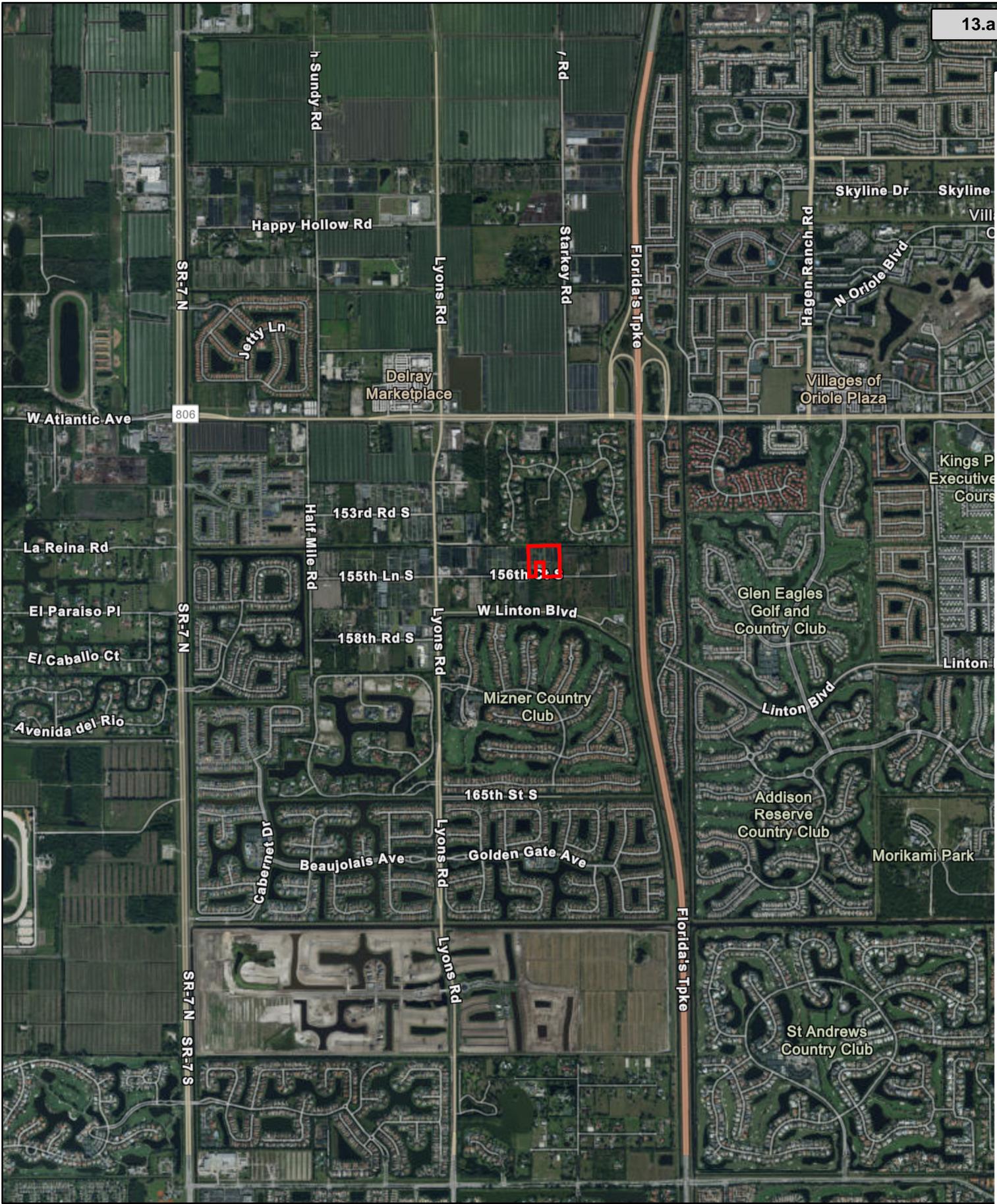
File No. 18846 (8.85+/- acres)



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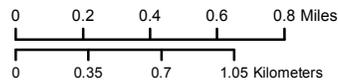


Attachment: Bianco May maps combined Rel of Res (Resolution No. 2020 - 0506 : Release of Reservations)

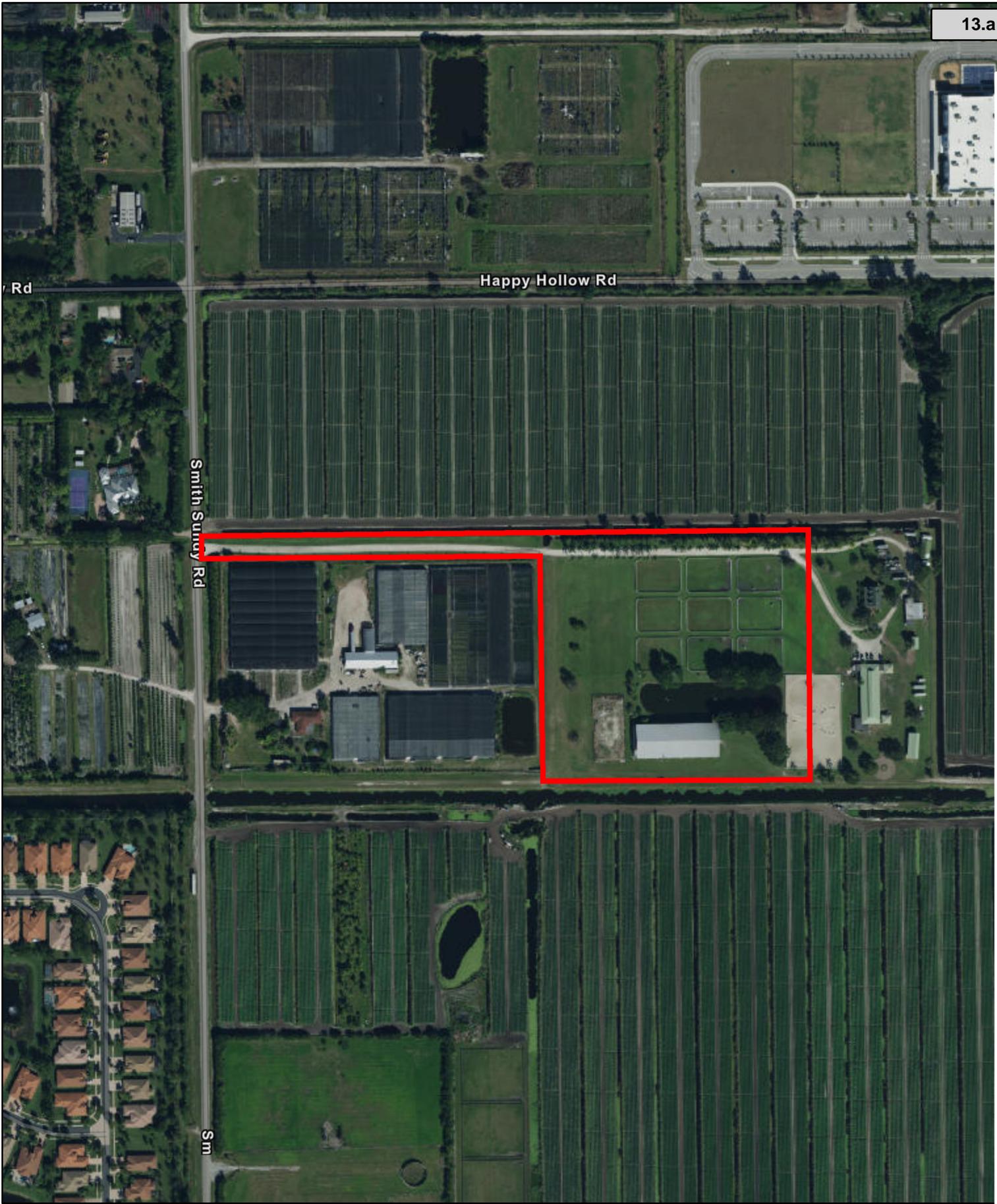
File No. 18846 (8.85+/- acres)



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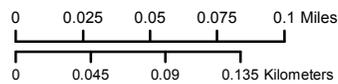


Attachment: Bianco_May maps_combined_Rel_of_Res (Resolution No. 2020 - 0506 : Release of Reservations)

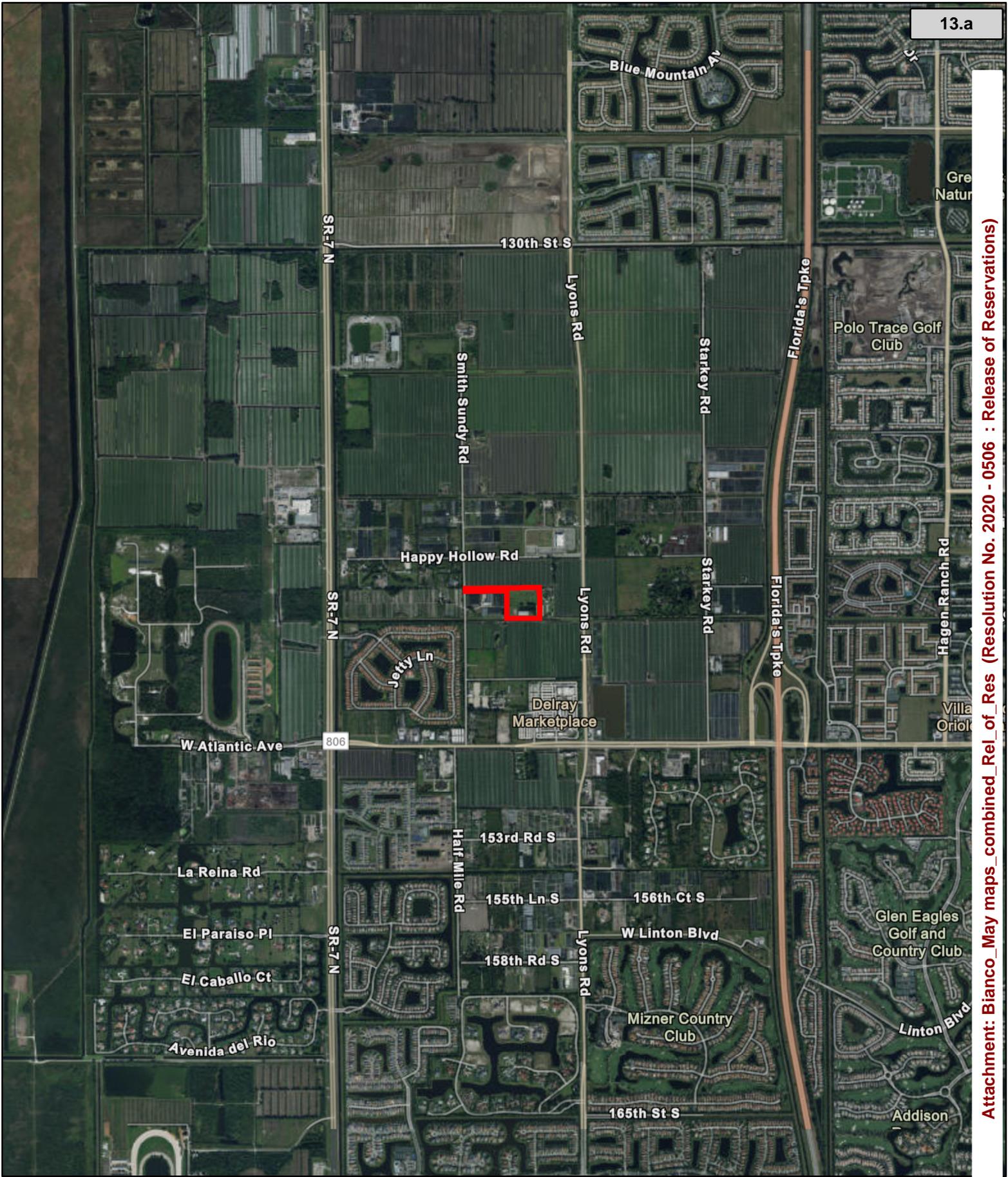
File No. 18847 (11.44+/- acres)



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



DISCLAIMER:
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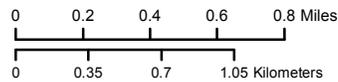


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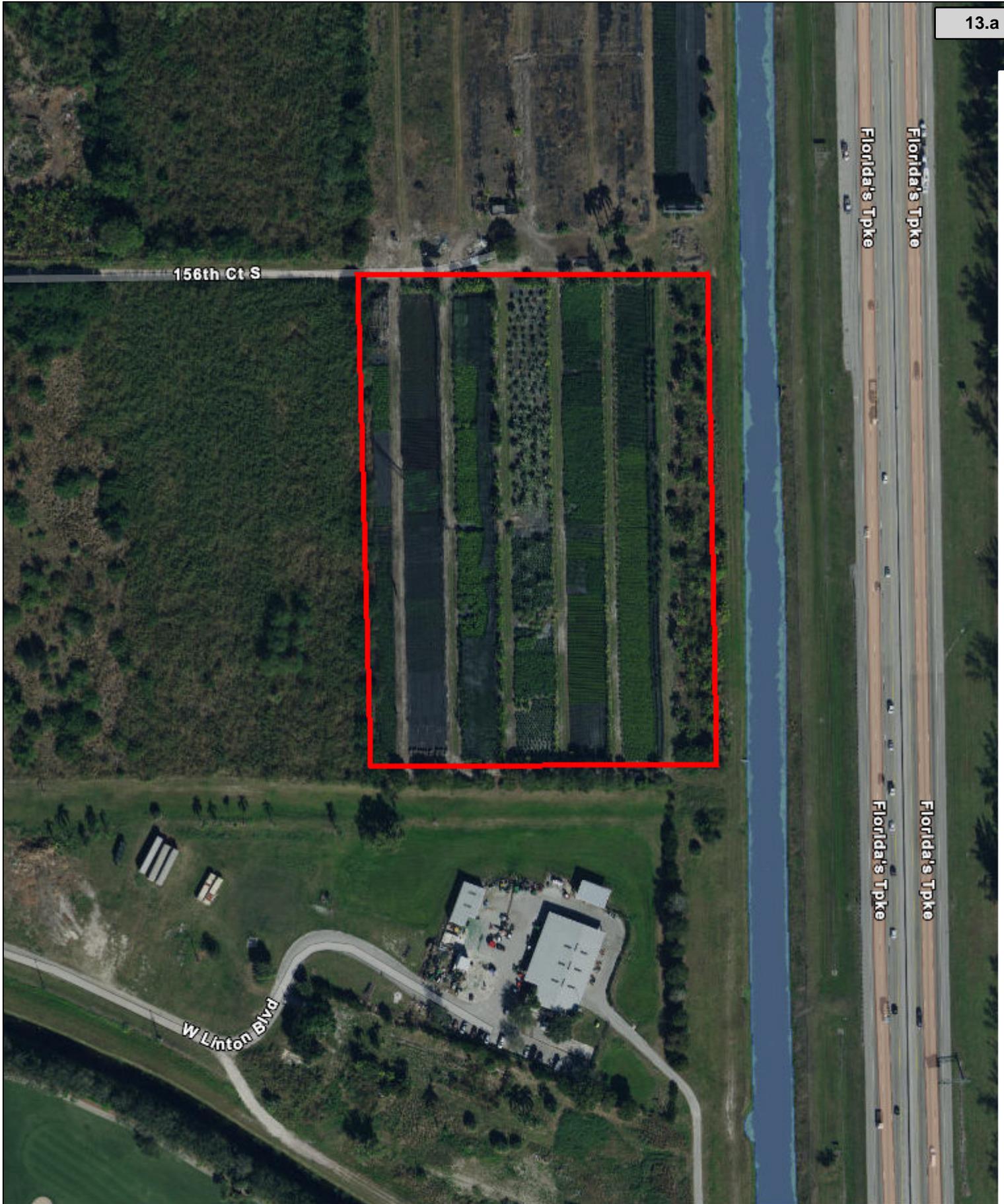
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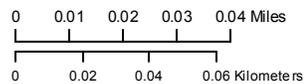


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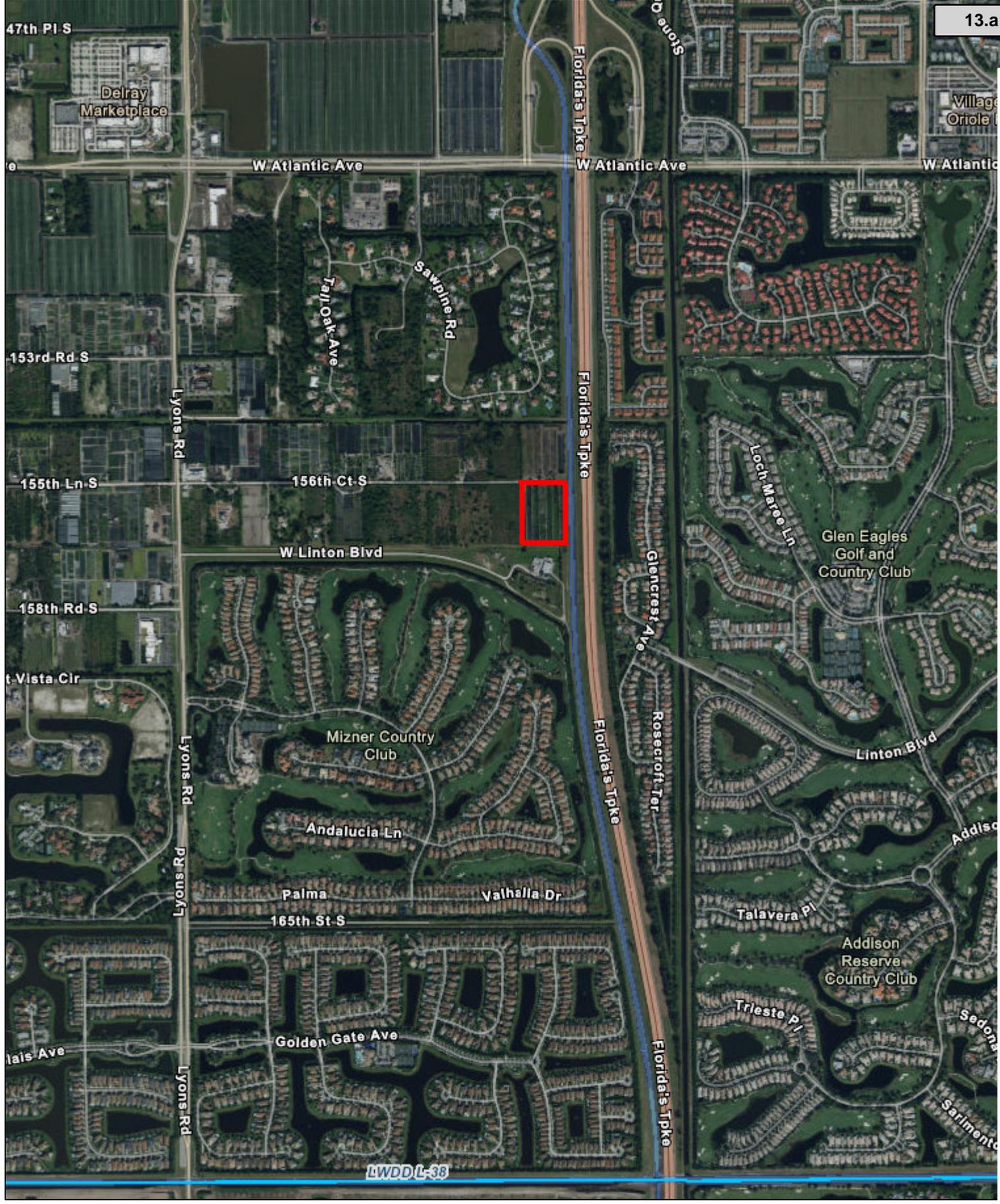
File No. 18848 (6.06+/- acres)



South Florida Water Management District
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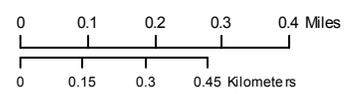


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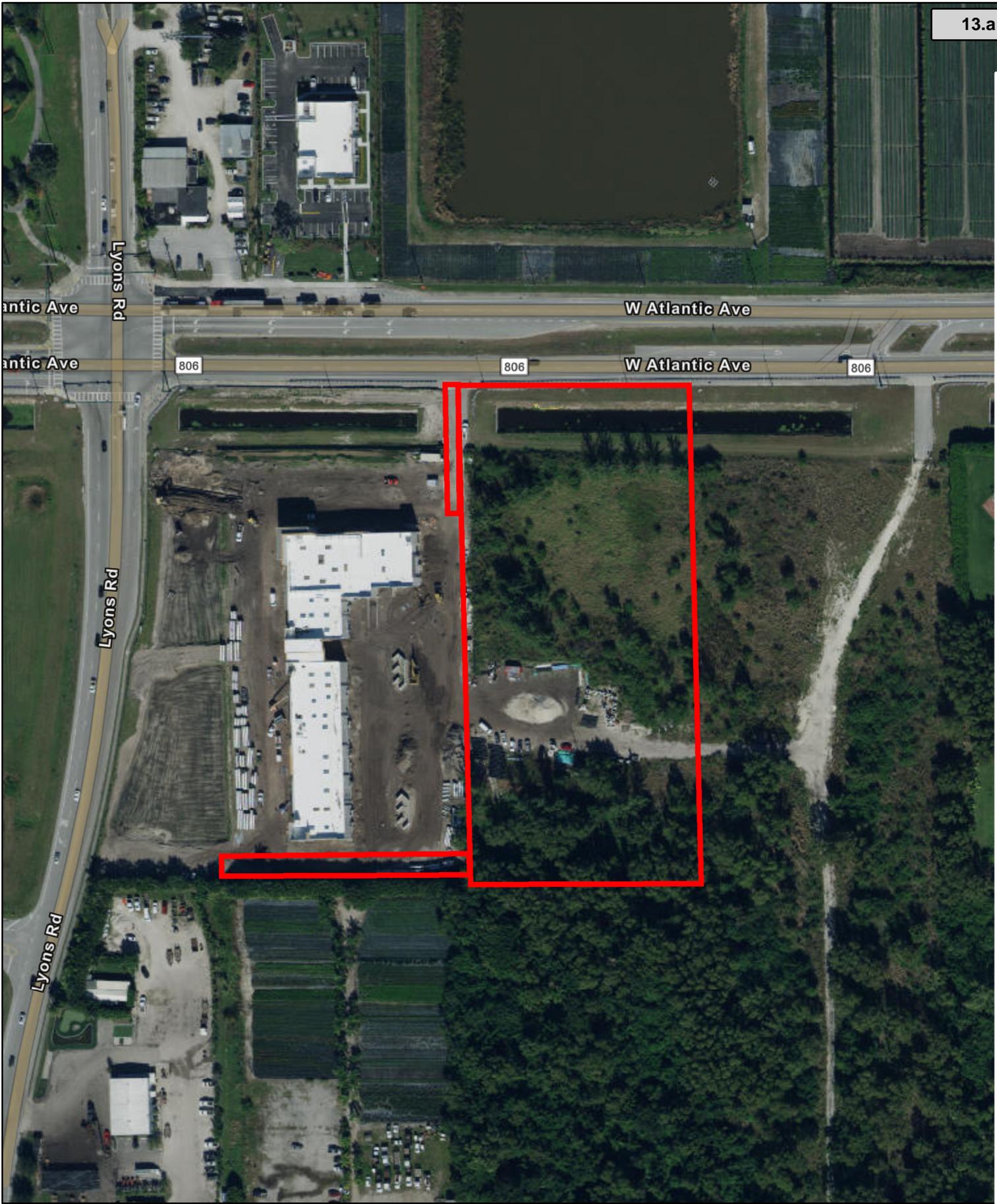
File No. 18848 (6.06+/- acres)



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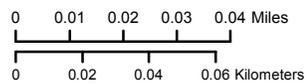


Attachment: Bianco_May maps_combined_Rel_of_Res (Resolution No. 2020 - 0506 : Release of Reservations)

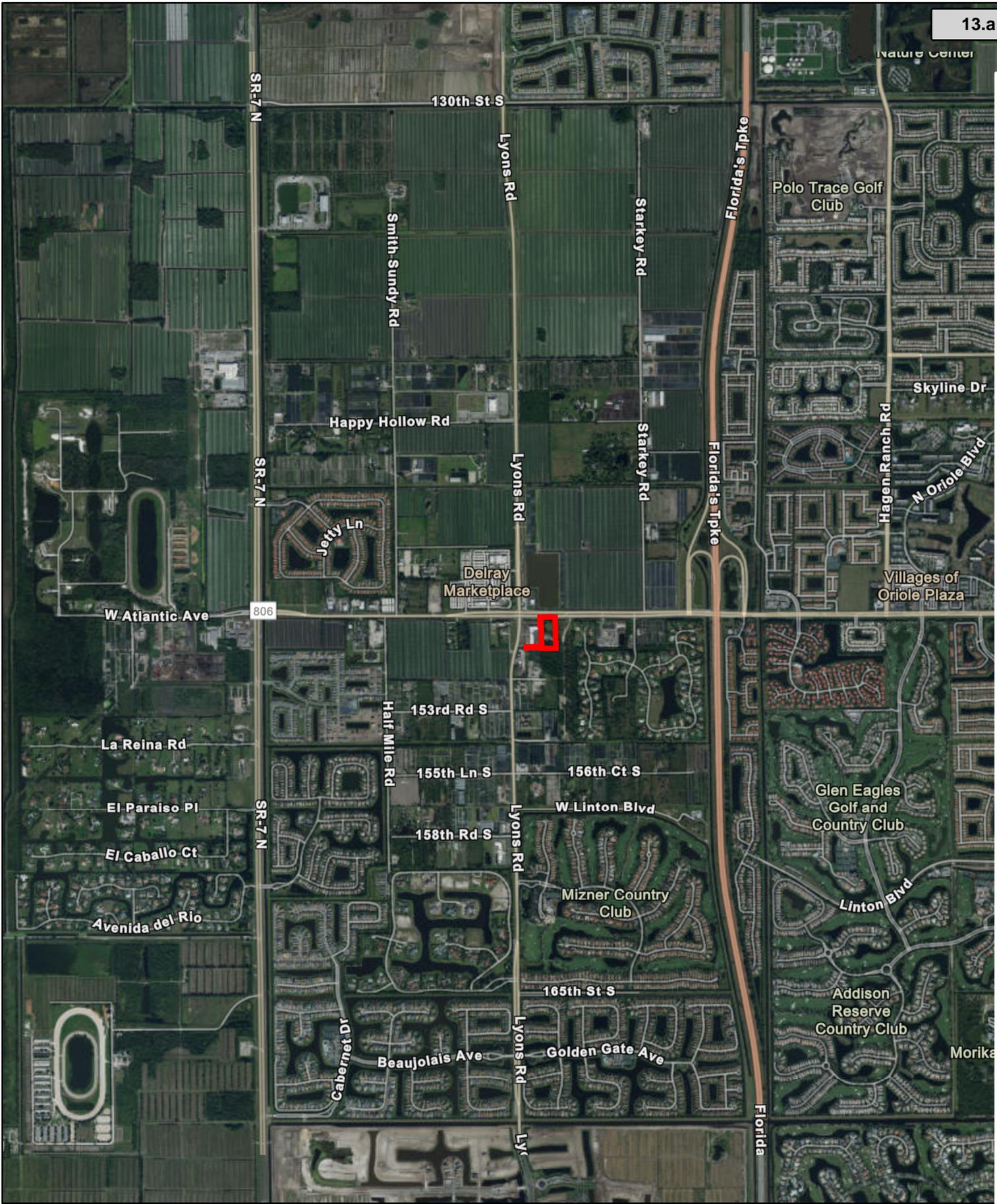
File No. 18840 (4.76+/- acres)



South Florida Water Management District
 3301 Gun Club Road, West Palm Beach, Florida 33406
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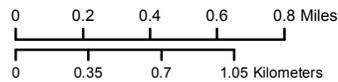


Attachment: Bianco May maps combined Rel of Res (Resolution No. 2020 - 0506 : Release of Reservations)

File No. 18840 (4.76+/- acres)



South Florida Water Management District
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RESOLUTION - EXHIBIT "A"**Broward County**

File No: 18842
 Applicant: 16000 Pines Rental Investments, LLC, a Florida Limited Liability Company
 Reserving Deed: E-2179 (DB 470-160, 1/20/1945)
 Action: Release District canal and road reservations, subject to payment of \$2,786.89 for value of release of District real property interests
 Acres: 0.40 acres, more or less
 Legal Description: A portion of Tracts 51 and 52, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO.1, PB 2-17, Section 17, Township 51 South, Range 40 East
 Location: 16000 Pines Boulevard, Pembroke Pines, Broward County

File No: 18841
 Applicant: Sunshine MZL, LLC, a Delaware Limited Liability Company
 Reserving Deeds: E-5268 (DB 542-189, 6/6/1946) and E-5268 Cor (DB 715-457, 8/17/1950)
 Action: Release District canal and road reservations, subject to payment of \$3,873.10 for value of release of District real property interests
 Acres: 0.89 acres, more or less
 Legal Description: A portion of Tract 7, FORT LAUDERDALE TRUCK FARMS SUBDIVISION, PB 4-31, Section 13, Township 49 South, Range 41 East
 Location: 4017-4229 West Commercial Boulevard, Tamarac, Broward County

File No: 18843
 Applicant: City of Pembroke Pines, a Florida Municipal Corporation
 Reserving Deed: E-2179 (DB 470-160, 1/20/1945)
 Action: Release District canal and road reservations
 Acres: 4.19 acres, more or less
 Legal Description: A portion of Tracts 51 and 52, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO.1, PB 2-17, Section 17, Township 51 South, Range 40 East
 Location: 16000 Pines Boulevard, Pembroke Pines, Broward County

File No: 18844
 Applicant: Beasley Family Towers, LLC, a Florida Limited Liability Company
 Reserving Deed: EE-590 (DB 10-74, 8/12/1919)
 Action: Release District canal reservations, subject to payment of \$10,951.60 for value of release of District real property interests
 Acres: 8.33 acres, more or less
 Legal Description: A portion of Tract 16, FORT LAUDERDALE TRUCK FARMS, PB 4-31, Section 14, Township 49 South, Range 41 East
 Location: 4431 Rock Island Road, Tamarac, Broward County

Miami-Dade County

File No: 1-5-20
 Applicant: Paraiso Gardens, LLC, a Florida Limited Liability Company
 Reserving Deed: 16977 (DB 244-332, 1/6/1921)
 Action: Inform FDEP no District need for canal reservations
 Acres: 4.15 acres, more or less

RESOLUTION - EXHIBIT "A"

Legal Description: Tract A, PARAISO GARDENS, PB 170-37, together with easements described in ORB 23140-1669, Section 28, Township 52 South, Range 40 East
 Location: 3421-3431 West 80th Street, Hialeah, Miami-Dade County

Palm Beach County

File No: NUC-1782
 Applicant: Ft Lauderdale Rescue Tabernacle, Inc. a Florida Not for Profit Corporation
 Reserving Deed: E-6967 (DB 909-44, 5/16/1950)
 Action: Issue non-use commitment, subject to payment of \$33,445.51 for value of release of District real property interests
 Acres: 24.74 acres, more or less
 Legal Description: A portion of Parcel 2, FAITH FARM MINISTRIES BOYNTON BEACH CAMPUS, PB 113-57, Section 19, Township 45 South, Range 42 East
 Location: 9538 South State Road 7, Boynton Beach, Palm Beach County

File No: 18845
 Applicant: Rodney Paul Espinosa (50%) and Linda C. Salsberry, Trustee of The Harry Adam Espinosa 2017 Irrevocable Trust dated February 17, 2017 (50%)
 Reserving Deeds: T-4385 (DB 357-516, 3/31/1926) and E-4055 (DB 732-590, 10/22/1945)
 Action: Release District canal and road reservations, subject to payment of \$3,866.95 for value of release of District real property interests
 Acres: 3.81 acres, more or less
 Legal Description: A portion of Tract 75, PALM BEACH FARMS COMPANY PLAT NO. 1, PB 2-26, Section 20, Township 46 South, Range 42 East
 Location: Vacant land located on 156th Lane South, East of Lyons Road in Delray Beach, Palm Beach County

File No: 18846
 Applicant: Linda C. Salsberry, Successor Trustee of The Harry Adam Espinosa Revocable Trust dated May 24, 1991
 Reserving Deed: T-4385 (DB 357-516, 3/31/1926)
 Action: Release District canal reservations, subject to payment of \$8,991.60 for value of release of District real property interests
 Acres: 8.85 acres, more or less
 Legal Description: A portion of Tracts 73 and 74, PALM BEACH FARMS COMPANY PLAT NO. 1, PB 2-26, Section 20, Township 46 South, Range 42 East
 Location: 8571 156th Court South, Delray Beach, Palm Beach County

File No: 18847
 Applicant: AKD Real Estate Investments, LLC. a Florida Limited Liability Corporation
 Reserving Deed: E-3877 (DB 739-34, 9/19/1945)
 Action: Release District canal and road reservations, subject to payment of \$11,623.04 for value of release of District real property interests
 Acres: 11.44 acres, more or less
 Legal Description: A portion of Tracts 57 through 61, PALM BEACH FARMS COMPANY Plat No. 1, PB 2-26, Section 18, Township 46 South, Range 42 East
 Location: 14368 Smith Sundry Road, Delray Beach, Palm Beach County

RESOLUTION - EXHIBIT "A"

File No: 18848
 Applicant: Spanish River Nursery, Inc., a Florida Corporation (50%) and Rodney Espinosa and Linda C. Salsberry, as Co-Trustees of the Fermin A. Espinosa Trust dated October 10, 1991, as amended (50%)
 Reserving Deeds: T-4489 (DB 379-353, 3/31/1926) and T-2463 (DB 426-432, 11/30/1925)
 Action: Release District canal reservations, subject to payment of \$7,696.20 for value of release of District real property interests
 Acres: 6.06 acres, more or less
 Legal Description: A portion of Tracts 92 and 93, PALM BEACH FARMS COMPANY PLAT NO. 1, PB 2-26, Section 20, Township 46 South, Range 42 East
 Location: Vacant land located on 156th Court South, West of Florida's Turnpike, Delray Beach, Palm Beach County

File No: 18840
 Applicant: PEBB Atlantic, LLC, a Florida Limited Liability Company
 Reserving Deed: E-4418 (DB 741-534, 12/18/1945)
 Action: Release District road reservations, subject to payment of \$13,027 for value of release of District real property interests
 Acres: 4.76 acres, more or less
 Legal Description: Parcel A and Tract W-1, SENECA PROPERTY MUPD, PB 128-138, and a portion of Tract 15, PALM BEACH FARMS COMPANY PLAT NO. 1, PB 2-26, Section 20, Township 46 South, Range 42 East
 Location: 8854 Atlantic Avenue, Delray Beach, Palm Beach County
 EXCEPTION: LESS any portion thereof lying within 100 feet of the centerline of Atlantic Avenue; requested by Florida Department of Transportation

Attachment: Bianco_Reso_ExhA_Rel_of_Res (Resolution No. 2020 - 0506 : Release of Reservations)

MEMORANDUM – EXHIBIT “A”

Broward County

File No: 18842
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 Action: Release District canal and road reservations, subject to payment of \$2,786.89 for value of release of District real property interests
 Acres: 0.40 acre, more or less
 Legal Description: A portion of Tracts 51 and 52, FLORIDA FRUIT LANDS COMPANY’S SUBDIVISION NO.1, PB 2D-17, Section 17, Township 51 South, Range 40 East
 Location: 16000 Pines Boulevard, Pembroke Pines, Broward County
 Reviewed By: No routing due to size and land use

File No: 18841
 Applicant: Sunshine MZL, LLC, a Delaware Limited Liability Company
 Reserving Deeds: E-5268 (DB 542-189, 6/6/1946) and E-5268 Cor (DB 715-457, 8/17/1950)
 Application Fee Paid: \$250.00
 Release Value: \$3,873.10 (unpaid)
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 Location: 4017-4229 West Commercial Boulevard, Tamarac, Broward County
 Reviewed By: No routing due to size and land use

File No: 18843
 Applicant: City of Pembroke Pines, a Florida Municipal Corporation
 Reserving Deed: E-2179 (DB 470-160, 1/20/1945)
 Application Fee Paid: N/A; government
 Release Value: N/A; government
 Action: Release District canal and road reservations
 Acres: 4.19 acres, more or less
 Legal Description: A portion of Tracts 51 and 52, FLORIDA FRUIT LANDS COMPANY’S SUBDIVISION NO.1, PB 2D-17, Section 17, Township 51 South, Range 40 East
 Location: 16000 Pines Boulevard, Pembroke Pines, Broward County
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 Location: 4431 Rock Island Road, Tamarac, Broward County
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 Applicant: Paraiso Gardens, LLC. a Florida Limited Liability Company
 Reserving Deed: 16977 (DB 244-332, 1/6/1921)
 Application Fee Paid: \$250.00
 Release Value: N/A; TIITF canal reservations
 Action: Inform FDEP of no District need for canal reservations
 Acres: 4.15 acres, more or less
 Legal Description: Tract A, PARAISO GARDENS, PB 170-37, together with easements described in ORB 23140-1669, Section 28, Township 52 South, Range 40 East
 Location: 3421-3431 West 80th Street, Hialeah, Miami-Dade County
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 Applicant: Fort Lauderdale Rescue Tabernacle, Inc., a Florida Not for Profit Corporation
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File No: 18848
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 EXCEPTION: LESS any portion thereof lying within 100 feet of the centerline of Atlantic Avenue; requested by Florida Department of Transportation

Attachment: Bianco_Memo_ExhA_Rel_of_Res (Resolution No. 2020 - 0506 : Release of Reservations)

M E M O R A N D U M

TO: Governing Board Members

FROM: Stephen M. Collins, Division Director, Real Estate

DATE: May 14, 2020

SUBJECT: Designation of STA-1West Expansion #1, Palm Beach County, as a Stormwater Treatment Area as Defined in Public Use Rule 40E-7.521(27), Florida Administrative Code and Authorization for the Florida Fish and Wildlife Conservation Commission to Establish the Property as a Public Small Game Hunting Area and Alligator Harvest Unit

Agenda Item Background:

Construction activities have recently been completed on the approximately 4,609-acre STA-1West Expansion #1 property located in Palm Beach County. This agenda item proposes designating the property as a “Stormwater Treatment Area” in accordance with Public Use Rules 40E-7.521(27), Florida Administrative Code (F.A.C.) and authorizing the Florida Fish and Wildlife Conservation Commission (FWC) to establish the Stormwater Treatment Area as a Public Small Game Hunting Area and Alligator Harvest Unit for the purpose of managing public waterfowl and alligator hunting opportunities on the property. Recreational use of this type will not interfere with or compromise the function of the STA.

Within Chapter 40E-7 F.A.C., the District has several land designations for providing and managing public use activities consistent with the purpose for which the lands were acquired. Designating the STA 1W Expansion #1 property as a “Stormwater Treatment Area” will provide a regulatory framework for managing recreational use on the property consistent with the successful operation of the project as a Stormwater Treatment Area. The “Stormwater Treatment Area” designation will allow the District to apply rules adopted specifically for managing public recreation within Stormwater Treatment Areas as codified in Chapter 40E-7 F.A.C. These rules include establishing public access points and providing for a variety of recreational activities including hunting, hiking, fishing, biking, and wildlife viewing opportunities that are compatible with operating the property as a Stormwater Treatment Area.

The Florida Fish and Wildlife Conservation Commission is supportive of establishing the STA 1West Expansion #1 property as a Public Small Game Hunting Area and as an Alligator Harvest Unit for the purpose of administering public waterfowl and alligator hunting opportunities on the property in accordance with State and Federal regulations and with approval from the South Florida Water Management District. Requests made by the Florida Fish and Wildlife Conservation Commission and comments received by District staff from recreational groups indicate there is a strong public interest in opening this area for nature-based recreation.

Core Mission and Strategic Priorities

This Governing Board item supports the District’s core mission and strategic goals by allowing for public recreation consistent with Section 373.1391, F.S. The Real Estate and Land Management Division is responsible for implementing this item and administering public recreation on District lands.

Staff Contact and/or Presenter

Stephen Collins, smcollins@sfwmd.gov, (561) 682-2959

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2020 - 0507

A Resolution of the Governing Board of the South Florida Water Management District to designate the approximately 4,609-acre STA-1West Expansion #1 project area in Palm Beach County as a Stormwater Treatment Area as defined in Public Use Rule 40E-7.521(27), Florida Administrative Code, for the purpose of managing public recreation and to authorize the Florida Fish and Wildlife Conservation Commission to establish STA-1West Expansion #1 as a Public Small Game Hunting Area and Alligator Harvest Unit; providing an effective date.

WHEREAS, the District owns Tracts 49102-249, 49102-250, 49102-251, 49102-254, 49102-256, and 49102-258 located in Palm Beach County consisting of approximately 4,609 acres known as the STA-1West Expansion #1 and identified in Exhibit "A" which is attached and incorporated into this resolution (collectively the "Properties"); and

WHEREAS, the Governing Board desires to designate the Properties as a "Stormwater Treatment Area" as defined in Rule 40E-7.521(27), Florida Administrative Code (F.A.C.), for the purpose of managing public recreation under the District's public use rules set forth in Chapter 40E-7, F.A.C.; and

WHEREAS, pursuant to Rule 40E-7.527, F.A.C., the Governing Board of the South Florida Water Management District may authorize public hunting activities on District lands where such activities are regulated, administered, and enforced by the Florida Fish and Wildlife Conservation Commission (Commission); and

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize the Commission to establish the Properties as a Public Small Game Hunting Area and an Alligator Harvest Unit for the purpose of managing waterfowl and alligator hunting and other recreational uses on the Properties in accordance with Rule 40E-7.527, Florida Administrative Code.

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 designates the Properties as a "Stormwater Treatment Area", as described in Rules 40E-7.521(27) and 40E-7.5383, F.A.C. for the purpose of managing public access and recreational use.

Section 2. The Governing Board of the South Florida Water Management District hereby authorizes the Florida Fish and Wildlife Conservation Commission to establish the Properties as a Public Small Game Hunting Area and an Alligator Harvest Unit and to manage waterfowl and alligator hunting and other recreational activities on the Properties in accordance with Rule 40E-7.527, F.A.C. subject to all applicable laws, statutes, regulations and other requirements.

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

PASSED and ADOPTED this 14th day of May, 2020.

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

Chauncey P. Goss, II
Chairman

Attest:

Legal form approved:
By:

District Clerk/Secretary

Office of Counsel

Print name:

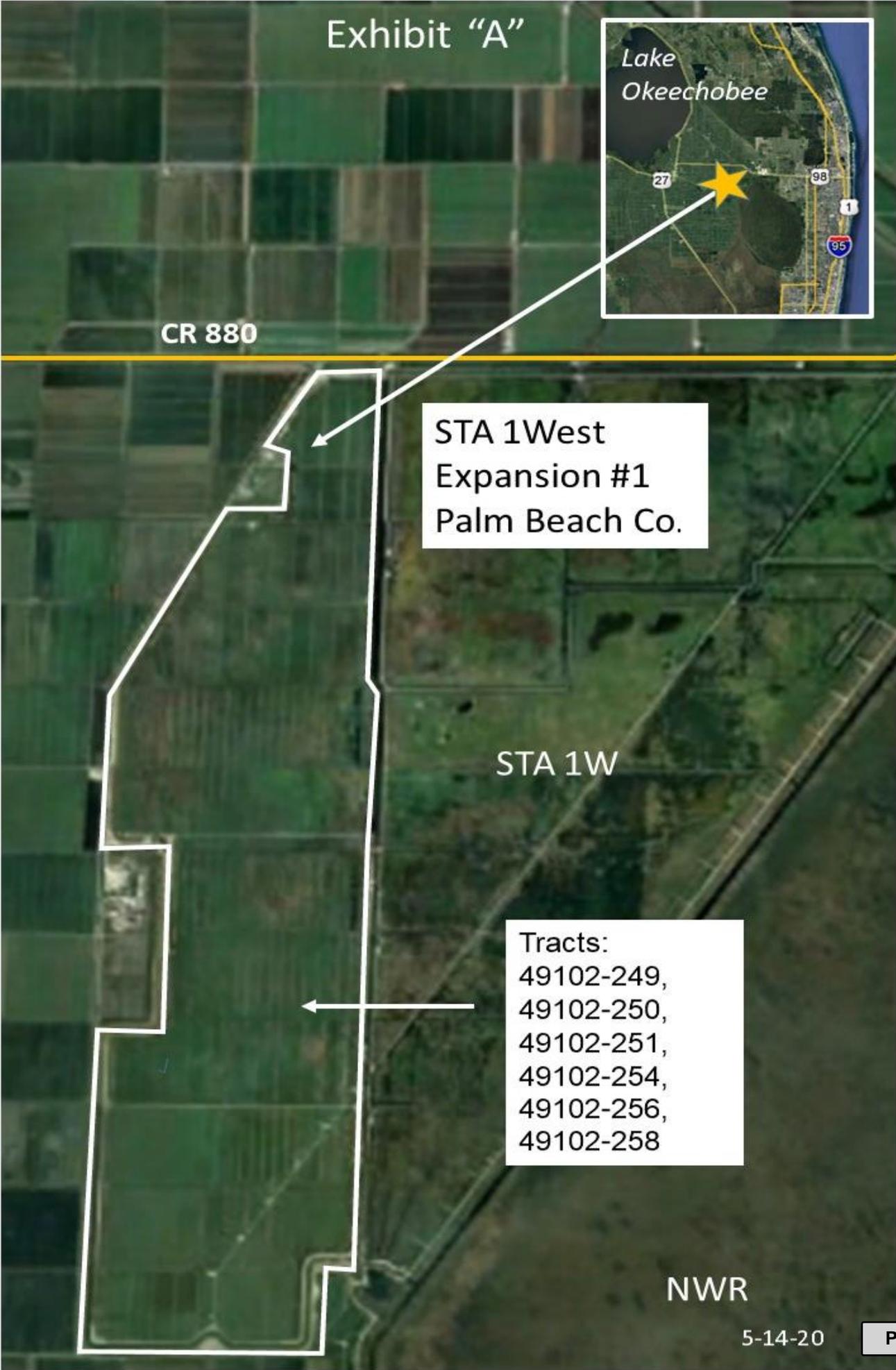


Exhibit "A"



CR 880

STA 1West
Expansion #1
Palm Beach Co.

STA 1W

Tracts:
49102-249,
49102-250,
49102-251,
49102-254,
49102-256,
49102-258

NWR

5-14-20

M E M O R A N D U M

TO: Governing Board Members

FROM: Jennifer Reynolds, Director-Ecosystem Restoration & Capital Projects

DATE: May 14, 2020

SUBJECT: Sub-regional Water Quality Feasibility Study in Collier County

Agenda Item Background:

On January 10, 2019, Governor DeSantis signed Executive Order 19-12 (Order), calling for greater protection of Florida's environment and water quality. In the spirit of this Order, the District is proposing to initiate a collaborative water quality feasibility study with the Big Cypress Basin (BCB) and local stakeholders in Collier County. District and BCB staff will form a working group with local stakeholders to review existing data, evaluate sub-regional water quality conditions of flows into Collier Seminole State Park, Rookery Bay National Estuarine Reserve, and Ten Thousand Islands National Wildlife Refuge and develop options to address those concerns in a 12 - 18 month timeframe.

To perform the feasibility study, the District and BCB staff will partner with local stakeholders to capitalize on expertise and knowledge and if needed, solicit a price proposal from a consultant from the District's Professional Engineering Services Contract in an amount not to exceed \$250,000.

Additional Agenda Item Background:

The Collier County sub-regional water quality feasibility evaluation is expected to evaluate current and future flows in the area around U.S. 41 and CR 92 south and west of the Comprehensive Everglades Restoration Plan (CERP) project, Picayune Strand Restoration Project (PSRP). The PSRP is approximately 75% complete. The objective of the PSRP is to restore and enhance wetlands in Picayune Strand Forest and adjacent public lands by reducing over-drainage, and to improve the water quality of coastal estuaries by moderating the large salinity fluctuations caused by point discharge of freshwater from the Faka Union Canal. The anticipated completion date of PSRP is FY2025. It is anticipated this feasibility study will take 12-18 months and provide options on improving water quality.

For the purposes of this Study, a conceptual plan, along with conceptual cost-benefit, for various options to address flows and improvements in water quality will be produced.

District staff will provide updates to the Governing Board throughout the process.

Funding Source:

Funding for the proposed study will be from Ad Valorem in an amount not to exceed \$250,000.

Staff Contact:

Jennifer Leeds, jleeds@sfwmd.gov, 561-682-6088

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2020 - 0508

A Resolution of the Governing Board of the South Florida Water Management District to authorize approval of a sub-regional water quality feasibility study in Collier County in collaboration with Big Cypress Basin staff and local stakeholders to evaluate water quality solutions in an amount not to exceed \$250,000 for which Ad Valorem are budgeted in Fiscal Year 2019-2020; providing an effective date.

WHEREAS, the District is proposing to initiate a collaborative water quality feasibility study with the Big Cypress Basin (BCB) and local stakeholders in Collier County. District and BCB staff will form a working group with local stakeholders to evaluate sub-regional water quality solutions to flows into Collier Seminole State Park, Rookery Bay National Estuarine Reserve, and Ten Thousand Islands National Wildlife Refuge and develop options to address those concerns in a 12-18 month timeframe.

WHEREAS, to perform the feasibility study, the District and BCB staff will partner with local stakeholders to capitalize on expertise and knowledge and if needed, solicit a price proposal from a consultant from the District's Professional Engineering Services Contract in an amount not to exceed \$250,000. For the purposes of this Study, a conceptual plan, along with conceptual cost-benefit, alternatives for various options to address flows and improvements in water quality will be produced.

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 approval of a sub-regional water quality feasibility study in Collier County in collaboration with Big Cypress Basin staff and local stakeholders to evaluate water quality solutions in an amount not to exceed \$250,000 for which Ad Valorem funds are budgeted in Fiscal Year 2019-2020.

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

PASSED and ADOPTED this 14th day of May, 2020.

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

Chauncey P. Goss, II
Chairman

Attest:

District Clerk/Secretary

Legal form approved:
By:

Office of Counsel

Print name:

Sub-Regional Water Quality Feasibility Study

Collier County

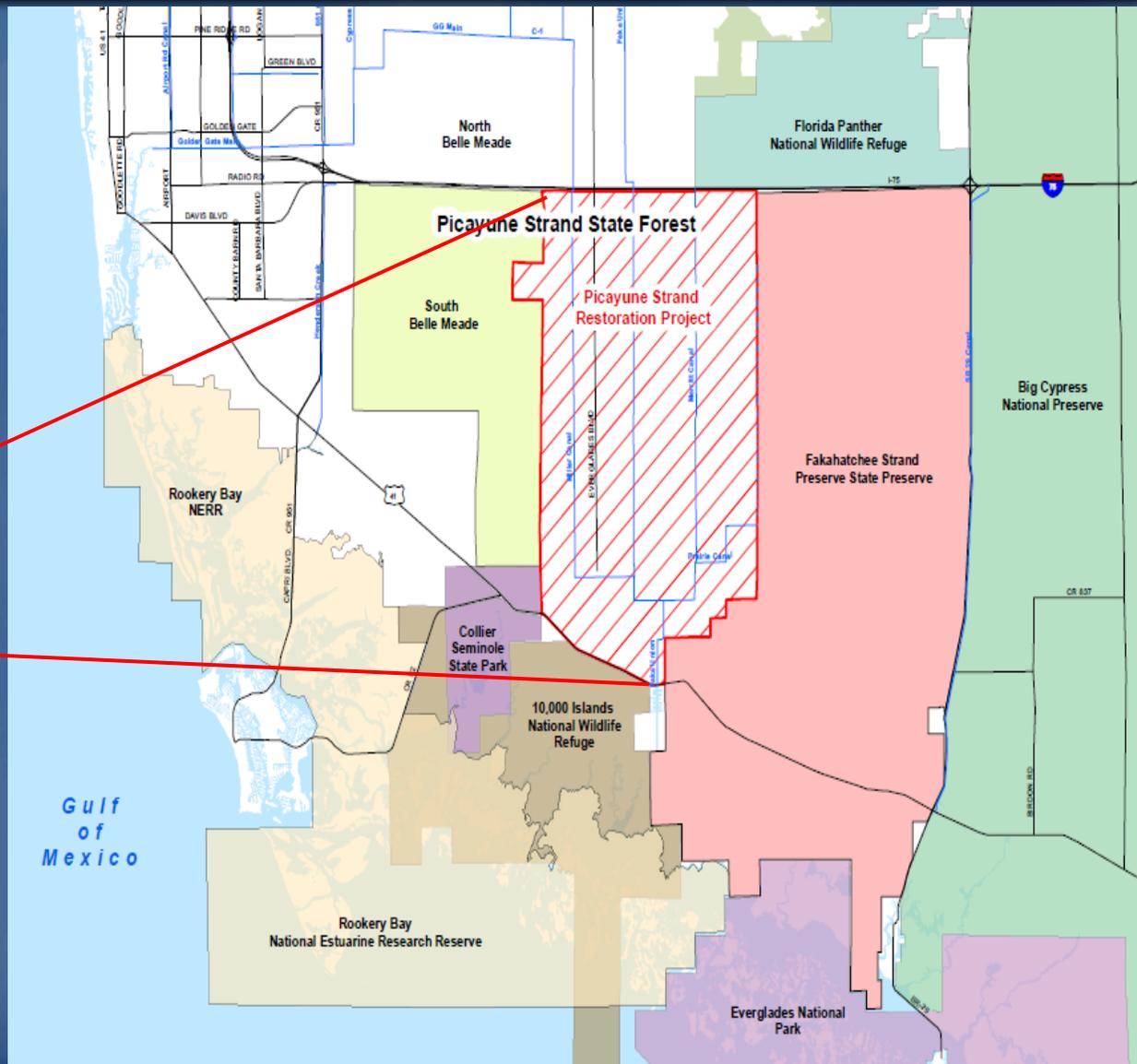
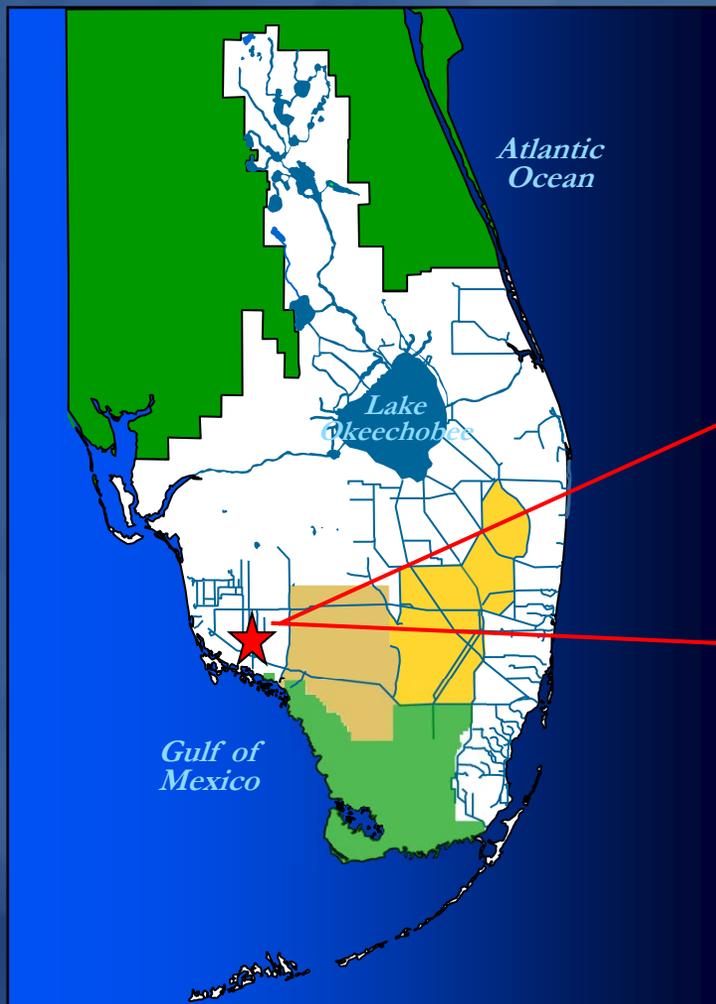
South Florida Water Management District
May 14, 2020
Governing Board Meeting

Attachment: CONSENT_15_Reynolds_DRAFT_PicayuneStrand_WQStudy_GB Presentation

Presentation Outline

- Feasibility study background
- Overview of the Picayune Strand Restoration Project (PSRP)
- Request Governing Board approval of water quality feasibility study in Collier County
 - Form working group with local stakeholders to evaluate and address sub-regional water quality concerns
 - Grant SFWMD the authority to solicit price proposals from consultants from the District's Professional Engineering Services Contract if needed

Local Conservation Lands



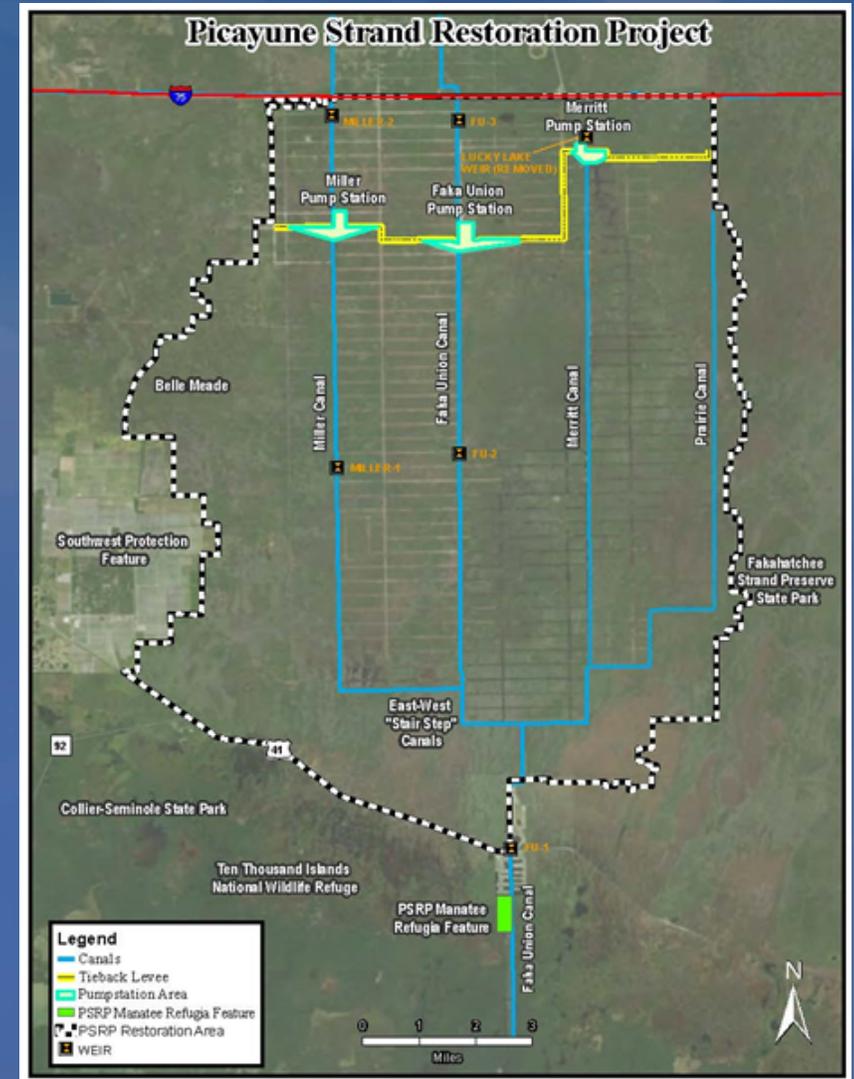
Attachment: CONSENT_15_Reynolds_DRAFT_PicayuneStrand_WQStudy_GB Presentation

Water Quality Feasibility Study

- The District will partner with local stakeholders to perform the sub-regional water quality feasibility study.
- The study will evaluate current and future flows under U.S. 41 south of the Comprehensive Everglades Restoration Plan (CERP) project Picayune Strand Restoration Project. It is anticipated this feasibility study will take 12-18 months and provide options on improving water quality.
- For the purposes of this Study, a conceptual plan, along with conceptual cost-benefit, alternatives for various options are required.
- District staff will provide updates to the Governing Board throughout the process.

Picayune Strand Restoration Project

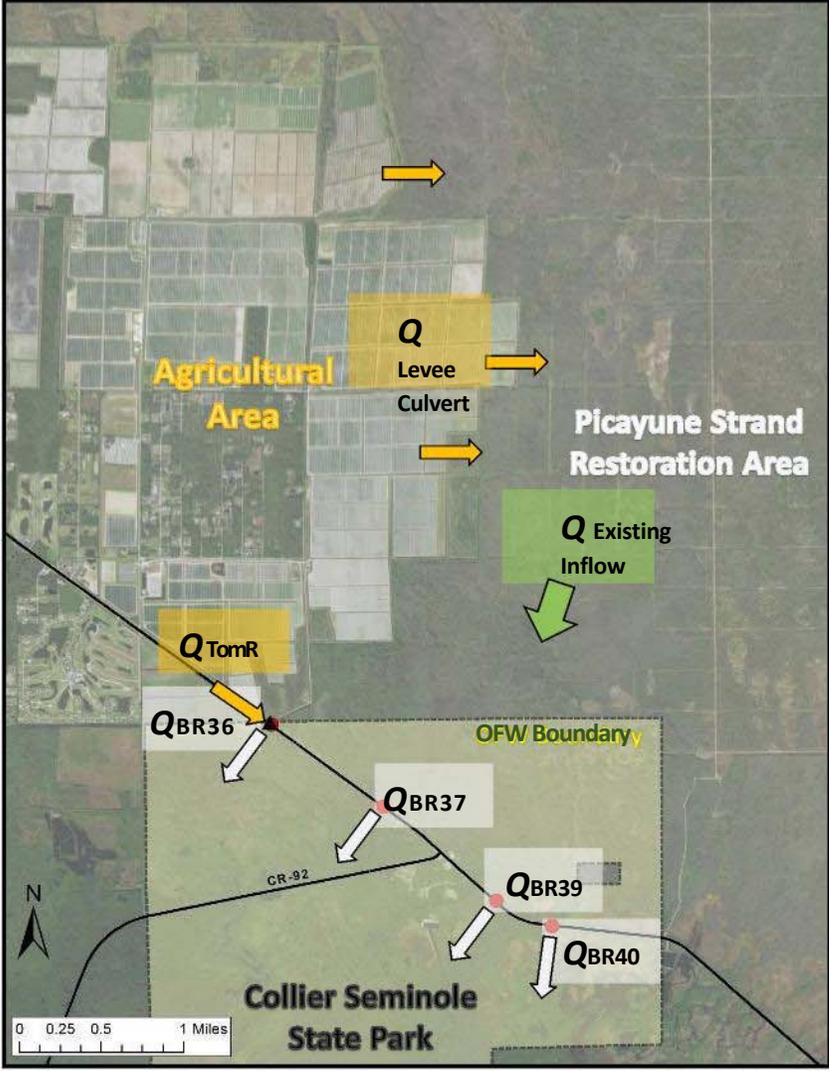
- The Picayune Strand Restoration Project (PSRP) was authorized by Congress in WRDA 2007
- The PSRP will restore over 55,000 acres of wetlands, which was formerly a privately-owned subdivision called Southern Golden Gate Estates.
- Project features include:
 - Three pump stations
 - Plugging 48 miles of canals
 - Removing 227 miles of roads
 - Southwest Protection Feature for adjacent lands



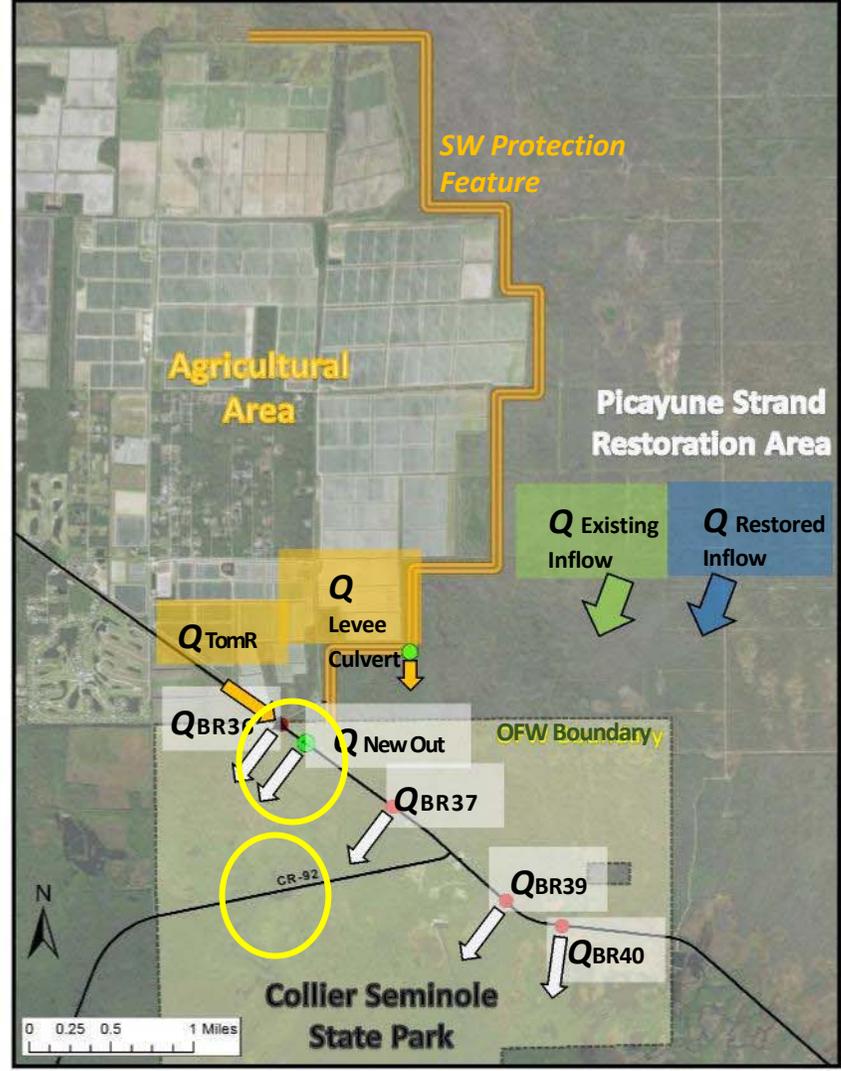
Picayune Strand Restoration Project Status

- Merritt and Faka Union Pump Stations are complete. Miller Pump Station is complete and will be transferred to SFWMD in August 2020.
- 75% of roads and 93% of logging trams have been degraded.
- Design efforts are nearing completion for a new perimeter levee that will ensure that the high water levels expected from the recommended plan will not flood an existing agricultural area. Scheduled to be completed FY2024.
- USACE awarded the Merritt Pump Station and Road Removal construction contract in October 2009. Merritt Pump Station construction was completed in September 2014 and officially transferred and accepted by SFWMD in June 2016.
- USACE awarded the Faka Union Pump Station and Road Removal construction contract in November 2010. Construction was completed in January 2016 and the facility officially transferred and accepted by SFWMD in January 2018.
- The Corps awarded the Miller Pump Station construction contract in September 2013. Miller Pump Station is complete and the facility officially transferred and accepted by SFWMD in February 2020.
- SFWMD constructed the Manatee Mitigation Feature to mitigate for the effect of the project on manatees in the Faka Union Canal. SFWMD completed construction of this feature in April 2016.

Without Project



With Project



- The project includes the Southwest Protection Feature levee to provide flood protection and a new opening (New Out) to allow for water conveyance of restored flows to the south
- No new sources of agricultural flows will be added with the project
- USACE’s GSSHA model results on the PSRP Project has three Inflow components and the Outflow through the US41 structures

Flow Sources

- Agricultural Inflow
- PSRP Existing Inflow
- PSRP Restored Inflow

Attachment: CONSENT_15_Reynolds_DRAFT_PicayuneStrand_WQStudy_GB Presentation

Resolution

A Resolution of the Governing Board of the South Florida Water Management District for consideration and approval of a sub-regional water quality feasibility study in Collier County in collaboration with Big Cypress Basin staff and local stakeholders to evaluate water quality solutions in an amount not to exceed \$250,000 for which Ad Valorem funds are budgeted in Fiscal Year 2019 – 2020.

MEMORANDUM

TO: Governing Board Members

FROM: Jennifer Smith, Chief of Staff

DATE: May 14, 2020

SUBJECT: Extension of Emergency Order 2020-004 and Future Extensions and Modifications (Staff contacts, Jennifer Smith, ext. 6285 and Paula Cobb, ext. 6232)

Agenda Item Background:

To extend Emergency Order 2020-004, the District issued Emergency Order 2020-013-DAO on May 7, 2020. The extension enables the District to implement Governor DeSantis' Executive Orders, continue to perform public work, and take prudent actions to ensure the health, safety, and welfare of the community. This includes measures such as holding District meetings on online forums only, which allows the District to continue engaging the public while adhering to recommended public health protocols. This item requests the Governing Board's concurrence with issuance of Order 2020-013-DAO and future extensions and modifications needed for consistency with future Executive Orders, in compliance with section 373.119(2) of the Florida Statutes.

Staff Contact and/or Presenter:

Jennifer Smith, jsmith@sfwmd.gov, 561-682- 6285
Paula Cobb, pcobb@sfwmd.gov, 561-682-6232

**RECEIVED
DISTRICT CLERK'S OFFICE**

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
3301 Gun Club Road
West Palm Beach, Florida**

3:32 pm May 7, 2020

**SOUTH FLORIDA
WATER MANAGEMENT DISTRICT**

IN THE MATTER OF:

SFWMD ORDER NO. 2020-013-DAO

**EXTENSION OF EMERGENCY AUTHORIZATION
FOR CONTINUITY OF OPERATIONS,
PROCUREMENT, AND CERTAIN OTHER
MEASURES MADE NECESSARY BY COVID-19**

EMERGENCY ORDER

Under the authority of the State of Florida Executive Order Nos. 20-52; 20-92; and 20-112 ("Executive Orders") and section 120.569(2)(n) of the Florida Statutes, the South Florida Water Management District ("SFWMD"), extends SFWMD Order No. 2020 - 004 – DAO, Emergency Authorization for Continuity of Operations, Procurement, and Certain Other Measures Made Necessary by COVID-19 due to the continued public health emergency and impacts associated with the Novel Coronavirus Disease 2019 (COVID-19).

FINDINGS OF FACT

1. On March 17, 2020, the SFWMD issued Emergency Order 2020-004 to address the continuity of operations, procurement, and certain other measures due to the public health emergency and impacts associated with COVID-19. See Exhibit A.
2. Subsequently, the Governor issued Executive Orders 20-92 and 20-112, continuing the requirement for Florida citizens, including those providing essential services, to comply with CDC and OSHA safety guidelines related to the continued public safety threat from COVID-19, while re-opening Florida to the extent currently possible.

Attachment: 2020_013_DAO_Emergency_Order_Extension_COVID19 (5128 : Concurrence on Extension of Emergency Order 2020-004 and)

3. Emergency Order 2020-004 expires by its own terms on May 8, 2020. However, conditions are such that, consistent with the Executive Orders, it is necessary to extend Emergency Order 2020-004's emergency authorization as COVID-19 continues to constitute a public health emergency.

ULTIMATE FACTS AND CONCLUSIONS OF LAW

4. The SFWMD is extending Emergency Order 2020-004 to carry out the directives in the Executive Orders. Additionally, the SFWMD has the authority to issue this Emergency Order under sections 120.569(2)(n), 252.46, 373.119(2), and 373.439 of the Florida Statutes.

5. Based on the above findings of fact, this extension of Emergency Order 2020-004 is reasonable and necessary to address the COVID-19 ongoing public health emergency.

ORDER

THEREFORE, IT IS ORDERED that provisions of Emergency Order 2020-004 are extended and shall remain in effect and will expire on May 31, 2020, unless otherwise extended or terminated by the Executive Director or Governing Board.

NOTICE OF RIGHTS

Any party substantially affected by this Order has the right to seek judicial review under section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the SFWMD at 3301 Gun Club Road, West Palm Beach, Florida 33406, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal.

The notice of appeal must be filed within thirty days after this Order is filed with the Clerk of the SFWMD.

DONE AND ORDERED on this 7 day of May 2020, in West Palm Beach, Florida.

SOUTH FLORIDA WATER
MANAGEMENT DISTRICT

By: 

Drew Bartlett
Executive Director

Attachment: 2020_013_DAO_Emergency_Order_Extension_COVID19 (5128 : Concurrence on Extension of Emergency Order 2020-004 and

RECEIVED
DISTRICT CLERK'S OFFICE

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
3301 Gun Club Road
West Palm Beach, Florida

4:18 pm Mar 17, 2020

SOUTH FLORIDA
WATER MANAGEMENT DISTRICT

Rt

IN THE MATTER OF:

SFWMD ORDER NO. 2020-004-DAO

EMERGENCY AUTHORIZATION
FOR CONTINUITY OF OPERATIONS,
PROCUREMENT, AND CERTAIN OTHER
MEASURES MADE NECESSARY BY COVID-19

EMERGENCY ORDER

Under the authority of the State of Florida Executive Order No. 20-52 ("Executive Order"), attached as Exhibit A, and section 120.569(2)(n) of the Florida Statutes, the South Florida Water Management District ("SFWMD"), enters this Emergency Order to address the continuity of operations, procurement, and certain other measures due to the public health emergency and impacts associated with the Novel Coronavirus Disease 2019 (COVID-19).

FINDINGS OF FACT

1. On March 9, 2020, the Governor of Florida issued the Executive Order declaring a state of emergency based upon the serious threat to the public health, safety, and welfare posed by COVID-19, and its possible impacts throughout the State of Florida. The Executive Order covers all of the SFWMD's jurisdiction, referred to as the "Emergency Areas."

2. COVID-19 has created a public health emergency and poses a risk to the entire State of Florida with the potential to cause widespread outbreaks and possible

Attachment: 2020_013_DAO_Emergency_Order_Extension_COVID19 (5128 : Concurrence on Extension of Emergency Order 2020-004 and

quarantining of persons throughout the Emergency Areas. The Executive Order seeks to mitigate these impacts through appropriate measures.

3. In accordance with recommendations from the Centers for Disease Control and Prevention (CDC) and other health organizations, many companies and government agencies, including the SFWMD, are directing employees to work remotely to minimize the risk of spreading COVID-19. The CDC also recommends not holding in-person events and meetings that consist of 10 people or more.

4. While social distancing is a critical component to reducing the transmission of COVID-19, it may impact the SFWMD's ability to carry out some of its duties, such as, holding in-person public meetings and hearings.

5. The SFWMD holds monthly Governing Board and other in-person meetings which are open to the public. Many of SFWMD's lands, facilities, and buildings are also open to the public. These circumstances could impair SFWMD's ability to mitigate the public health emergency.

6. The nature of the SFWMD procurement process is such that the statutory, rule, or policy requirements relating to procurement may impede SFWMD's ability to protect the health, safety, and welfare of the public and SFWMD employees during the public health emergency.

7. The Executive Order permits the SFWMD to suspend the requirements of any statute, rule, policy, or order when strict compliance with the requirements of any such statute, rule, policy, or order, would, in any way, prevent, hinder, or delay necessary action in coping with the emergency. The Executive Order gives agencies the authority to take formal action by emergency rule or order to deal with this emergency.

8. The Executive Order found that the special duties and responsibilities of some state, regional, and local agencies and other governmental bodies in responding to the emergency may require them to suspend the application of the statutes, rules, ordinances, and orders they administer. More specifically, under Section 4 of the Executive Order, the Governor gave each political subdivision within the state, including the SFWMD, the authority to waive procedures and formalities otherwise required of the political subdivision by law pertaining to:

- a. performing public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- b. entering into contracts;
- c. incurring obligations;
- d. employing permanent and temporary workers;
- e. utilizing volunteer workers;
- f. renting equipment;
- g. acquiring and distributing, with or without compensation, supplies, materials, and facilities; and
- h. appropriating and expending public funds.

9. The SFWMD finds that immediate, strict compliance with the provisions of the statutes, rules, or orders noted within this Order would prevent, hinder, or delay necessary action in coping with or mitigating this public health emergency, and that the actions authorized under this Order are narrowly tailored to address the immediate need for action and are procedurally appropriate under the circumstances.

ULTIMATE FACTS AND CONCLUSIONS OF LAW

10. The SFWMD issues this Emergency Order to carry out the directives in the Executive Order. The SFWMD also has the authority to issue this Emergency Order under Sections 120.569(2)(n), 252.46, 373.119(2), and 373.439 of the Florida Statutes.

11. Based on the above findings of fact, and to protect the public's immediate health, safety, and welfare, it is both reasonable and appropriate to:

a. waive any statute, including, but not limited to, Chapters 373, 255, 218, and 287 of the Florida Statutes, and any SFWMD rule, policy, or order pertaining to the procurement of equipment, services, and commodities to mitigate this public health emergency;

b. conduct all public meetings or hearings during the term of this Order only by electronic means, including, but not limited to, web conference and telephone to encourage public engagement while protecting the public health;

c. cancel or postpone meetings as necessary;

d. close or restrict access to SFWMD buildings, facilities, and rights of way, and close or restrict recreational use (including camping) of SFWMD lands to the extent necessary to meet this emergency; and

e. appropriate and expend public funds as necessary to address or mitigate the impacts of this public health emergency.

ORDER

THEREFORE, IT IS ORDERED that to the extent necessary to meet this public health emergency the SFWMD shall:

1. conduct all public meetings or hearings during the term of this Order only by electronic means, including, but not limited to, web conference and telephone to encourage public engagement while protecting the public health. The SFWMD shall not hold any in-person public meetings or hearings during the term of this Order;
2. cancel or postpone meetings as necessary;
3. waive all requirements for advertisement and competition for the procurement of equipment, services, and commodities, set forth in any statute, including, but not limited to, Chapters 218, 255, 287, and 373 of the Florida Statutes, and any SFWMD rule, policy, or order. All such procurements shall be reported to the Governing Board prior to or at the next regularly scheduled Governing Board meeting;
4. close or restrict access to SFWMD buildings, facilities and rights of way, and close or restrict recreational use of, including, but not limited to camping, SFWMD lands to the extent necessary to meet or mitigate this public health emergency;
5. appropriate and expend public funds to meet or mitigate this public health emergency.

This Order shall take effect immediately upon execution by the Executive Director and shall expire on May 8, 2020, unless modified or extended by further order.

NOTICE OF RIGHTS

Any party substantially affected by this Order has the right to seek judicial review under section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the SFWMD at 3301 Gun Club Road, West Palm Beach, Florida 33406, and by filing a copy of the notice of appeal

accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this Order is filed with the Clerk of the SFWMD.

DONE AND ORDERED on this 17 day of March 2020, in West Palm Beach, Florida.

SOUTH FLORIDA WATER
MANAGEMENT DISTRICT

By:



Drew Bartlett
Executive Director

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NUMBER 20-52
 (Emergency Management - COVID-19 Public Health Emergency)

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

WHEREAS, in late 2019, a new and significant outbreak of COVID-19 emerged in China; and

WHEREAS, the World Health Organization previously declared COVID-19 a Public Health Emergency of International Concern; and

WHEREAS, in response to the recent COVID-19 outbreak in China, Iran, Italy, Japan and South Korea, the Centers for Disease Control and Prevention (“CDC”) has deemed it necessary to prohibit or restrict non-essential travel to or from those countries; and

WHEREAS, on March 1, 2020, I issued Executive Order number 20-51 directing the Florida Department of Health to issue a Public Health Emergency; and

WHEREAS, on March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

WHEREAS, on March 7, 2020, I directed the Director of the Division of Emergency Management to activate the State Emergency Operations Center to Level 2 to provide coordination and response to the COVID-19 emergency; and

WHEREAS, as of March 9, 2020, eight counties in Florida have positive cases for COVID-19, and COVID-19 poses a risk to the entire state of Florida; and

WHEREAS, the CDC currently recommends community preparedness and everyday prevention measures be taken by all individuals and families in the United States, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs and sneezes with a tissue and disposal of the tissue immediately thereafter, washing hands often with soap and water for at least 20 seconds, using of alcohol-based hand sanitizers with 60%-95% alcohol if soap and water are not readily available and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak; and

WHEREAS, the CDC currently recommends mitigation measures for communities experiencing an outbreak including staying at home when sick, keeping away from others who are sick, limiting face-to-face contact with others as much as possible, consulting with your healthcare provider if individuals or members of a household are at high risk for COVID-19 complications, wearing a facemask if advised to do so by a healthcare provider or by a public health official, staying home when a household member is sick with respiratory disease symptoms if instructed to do so by public health officials or a health care provider; and

WHEREAS, as Governor, I am responsible for meeting the dangers presented to this state and its people by this emergency.

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution, Chapter 252, Florida Statutes, and all other applicable laws, promulgate the following Executive Order to take immediate effect:

Section 1. Because of the foregoing conditions, I declare a state of emergency exists in the State of Florida.

Section 2. I designate the Director of the Division of Emergency Management (“Director”) as the State Coordinating Officer for the duration of this emergency and direct him to execute the State’s Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with the emergency. Additionally, I designate the State Health Officer and Surgeon General as a Deputy State Coordinating Officer and State Incident Commander.

Pursuant to section 252.36(1)(a), Florida Statutes, I delegate to the State Coordinating Officer the authority to exercise those powers delineated in sections 252.36(5)-(10), Florida Statutes, which he shall exercise as needed to meet this emergency, subject to the limitations of section 252.33, Florida Statutes. In exercising the powers delegated by this Order, the State Coordinating Officer shall confer with the Governor to the fullest extent practicable. The State Coordinating Officer shall also have the authority to:

- A. Seek direct assistance and enter into agreements with any and all agencies of the United States Government as may be needed to meet the emergency.
- B. Designate additional Deputy State Coordinating Officers, as necessary.
- C. Suspend the effect of any statute, rule, or order that would in any way prevent, hinder, or delay any mitigation, response, or recovery action necessary to cope with this emergency.
- D. Enter orders as may be needed to implement any of the foregoing powers; however, the requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to any such orders issued by the State Coordinating Officer; however, no such order shall remain in effect beyond the expiration of this Executive Order, to include any extension.

Section 3. I order the Adjutant General to activate the Florida National Guard, as needed, to deal with this emergency.

Section 4. I find that the special duties and responsibilities resting upon some State, regional, and local agencies and other governmental bodies in responding to the emergency may require them to suspend the application of the statutes, rules, ordinances, and orders they administer. Therefore, I issue the following authorizations:

A. Pursuant to section 252.36(1)(a), Florida Statutes, the Executive Office of the Governor may suspend all statutes and rules affecting budgeting to the extent necessary to provide budget authority for state agencies to cope with this emergency. The requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to any such suspension issued by the Executive Office of the Governor; however, no such suspension shall remain in effect beyond the expiration of this Executive Order, to include any extension.

B. Each State agency may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of that agency, if strict compliance with the provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency. This includes, but is not limited to, the authority to suspend any and all statutes, rules, ordinances, or orders which affect leasing, printing, purchasing, travel, and the condition of employment and the compensation of employees. For the purposes of this Executive Order, “necessary action in coping with the emergency” means any emergency mitigation, response, or recovery action: (1) prescribed in the State Comprehensive Emergency Management Plan (“CEMP”); or (2) ordered by the State Coordinating Officer. The requirements of sections 252.46 and 120.54, Florida Statutes, shall not apply to any such suspension issued by a State agency; however, no such suspension shall remain in effect beyond the expiration of this Executive Order, to include any extensions.

C. In accordance with section 465.0275, Florida Statutes, pharmacists may dispense up to a 30-day emergency prescription refill of maintenance medication to persons who reside in an area or county covered under this Executive Order and to emergency personnel who have been activated by their state and local agency but who do not reside in an area or county covered by this Executive Order.

D. In accordance with section 252.38, Florida Statutes, each political subdivision within the State of Florida may waive the procedures and formalities otherwise required of the political subdivision by law pertaining to:

- 1) Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- 2) Entering into contracts; however, political subdivisions are cautioned against entering into time and materials contracts without ceiling as defined by 2 CFR 200.318(j) or cost plus percentage contracts as defined by 2 CFR 200.323(d);
- 3) Incurring obligations;
- 4) Employment of permanent and temporary workers;
- 5) Utilization of volunteer workers;
- 6) Rental of equipment;
- 7) Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and,
- 8) Appropriation and expenditure of public funds.

E. All State agencies responsible for the use of State buildings and facilities may close such buildings and facilities in those portions of the State affected by this emergency, to the extent necessary to meet this emergency. I direct each State agency to report the closure of any State

building or facility to the Secretary of the Department of Management Services. Under the authority contained in section 252.36, Florida Statutes, I direct each County to report the closure of any building or facility operated or maintained by the County or any political subdivision therein to the Secretary of the Department of Management Services. Furthermore, I direct the Secretary of the Department of Management Services to:

- 1) Maintain an accurate and up-to-date list of all such closures; and,
- 2) Provide that list daily to the State Coordinating Officer.

Section 5. I find that the demands placed upon the funds appropriated to the agencies of the State of Florida and to local agencies are unreasonably great and the funds currently available may be inadequate to pay the costs of coping with this emergency. In accordance with section 252.37(2), Florida Statutes, I direct that sufficient funds be made available, as needed, by transferring and expending moneys appropriated for other purposes, moneys from unappropriated surplus funds, or from the Budget Stabilization Fund.

Section 6. All State agencies entering emergency final orders or other final actions in response to this emergency shall advise the State Coordinating Officer contemporaneously or as soon as practicable.

Section 7. Medical professionals and workers, social workers, and counselors with good and valid professional licenses issued by states other than the State of Florida may render such services in Florida during this emergency for persons affected by this emergency with the condition that such services be rendered to such persons free of charge, and with the further condition that such services be rendered under the auspices of the American Red Cross or the Florida Department of Health.

Section 8. All activities taken by the Director of the Division of Emergency Management and the State Health Officer and Surgeon General with respect to this emergency before the issuance of this Executive Order are ratified. This Executive Order shall expire sixty days from this date unless extended.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 9th day of March, 2020.

[Handwritten Signature]
RON DESANTIS, GOVERNOR

ATTEST:

[Handwritten Signature]
SECRETARY OF STATE

2020 MAR -9 PM 5:52

011 570

Attachment: 2020_013_DAO_Emergency_Order_Extension_COVID19 (5128 : Concurrence on Extension of Emergency Order 2020-004 and

MEMORANDUM

TO: Governing Board Members
FROM: Candida Heater, Division Director, Administrative Services
DATE: May 14, 2020
SUBJECT: Lease Revenue Contract with Palm Beach County

Agenda Item Background:

This request is to authorize a 3-year lease revenue contract with two 1-year extension options with Palm Beach County for the Palm Beach County Sheriff's Office (PBSO) to occupy 19,692 square feet of office space at the District Headquarters Building B-2. The office space requested within this lease is to accommodate up to a maximum 115 PBSO employees. The total revenue for the District is approximately \$2,181,907 over the duration of the lease. The initial lease amount is \$20.87/square foot/year with a 3% per annual increase in the lease premium. The benefits of this proposed lease include revenue for the District and full utilization of District office facilities.

Core Mission and Strategic Priorities

This action supports the utilization of underused facilities and will generate additional revenues to aid in balancing the District budget.

Funding Source

General Ad Valorem Revenues

Staff Contact and/or Presenter

Candida Heater, cheater@sfwmd.gov, 561-682-6486

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2020 - 0509

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 3-year lease revenue contract with two 1-year renewal options with Palm Beach County for the Palm Beach County Sheriff’s Office (PBSO) to occupy 19,692 square feet of office space at the District Headquarters for a revenue amount of approximately \$2,181,907 over the duration of the contract; providing an effective date. (Contract No. 4600004116)

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize a 3-year lease revenue contract with two 1-year renewal options with Palm Beach County for the Palm Beach County Sheriff’s Office to occupy 19,692 square feet of office space at the District Headquarters Building B-2 for a revenue amount of approximately \$2,181,907 over the duration of the contract.

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

Section 1. The Governing Board of the South Florida Water Management District hereby authorizes entering into a lease revenue contract with Palm Beach County for the Palm Beach County Sheriff’s Office (PBSO) to occupy 19,692 square feet of office space at District headquarters for a revenue amount of approximately \$2,181,907 over the duration of the contract. (Contract No. 4600004116)

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

PASSED and ADOPTED this 14th day of May, 2020.

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

Chauncey P. Goss, II
Chairman

Attest:

Legal form approved:
By:

District Clerk/Secretary

Office of Counsel

Print name:



SOUTH FLORIDA WATER MANAGEMENT DISTRICT LEASE

LEASE

between

THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT

(SFWMD)

and

PALM BEACH COUNTY

(County)

LEASE

THIS LEASE made and entered into May____, 2020 by and between the **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**, a governmental entity created and existing pursuant to Chapter 373, Florida Statutes, hereinafter referred to as “SFWMD”, and **PALM BEACH COUNTY**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, hereinafter referred to as "County".

W I T N E S S E T H:

WHEREAS, SFWMD is the owner of an office building as more specifically described hereinafter (the “Building”) which SFWMD is not fully occupying and has offered to lease approximately 19,692 square feet of space therein to County; and

WHEREAS, SFWMD is willing to lease such space to County for County Offices.

NOW THEREFORE, in consideration of the rents, covenants and agreements hereinafter reserved and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:



SOUTH FLORIDA WATER MANAGEMENT DISTRICT LEASE

ARTICLE I BASIC LEASE PROVISIONS

Section 1.01 Premises.

In consideration of the rents, covenants and agreements hereafter reserved and contained on the part of the County to be observed and performed, SFWMD demises and leases to County, and County rents from SFWMD approximately 19,692 square feet of space within the Building as depicted on the Floor Plan dated March 30, 2020 and transmitted to the SFWMD on April 8, 2020 (the "Premises"). Use of the Premises shall include County use of the modular and case good furniture and A/V cabling and equipment currently situate within the Premises. The County shall supply its own office chairs.

Section 1.02 Length of Term and Commencement Date.

The term of this Lease shall commence upon execution by the parties, and shall extend until July 31, 2023 thereafter (the "Term"), unless sooner terminated pursuant to the provisions of this Lease.

Section 1.03 Option to Extend.

SFWMD hereby grants to County, so long as County shall not be in default of any term, covenant or condition under this Lease, two successive options to extend the Term of this Lease, each for a period of one (1) year under the same terms and conditions of this Lease and commencing upon the expiration of the initial Term of this Lease or any extension thereof. County shall exercise its option to extend, if at all, by written notice to SFWMD not later than 90 calendar days prior to the expiration of the initial Term of this Lease or any extension thereof. Failure of County to duly and timely exercise its option to extend the Term of this Lease shall be deemed a waiver of County's right to said option and all further options. The Director of County's Facilities Development & Operations Department shall have the authority to exercise said options on behalf of County.

Section 1.04 Right to Terminate.

During the renewal options, either party may terminate this Lease at any time for convenience upon 180 calendar day's written notice. Any such termination shall be affected by delivery of a Notice of Termination specifying the extent to which the Lease is terminated, and the date upon which the termination becomes effective. In the event of termination, the County shall be responsible for paying Rent up through the effective date of termination.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT LEASE

ARTICLE II RENT

Section 2.01 Annual Rent.

County shall pay SFWMD an annual gross rent of \$410,972.04 (the “Annual Rent”), payable in equal monthly installments of \$34,247.67 commencing on August 1, 2020 (the “Rental Commencement Date”) and on the first day of each month thereafter during the Term of this Lease as indicated in Exhibit “B”, Payment Schedule. Annual Rent shall be made payable to the South Florida Water Management District and delivered to 3301 Gun Club Road, West Palm Beach, Florida 33406. Annual Rent shall increase by 3% annually on the anniversary of the Rental Commencement Date.

Section 2.02 Gross Rent.

The Annual Rent payable hereunder is a gross rent inclusive of all charges for utilities and operating costs associated with County’s use and occupation of the Premises. The County shall provide all of its own Information Technology (IT) needs, telephone service, office equipment and supplies. SFWMD will not provide any support services such as receptionist copiers, telephones, computer or supplies. County is not subject to sales taxes. County’s sales tax exemption number is 85-8012622286C-8.

Section 2.03 Unpaid Fees, Holdover.

In the event County fails to make timely payment of any rentals, fees, charges, and payments due and payable in accordance with the terms of this Lease as same shall become due and payable, interest at the rate of one and one-half percent (1½ %) per month (or the highest rated permitted by law if lower) shall accrue against the delinquent payment(s) from the date due until the date payment is received by SFWMD. Such interest shall constitute Additional Rent.

Section 2.04 Accord and Satisfaction.

In the event County pays any amount that is less than the amount stipulated to be paid under this Lease, such payment shall be considered to be made only on account of the stipulated amount. No endorsement or statement on any check or letter shall be deemed an accord and satisfaction. SFWMD may accept any check or payment without prejudice to SFWMD’s right to recover the balance due or to pursue any other remedy available to SFWMD pursuant to this Lease or under the law.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT LEASE

ARTICLE III CONDITION OF LEASED PREMISES, ALTERATIONS

Section 3.01 Acceptance of Premises by County.

County certifies that County has inspected the Premises and accepts same "As Is", in its existing condition. SFWMD shall reconfigure the modular furniture to fit the initial County occupancy requirements at SFWMD's expense. Except for the foregoing, County agrees to perform any and all work at its own cost and expense which is necessary to fully equip and maintain the Premises for the lawful use of the Premises by County as specified in Section 4.01 of this Lease.

Section 3.02 Alterations.

a) County shall not make any improvements, additions, modifications or alterations to the Premises (hereinafter collectively referred to as "Alterations"), without the prior written consent of SFWMD in each instance. County shall submit detailed plans and specifications, and copies of approved permits and sub-permits for all such Alterations to SFWMD for SFWMD's written approval prior to commencing work on same. County agrees and acknowledges that all work performed to the Premises, whether pursuant to this Section or otherwise, shall be performed and accomplished solely for the benefit of County, and not for the benefit of SFWMD, such work being nevertheless subject to each and every provision of this Lease. All work done by County shall be performed in full compliance with all applicable building codes, the terms of this Lease and in a good and workmanlike manner and shall be diligently prosecuted to completion strictly in accordance with the approved plans and specifications therefore. Upon giving its approval for any work or Alterations, the Alterations will be constructed at County's sole cost and expense, SFWMD reserves the right to determine whether the Alteration is to be removed by County, at County's sole cost and expense, upon the termination or expiration of this Lease.

b) SFWMD shall perform, or cause to be performed, modifications to the modular furniture to accommodate the County's use of the Premises. County shall provide a drawing with the desired configuration and SFWMD shall seek a fixed fee price for all materials and labor needed to modify the existing furniture to comply with the agreed upon furniture drawing ("Furniture Work") and the fixed fee, for the Furniture Work shall not exceed \$75,000.00. The cost of the Furniture Work is separate from, and in addition to, the Annual Rent. When the Furniture Work has been completed and accepted by the County, SFWMD shall submit an invoice to the County for the actual cost of the Furniture Work. SFWMD shall include, as documentation to the invoice, a copy of the email or other written correspondence of the County's approval of the price of the Furniture Work, SFWMD's purchase order for the Furniture Work, a copy of the vendor's invoice, and



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evidence of SFWMD payment of the vendor. The County shall review the submittal for compliance with this Lease and when approved by the County, pay SFWMD the full amount of the Furniture Work within thirty (30) calendar days of approval. Except the Floor-to-Ceiling Modular partitions, all furniture shall remain the property of SFWMD. The County shall be responsible for the removal of the Floor-to-Ceiling Modular partitions in accordance with Section 4.07.

Section 3.03 Contractor Requirements.

County shall require contractors to furnish a payment and performance bond equal to the cost of the improvements and in the form required under Section 255.05, Florida Statutes, which bond shall name SFWMD as a dual obligee. County shall also require contractors to furnish satisfactory evidence of statutory Worker's Compensation insurance, comprehensive general liability insurance, comprehensive automobile insurance, and physical damage insurance on a Builder's Risk form with the interest of SFWMD endorsed thereon, in such amounts and in such manner as SFWMD may reasonably require.

Section 3.04 No Liens.

County covenants and agrees that nothing contained in this Lease shall be construed as consent by SFWMD to subject the estate of SFWMD to liability under the Construction Lien Law of the State of Florida, it being expressly understood that SFWMD's estate shall not be subject to such liability. County shall notify any and all parties or entities performing work or providing materials relating to any improvements made by County of this provision of this Lease. If so requested by SFWMD, County shall file a notice satisfactory to SFWMD in the Public Records of Palm Beach County, Florida stating that SFWMD's interest shall not be subject to liens for improvements made by County. In the event that a construction lien is filed against the SFWMD's Premises or other SFWMD property in connection with any work performed by or on behalf of County, County shall satisfy such claim, or transfer same to security, within 10 days from the date of filing. In the event that County fails to satisfy or transfer such claim within said 10 day period, SFWMD may do so and thereafter charge County, and County shall promptly pay to SFWMD upon demand, as Additional Rent, all costs incurred by SFWMD in connection with the satisfaction or transfer of such claim, including attorney's fees.

Section 3.05 Signage.

No signs shall be placed on the property without specific prior written authorization from the SFWMD. The County must obtain any and all permits and approvals for signs as required by applicable regulatory agencies. The cost of fabricating, constructing and/ or erecting signage shall be the sole responsibility of the County.



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Section 3.06 Parking.

County shall obtain and maintain an agreement and/or permit with Palm Beach County Parks and Recreation department for parking at Lake Lytal Park for County employees throughout the term of the Lease. The parking agreement shall also authorize SFWMD employees to park in Lake Lytal Park throughout the term of the Lease. County shall provide SFWMD an executed copy of the parking agreement and/or permit prior to execution of this Lease. SFWMD will maintain access gate between Lake Lytal Park and SFWMD property unlocked between 6:00AM and 6:00PM, Monday through Friday. SFWMD will provide County 62 reserved parking spaces as depicted in Exhibit "C", County Lease Assigned Parking Map, for both personal and County-owned vehicles at the County's own risk. SFWMD assumes no responsibility for the safety or security of any vehicles or County staff or visitors. County employees authorized to park on SFWMD property must park at Lake Lytal Park during monthly SFWMD Governing Board (GB), Water Resources Accountability Collaboration (WRAC) meetings and any scheduled special events. Upon execution of the Lease and at the beginning of the each calendar year throughout the term of the Lease, SFWMD will provide County a calendar of all scheduled GB and WRAC meetings and will notify County's designated point of contact, at least ten (10) calendar days prior to any scheduled special event.

ARTICLE IV CONDUCT OF BUSINESS AND USE OF PREMISES BY COUNTY

Section 4.01 Use of Premises.

County shall use and occupy the Premises solely and exclusively for temporary administrative office space for use by the Palm Beach County Sheriff's Office and shall not use, permit, or suffer the use of the Premises for any other purpose whatsoever without the prior written consent of SFWMD, which consent may be granted or withheld in SFWMD's sole discretion.

Section 4.02 Access to and Security for the Premises.

SFWMD will be responsible for the maintenance and operation of the card access system currently residing in and outside the Building and agrees to program upon request and at no cost to the County, initially and from time to time, cards for County occupants. SFWMD will provide the County users with access to the same perimeter doors as SFWMD employees including the perimeter doors to building B-1. The County is responsible for providing SFWMD with names of off-boarded occupants immediately upon off-boarding by emailing General Services staff at securitycontrol@sfwmd.gov, so that these occupants are removed from the SFWMD Access Control System.



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SFWMD acknowledges that County's use of the Premises requires special security measures, including controlled access systems for perimeter doors for the Premises. SFWMD acknowledges that the Premises card access system installed by the County shall be maintained and operated solely by County, at County's expense. Any persons entering the Premises, including SFWMD employees charged with maintaining the Premises, must have passed a criminal history records check and be escorted within the Premises.

The County is responsible for safety, security and insurance of its property, employees, visitors and invitees. SFWMD assumes no responsibility for the safety or security of any vehicles or County staff, visitors, or invitees.

Section 4.03 After Hours Use.

SFWMD will be responsible for issuing County occupants building and access cards for areas outside the Premises, and for maintaining access systems outside of the Premises, without charge to the County.

SFWMD shall also be responsible for adjusting and/or controlling Building and parking area lighting, and HVAC within the Premises, to accommodate County's after hours and weekend use of the Premises, at SFWMD's cost and expense.

Section 4.04 Waste or Nuisance.

County shall not commit or suffer to be committed any waste upon the Premises, commit or permit the maintenance or commission of any nuisance or other act or thing which may result in damage or depreciation of value of the Premises or which may affect County's fee interest in the Premises or which results in an unsightly condition. All refuse is to be removed from the Premises at County's sole cost and expense and County will keep such refuse in proper fireproof containers on the interior of the Premises until removed. County will keep the access to the Premises, the parking areas and other contiguous areas to the Premises free and clear of obstruction. County, at its sole cost and expense, will keep the Premises free of rodents, vermin and other pests.

Section 4.05 Governmental Regulations.

County shall, at County's sole cost and expense, comply with all ordinances, laws, statutes and regulations promulgated thereunder of all county, municipal, state, federal and other applicable governmental authorities, now in force, or which may hereafter be in force, pertaining to County or its use of the Premises, or the Premises generally. County shall not use, maintain, store or dispose of any contaminants including, but not limited to, hazardous or toxic substances, chemicals or other agents on the Premises or any adjacent



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land in any manner not permitted by law.

Section 4.06 Non-Discrimination.

The parties will not discriminate against any person with legally protected status in any activity under this Lease.

Section 4.07 Surrender of Premises.

Upon termination or expiration of this Lease, County, at its sole cost and expense, if so directed by SFWMD, shall remove County's personal property, removable fixtures and equipment from the Premises and shall surrender the Premises to the SFWMD in the same condition the Premises were in as of the Commencement Date of this Lease, reasonable wear and tear excepted.

Section 4.08 Hazardous Substance

County shall not use, maintain, store or dispose of any contaminants including, but not limited to, Hazardous Materials or toxic substances, chemicals or other agents used or produced in County's operations, on the Premises or any adjacent land in any manner not permitted by Environmental Laws. Furthermore, County shall not cause or permit the Disposal of Hazardous Materials upon the Premises or upon adjacent lands and shall operate and occupy the Premises in compliance with all Environmental Laws. For purposes hereof, Hazardous Materials shall mean any hazardous or toxic substance, material, waste of any kind, petroleum product or by-product, contaminant or pollutant as defined or regulated by Environmental Laws. Disposal shall mean the release, storage, use, handling, discharge or disposal of such Hazardous Materials. Environmental Laws shall mean any applicable federal, state or local laws, statutes, ordinances, rules, regulations or other governmental restrictions.

Any Disposal of a Hazardous Material, whether by County or any third party, shall be reported to SFWMD immediately upon the knowledge thereof by County. County shall be solely responsible for the entire cost of remediation and cleanup of any Hazardous Materials disposed of or discovered upon the Premises or emanating from the Premises onto adjacent lands, as a result of the use and occupancy of the Premises by County, or County's agents, licensees, invitees, subcontractors or employees.

The Parties acknowledge their liability for torts to the extent provided and allowed under Section 768.28, Florida Statutes. To the extent the following does not constitute a waiver of sovereign immunity and does not extend either party's liability beyond the limitations provided pursuant to Section 768.28 Florida Statutes, the parties agree to



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defend, indemnify and hold each other harmless from all claims, losses, liabilities, costs and expenses attributable to the any negligent acts or omissions either party may commit, or those of their respective officials and employees acting within the scope of their employment, in connection with this Lease. The foregoing shall not constitute an agreement by either party to assume any liability for the acts, omissions and/or negligence of the other, or any other person or entity.

ARTICLE V REPAIRS AND MAINTENANCE OF BUILDING AND PREMISES

Section 5.01 Responsibility of SFWMD for Building.

SFWMD shall maintain the Building and parking areas in good condition and repair at SFWMD's cost and expense.

Section 5.02 Responsibility for Premises.

a) **SFWMD.** SFWMD shall maintain the HVAC, plumbing and electrical service to the Premises at SFWMD's expense. SFWMD shall maintain the interior walls, plumbing fixtures, electrical and communication fixtures, fire protection devices, and carpeting within the Premises at SFWMD's expense. SFWMD will vacate phone/data communications equipment but leave all cabling. County shall install phone/data communications equipment and use cabling in place.

b) **County.** County shall only be responsible, at County's expense, for the custodial and supplemental (to the Building) pest control services to the Premises and for damage to any fixtures, electrical and communications fixtures and carpeting and/or furniture, normal wear and tear excepted.

Section 5.03 SFWMD's Right to Inspect.

SFWMD or SFWMD's agents shall have the right, upon reasonable prior notice to County to enter the Premises for the purpose of inspection of the Premises and the improvements located thereon. All persons entering the Premises at any time must be criminal history records checked and escorted by PBSO personnel.

ARTICLE VI UTILITIES

SFWMD shall be solely responsible for and promptly pay all costs and expenses



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relating to providing utility service to the Premises including, without limitation, water, sewer, electricity, trash collection and removal. In no event shall SFWMD be liable for an interruption or failure in the supply of any such utility to the Premises.

ARTICLE VII INSURANCE

Without waiving the right to sovereign immunity as provided by Section 768.28 Florida Statutes, County acknowledges and represents that County is self-insured for General Liability and Automobile Liability under Florida sovereign immunity statutes with coverage limits of \$200,000 Per Person and \$300,000 Per Occurrence; or such monetary waiver limits that may change and be set forth by the legislature.

In the event County maintains third-party Commercial General Liability and Business Auto Liability, in lieu of exclusive reliance of self-insurance under Section 768.28 Florida Statutes, County agrees to maintain said insurance policies at limits not less than \$500,000 each occurrence. County agrees to add the SFWMD as an “Additional Insured” with a CG 2026 Additional Insured - Designated Person or Organization endorsement, or similar endorsement, to the Commercial General Liability. The Additional Insured endorsement shall read “South Florida Water Management District, a governmental entity created pursuant to Chapter 373, Florida Statutes its Officers, Employees and Agents. County agrees the Additional Insured endorsement provides coverage on a primary basis. Claims-bill indemnification style coverage shall not be considered third-party liability for the purpose of this paragraph.

County agrees to maintain or to be self-insured for Workers’ Compensation & Employer’s Liability insurance in accordance with Florida Statute 440.

County agrees to maintain property insurance, which would include builder’s risk insurance provided by County or County’s hired contractor, while the project is in the course of construction in an amount at least equal to the estimated completed project value as well as subsequent modifications of that sum. County agrees to endorse SFWMD as an “Additional Insured” on the builder’s risk. County agrees to be fully responsible for any deductible, uncovered loss, or self-insured retention.

When requested, County agrees to provide a statement or Certificate of Insurance evidencing insurance, self-insurance and/or sovereign immunity status, which SFWMD agrees to recognize as acceptable for the above-mentioned coverages, as required herein.

Compliance with the foregoing requirements shall not relieve County of its liability and obligations under this Lease.



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County agrees its self-insurance, general liability, automobile liability, and property insurance shall be primary as respects to any coverage afforded to or maintained by County.

ARTICLE VIII INDEMNIFICATION

The Parties acknowledge their liability for torts to the extent provided and allowed under Section 768.28, Florida Statutes. To the extent the following does not constitute a waiver of sovereign immunity and does not extend either party's liability beyond the limitations provided pursuant to Section 768.28 Florida Statutes, the parties agree to defend, indemnify and hold each other harmless from all claims, losses, liabilities, costs and expenses attributable to the any negligent acts or omissions either party may commit, or those of their respective officials and employees acting within the scope of their employment, in connection with this Lease. The foregoing shall not constitute an agreement by either party to assume any liability for the acts, omissions and/or negligence of the other, or any other person or entity.

ARTICLE IX DESTRUCTION OF PREMISES

Section 9.01 Damage or Destruction by Fire, War or Act of God.

In the event the Premises shall be destroyed or damaged or injured by fire or other casualty during the Term of this Lease which is attributable to County's use of the Premises, County shall restore the Premises to the same or better condition than that which existed prior to such casualty. County shall commence such restoration within a reasonable time after such casualty but in no event later than one hundred and eighty (180) days of such casualty. County shall thereafter diligently pursue such restoration to completion. In the event that such casualty is not attributable to County's use of the Premises, County shall have no obligation to restore the Premises, the Rent shall abate as of the date of casualty, and County shall have the further right to terminate this Lease.

ARTICLE X ASSIGNMENT AND SUBLETTING

Section 10.01 Consent Required.

County may not assign, mortgage, pledge or encumber this Lease in whole or in part, nor sublet or rent all or any portion of the Premises nor grant any easements affecting the Premises, without prior written consent of SFWMD, which may be granted or withheld at SFWMD's absolute discretion. Any attempted assignment, mortgage, pledge, encumbrance or subletting without such consent shall be null and void, without legal effect



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and shall constitute a breach of Lease. This provision shall be construed to include a prohibition against any assignment, mortgage, pledge, encumbrance, or sublease, by operation of law, legal process, receivership, bankruptcy, or otherwise, whether voluntary or involuntary.

ARTICLE XI DEFAULT

Section 11.01 Default by County.

The occurrence of any one or more of the following shall constitute an Event of Default by County under this Lease: (i) County's failure to pay any sum due hereunder within fifteen (15) days after the same shall become due; (ii) County's failure to perform or observe any of the agreements, covenants or conditions contained in the Lease on County's part to be performed or observed if such failure continues for more than thirty (30) days after notice from SFWMD unless the same is of such a nature that it cannot reasonably be cured within such a time period, in which event County shall be entitled to a reasonable period under the circumstances; or (iii) County's vacating or abandoning the Premises. If any Event of Default occurs, then at any time thereafter while the Event of Default continues, SFWMD shall have the right to give County notice that SFWMD intends to terminate this Lease upon a specified date not less than thirty (30) days after the date notice is received by County, and this Lease shall then expire on the date specified as if that date had been originally fixed as the expiration date of the Term of this Lease. If, however, the default is cured within the thirty (30) day period and SFWMD is so notified, this Lease will continue.

Section 11.02 Default by SFWMD.

SFWMD shall not be in default unless SFWMD fails to perform obligations required of SFWMD within a reasonable time, but in no event later than thirty (30) days after written notice by County to SFWMD, specifying wherein SFWMD has failed to perform such obligations; provided, however, that if the nature of SFWMD's obligations is such that more than thirty (30) days are required for performance then SFWMD shall not be in default if SFWMD commences performance within such thirty (30) day period and thereafter diligently pursues the same to completion.

ARTICLE XII ANNUAL BUDGETARY FUNDING

This Lease and all obligations of County hereunder are subject to and contingent upon annual budgetary funding and appropriations by the Palm Beach County Board of



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County Commissioners.

ARTICLE XIII QUIET ENJOYMENT

Upon payment by the County of the Rent, Additional Rent, and other charges herein provided, and upon the observance and performance of all the covenants, terms and conditions on County's part to be observed and performed, County shall peaceably and quietly hold and enjoy the Premises for the Term hereby demised without hindrance or interruption by SFWMD or any other person or persons lawfully or equitably claiming by, through or under the SFWMD, subject, nevertheless, to the terms and conditions of this Lease.

ARTICLE XIV PUBLIC RECORDS

Section 14.01 Records Retention

The County shall maintain records and SFWMD shall have inspection and audit rights as follows:

a) **Maintenance of Records**: The County shall maintain all financial and non-financial records and reports directly or indirectly related to the negotiation or performance of this Lease including supporting documentation for any service rates, expenses, research or reports as required by law. Such records shall be maintained and made available for inspection for a period of five years from completing performance and receiving final payment under this Lease.

b) **Examination of Records**: The SFWMD or its designated agent shall have the right to examine in accordance with generally accepted governmental auditing standards all records directly or indirectly related to this Lease. Such examination may be made only within five years from the date of final payment under this Lease and upon reasonable notice, time and place.

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



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Section 14.02 County's Duties Regarding Public Records

a) **Compliance with Florida Laws:** County must provide public access to all records concerning this Lease according to applicable Florida laws including applicable sections of Chapter 119, Florida Statutes. If County asserts any exemptions to Florida's public records laws, County has the burden of establishing and defending the exemption. County's a failure to comply with this section is a breach of this Lease.

b) **Recordkeeping and Public Access:** Under the applicable sections of Chapter 119, Florida Statutes, a request to inspect or copy public records relating to a SFWMD contract for services must be made directly to the SFWMD. In addition, County must: (1) keep and maintain public records required by the SFWMD in order to perform the service; (2) upon request from SFWMD's custodian of public records, provide SFWMD with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided by law; (3) ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the Lease term and following completion of the Lease if the County does not transfer the records to SFWMD; and (4) transfer, at no cost, to SFWMD, all public records in possession of the County or keep and maintain public records required by the SFWMD to perform the service. If the County transfers all public records to the SFWMD upon completion of the Lease, the County shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the County keeps and maintains public records upon completion of the Lease, the County shall meet all applicable requirements for retaining the public records. All records stored electronically must be provided to the SFWMD upon request from SFWMD's custodian of public records, in a format that is compatible with the information technology systems of the SFWMD. At the conclusion of the Lease with SFWMD, County shall provide all applicable records associated with this Lease on electronic media (CD-ROM or USB flash drive).

c) **IF THE COUNTY HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE COUNTY'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS LEASE, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT TELEPHONE NUMBER (561) 682-2729, EMAIL ADDRESS PUBLICRECORDS@SFWMD.GOV AND MAILING ADDRESS: 3301 GUN CLUB ROAD, WEST PALM BEACH, FL 33406.**



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Section 14.03 SFWMD's Duties Regarding Public Records.

Notwithstanding anything contained herein, as provided under Section 119.0701, F.S., if the SFWMD: (i) provides a service; and (ii) acts on behalf of the County as provided under Section 119.011(2) F.S., the SFWMD shall comply with the requirements of Section 119.0701, Florida Statutes, as it may be amended from time to time. The SFWMD is specifically required to:

a) Keep and maintain public records required by the County to perform services as provided under this Lease.

b) Upon request from the County's Custodian of Public Records, provide the County with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119 or as otherwise provided by law. The SFWMD further agrees that all fees, charges and expenses shall be determined in accordance with Palm Beach County PPM CW-F-002, Fees Associated with Public Records Requests, as it may be amended or replaced from time to time.

c) Ensure that public records that are exempt, or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the Lease, if the SFWMD does not transfer the records to the public agency.

d) Upon completion of the Lease the SFWMD shall transfer, at no cost to the County, all public records in possession of the SFWMD unless notified by County's representative/liaison, on behalf of the County's Custodian of Public Records, to keep and maintain public records required by the County to perform the service. If the SFWMD transfers all public records to the County upon completion of the Lease, the SFWMD shall destroy any duplicate public records that are exempt, or confidential and exempt from public records disclosure requirements. If the SFWMD keeps and maintains public records upon completion of the Lease, the SFWMD shall meet all applicable requirements for retaining public records. All records stored electronically by the SFWMD must be provided to County, upon request of the County's Custodian of Public Records, in a format that is compatible with the information technology systems of County, at no cost to County.

Failure of the SFWMD to comply with the requirements of this article shall be a material breach of this Lease. County shall have the right to exercise any and all remedies available to it, including but not limited to, the right to terminate for cause. SFWMD acknowledges that it has familiarized itself with the requirements of Chapter 119, F.S., and



SOUTH FLORIDA WATER MANAGEMENT DISTRICT LEASE

other requirements of state law applicable to public records not specifically set forth herein.

e) IF THE SFWMD HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE SFWMD'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS LEASE, PLEASE CONTACT THE BUSINESS AND COMMUNITY AGREEMENTS MANAGER AT FACILITIES, DEVELOPMENT AND OPERATIONS DEPARTMENT, 2633 VISTA PARKWAY, WEST PALM BEACH, FL 33411-5605 OR BY E-MAIL AT MBRODERICK@PBCGOV.ORG OR BY TELEPHONE AT 561-233-5252.

f) The SFWMD shall maintain adequate records to justify all charges, expenses, and costs incurred in estimating and performing the work for at least five (5) years after completion or termination of this Lease. The County shall have access to such books, records, and documents as required in this section for the purpose of inspection or audit during normal business hours, at the SFWMD's place of business.

ARTICLE XV MISCELLANEOUS

Section 15.01 Entire Agreement.

This Lease and any Exhibits attached thereto, constitute all agreements, conditions and understandings between SFWMD and County concerning the Premises. All representations, either oral or written, shall be deemed to be merged into this Lease. Except as herein otherwise provided, no subsequent alteration, waiver, change or addition to this Lease shall be binding upon SFWMD or County unless reduced to writing and signed by them.

Section 15.02 Notices.

All notices, consents, approvals, and elections (collectively "notices") to be given or delivered by or to any party hereunder shall be in writing and shall be (as elected by the party giving such notice) hand delivered by messenger, courier service, or national overnight delivery service (provided in each case a receipt is obtained), telecopied, faxed or emailed, or alternatively shall be sent by United States Certified Mail, with Return-Receipt Requested. The effective date of any such notice shall be the date of delivery of the notice if by personal delivery, courier service, or national overnight delivery service, or on the date of transmission with confirmed answer back if telecopier, fax or email if transmitted before 5PM on a business day and on the next business day if transmitted after



SOUTH FLORIDA WATER MANAGEMENT DISTRICT LEASE

5PM or on a non-business day, or if mailed, upon the date which the return receipt is signed or delivery is refused or the notice designated by the postal authorities as non-deliverable, as the case may be. The parties designate the following addresses to which notices may be delivered, and delivery to such addresses shall constitute binding notice given to such party:

- (a) If to the County at:

Property and Real Estate Management Division
 Attention: Director
 2633 Vista Parkway
 West Palm Beach, FL 33411-5605
 Telephone: 561-233-0217
 Fax: 561-233-0210
 Email: rhering@pbcgov.org

with a copy to:

Palm Beach County Attorney's Office
 Attention: Real Estate
 301 North Olive Avenue, Suite 601
 West Palm Beach, Florida 33401
 Telephone: 561-355-2225
 Fax: 561-355-4398

Palm Beach County Sheriff's Office
 Attention: Legal Advisor's Office
 3228 Gun Club Road
 West Palm Beach, FL 33406

- (b) If to the SFWMD at:

Administrative Services Division
 Attention: Anthony Phillips, Section Administrator, General Services
 3301 Gun Club Road, MSC 5360
 West Palm Beach, FL 33406
 Telephone: 561-682-2854
 Email: aPhillip@sfwmd.gov



SOUTH FLORIDA WATER MANAGEMENT DISTRICT LEASE

With a copy to:

Procurement Bureau
 Attention: Jose Esquivel, Sr. Contract Specialist
 3301 Gun Club Road, MSC 6612
 West Palm Beach, FL 33406
 Telephone: 561-682-6119
 Email: jesquive@sfwmd.gov

Any party may from time to time change the address at which notices under this Lease shall be given such party, upon three (3) days prior written notice to the other parties.

Section 15.03 Severability.

If any term of this Lease or the application thereof to any person or circumstances shall be determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Lease, or the application of such term to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each term of this Lease shall be valid and enforceable to the fullest extent permitted by law.

Section 15.04 Broker's Commission.

County represents and warrants that County has not dealt with any real estate salesperson, agent, finder or broker in connection with this Lease.

Section 15.05 Recording.

County shall not record this Lease, or any memorandum or short form thereof, without the written consent and joinder of SFWMD, which may be granted or withheld at SFWMD's sole discretion.

Section 15.06 Waiver of Jury Trial.

THE PARTIES HERETO WAIVE TRIAL BY JURY IN CONNECTION WITH PROCEEDINGS OR COUNTER CLAIMS, BROUGHT BY EITHER OF THE PARTIES HERETO AGAINST THE OTHER, IN CONNECTION WITH THIS LEASE.

Section 15.07 Governing Law and Venue.

This Lease shall be governed by the laws of the State of Florida. Any legal action necessary to enforce the Lease will be held in a court of competent jurisdiction located in



SOUTH FLORIDA WATER MANAGEMENT DISTRICT LEASE

Palm Beach County, Florida. No remedy herein conferred upon any party is intended to be exclusive of any other remedy, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity, by statute or otherwise. No single or partial exercise by any party of any right, power, or remedy hereunder shall preclude any other or further exercise thereof.

Section 15.08 Radon.

Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it over time. Levels of radon that exceed federal and state guidelines have been found in buildings in Florida. Additional information regarding radon and radon testing may be obtained from County's public health unit.

Section 15.09 Time of Essence.

Time is of the essence with respect to the performance of every provision of this Lease in which time of performance is a factor.

Section 15.10 Waiver.

The waiver by SFWMD of any default of any term, condition or covenant herein contained shall not be a waiver of such term, condition or covenant, or any subsequent default of the same or any other term, condition or covenant herein contained.

The consent or approval by SFWMD to or of any act by County requiring SFWMD's consent or approval shall not be deemed to waive or render unnecessary SFWMD's consent to or approval of any subsequent similar act by County.

Section 15.11 Non-exclusivity of Remedies.

No remedy herein conferred upon any party is intended to be exclusive of any other remedy, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute or otherwise. No single or partial exercise by any party of any right, power, or remedy hereunder shall preclude any other or further exercise thereof.

Section 15.12 Construction.

No party shall be considered the author of this Lease since the parties hereto have participated in extensive negotiations and drafting and redrafting of this document to arrive



SOUTH FLORIDA WATER MANAGEMENT DISTRICT LEASE

at a final agreement. Thus, the terms of this Lease shall not be strictly construed against one party as opposed to the other party based upon who drafted it. In the event that any section, paragraph, sentence, clause, or provision hereof is held by a court of competent jurisdiction to be invalid, such shall not affect the remaining portions of this Lease and the same shall remain in full force and effect.

Section 15.13 Incorporation by Reference.

Exhibits attached hereto and referenced herein shall be deemed to be incorporated into this Lease by reference.

Section 15.14 Survival

Notwithstanding any early termination of this Lease, the Parties' shall remain obligated hereunder to perform any duty, covenant or obligation imposed upon such party hereunder arising prior to the date of such termination.

Section 15.15 No Third-Party Beneficiary.

No provision of this Lease is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Lease, including but not limited to any citizen or employees of the SFWMD and/or County.

Section 15.16 Office of the Inspector General.

Palm Beach County has established the Office of the Inspector General. The Inspector General's authority includes but is not limited to the power to review past, present and proposed County contracts, transactions, accounts and records, to require the production of records, and audit, investigate, monitor, and inspect the activities of the parties or entities with which the County enters into agreements, their officers, agents, employees, and lobbyists in order to ensure compliance with contract specifications and detect corruption and fraud. All parties or entities doing business with the County or receiving County funds shall fully cooperate with the Inspector General including granting the Inspector General access to records relating to the Lease and transaction.

Section 15.17 Effective Date of Lease.

This Lease is expressly contingent upon the approval of the Palm Beach County Board of County Commissioners and the Governing Board of SFWMD and shall become effective only when signed by all parties.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT LEASE

Section 15.18 Public Entity Crimes.

As provided in Section 287.132-133, Florida Statutes, by entering into this contract or performing any work in furtherance hereof, the SFWMD certifies that it, its affiliates, suppliers, subcontractors and consultants who will perform hereunder, have not been placed on the convicted vendor list maintained by the State of Florida Department of Management Services within the 36 months immediately preceding the date hereof. This notice is required by F.S. 287.133(3)(a).

Section 15.19 Headings.

The paragraph headings or captions appearing in this Lease are for convenience only, are not part of this Lease, and are not to be considered in interpreting this Lease.

Section 15.20 Condemnation.

If the Premises, or any part thereof, or any improvements thereto, shall be taken, appropriated or condemned by exercise of the power of eminent domain, or conveyed or transferred pursuant to an agreement in lieu of condemnation, SFWMD shall be entitled to the entire award therefor, including, without limitation, any award relating to both County's leasehold estate and SFWMD's reversionary interest in the fee simple estate, without deduction, claim or setoff for any present or future estate of County. County hereby assigns and relinquishes to SFWMD all right, title and interest in such award and shall execute all documents required to evidence such result. Notwithstanding the foregoing, County shall be entitled to pursue in such condemnation proceeding such award as may be allowed for moving expenses, business damages, and value of any crops. In the event of a total taking of the Premises, the rent shall be prorated to, and this Lease shall terminate upon, the date title vests in the condemning authority. Notwithstanding such termination, County shall remain liable for all matters arising under this Lease prior to such termination. In the event of a partial taking, Rent shall be reduced on a prorata basis. In the event of a temporary taking, Rent shall be abated on a pro rata basis for the period of time County is unable to use the portion of the Premises temporarily taken. After such period, Rent shall be restored to the Rent which would have been then due without regard to such taking. County shall have no obligation to restore the Premises improvements or otherwise perform any work upon same as a result of any such taking.

Section 15.21 Scrutinized Companies.

A. As provided in F.S. 287.135, by entering into this Lease or performing any work in furtherance hereof, the SFWMD certifies that it, its affiliates, suppliers, subcontractors and consultants who will perform hereunder, have not been placed on the Scrutinized Companies that boycott Israel List, or is engaged in a boycott of Israel, pursuant to F.S.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT LEASE

215.4725. Pursuant to F.S. 287.135(3)(b), if SFWMD is found to have been placed on the Scrutinized Companies that Boycott Israel List or is engaged in a boycott of Israel, this Lease may be terminated at the option of the County.

B. When contract value is greater than \$1 million: As provided in F.S. 287.135, by entering into this Lease or performing any work in furtherance hereof, the SFWMD certifies that it, its affiliates, suppliers, subcontractors and consultants who will perform hereunder, have not been placed on the Scrutinized Companies With Activities in Sudan List or Scrutinized Companies With Activities in The Iran Petroleum Energy Sector List created pursuant to F.S. 215.473 or is engaged in business operations in Cuba or Syria.

If the County determines, using credible information available to the public, that a false certification has been submitted by SFWMD, this Lease may be terminated and a civil penalty equal to the greater of \$2 million or twice the amount of this Lease shall be imposed, pursuant to F.S. 287.135. Said certification must also be submitted at the time of Lease renewal, if applicable.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT LEASE

IN WITNESS WHEREOF, the parties hereto have duly executed this Lease as of the day and year first above written.

(Corporate Seal)

SOUTH FLORIDA WATER
MANAGEMENT DISTRICT, BY
ITS GOVERNING BOARD:

ATTEST:

By: _____

Drew Bartlett
Executive Director

By: _____

Candida Heater, Director
Administrative Services Division

Secretary

SFWMD OFFICE OF COUNSEL APPROVED:

SFWMD PROCUREMENT APPROVED:

Attachment: 4600004116_B2 3rd Floor Office Space Lease_PBSO_Draft (Resolution No. 2020 - 0509 : PBSO Lease)



SOUTH FLORIDA WATER MANAGEMENT DISTRICT LEASE

ATTEST:
SHARON R. BOCK
CLERK & COMPTROLLER

PALM BEACH COUNTY, a political
subdivision of the State of Florida

By: _____
Deputy Clerk

By: _____
Mary Lou Berger, Mayor

Signed and delivered
in the presence of:

Witness Signature

Print Witness Name

Witness Signature

Print Witness Name

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND
CONDITIONS

By: _____
County Attorney

By: _____
Department Director

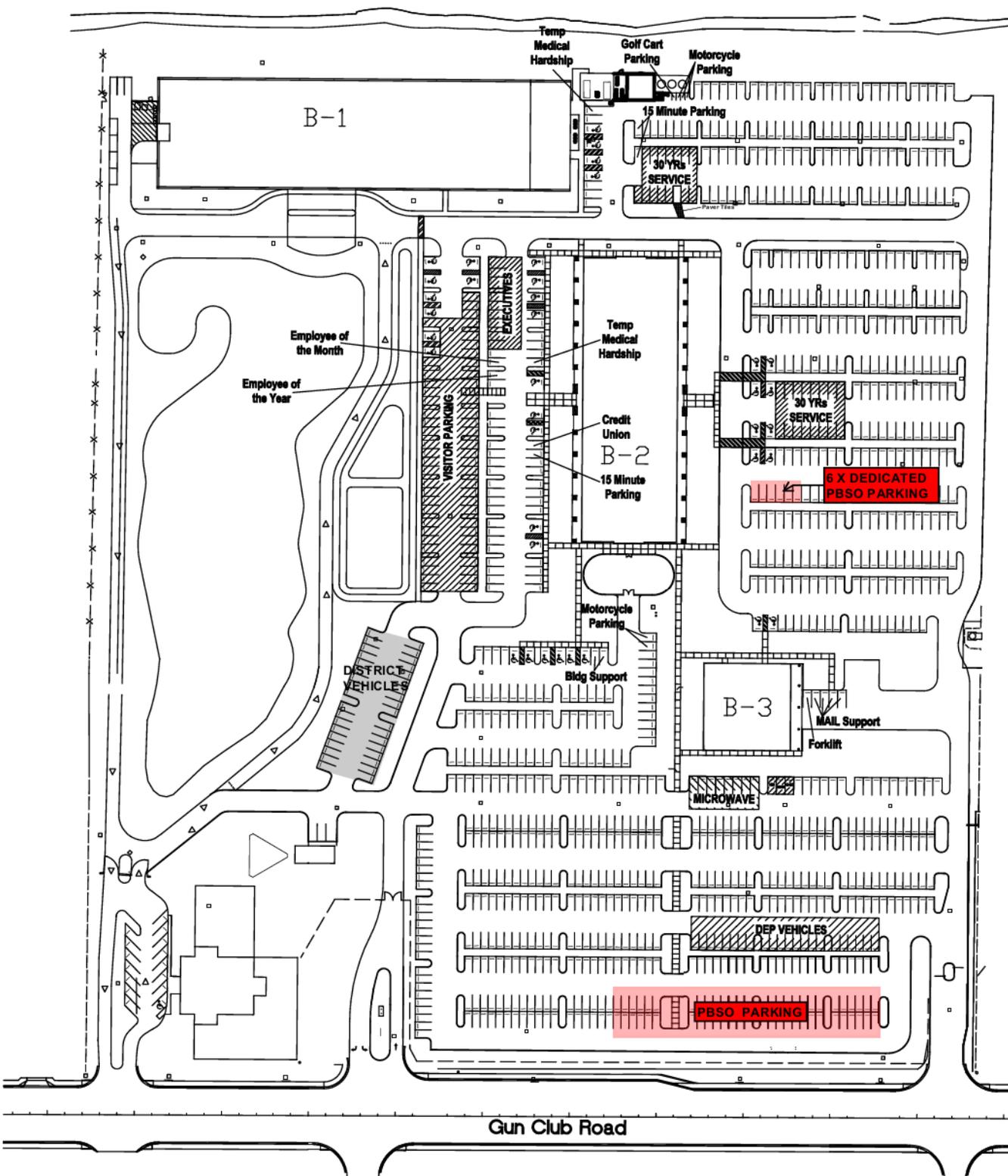
Attachment: 4600004116_B2 3rd Floor Office Space Lease_PBSO_Draft (Resolution No. 2020 - 0509 : PBSO Lease)

**EXHIBIT “A”
RESERVED**

**EXHIBIT “B”
PAYMENT SCHEDULE**

Item	Year 1	Year 2	Year 3
Monthly Office Rent	\$34,247.67	\$35,275.10	\$36,333.35
Annual Office Rent	\$410,972.04	\$423,301.20	\$436,000.24
Rental Period	August 1, 2020 – July 31, 2021	August 1, 2021 – July 31, 2022	August 1, 2022 – July 31, 2023

EXHIBIT "C" COUNTY LEASE ASSIGNED PARKING MAP



Attachment: 4600004116_B2 3rd Floor Office Space Lease_PBSO_Draft (Resolution No. 2020 - 0509 : PBSO Lease)

MEMORANDUM

TO: Governing Board Members

FROM: Jennifer Reynolds, Director-Ecosystem Restoration & Capital Projects

DATE: May 14, 2020

SUBJECT: West Palm Beach Field Station Project Culvert Replacement Project, Palm Beach County

Agenda Item Background:

As part of the District's Operation and Maintenance Capital Program, the West Palm Beach Field Station Project Culvert Replacements Project consists of in-kind replacement of five metal corrugated culverts and complete removal of one culvert. These culverts were originally installed by the US Army Corp of Engineers in the 1950's and 60's. Over the past decades, these culverts have been deteriorating and require replacement/removal.

Contract Number 4600003626 was approved by the Governing Board at its February 2017 meeting in the amount of \$4,694,000.00 with Douglas N. Higgins, Inc. Two change orders valuing a total of \$375,281 were previously executed to address the need to lower a culvert invert from its original design, provide supplemental bypass pumping to maintain flood control, provide site regrading, remove muck, address a utility conflict and install guardrail not included in the original bid documents.

The Contractor also encountered difficulties in dewatering the L8/PC01 site which resulted in additional time and additional costs, beginning May 2017 and ending October 2017. Dispute Negotiation between the District and Douglas N. Higgins, Inc. was settled in the amount of \$447,852, with a Substantial Completion date extension of 90 days and a Final Completion date extension of 77 days. Change Order No. 3 reflects this additional work and associated dollar/date changes.

Core Mission and Strategic Priorities:

The West Palm Beach Field Station Project Culvert Replacements Project supports the District's core missions of water supply and flood control.

Staff Contact and/or Presenter:

Alan Shirkey, ashirkey@sfwmd.gov, 561-682-2579

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2020 - 0510

A Resolution of the Governing Board of the South Florida Water Management District to authorize Change Order Number 3 to Contract Number 4600003626 with Douglas N. Higgins, Inc., for the West Palm Beach Field Station Project Culvert Replacements, Palm Beach County, for an additional amount of \$447,852.46 for which Ad Valorem funds are budgeted in Fiscal Year 2019-2020; providing an effective date.

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize Change Order No. 3 to Contract No. 4600003626 with Douglas N. Higgins, Inc. for the West Palm Beach Field Station Project Culvert Replacements, Palm Beach County.

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 Change Order No. 3 to Contract No. 4600003626 with Douglas N. Higgins, Inc. in the amount of \$447,852.46.

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

PASSED and ADOPTED this 14th day of May, 2020.

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

Chauncey P. Goss, II
Chairman

Attest:

Legal form approved:
By:

District Clerk/Secretary

Office of Counsel

Print name:



Attachment: WPB FS Replacement (Resolution No. 2020 - 0510 : West Palm Beach Field Station Culvert Replacement)

MEMORANDUM

TO: Governing Board Members

FROM: Lawrence Glenn, Division Director, Water Resources

DATE: May 14, 2020

SUBJECT: Resolution Proclaiming May 17th-23rd as Water Reuse Week

Agenda Item Background:

May typically marks the end of the dry season and can be a period of time when water needs are most acute. At this time, it is important to increase awareness regarding the re-use of our precious water resources. Over the last two decades, water reuse in the District has increased 48 percent to 282 million gallons per day and has become integral to south Florida's water resources. WateReuse Florida, the state section of the WateReuse Association, has designated May 17-23, 2020 as Water Reuse Week in Florida.

This item will provide an update on reuse practices within the District. With this resolution, the District will join WateReuse Florida, other water management districts, local governments, and other organizations in supporting water reuse with the adoption of similar resolutions throughout Florida.

Core Mission and Strategic Priorities:

This item supports the District's core mission and five-year strategic goals through diversification of water supply sources by developing alternative sources including the use of reclaimed water and water reuse.

Staff Contact and/or Presenter:

Mark Elsner, melsner@sfwmd.gov, 561-682-6156

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2020 - 0511

A Resolution of the Governing Board of the South Florida Water Management District proclaiming May 17-23, 2020 as Water Reuse Week; providing an effective date.

WHEREAS, safe, clean, and sustainable water resources are essential to Florida's environment, economy, citizens, and visitors, and

WHEREAS, water reuse provides a means for conserving and augmenting Florida's precious water resources, and

WHEREAS, Florida has established the encouragement and promotion of water reuse as state objectives in Chapters 373 and 403, Florida Statutes, and

WHEREAS, Florida is the national leader in water reuse with permitted reuse capacity of more than 1.7 billion gallons per day (approximately 67 percent of Florida's total permitted treatment capacity for all domestic wastewater treatment facilities), and

WHEREAS, there are 99 reuse facilities in the South Florida Water Management District (District) providing 282 million gallons per day of reclaimed water for a beneficial purpose including irrigation of golf courses, residential lots and other green space, ground water recharge, environmental enhancement, and industrial purposes, and

WHEREAS, there is more than 600 million gallons per day of potentially reusable water that is currently being disposed, primarily through ocean discharge or down deep injection wells, within the boundaries of the District, and

WHEREAS, the District is joining WaterReuse Florida, other water management districts, local governments, and other organizations in designating May 17-23, 2020 as Water Reuse Week, and

WHEREAS, the District implements a cooperative funding program to provide financial assistance to entities developing alternative water supplies including water reuse; has funded studies and pilot programs to promote innovative treatment technologies; has engaged in innovative uses and application of reclaimed water; and promotes and encourages efficient and effective use of reclaimed water.

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 proclaims May 17-23, 2020 as **WATER REUSE WEEK**, and

Section 2. The Governing Board of the South Florida Water Management District urges every citizen and visitor to become more aware of the need to save our precious water supply and to take appropriate measures to conserve and protect this vital natural resource.

PASSED and **ADOPTED** this 14th day of May, 2020.

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

Chauncey P. Goss, II
Chairman

Attest:

Legal form approved:
By:

District Clerk/Secretary

Office of Counsel

Print name:

M E M O R A N D U M

TO: Governing Board Members
FROM: Drew Bartlett, Executive Director
DATE: May 14, 2020
SUBJECT: District Mission Performance During COVID-19 Pandemic

Agenda Item Background:

The District activated its Emergency Operations Center (EOC) and took swift, preventive action in early March to inhibit the spread of COVID-19 at District work sites. District staff successfully implemented social distancing and other healthy practices, and many began working from home.

Despite the disruption to business as usual, the District continues to perform its mission while protecting the health of the public and staff. This briefing item covers key District accomplishments over the last 60 days since activating the EOC.

Staff Contact:

Jennifer Smith, jsmith@sfwmd.gov, 561-682-6285

MEMORANDUM

TO: Governing Board Members

FROM: Candida Heater, Division Director, Administrative Services

DATE: May 14, 2020

SUBJECT: Monthly Financial Report

M E M O R A N D U M

TO: Governing Board Members

FROM: Candida Heater, Director, Administrative Services Division

DATE: May 14, 2020

SUBJECT: Monthly Financial Statement – March 31, 2020

This report provides an overview of the District's unaudited financial activity for Fiscal Year 2019-2020, including revenue collections, expenditures and encumbrances made against the \$1.4 billion current budget, including a \$386.7 million encumbrance carryforward from Fiscal Year 2018-2019. The carryforward is predominantly planning, design and construction of large restoration projects. Encumbrances represent orders for goods and services which have not yet been received. Attached is a summary in the State Program format in compliance with Section 373.536(4)(e), Florida Statutes, which states that each District shall 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.

Summary of Revenue Sources - New operating revenue collected (excluding prior year reserves) totals \$431.2 million. Including reserves, the total Fiscal Year 2019-2020 revenue sources collected were 54% of budget or \$743.2 million.

- Taxes collected in the amount of \$273.5 million or 92.6% were distributed to the District through the Tax Collectors within the District's 16 counties. Compared to the five-year average of 92.7%, as of the end of March, tax collections are about the same in this fiscal year. The total amount of Ad Valorem the District levied was \$296.1 million and was discounted to \$281.4 million for budgeting purposes.
- Intergovernmental revenues of \$129 million were recognized as of the end of March. Intergovernmental revenues are comprised of local, state and federal sources with the majority being allocated by the Florida Legislature. Specific funding sources include Save Our Everglades Trust Fund, Land Acquisition Trust Fund, Florida Fish and Wildlife Conservation Commission, Natural Resources Conservation Service and U.S. Army Corps of Engineers federal cost share of transferred projects. The majority of these revenues are received through reimbursement requests submitted monthly or quarterly based on actual expenses incurred.
- Interest on Invested Funds of \$5.3 million was recognized as of the end of March. Last year, at this time, \$5.9 million was recognized.
- License and Permit Fees of \$3 million have been received, including \$968,076 from Lake Belt mitigation fees, \$117,234 from Corkscrew Mitigation Bank, \$1.5 million from environmental resource permits, and \$273,850 from water use permits.

- Other budgeted revenues of \$20.5 million received include leases, sale of District property and revenue supporting District self-insured programs:
 - \$869,918 in rock mining royalties have been collected and \$2 million in lease revenues, for a total of \$2.9 million. The timing of revenues received is based on the fee schedules within the agreements.
 - \$519,810 has been collected from cash discounts refunded from prior year expenditures, civil penalties, enforcement fees, and sale of recycled oil and scrap metal.
 - \$3.2 million from the sale of District property has been received. This amount includes \$2,975,460 as the third and final installment payment for 581.24 acres in Palm Beach County.
 - \$13.9 million in revenues recognized through the end of March for the District's self-insured programs. This includes District funding as well as premiums paid by employees, retirees, and COBRA participants.

Summary of Expenditure and Encumbrance - the District has spent **\$246.8 million** and has encumbered **\$433.7 million** of its budget. The District has obligated (encumbrances plus expenditures) **\$680.5 million** of its budget.

- **Water Resources Planning and Monitoring Program** includes water supply and other water resources planning, development of minimum flows and levels and technical assistance (including local and regional plan and program review). District regional water supply plans for each planning area address the unique resources and needs of specific regions – Lower West Coast, Upper and Lower East Coast, Upper and Lower Kissimmee Basin. District 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 \$58.7 million budgeted for this program, the District has obligated \$33.7 million: \$23.7 million expended and \$10 million encumbered.
- **Land Acquisition, Restoration and Public Works Program** includes the acquisition, planning, design, engineering and construction of all restoration projects unique to the District including: Kissimmee River Restoration Project, Northern Everglades and Estuaries Protection Program (NEEPP), Everglades Forever Act (EFA), Critical Restoration, Comprehensive Everglades Restoration Plan (CERP) and Restoration Strategies (RS). This category also includes water resource development and water supply assistance projects, water control projects and cooperative projects. Of the \$904.8 million budgeted for this program, the District has obligated \$440.8 million: \$106.1 million expended and \$334.7 million encumbered.
- **Operation and Maintenance of Lands and Works Program** includes all operation and maintenance of facilities, flood control and water supply structures, lands, and other works authorized by Chapter 373, Florida Statutes. The District operates and maintains a multi-purpose water management system comprised of approximately 2,179 miles of canals and 2,131 miles of levees/berms, 87 pump stations, 781 water control structures and weirs, and 621 project culverts, throughout the Central and Southern Florida (C&SF) Project, Big Cypress Basin system, Storm Water Treatment Areas (STA's), CERP and RS completed projects. Of the \$349.7 million budgeted for this program, the District has obligated \$170.9 million: \$85.6 million expended and \$85.3 million encumbered.

Governing Board Members
May 14, 2020
Page 3

- **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. Additional 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 \$21.9 million budgeted for this program, the District has obligated \$10.4 million: \$9.1 million expended and \$1.3 million encumbered.
- **Outreach Program** includes all environmental education activities, such as water conservation campaigns and water resource education; public information activities; activities relating to local, regional, state, and federal governmental affairs; and all public relations activities, including public service announcements and advertising in any media. Of the \$1.2 million budgeted for this program, the District has obligated \$557,968: \$557,904 is expended and \$64 is encumbered.
- **District Management and Administration** includes all Governing and Basin Board support, executive support; management information systems, unrestricted reserves; and general counsel, ombudsman, human resources, budget, finance, audit, risk management, and administrative services. Additionally, this program includes property appraiser, tax collector & self-insurance fees in support of district and basin activities. Of the \$40.3 million budgeted for this program, the District has obligated \$24 million: \$21.7 million expended and \$2.3 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) 682-6486.

CJH/MD
Attachment

South Florida Water Management District
Statement of Sources and Uses of Funds (Unaudited)
 For the month ended: March 31, 2020. Percent of fiscal year completed: 50.0%

	CURRENT BUDGET	ACTUALS THROUGH March 2020	VARIANCE (UNDER) / OVER BUDGET	ACTUALS AS A % OF BUDGET
Sources				
Taxes ¹	\$ 295,312,890	\$ 273,464,640	\$ (21,848,250)	92.6%
Intergovernmental Revenues	716,230,929	128,999,967	(587,230,962)	18.0%
Interest on Invested Funds	7,860,000	5,255,214	(2,604,786)	66.9%
License and Permit Fees	3,311,000	2,992,780	(318,220)	90.4%
Other ²	41,843,307	20,514,867	(21,328,440)	49.0%
SUB-TOTAL OPERATING REVENUES	1,064,558,126	431,227,469	(633,330,657)	40.5%
Reserves	311,982,898	311,982,898	-	100.0%
Total Sources	\$ 1,376,541,024	\$ 743,210,367	\$ (633,330,657)	54.0%

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	\$ 58,657,967	\$ 23,696,155	\$ 9,956,988	\$ 25,004,824	40.4%	57.4%
Land Acquisition, Restoration and Public Works	904,781,481	106,115,787	334,732,132	463,933,562	11.7%	48.7%
Operation and Maintenance of Lands and Works	349,677,241	85,636,788	85,329,853	178,710,600	24.5%	48.9%
Regulation	21,949,754	9,099,820	1,294,670	11,555,263	41.5%	47.4%
Outreach	1,217,043	557,904	64	659,076	45.8%	45.8%
District Management and Administration	40,257,539	21,693,638	2,352,004	16,211,897	53.9%	59.7%
Total Uses	\$ 1,376,541,024	\$ 246,800,092	\$ 433,665,711	\$ 696,075,221	17.9%	49.4%

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 March 31, 2020, and covers the interim period since the most recent audited financial statements.

Emergency Purchase Order Issued Under "State of Florida Executive Order 20-52" and/or "SFWMD ORDER NO: 2020-004-DAO"

Sec. 155-7. - Emergency Procurement.

Under emergency circumstances, an agreement may be executed without competitive selection as follows:

- (1) If the Executive Director or the Executive Director's delegate determines that the procurement of services without competition is necessitated in order to respond to an immediate danger to public health, safety, welfare or other substantial loss to the public, the Executive Director or the Executive Director's delegate may proceed with such procurement accordingly. However, such procurement shall not exceed the amount of \$500,000.00. The need for such procurement without competition shall be evidenced in writing. In order to make procurement of services in an amount greater than \$500,000.00, the Governing Board must make a determination that emergency conditions exist. All procurements made pursuant to this paragraph shall be reported to the Governing Board within 30 days.
- (2) Whenever the President of the United States, or the Governor of the State of Florida, or the head of the Department of Environmental Protection shall formally declare that a major disaster exists anywhere within the boundaries of the District, or issues an emergency order temporarily suspending the application of any specified laws otherwise applicable to the operations of the District, then the Executive Director of the District shall have the authority to undertake all such actions, without competition, regarding the procurement of commodities, equipment and services required to deal with the emergency conditions up to the next meeting of the Governing Board notwithstanding that such authority resides in the Governing Board. At the next Governing Board meeting, the Board shall determine if the further emergency procurement of commodities, equipment and services is still required. However, all emergency procurements shall be made with such competition as is practicable under the circumstances. The Executive Director shall report to the Governing Board all actions taken pursuant to this exception within 30 days.

The following purchase orders were executed without competition to expedite the work from home preparations due to COVID-19:

Area of Responsibility	Purchase Order Number	Vendor	Description	Total	Policy Requirement
Information Technology	4500119368	CompuQuip Technologies	RSA On Demand Tokens for Work From Home Support	\$ 24,873.00	Sec. 155-5. - Competitive Procurement—Methods. Verbal Quotes Threshold for competition > \$10,000 to \$50,000
Information Technology	4500119389	CXTec, Inc.	Cisco IP Phones	\$ 31,510.12	Sec. 155-5. - Competitive Procurement—Methods. Verbal Quotes Threshold for competition > \$10,000 to \$50,000
Information Technology	4500119421	CXTec, Inc.	Cisco IP Phones	\$ 31,504.63	Sec. 155-5. - Competitive Procurement—Methods. Verbal Quotes Threshold for competition > \$10,000 to \$50,000

Total \$ 87,887.75

Attachment: COVID19 EMERGENCY PURCHASE ORDER LOG_MAY GB (5122 : Monthly Financial Report -

**TOTAL NUMBER OF AUTHORIZATIONS
APPROVED BY THE EXECUTIVE DIRECTOR**

From: April 1, 2020 to April 30, 2020

Environmental Resource Permits	Total
a. Conceptual Approvals	1
b. Conceptual Modifications	1
c. New Construction and Operation (C&O)	4
d. Modifications to Previously Approved (C&O)	0
e. Mitigation Banks	0
f. Wetland Restoration Projects	1
	7
Water Use Permits	
a. Renewals	6
b. Modifications	1
c. New Water Use	0
d. Master Dewatering	0
	7
ERP and WU Total =	14

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INDIVIDUAL PERMITS ISSUED BY
AUTHORITY DELEGATED TO EXECUTIVE DIRECTOR
FROM April 1, 2020 TO April 30, 2020

I PERMIT APPLICATIONS	PAGE NUMBER
COLLIER COUNTY	2
HENDRY COUNTY	5
HIGHLANDS COUNTY	8
LEE COUNTY	13
ORANGE COUNTY	18
OSCEOLA COUNTY	21
PALM BEACH COUNTY	26
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Attachment: IP Issued by ED report for April (5123 : Executive Director's Report - Drew Bartlett)

1. GROVERMAN FARM
 THE PAOLA COPELAND GROVERMAN TRUST
 SEC 16 TWP 48S RGE 30E

APPL. NO. 200309-11
 PERMIT NO. 11-03033-W
 ACREAGE: 217.00
 LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE RENEWAL
 WATER SOURCE: WATER TABLE AQUIFER, LOWER TAMIAMI AQUIFER
 ALLOCATION: 54.44 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: JUNE 7, 2020

2. VALENCIA GOLF COURSE
 ORANGETREE ASSOCIATES
 SEC 23,24 TWP 48S RGE 27E

APPL. NO. 200309-1
 PERMIT NO. 11-01444-W
 ACREAGE: 156.60
 LAND USE: GOLF COURSE

PERMIT TYPE: WATER USE MODIFICATION
 WATER SOURCE: ON-SITE LAKE(S), LOWER TAMIAMI AQUIFER
 ALLOCATION: 27.03 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: JUNE 7, 2020

**Summary Report for Application Number: 200309-11, Project Name: GROVERMAN FARM,
Default Date: 6/7/2020**

The Paola Copeland Groverman Trust is requesting a renewal of their water use permit for a project known as Groverman Farm in Collier County. The use is agricultural irrigation (tomatoes and hay) with an annual allocation of 393.2 million gallons from the water table and Lower Tamiami aquifers. The renewal requests no changes to the previously permitted allocations or operations.

Purpose:

The purpose of this application is to renew Water Use Permit 11-03033-W for agricultural irrigation of 217 acres of tomatoes and a transitional cover crop of hay (brown-top millet) using a flood/seepage irrigation system. Withdrawals are from the Lower Tamiami aquifer (LTA) and water table aquifer (WTA).

Project Description:

Groverman Farms (Project) is an existing agricultural operation located in the central portion of Collier County on the south side of County Road 858, approximately 0.75 mile east of State Road 29, as shown on Exhibits 1 and 2. The Permittee is requesting to renew the water use permit for irrigation of a certified organic farm operation consisting of a 217-acre parcel which utilizes crop rotation for fall tomatoes planted in August and harvested in December, winter/spring tomatoes planted in January and harvested in May, and a summer cover crop of hay (brown-top millet) planted in June and harvested in July. In this application the Permittee will preserve withdrawal ratios from the Project with 30% of total withdrawals from the WTA and 70% of total withdrawals from the LTA. The Project withdrawals from the WTA and LTA are via one existing withdrawal facility for each source. In addition, there are two standby WTA wells, currently with no pumps installed. The Project uses a flood/seepage irrigation system. The withdrawal facility locations are shown on Exhibit 2 and their specifications are provided on Exhibit 3.

Permit History:The total Project area is approximately 632.73 acres and includes both the historically farmed area south of Oil Well Road and undeveloped lands north of Oil Well Road. The water use permit was initially issued to The Paola Copeland Groverman Trust (the land owner) in November 2009 for irrigation of 217 acres of tomatoes and hay associated with an organic tomato operation. During the last 5 years, withdrawals from both sources of the Project were minimal and therefore did not provide the basis to extend the duration of the Project for 20 years. This permit application for renewal was received timely.

Projected Water Use Demands:

The recommended allocations for 217 acres of tomatoes and a transitional cover crop of hay of 54.44 million gallons (MG) maximum month and 393.20 MG total annually (Exhibit 4) are based on the Supplemental Irrigation Requirement as defined in Subsection 2.3.1.C of the Applicant's Handbook (AH) for Water Use Permit Applications within the South Florida Water Management District (District). Calculations of the supplemental irrigation requirements are detailed in Exhibit 4.

Summary Report for Application Number: 200309-1, Project Name: VALENCIA GOLF COURSE
Default Date: 6/7/2020

Orangetree Associates is requesting modification of their water use permit for a project known as Valencia Golf Course in Collier County. The use is golf course turf and landscape irrigation with an annual allocation of 220.65 million gallons per year from the on-site lakes that are recharged using the Lower Tamiami aquifer. The only change in this modification is the elimination of wetland monitoring and reporting as the Permittee has satisfied the requirements of the limiting condition from when the permit was issued in 2014. No changes were made to source, allocation, or permit duration.

Purpose:

The purpose of this application is to modify Water Use Permit 11-01444-W for 156.6 acres of golf course irrigation. Surface water withdrawals are from the on-site lake with groundwater recharge from the Lower Tamiami aquifer (LTA).

Project Description:

Valencia Golf Course (Project) is an existing golf course and country club facility located within the Orange Tree residential community, south of Oil Well Road and north of Randall Boulevard in Collier County (Exhibits 1 through 3). The Project irrigates 156.6 acres of golf course turf and landscape using a sprinkler irrigation system. This modification requests the removal of the wetland monitoring that was required under Applications 060227-32 and 140110-9. Operational Plan: Surface water withdrawals are from the on-site lake via four surface water pumps that are manifolded into one pump station (PS-1) with groundwater recharge from the LTA via two existing wells (VGC-1 and VGC-2R). Based on the hydrologic modeling submitted in Application 060227-32, 45 percent of the allocation comes from the LTA and 55 percent comes from the on-site lake. The amount of water used for irrigation replacement/recharge shall not exceed the amount of water withdrawn from the surface water sources(s) on a monthly basis (for example, there cannot be more water put into the lake than is pumped out of the lake). The replacement/recharge of groundwater into surface water is for water quality treatment or supplementation and not the artificial maintenance of lake levels. The locations of the withdrawal facilities are shown in Exhibit 3 with facility descriptions provided in Exhibits 4 (wells) and 5 (pumps). Project History: A water use permit for golf course irrigation only was issued in 1996. A renewal application submitted in 2006 (Application 060227-32) was approved and issued in 2009 with a five-year duration. The permit was renewed in 2014 with a 20-year duration. The permit was modified in 2016 to relocate and replace well VGC-2 (replacement well VGC-2R) and change the well status from standby to primary. Well VGC-2 was abandoned.

Projected Water Use Demands:

The annual and maximum month allocations for 156.6 acres of golf course irrigation using a sprinkler irrigation system were calculated using the Modified Blaney-Criddle method as described in Section 2.3.1.C.1 of the Applicant's Handbook (AH) for Water Use Permit Applications within the South Florida Water Management District (District). Using this method, the total Project demands were calculated to be 27.03 million gallons (MG) maximum month and 220.65 MG annually. Based on the Project's operational plan, the maximum month and annual allocation limitations for the LTA are 14.87 million gallons per month (MGM) and 99.29 MGY, respectively. Calculations of the supplemental irrigation requirement are detailed in Exhibit 6.

1. EAGLE FARMS WETLANDS RESERVE EASEMENT (WRE)
EAGLE FARM CORP

APPL. NO. 191009-2011
PERMIT NO. 26-102278-P

ACREAGE: 700.00
LAND USE: NATURAL/UNDEVELOPED

PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW CONSTRUCTION/OPERATION)

LAST DATE FOR AGENCY ACTION: MAY 9, 2020

Attachment: IP Issued by ED report for April (5123 : Executive Director's Report - Drew Bartlett)

Summary Report for Application Number: 191009-2011, Project Name: Eagle Farms Wetlands Reserve Easement (WRE), Default Date: 5/9/2020

Project Summary

This Environmental Resource Permit authorizes Construction and Operation of a stormwater management (SWM) system serving a 700.00-acre project known as Eagle Farms Wetland Reserve Easement.

The project will re-establish historic natural wetland communities and their associated uplands to conditions that existed prior to the current agricultural activities. The construction authorization includes modifications to the existing SWM system including internal and perimeter earthwork, removal of existing drainage structures, construction of new internal structures and construction of new discharge structures. Please refer to the SWM Plans and Calculations, Exhibits 2.01 - 2.03 and 2.1, for project details.

Issuance of this permit constitutes certification of compliance with state water quality standards in accordance with Rule 62-330.062, F.A.C.

Site Description

The project site is located in Hendry County. Please refer to Exhibit No. 1.0 for a Location Map.

The project site is currently managed as a sugar cane farm. The existing SWM system is composed of minor internal ditches on the northern portion of the project site that drain southward. Stormwater runoff is pumped into an above ground impoundment (AGI) in the southern portion of the site.

For information on wetland and surface water impacts, please see the Wetlands and Other Surface Water section of this permit.

Background

Permit No. 26-00571-S, Application No. 921207-8, issued December 14, 1995, authorized the construction and operation of a 727.15-acre SWM system serving a 357-acre sugar cane field. Stormwater runoff from the 357-acre sugar cane field would be pumped to a 331-acre AGI which discharges through a control structure into Spratt Canal which flows to Hilliard Canal, ultimately discharging to the C-43 Canal. Please refer to the ePermitting files for additional details.

Ownership, Operation and Maintenance

Perpetual operation and maintenance of the stormwater management system shall be the responsibility of USDA - Natural Resources Conservation Services. The permittee shall notify the Agency in writing within 30 days of any conveyance or division of ownership or control of the property of the system, and the new owner must request transfer of the permit in accordance with Rule 62-330.340, F.A.C.

Wetlands and Other Surface Waters

Based on a review of benchmark historical aerial photography, soil mapping, and literature review, the landscape most likely contained a variety of ecological community types including freshwater marsh and slough/wet prairie system interspersed with pine flatwoods prior to agricultural development as shown in Exhibit 3.0, Figure 6. Historic aerial coverage by all categories of wetlands is reported in Table 14 of the Wetland Reserve Plan of Operations (WRPO) as 665.70 acres. Aerial photography from 1949 and 1963 were the primary imagery used to photo-interpret historic land cover.

Conversion to agriculture use, construction of drainage features such as field ditching and canal branches has resulted in a loss of historical wetland community types and extents. Surface Water Permit No. 26-00571-S (Application No. 921207-8) authorized direct impact to three wetlands, totaling 8.80 acres. Mitigation for the direct impacts included preservation of 23.60 acres of mixed wetland hardwoods, 4.10 acres of freshwater marsh, and 46.50 acres of mesic pine flatwoods on property owned by the permittee adjacent to the southeast boundary of the AGI. The entire 74.20-acre mitigation area is outside the Eagle Farms WRE boundary.

Existing land uses found on the northern portion of the Project site include sugarcane fields with a network of irrigation swales and larger collection ditches. The land uses found on the southern portion include an AGI with associated infrastructure, wetlands and South Florida flatwoods. All wetland acreage currently found onsite (378.40 acres) occurs within the footprint of the AGI. Please see Exhibit 3.0, Table 3 for tabulation and Figure 7 for the location of these features. Additional descriptions are located in the ePermitting file in the WRPO.

The proposed work restores wetland hydroperiods and native vegetative communities, adds ecological value for fish and wildlife, and reduces offsite discharges while providing more onsite water quality treatment. Approximately 0.55 acres of wetlands will be affected by construction of the final outfall structure (CH1) which is necessary to accomplish wetland restoration. Work in other surface waters associated with land smoothing totals approximately 4.15 acres as described in the table below.

Modeling for post-restoration conditions indicates that two wetland community types, totaling 656.00 acres, will be enhanced or restored as a result of constructing the project. This number represents 99% of the historic wetland acreage. Restored natural communities include slough/wet prairie and freshwater marsh wetlands and 33.6 acres of pine flatwoods uplands as described in the table below, for a total of 689.60 acres of restoration. The site will be allowed to revegetate naturally by recruitment and succession of appropriate species for each target community. Restoration of wetlands and uplands provides alternative mitigation for previous habitat impacts; therefore, mitigation requirements under Application 921207-8 have been satisfied. Please see Exhibit 3.1, Figure 38 for the locations of the post restoration wetland community types and Table 14 for a tabulation of historical, existing and proposed ecological communities.

Wetlands and uplands will be restored and preserved on site under a permanent conservation easement dedicated to the NRCS under the Wetlands Reserve Program.

Fish, Wildlife, and Listed Species

The wetlands and other surface waters within the Project provide habitat for wetland-dependent species including crested caracara, little blue heron, Florida sandhill crane, wood stork, white ibis, bald eagle, Eastern indigo snake, and alligator. Additionally, the project site is within the range of the endangered Florida panther and the managed Florida black bear. Telemetry data for the Florida panther indicates that habitat use occurs immediately adjacent to the project boundary.

The proposed restoration plan will improve wetland communities that currently exist in the southern portion of the site and restore the functional values of historical wetlands in the northern portion of the site which have been impacted by drainage of the landscape in support of agricultural activities. Additionally, the plan will implement strategies to restore valuable upland habitat for wetland-dependent species.

Restoration goals will place emphasis on re-establishing wetland functions and values for habitat that supports wetland-dependent wildlife, particularly imperiled species having the potential to occur within the Eagle Farms Wetland Reserve Easement. Additional descriptions are located in the ePermitting file in the WRPO (Section 4, Tables 5 and 6).

This permit does not relieve the applicant from complying with all applicable rules and any other agencies' requirements if, in the future, endangered or threatened species or species of special concern are discovered on the site.

1. SIMPSON CANE FARM DEVELOPMENT
LYKES BROS INC

APPL. NO. 190918-1838
PERMIT NO. 28-102131-P

ACREAGE: 1867.00
LAND USE: AGRICULTURAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW CONSTRUCTION/OPERATION)
LAST DATE FOR AGENCY ACTION: May 4, 2020

2. WILD ISLAND/SIMPSON FARM
LYKES BROS. INC.
SEC 2-4,9-11,14-17,19-23,27-33,34-36,
TWP 35,36S RGE 31E

APPL. NO. 190918-1
PERMIT NO. 28-00130-W

ACREAGE: 7600.00
LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
WATER SOURCE: UPPER FLORIDAN AQUIFER, LAKE ISTOKPOGA/INDIAN PRAIRIE CANAL SYSTEM
ALLOCATION: 1159.17 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: JUNE 16, 2020

Attachment: IP Issued by ED report for April (5123 : Executive Director's Report - Drew Bartlett)

Summary Report for Application Number:190918-1838, Project Name: Simpson Cane Farm Development, Default Date: 5/4/2020

Project Summary

This Environmental Resource Permit authorizes Construction and Operation of a stormwater management (SWM) system serving 2,050.00 acres of agricultural development known as Simpson Cane Farm Development.

The proposed project converts existing pasture and farm areas into sugar cane fields which will utilize above ground impoundments (AGI) to provide water quality treatment and attenuation. The existing stormwater management system consists of a network of ditches which serves to direct excess drainage to either the C- 41A Canal or the C-41 Canal. The proposed project will convey excess drainage from the farm fields into the proposed above ground impoundments which are designed to attenuate the stormwater and provide the required water quality treatment volume including an additional 50% volume for reasonable assurance that the project will not contribute to existing water quality impairments. Please refer to Exhibit Nos. 2.0 and 2.1 for additional details.

Issuance of this permit constitutes certification of compliance with state water quality standards in accordance with Rule 62-330.062, F.A.C..

Site Description

The project site is located within the Istokpoga Marsh Watershed Improvement District (IMWID), which is an approximately 40.9 square mile watershed located in southeast Highlands County, Florida. Refer to Exhibit No. 1.0 for a Location Map.

The project site is enclosed on the east, west and south sides by existing canals and the north side is adjacent to Lake Istokpoga. Permit No. 28-00388-S, Application No. 940613-1, issued April 13, 1995, authorized the operation of the existing SWM system that consists of a network of ditches and control structures which serve to direct excess drainage to existing internal canals for conveyance to either the C-41-A Canal or Channel A of the IMWID system. For information on wetland and surface water impacts, please see the Wetlands and Other Surface Water section of this permit.

Background

Permit No. 28-00388-S, Application No. 940613-11, issued April 13, 1995, authorized the operation of an existing surface water management system serving a 2,050-acre agricultural project known as Wild Island (Willowbed & Simpson) Pastures and Farm. Refer to the ePermitting file for additional detail.

Ownership, Operation and Maintenance

Perpetual operation and maintenance of the SWM system will be the responsibility of Lykes Bros. Inc. Upon conveyance or division of ownership or control of the property or the system, the permittee must notify the Agency in writing within 30 days, and the new owner must request transfer of the permit.

Wetlands and Other Surface Waters

District staff initially established jurisdictional wetland boundary lines under Surface Water Permit No. 28-00388-S (Application No. 940613-11) in 1994. The staff report for the permit indicates 46.5 acres of freshwater marsh wetlands and 43.5 acres of other surface water ditches were identified and recorded in the permit record. The wetlands are described in the inventory table titled Wild Island Pastures and Farm 940613- 11.

Special Condition 8 of Application No. 940613-11 states any future change in land use would require additional environmental review of wetlands; consequently, jurisdictional wetland boundary lines were re-examined in the field by District staff on October 29, 2018 and October 10, 2019. An additional 49.8 acres of freshwater marsh wetlands and 0.7 acres of other surface waters were verified and are described in the inventory table titled Simpson Cane Farm 190918-1838. Combined, a total of 96.3 acres of freshwater marsh wetlands will be preserved under the current application.

Additional wetland descriptions are available in the ePermitting files for Application No. 940613-11 and Application No. 190918-2838. Please see Exhibit 3.0 for the location of all wetlands and other surface waters.

No direct wetland impacts are proposed. Reasonable assurances that post-construction secondary impacts to the habitat functions of preserved wetlands will not occur include establishing upland buffers (25') and equipment turning space (18') for wetlands in the production fields as detailed on Section F-F of the construction plans, setting the outfall structure control elevation 6" above the seasonal high water level of wetlands within the AGI to allow for minor hydrologic enhancement and monitoring approximately 30% of total wetland acreage as described below.

Development of the sugarcane production fields will result in filling three livestock watering ponds totaling approximately 0.7 acres of work in other surface waters as described in the table below. Please see Exhibit 3.0 for the locations of this work. Mitigation is not required pursuant to subsection 10.2.2.2 of the Applicant's Handbook Volume I.

Monitoring and Maintenance

Monitoring will be conducted by the permittee for a period of five consecutive years. Ten representative wetlands (W21 and W23 in the AGI and W2, W3, W11, W12, W16, W17, W18, and W39 in the production fields) provide a range of diversity within the project area. Exhibit 3.1 describes the monitoring methodology, locations, and maintenance activities. Maintenance criteria for all of the preserved wetland areas are found in the special conditions. Annual reports shall be submitted to the District in accordance with the project work schedule included herein. Maintenance will be conducted in perpetuity by the permittee.

Fish, Wildlife, and Listed Species

The other surface waters where work is being authorized provide limited habitat for aquatic and wetland-dependent species; however, preservation of 96.3 acres of wetlands and construction of a 228-acre AGI provides significant habitat for wetland-dependent and aquatic species. No aquatic or wetland-dependent listed species or species having special protection were observed to be using the uplands within the project for nesting or denning. Refer to the ePermitting file for the wildlife survey conducted in November 2019.

This permit does not relieve the applicant from complying with all applicable rules and any other agencies' requirements if, in the future, endangered or threatened species or species of special concern are discovered on the site.

Summary Report for , Application Number: 190918-1, Project Name: WILD ISLAND/SIMPSON FARM,
Default Date: 6/16/2020

Lykes Bros., Inc. is requesting a modification and renewal of Water Use Permit 28-00130-W for a project known as Wild Island/Simpson Farm in Highlands County. The use is for the irrigation of 5,769.6 acres of sugar cane with an annual allocation of 8,841.02 million gallons from the upper Floridan aquifer and the Lake Istokpoga/Indian Prairie Canal System. This is an existing previously permitted project that is being modified to convert 1,801 acres of improved pasture to 1,618.01 acres of proposed sugar cane using a seepage furrow irrigation system and to add two proposed Upper Floridan aquifer wells. The previous allocation was 8,336.14 million gallons. The increase in allocation is due to an increase in irrigated acreage and comes from the upper Floridan aquifer.

Purpose:

The purpose of this application is to modify and renew Water Use Permit 28-00130-W for agricultural irrigation of 5,769.6 acres of sugar cane using a seepage/furrow irrigation system. Groundwater withdrawals are from the Upper Floridan aquifer (UFA) and surface water withdrawals from the Lake Istokpoga/Indian Prairie Canal System.

Project Description:

Wild Island/Simpson Farm (Project) is an existing, previously permitted, agricultural farm, located immediately southeast of Lake Istokpoga and predominately southeast of County Road 621-E in central Highlands County, as depicted in Exhibits 1 through 3.

The Applicant is requesting to convert the portion of the site known as the Simpson Cane Farm Development from 1,801 acres of improved pasture to 1,618.01 acres of sugar cane using a seepage furrow irrigation system. Therefore, the total irrigated acres for the Project will consist of 5,769.6 acres of sugar cane. In order to meet the required supplemental irrigation demands of the proposed sugar cane, the Applicant is also requesting to add two proposed UFA wells. No increases in allocations or changes in withdrawal facilities were requested from the Lake Istokpoga/Indian Prairie Canal System.

Operational Plan:

The location of the of the 4,151.59 existing acres and 1,618.01 proposed acres of sugar cane are shown in Exhibit 4. The operational plans for each of these areas is as follows :Existing Sugar Cane (4,4151.59 acres). Within the existing sugar cane area, the primary irrigation withdrawal source is the Lake Istokpoga/Indian Prairie Canal System. The surface water pumps P2, P4, and P5 are primary withdrawal facilities being used within the seepage/furrow irrigation system. As previously permitted, the Project has two existing UFA Wells (1 and 2) that are to be operated only as secondary withdrawal facilities. The total volume of water withdrawn for supplemental irrigation water, which is anticipated to be surface water from Lake Istokpoga/Indian Prairie Canal System, is calculated to be 6,361.67 million gallons (MG) annually and 834.1 MG on a maximum month during a 1-in-10 drought event. The use of groundwater from the UFA is only being proposed when surface water is not sufficiently available to meet the required supplemental irrigation demands during a 1-in-10 drought event. The required calculated volume from the UFA is 358.6 MG annually and 55.41 MG on a maximum month. The wells and surface water pumps are located in Exhibits 3 and 4. The well and pump specification details are shown on Exhibits 5 and 6, respectively. Proposed Sugar Cane (1,618.01 acres). The proposed sugar cane area will be operated using the Lake Istokpoga/Indian Prairie Canal System and the UFA as the primary withdrawal sources. The two existing culverts identified as C-7 and PC-32 are to be used to provide supplemental surface water and the two UFA Wells 3 and 4 are to be used to provide supplemental groundwater within the seepage/furrow irrigation system. Irrigation water is managed with flashboard risers throughout the farm. The combined total volume of water withdrawn from these two sources shall be equal to 2,479.35 MG annually and 325.07 MG on a maximum month during a 1-in-10 drought event.

The wells and culverts are located in Exhibits 3 and 4. The well and culvert specification details are shown on Exhibits 5 and 7, respectively.

Permit History:

The Project site was originally permitted on October 13, 1977 in order to irrigate 6,700 acres of improved pasture. On May 23, 2011, Water Use Permit 28-00130-W was modified to change the irrigated crop from 6,700 acres of improved pasture to 6,200 acres of improved pasture and 1,400 acres of energy cane. In addition, two proposed UFA wells were included to the withdrawal facilities to be used as an emergency secondary source in the event water from the Lake Istokpoga/Indian Prairie Canal System was not available in the required quantities to meet the irrigation demand of 500 acres of previously planted energy cane. All of the Project's irrigation demands were identified within that water use permit as having been met by surface water from the Lake Istokpoga/Indian Prairie Canal System. On May 31, 2016, a letter modification was issued authorizing a change in irrigated acreage from 6,200 acres of improved pasture and 1,400 acres of energy cane to 4,151.6 acres of sugar cane and 1,801 acres of improved pasture. This resulted in a decrease in monthly allocation from 1,308.2 MG to 1,024.63 MG and no change in the permitted annual allocation of 8,336.14 MG.

Projected Water Use Demands:

The recommended annual and maximum month allocations for 5,769.6 acres of sugar cane are calculated using the Modified Blaney-Criddle method as described in Subsection 2.3.2.A of the Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District (AH). Using this method, the total Project demands were calculated to be 8,841.02 MG annually and 1,169.17 MG maximum month. The source limitations from the surface water is to be 1,974.47 MG annually and 190.53 MG on a maximum month, and the source limitation from the UFA is to be 504.88 MG annually and 134.54 MG on a maximum month. Calculations of the supplemental irrigation requirement are shown on Exhibit 8.

1. CITY OF FORT MYERS APPL. NO. 191021-12
 CITY OF FORT MYERS PERMIT NO. 36-00035-W
 SEC 4,9,20,24-33, 35 TWP 44,45S RGE 24,25,26E ACREAGE: N/A
 LAND USE: PUBLIC WATER
 SUPPLY

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
 WATER SOURCE: UPPER FLORIDAN AQUIFER
 ALLOCATION: 551.55 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: MAY 27, 2020

2. CROWN COLONY APPL. NO. 200324-8
 CROWN COLONY GOLF & COUNTRY CLUB PERMIT NO. 36-03767-W
 SEC 3 TWP 46S RGE 24E ACREAGE: 427.00
 LAND USE: LANDSCAPE

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
 WATER SOURCE: ON-SITE LAKE(S) / POND(S), LOWER HAWTHORN AQUIFER
 ALLOCATION: 18.62 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: JUNE 22, 2020

**Summary Report for Application Number: 191021-12, Project Name: CITY OF FORT MYERS,
Default Date: 5/27/2020**

City of Fort Myers is requesting modification and renewal of their water use permit for a project known as City of Fort Myers in Lee County. The use is public water supply with an annual allocation of 5,564.93 million gallons per year from the Upper Floridan aquifer. The project is adding 22 proposed wells and includes expansion of the current Eastwood Wellfield to the west, south and east. The modification includes anticipated population growth from 104,350 (2019) to 154,004 (2040). The previous annual allocation was 4,362.84 million gallons per year.

Purpose:

The purpose of this application is to modify Water Use Permit 36-00035-W for public water supply by adding 22 Upper Floridan aquifer (UFA) production wells within the City of Fort Myers service area. The water supply is solely from the UFA.

Project Description:

City of Fort Myers (Project) is an existing public water supply utility that provides potable water to users located within its service area boundary via one water treatment facility. The Project is located south of the Caloosahatchee River, in the central portion of Lee County, as shown on Exhibit 1. A detailed service area boundary is depicted on Exhibits 2A and 2B. The service area contains residential, golf-courses, agricultural, public, and commercial land uses. In this application, the Permittee is requesting a permit modification which consists of the addition of 22 proposed UFA wells and a wellfield expansion to the west, south, and east of the existing Eastwood wellfield that will result in a redistribution of the drawdown in the UFA. The addition of 22 wells will help improve the operational reliability of the system, provide additional rotational capacity, and better distribute potential drawdown impacts. The withdrawal facility information is provided on Exhibit 3. Prior to drilling the proposed wells it will be necessary to obtain well construction permits from Lee County.

No other changes to the permit are proposed.

Project Operation:

The Permittee owns and operates a reverse osmosis (RO) water treatment plant (WTP) to treat the groundwater supply from the UFA before it is pumped to the potable water distribution system. The WTP currently receives raw water from its Eastwood Wellfield and has a maximum capacity limit of 11.95 million gallons per day (MGD) on an annual average basis. The Project's WTP has an RO efficiency of 73%. The concentrated brine is injected into the Boulder Zone via an existing injection well permitted by the Florida Department of Environmental Protection. The three expansion wellfields will add 21 new UFA production wells to the system. In addition, the Permittee proposes to convert an existing, unused aquifer storage and recovery (ASR) well constructed in the UFA to a production well. Therefore, there is a total of 22 additional production wells. The new production wells will target the upper portion of the UFA to avoid the potential for saline water upconing which is often associated with drilling wells that penetrate into the Suwannee limestone in this area. The Permittee also proposes to pump from both existing and proposed production wells at moderate rates, as new wells get added to the system and can reduce the drawdown within the Eastwood Wellfield. Pumping the production wells at a lower rate and in a linear configuration of the expansion wellfields will further reduce the amount of drawdown generated and thereby reduce the potential for upconing of saline water.

Project History:

The Project has supplied water to residents of its service area since 1977. Historically, the Project withdrew water from the Caloosahatchee River (C-43 Canal) and pumped it to the Eastwood Wellfield area where it provided recharge to a series of surficial aquifer system (SAS) wells.

In March 2000, the permit (Application 990329-2) transitioned withdrawals from the C-43 Canal and SAS to the UFA as a new source for public water supply, which included 12 UFA production wells within the Eastwood Wellfield. The current application was received in a timely manner.

Projected Water Use Demands:

To calculate its water use, the Permittee identified the demand for each component of the uses listed in Subsection 2.3.1.F of the Applicant's Handbook (AH) for Water Use Permit Applications within the South Florida Water Management District (District). The Project has historically utilized RO to treat the brackish groundwater from the UFA with a treatment efficiency of 73% (27% treatment loss). The total Project demands are 551.5 million gallons maximum per month (MGM) and 5,564.9 million gallons per year (MGY) based on the average month demand times the maximum month to average month peaking ratio of 1.19 (Subsection 2.3.1.F of the AH). The Project is expected to serve 154,004 people in 2040 at a finished per capita use rate (PCUR) of 73 gallons per person (raw water PCUR of 99 gallons per person). Exhibit 4 shows projected water use demand based on the population estimates.

**Summary Report for Application Number: 200324-8, Project Name: CROWN COLONY,
Default Date: 6/22/2020**

Crown Colony Golf & Country Club is requesting renewal and modification of their water use permit for a project known as Crown Colony in Lee County. The use is golf course turf and landscape irrigation with an annual allocation of 20.63 million gallons per year. The primary source of irrigation water is reclaimed water from Lee County Utilities. The water use permit provides both a balance of demand allocation for times when the irrigation demands exceed the amount of reclaimed water received and a 30-day backup supply both from the Lower Hawthorn aquifer. The only change requested is the addition of a second Lower Hawthorn aquifer backup well.

Purpose:

The purpose of this application is to renew and modify Water Use Permit 36-03768-W for irrigation of 15.94 acres of turf and landscape vegetation and 94.37 acres of golf course turf. The primary source of water is reclaimed water with a backup system for a 30-day emergency supply from the Lower Hawthorn aquifer (LHA).

Project Description:

Crown Colony (Project) is an existing 427-acre residential and golf course development located at the northeast corner of the intersection of Winkler Road and Sumner Avenue in the southwestern portion of Lee County, Florida (Exhibits 1 and 2). The Project contains residential lots, a golf course (94.37 acres), common landscape (15.94 acres), stormwater management system, roads, buffers and rights-of-way. The primary source of water is 0.5 million gallons per day (MGD) of reclaimed water provided by Lee County Utilities (LCU). The Permittee has been a LCU reclaimed water customer since 2001. An updated contract for reclaimed water flows was received on June 13, 2019 (Exhibit 8). The inflow of effluent to a 1.8-acre lined irrigation pond is controlled by LCU instrumentation integrated to an automated valve. The existing withdrawal facilities consist of a pump station with two surface water pumps that withdraw from the lined pond and one LHA well. The Permittee is requesting to renew and modify the water use permit for the balance of demand not supplied by reclaimed water and a 30 day back up supply for the irrigation of a total of 110.31 acres of turf using a sprinkler irrigation system. The modification of the permit consists of an addition of a proposed LHA backup well and the extension of the expiration date by 20 more years. The well and pump details are provided in Exhibits 3 and 4, respectively. Prior to drilling the proposed well, it will be necessary to obtain well construction permits from Lee County Natural Resources Management. Project History: permit was originally issued on April 13, 2000 and has included reclaimed water from the LCU Water Treatment Plant of Fiesta Village since 2001. The Permittee will continue to apply reclaimed water and operate the Project in the same fashion by utilizing historical water sources. The current permit application was received timely.

Projected Water Use Demands:

The maximum per month and annual supplemental irrigation requirement allocations are calculated using the Modified Blaney-Criddle method as described in Subsection 2.3.1.C.1.a of the Applicant's Handbook (AH) for Water Use Permit Applications in the South Florida Water Management District (District). Under 1-in-10 year drought conditions with an average of 0.5 MGD of reclaimed water supplied to the golf course the supplemental irrigation demand for 94.37 acres of turf is 15.86 MG for the maximum month and 17.45 MG annually. The supplemental irrigation demand for 15.94 acres of landscape is 2.76 MG for maximum month and 3.18 MG annually. Therefore,

the total recommended allocations for the Project are 18.62 MG for the maximum month and 20.63 MG annually, which includes the 30 day backup supply. The peak use of the groundwater backup will likely occur during dry season (spring) when the reclaimed water supply may not meet the entire demand. A summary of the calculations for the supplemental irrigation requirements is provided in Exhibit 5.

1. POITRAS EAST
TDCP, LLC

APPL. NO. 200110-2611
PERMIT NO. 48-101314-P

ACREAGE: 782.10
LAND USE: RESIDENTIAL
COMMERCIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONCEPTUAL APPROVAL MODIFICATION)

LAST DATE FOR AGENCY ACTION: MAY 22, 2020

Attachment: IP Issued by ED report for April (5123 : Executive Director's Report - Drew Bartlett)

Project Summary

This permit authorizes Conceptual Approval of a stormwater management (SWM) system serving 782.10 acres of residential and commercial development known as Poitras East. The permit authorizes 380.02 acres of offsite mitigation area at the Harmony Tract.

Runoff from the residential and commercial development will be routed to a master stormwater management system consisting of 11 wet detention ponds for water quality treatment and attenuation, prior to discharge into Jim Branch to the west and south, Fells Cove to the south, Narcoossee Road to the east, and an existing wetland system to the north of the project.

Issuance of this permit constitutes certification of compliance with state water quality standards in accordance with Rule 62-330.062, F.A.C.

Site Description

The site is vacant land. It is located west of Narcoossee Road, north of Boggy Creek Road, east of Jim Branch, and south of Laureate Blvd in Orange and Osceola County.

The offsite mitigation area is located on the north side of State Road 192 and occupies land adjacent to Cat Lake. There are no permitted water management facilities within the project area.

For information on wetland and surface water impacts, please see the Wetlands and Other Surface Water section of this permit.

Current Authorization (Application No. 200110-2611)

This modification authorizes the following changes:

1. Revises phosphorus loading calculations to increase the average directly connected impervious area (DCIA) to 67% to accommodate the future commercial development. The impervious area for each basin remains unchanged.
2. Revises the mitigation plan from credit purchase to offsite preservation at the Harmony Tract.

Permit Modification History

On May 17, 2019, an ERP was issued for Conceptual Approval of a 782.1 acres residential and commercial development with 11 wet detention ponds for water quality treatment and attenuation (Permit No. 48-101314-P/ Application 190108-109).

Ownership, Operation and Maintenance

Perpetual operation and maintenance of the stormwater management system is the responsibility of Lake Nona South Master Association, Inc. as indicated in the submitted draft association documents. Upon completion of works authorized by subsequent applications for construction and operation activities, and within 30 days of submittal of the construction completion certification, a request for transfer to the operating entity with recorded copies of its governing documents must be submitted in accordance with General Condition No. 7.

The off-site mitigation area is currently owned by Harmony Florida Land, LLC and is currently subject to a purchase agreement with TDC Mitigation, LLC. The responsible entity responsible for the perpetual operation and maintenance of the off-site mitigation are will be TDC Mitigation, LLC.

Wetlands and Other Surface Waters

Permit No. 48-101314-P authorized a surface water management system serving 782.10 acres with 153.44 acres of wetland and other surface water impacts. The 153.44 acres of wetland and other surface water impacts yield a functional loss of 54.28 UMAM units. To mitigate for the wetland and other surface water impacts, the applicant proposed to purchase forested and herbaceous wetland credits from an appropriate mitigation bank.

Subsequent to the issuance of Permit No. 48-101314-P, two construction permits have been issued and subject to credit purchase as mitigation. Application No. 190419-1359 / Permit No. 48-100975-P provided 8.67 mitigation bank credits and Application No. 190510-1409 / Permit No. 48-101831-P provided 6.53 mitigation bank credits. This leaves a functional loss of 39.08 UMAM units. The functional gain provided at the Harmony offsite mitigation area is 39.08 units.

This application (200110-2611) is a request to modify the mitigation plan whereby the applicant will use 380.02 acres of offsite mitigation, the Harmony Mitigation Tract, to replace the previously approved mitigation bank credits. The proposed mitigation provides a 1:1 replacement of the functional loss to the functional gain; the 380.02 acres of offsite mitigation provides a functional gain equal to the functional loss of the proposed impacts.

The offsite mitigation area provides its functional gain through preservation. For each permit / modification that requires the use of mitigation at the Harmony Tract, a draft conservation easement and financial assurance documents shall be submitted. All cost estimates associated with the mitigation plan are located in the ePermitting file. A maintenance and monitoring plan will also be included. To implement the offsite mitigation plan, the applicant will submit an application for a construction modification. Refer to Exhibit 3.1 for Harmony Mitigation Tract details.

Summary Report for Application Number: 191008-11, Project Name: FANNY BASS AND KENANSVILLE GROVES, Default Date: 7/9/2020

Circle Y Groves is requesting the use of groundwater from the Upper Floridan aquifer for agricultural irrigation of 149 acres of citrus at two non-contiguous groves in Osceola County using micro-sprinkler irrigation systems with an annual allocation of 148.56 million gallons. This permit was previously permitted for the same allocation.

Purpose:

The purpose of this application is to obtain a water use permit for agricultural irrigation of 149 acres of citrus using micro-sprinkler irrigation systems at two separate groves. Withdrawals are from the Upper Floridan aquifer (UFA) via two existing withdrawal facilities.

Project Description:

Fanny Bass and Kenansville Groves (Project) are existing citrus groves located in Osceola County, as shown on Exhibits 1 through 3. Fanny Bass Grove is located on Fanny Bass Road, approximately 0.2 miles west of Fanny Bass Lane. Kenansville Grove is located approximately 25 miles southeast of Fanny Bass Grove, at the southeast corner of S. Canoe Creek Road and Lake Marian Road. The Applicant has requested the use of water for irrigation of 149 acres of citrus. Withdrawals are from the UFA via two existing withdrawal facilities. The locations of the withdrawal facilities are shown on Exhibits 3A and 3B. Facility details are shown on Exhibit 4. Operational Plan: There are 114 irrigated acres of citrus at Fanny Bass Grove and 35 irrigated acres of citrus at Kenansville Grove. Each grove has one existing UFA well used for irrigation. Permit History: Fanny Bass Grove was initially permitted in 1975 for irrigation of 100 acres of citrus using an existing UFA well (Water Use Permit 49-00012-W). Kenansville Grove was initially permitted in November 1989 for irrigation of 31 acres of citrus using one existing UFA well and one existing surface water pump withdrawing from an on-site pond (Water Use Permit 49-00456-W). Fanny Bass Grove and Kenansville Groves were combined under Water Use Permit 49-02273-W in May 2013, with a 5-year duration, for agricultural irrigation of 149 acres of citrus using micro-sprinkler irrigation systems via two existing wells withdrawing from the UFA. There are no changes from the previous permit with this application.

Projected Water Use Demands:

The annual and maximum month allocations for agricultural irrigation are calculated using the Modified Blaney-Criddle method as described in Subsection 2.3.2.A of the Applicant's Handbook (AH) for Water Use Permit Applications within the South Florida Water Management District (District). Using this method, the total Project demands were calculated to be 148.56 million gallons (MG) annually and 24.63 MG maximum month. Separate allocations are specified for each grove based on the previous groundwater model results and the fact that each grove has one well to meet their irrigation demands. The allocations for Fanny Bass Grove are 117.89 MG annually and 18.77 MG maximum month and the allocations for Kenansville Grove are 30.67 MG annually and 5.85 MG maximum month. A freeze protection allocation of 1.89 MG daily for the Project is recommended based on the rated capacities of the withdrawal facilities. Calculations of the supplemental irrigation requirement are shown on Exhibit 5.

Summary Report for Application Number: 191002-1946, Project Name: Osceola Village Center, Default Date: 5/1/2020

Project Summary

This Environmental Resource Permit authorizes Construction and Operation of a stormwater management (SWM) system serving 96.02 acres of residential/commercial development within a 163.14 acre development known as Osceola Village Center.

The project is for construction of approximately 27.04 acres of impervious area within the single family and townhome tracts. Also authorized is construction of internal roadways and mass grading of areas intended for future development of apartment homes and commercial facilities. Stormwater from the development is directed into a wet detention pond that provides water quality treatment and attenuation of the runoff prior to discharging to Lake Tohopekaliga via the onsite wetlands. The permit includes 67.12 acres of wetland enhancement area that will be placed under a conservation easement. Prior to any future construction within the mass graded tracts, the permittee shall apply for and receive an Individual ERP.

Issuance of this permit constitutes certification of compliance with state water quality standards in accordance with Rule 62-330.062, F.A.C.

Site Description

The project is located on the east side of John Young Parkway just north of Shingle Creek in Osceola County. Refer to Exhibit 1.0 for a location map.

The site is undeveloped and contains uplands, wetlands, dirt tracks and ditches associated with agricultural activities.

For information on wetland and surface water impacts, please see the Wetlands and Other Surface Water section of this permit.

Ownership, Operation and Maintenance

Perpetual operation and maintenance of the SWM system is the responsibility of Osceola Village Property Owners Association, Inc. as indicated in the submitted draft governing documents. Upon completion of construction and in conjunction with submittal of the construction completion certification, a request for transfer to the operating entity and recorded copies of its governing documents must be submitted in accordance with General Condition No. 7.

Wetlands and Other Surface Waters

The project site contains 5 wetlands and two other surface waters. Please see Exhibit 2.0 for wetland and other surface water locations. The wetlands can generally be described as freshwater marsh and cypress wetlands. The surface waters consist of upland-cut ditches. Additional wetland descriptions are available in the ePermitting file.

The project will result in 26.25 acres of wetland impacts and 0.12 acres of surface water impacts as described in the table below. Exhibit 3.0 identifies the locations of the wetlands and surface waters being impacted. The applicant has demonstrated the appropriate elimination and reduction of wetland and other surface water impacts. The proposed impacts to wetlands 2, 3, 4, and 5 (W-2, W-3, W-4, and W-5) will be to low functioning, isolated areas, of little ecological value meeting the criteria set forth in Section 10.2.2.3 of the Applicants Handbook Volume I.

Wetland 1 (W-1) has been significantly degraded by long term agricultural activities and meets the criteria set forth in Section 10.2.2.3 A.H. Volume 1. Impacts to these wetlands are fully offset as the proposed mitigation will provide greater long-term ecological value. (Section 10.2.1.2) Secondary impacts include 1.24 acres to W-1 where a buffer could not be provided between the wet detention pond and the conservation easement.

To mitigate for the wetland impacts, the applicant will enhance 67.21 acres of W-1 and purchase two herbaceous mitigation bank credits from Twin Oaks Mitigation Bank, as depicted in Exhibit 3.0. The amount of required mitigation was determined using the Uniform Mitigation Assessment Method in Chapter 62-345, F.A.C. The final scores can be found in the ePermitting file. The proposed mitigation is located within the same basin as the impacts, therefore pursuant to Section 10.2.8 of Volume I, the project will not result in unacceptable cumulative impacts to the Lake Tohopekaliga Basin.

Wetland 1 (67.21 acres) will be enhanced and placed under a conservation easement dedicated to the District. This will consist of hydrologic enhancement with perpetual maintenance to control nuisance and exotic species coverage to less than 5%. Financial assurance for the enhancement is also provided in the form of a bond. The maintenance and monitoring plan for W-1 is depicted in Exhibit 3.0.

Summary Report for Application Number: 191126-2385, Project Name: Sunbridge Creek, Default Date: 1/25/2020

Project Summary

This Environmental Resource Permit authorizes Construction and Operation of a stormwater management (SWM) system serving 146.69 acres of residential development known as Sunbridge Creek.

Authorization for construction includes a single family and townhouse development with concomitant roadway, drainage, and infrastructure. The SWM includes six wet detention ponds (Ponds A, B, C, D, E and F). Pond A is equalized with Pond C and Ponds B, C, D, and E are interconnected in series with a final outfall from control structure CS-E. Pond F has a separate outfall. The required water quality treatment volume (WQTV) for each basin is met in Ponds A, B, C, D, and E; however, the additional 50 percent WQTV for ponds B and D are met in Pond E since the ponds are interconnected. Pond F meets the additional 50 percent WQTV requirement. Both outfalls are to the ditch which traverses the project. The SWM has therefore been designed to treat and attenuate the runoff in accordance with District criteria.

Issuance of this permit constitutes certification of compliance with state water quality standards in accordance with Rule 62-330.062, F.A.C..

Site Description

The project is located approximately 9,000 feet east of the Jones Road and Narcoossee Road intersection in Saint Cloud, Florida. A location map is provided as Exhibit No. 1.0.

The site is predominately pasture land with sparse to dense vegetation, multiple ponds, wetland areas, and various residential and agricultural structures. The project area is bisected by a cattle ditch which drains from west to east and ultimately to Lake Center. There are no permitted facilities on this site.

For information on wetland and other surface water impacts, please see the Wetlands and Other Surface Water section of this permit.

Ownership, Operation and Maintenance

Jones at Nona, LLC submitted a purchase agreement as demonstration of real property interest for the project area. Prior to commencement of construction of any phase of construction, documentation of ownership must be submitted to the Agency. If the property is conveyed to an entity other than the permittee, a permit transfer will be required.

Perpetual operation and maintenance of the SWM system is the responsibility of Preston Cove Homeowners Association, Inc., as indicated in the submitted draft governing documents. Upon completion of construction and in conjunction with submittal of the construction completion certification, a request for transfer to the operating entity and recorded copies of its governing documents must be submitted in accordance with General Condition No. 7.

Wetlands and Other Surface Waters

The project site contains five wetlands and nine other surface waters totaling 11.425 acres. Please see Exhibit 3.0 for wetland locations. The project site consists of 3.908 acres of wetlands and 7.517 acres of surface waters. There are 3.908 acres of wetlands and 0.24 acres of surface waters (SW-7) that are contributing to the functional loss of the overall system and will require mitigation. The wetlands can generally be described as wet prairie and wetland forested mixed. SW-7 is a surface water system adjacent to a wetland system providing function for the wetland. It is contributing to the functional loss of the system and will be included in the mitigation. The remaining surface waters on site are live-stock watering holes and will not require mitigation to offset the impact to them.

Additional wetland descriptions are available in the ePermitting file. The project will result in wetland and other surface water impacts as described in the table below. Exhibit 3.0 identifies the locations of the wetlands and other surface waters being impacted.

To mitigate for the 3.957 acres of direct and 0.191 acres of secondary wetland and other surface water impacts, the applicant will purchase 0.18 non forested and 1.19 forested UMAM credits from TM Econ Mitigation Bank, as depicted in Exhibit 3.0. The amount of required mitigation was determined using the Uniform Mitigation Assessment Method in Chapter 62-345, F.A.C. The final scores can be found in the ePermitting file.

Cumulative Impact Analysis

Since the mitigation is not located within the same basin as the wetland impacts, a cumulative impact analysis was conducted for the forested wetlands, non-forested wetlands and other surface waters within the Lake Hart Regulatory Cumulative Impact Basin pursuant to Rule 10.2.8 of Volume I. This analysis can be found in the ePermitting file.

The analysis identified forested wetlands in the Basin that were not protected by land use restrictions or dedicated as public preserve land, as "at risk". Wetlands preserved/protected accounted for 14.5% of all forested wetlands in the Basin. Based on the applicant's analysis, if all "at risk" wetlands within the Basin were impacted and all mitigation was conducted outside the Basin, a loss of 0.021 % of wetland acreage in the Basin would occur.

Based on the analysis provided and available information, the District has determined that the project will not result in unacceptable cumulative impacts to the Lake Hart Regulatory Cumulative Impact Basin. This conclusion is project specific and does not apply to any other application.

Attachment: IP Issued by ED report for April (5123 : Executive Director's Report - Drew Bartlett)

**Summary Report for Application Number: 191017-2072, Project Name: Delray Trails PUD,
Default Date: 6/9/2020**

Project Summary

This Environmental Resource Permit (ERP) authorizes Construction and Operation of a stormwater management (SWM) system serving 118.40 acres of residential development known as Delray Trails PUD.

The proposed project involves the conversion of the existing Palm Green Golf Course area into a residential community consisting of single-family homes, townhomes with driveways and walkways and a large recreation center. The SWM system consists of swales and interconnected lakes to capture runoff and provide water quality treatment and attenuation for the overall project area.

Issuance of this permit constitutes certification of compliance with state water quality standards in accordance with Rule 62-330.062, F.A.C.

Site Description

The site is located on the former Palm Green Golf Course, just east of El Clair Ranch Road, north of Lake Ida Road, south of the Lake Worth Drainage District (LWDD) L-30 Canal, and west of the LWDD E-3 Canal. Refer to Exhibit No. 1.0 for a location map.

For information on wetland and surface water impacts, please see the Wetlands and Other Surface Water section of this permit.

Background

No permit exists for the SWM facility within the existing Palm Greens Golf Course and surrounding communities as construction of these facilities occurred prior to such permits being required.

Ownership, Operation and Maintenance

Perpetual operation and maintenance of the SWM system is the responsibility of Delray Trails Homeowners Association, Inc., as indicated in the submitted draft governing documents. Upon completion of construction and in conjunction with submittal of the construction completion certification, a request for transfer to the operating entity and recorded copies of its governing documents must be submitted in accordance with General Condition No. 7.

Wetlands and Other Surface Waters

There are no state jurisdictional wetlands or other surface waters located within the project site or affected by this project. The project site contains surface water lakes constructed prior to 1974 for stormwater management, and are therefore not delineated as other surface waters pursuant to Rule 62-340.700, F.A.C. These lakes will be dredged and filled for development of the project.

Fish, Wildlife, and Listed Species

The proposed dredging and filling activities will result in a net loss of 51.12 kilograms (kg) of potential wood stork foraging habitat which will be offset through the creation of new surface water lakes and littoral areas within those lakes, providing 115.4 kg of wood stork foraging habitat within 25.97 acres of on-site stormwater management lakes (Exhibit 3.0).

This permit does not relieve the applicant from complying with all applicable rules and any other agencies' requirements if, in the future, endangered or threatened species or species of special concern are discovered on the site.

**Summary Report for Application Number: 200115-6, Project Name: THE BRIDGES,
Default Date: 7/8/2020**

The Bridges Homeowners Association, located in Palm Beach County, is requesting the use of surface water from on-site lakes for landscape irrigation of 157.89 acres with an annual allocation of 196.94 million gallons. The allocation is the same as was previously permitted.

Purpose:

The purpose of this application is to obtain a water use permit for landscape irrigation of 157.89 acres of turf using a sprinkler irrigation system. Withdrawals are from the on-site lakes.

Project Description:

The Bridges (Project) is an existing residential development located approximately 1.6 miles south of W. Atlantic Avenue, between Lyons Road and Florida's Turnpike, in Palm Beach County, as shown on Exhibits 1 and 2. The Applicant has requested the use of water for landscape irrigation of 157.89 acres of turf using a sprinkler irrigation system. Withdrawals are from the on-site lakes via six existing withdrawal facilities (two pump stations).

Operational Plan: There are six existing surface water pumps which are separated into two pump stations withdrawing irrigation water from the interconnected lake system. Pump Station 1 (West) consists of three pumps (Pumps 1a, 1b, and 1c) and Pump Station 2 (East) consists of three pumps (Pumps 2a, 2b, and 2c). The locations of the withdrawal facilities are shown on Exhibit 3 and facility details are shown on Exhibit 4.

Permit History: The Project site was initially permitted in 1976 (Water Use Permit 50-00378-W) for agricultural irrigation of 280 acres of beans using water from the Lake Worth Drainage District (LWDD) L-38 Canal. A new permit (50-08917-W) was issued in April 2009 for landscape irrigation of 164.31 acres of turf using two proposed surface water pumps withdrawing from the on-site lakes. The permit was renewed in June 2014 with a 5 year duration for landscape irrigation of 157.89 acres and withdrawals were from the on-site lakes via six existing surface water pumps (two pump stations). The permit was transferred to The Bridges Homeowners Association Inc. in May 2015. Water Use Permit number 50-08917-W is kept for file continuity.

Projected Water Use Demands:

The annual and maximum month allocations for landscape irrigation are calculated using the Modified Blaney-Criddle method as described in Subsection 2.3.1 of the Applicant's Handbook (AH) for Water Use Permit Applications within the South Florida Water Management District (District). Using this method, the total Project demands were calculated to be 29.70 million gallons (MG) maximum month and 196.94 MG annually. Calculations of the supplemental irrigation requirement are shown on Exhibit 5.

Project Summary

This permit authorizes Conceptual Approval of a stormwater management (SWM) system serving 381.53 acres of industrial development known as LTC Ranch Industrial Park - Conceptual Approval.

The project is separated into five drainage basins. Water quality treatment and attenuation is provided within wet detention areas prior to the basins discharging to the North St. Lucie River Water Control District (NSLRWCD) C-104 canal. Off-site stormwater is routed through the wet detention area in the SW basin, discharging through a control structure to the NSLRWCD C-105 canal. This permit modifies and re-authorizes the previous Conceptual Approval for LTC Ranch Commercial Industrial Park, Permit No. 56-01480-P, which expired November 13, 2013. Refer to Exhibit Nos. 2.0 and 2.1 for additional details.

Issuance of this permit constitutes certification of compliance with state water quality standards in accordance with Rule 62-330.062, F.A.C..

Site Description

The project area is located east of 1-95, south of Midway Road and north of Glades Cutoff Road. Please refer to Exhibit No. 1.0 for a Location Map.

The site was previously used for farming and cattle pasture. There are permitted water management facilities within the project area. Refer to the Background section for additional detail.

For information on wetland and surface water impacts, please see the Wetlands and Other Surface Water section of this permit.

Background

On March 15, 2001, the Governing Board conceptually approved Permit No. 56-01480-P, Application No. 000831-10 for the 387.71-acre LTC Ranch Industrial/Commercial Park. Since that time numerous permit modifications have been issued authorizing revisions to the master SWM system and parcel development. Please refer to the ePermitting file for a complete listing.

On April 4, 2001, Permit No. 56-01480-P-02, Application No. 010111-22 authorized the construction and operation of Phase 1 of the LTC project, consisting of the backbone SWM system, and the construction of two lanes of the conceptually approved four lane roadway system. This construction was completed, certified and transferred to the operations phase.

On October 31, 2003, Permit No. 56-01480-P-02, Application No. 031009-12 removed the construction of the Southwest Basin Structure No. 2 from Application No. 010111-22 and required that the construction of the subject structure be completed and the construction certification be accepted by this District prior to or concurrent with any construction permit authorization from this District for works within the SW Basin or the Offsite basin.

On April 4, 2005, Permit No. 56-01480-P, Application No. 041027-16 allowed for the substitution of off-site mitigation for previously conceptually approved on-site wetland mitigation.

On April 13, 2005, Permit No. 56-01480-P, Application No. 050214-4, modified the Conceptual Approval increasing the maximum percent impervious for the site to a 90 percent with a maximum building coverage of 40 percent.

On November 13, 2008, Application No. 080228-27 modified the Conceptual Approval allowing impacts to Conservation Area No. 38, with onsite compensation and provided for removing this wetland area from the previously recorded conservation easement. Proposed compensation expanded Conservation Area No. 40, located in Tract 2, from 5.9 to 6.9 acres. This authorization expired November 13, 2013.

Ownership, Operation and Maintenance

Perpetual operation and maintenance of the SWM system is the responsibility of LTC Ranch Industrial/Commercial Park Master Property Owners' Association Inc. as indicated in the submitted governing documents (see Exhibit 4.0). Upon completion of construction and in conjunction with submittal of the construction completion certification, a request for transfer to the operating entity and recorded copies of its governing documents must be submitted in accordance with General Condition No. 7.

Attachment: IP Issued by ED report for April (5123 : Executive Director's Report - Drew Bartlett)

Wetlands and Other Surface Waters

The project site contains three emergent marsh wetlands totaling 15.80 acres that are preserved under a conservation easement pursuant to Conceptual Permit No. 56-01480-P for LTC Ranch Industrial/Commercial Park. All other wetlands within the project area were authorized to be impacted and mitigation provided with the issuance of Application Nos. 041027-16 and 080228-27 of that permit. The mitigation plans included the preservation of Wetlands 39, 40 and 41 (15.80 acres), upland preservation, and the purchase of 3.7 credits at Bluefield Ranch Mitigation Bank. All of the post permit compliance actions associated with the wetland preservation and mitigation on this site have been satisfied and are currently in compliance.

Two major drainage canals run through the site (C-104 and C-105), as well as various agricultural ditches. These features are considered Other Surface Waters pursuant to Rule 62-340, F.A.C. The largest wetland on this site, Wetland 41 (6.0 acres), is bisected by Canal C-104.

No new wetland impacts are proposed with the current project. Upon submittal of subsequent phases of construction in areas containing preserved wetlands, additional wetland monitoring may be required to ensure construction activities do not negatively impact these wetland areas. Additionally, any impacts to, and/or works in, other surface waters shall be addressed in subsequent construction applications, including impacts to Wood Stork Foraging.

The control elevation of the site was originally designed at 20.00' NGVD to preserve the hydrology of wetlands within the mitigation areas. The proposed control elevation for the site, 18.52 NAVD (20.00 NGVD), is consistent with the originally permitted design and therefore, should not negatively impact the wetland's hydrology.

Fish, Wildlife, and Listed Species

The existing wetland mitigation/conservation easement areas provide habitat for various wetland-dependent and aquatic species.

On September 29, 2019, the Florida Fish and Wildlife Conservation Commission (FWC) provided the applicant an unofficial letter indicating no records of listed species occurrence from the FWC database or critical habitat were located within the project area. However, it was indicated that the letter should not be considered as a review or an assessment of the impact upon threatened or endangered species of the project site. Therefore, it shall be the permittee's responsibility to coordinate with the FWC and/or the U.S. Fish and Wildlife Service for appropriate guidance, recommendations, and/or necessary permits to avoid impacts to listed species.

This permit does not relieve the applicant from complying with all applicable rules and any other agencies' requirements if, in the future, endangered or threatened species or species of special concern are discovered on the site.