

Suwannee River Water Management District

Governing Board Materials

Water Supply and Resource Management

The following materials have been reviewed and approved for distribution to the Governing Board and the public.

Director of Water Supply and
Resource Management

Assistant Executive Director

Executive Director

MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Senior Professional Engineer

DATE: March 24, 2011

RE: Authorization to Initiate Litigation Regarding Richard Oldham,
CE10-0024, Bradford County

RECOMMENDATION

Staff recommends the Governing Board authorize initiation of litigation regarding Richard Oldham, Bradford County.

BACKGROUND

A Notice of Violation was sent to Mr. Oldham on April 13, 2010, for an unpermitted pond and deposition of spoil material in a flood hazard area. After numerous attempts to correct this violation, the file was sent to counsel. Counsel notified Mr. Oldham twice (letters dated August 9, 2010, and November 4, 2010 – this letter being hand delivered) regarding the action needed to remedy the situation.

Staff met with Mr. Oldham on-site on December 6, 2010, to again explain the steps necessary to resolve the violation. As of March 16, 2011, Mr. Oldham has not responded to Counsel or staff regarding his intention to comply.

In order to resolve this enforcement action, either the site needs to be restored to pre-existing conditions or the pond must be permitted and the spoil material removed from the flood-hazard area.

TS/rl

MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Senior Professional Engineer

DATE: March 24, 2011

RE: Denial of General Environmental Resource Permit Application
Number 09-0068, Myrick Enterprises Apartments, Madison County

RECOMMENDATION

Staff recommends that the Governing Board authorize denial, without prejudice, of General Environmental Resource Permit Application Number 09-0068, to Myrick Enterprises Corporation, for Myrick Enterprises Apartments in Madison County.

BACKGROUND

Staff has reviewed the permit application. The application is incomplete because the applicant did not supply the information needed to complete the review.

/rl

March 24, 2011

Roderick Myrick
Myrick Enterprises, Corp.
9180 Silver Glen Way
Lake Worth, FL 33467

Subject: Denial of ERP09-0068, Myrick Enterprises Apartments,
Madison County

Dear Mr. Myrick:

Suwannee River Water Management District (District) staff proposes to recommend to the Governing Board that your project be denied without prejudice. Staff intends to recommend denial of this permit application because of failure to supply information necessary to complete the application.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on April 12, 2011, which is open to the public.

Persons considered to be affected by this proposed agency action may request an administrative hearing. The request must be written and must adhere to the requirements of Chapter 28-106, Florida Administrative Code. Please see the enclosed Notice of Rights. All requests for administrative hearings shall be sent to the District at 9225 County Road 49, Live Oak, Florida 32060. Please call permitting staff at 386.362.1001 if you have any questions.

Sincerely,

Tim Sagul, P.E., CFM
Resource Management Department

TS/rl

Enclosure

cc: Madison County Board of Commissioners
GBF Engineering, Inc.

Certified Mail Receipt Number: 7010 0780 0001 1768 7311

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 Florida Statutes. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may chose to pursue mediation as an alternative remedy as described above. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon receipt of the petition by the Office of the District Clerk at the District Headquarters in Live Oak, Florida.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing pursuant to Rule 28-106.111, Florida Administrative Code.

NOTICE OF RIGHTS

7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.
10. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
11. Failure to observe the relevant time frames for filing a petition for judicial review, or for Commission review, will result in waiver of the right to review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

**Roderick Myrick
Myrick Enterprises, Corp.
9180 Silver Glen Way
Lake Worth, FL 33467**

At 4:00 p.m. this _____ day of _____, _____

Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

**STAFF REPORT
ENVIRONMENTAL RESOURCE PERMIT APPLICATION**

DATE: March 24, 2011

PROJECT: Myrick Enterprises Apartments

APPLICANT:

Roderick Myrick
Myrick Enterprises Corp.
9180 Silver Glen Way
Lake Worth, FL 33467

PERMIT APPLICATION NO.: ERP09-0068
DATE OF APPLICATION: 07/01/09
APPLICATION COMPLETE: N/A
DEFAULT DATE: N/A

Recommended Agency Action

District staff recommends denial, without prejudice, of the environmental resource permit application because the applicant did not supply the information needed to complete the review.

SRWMD Project Review Staff

John Hastings, P.E., Senior Professional Engineer, and Louis Mantini, Regulatory Scientist I, reviewed the project application.

Project Location

The project is located in the City of Madison north of US 90, Township 1 North, Range 9 East, Section 23, in Madison County.

Project Description

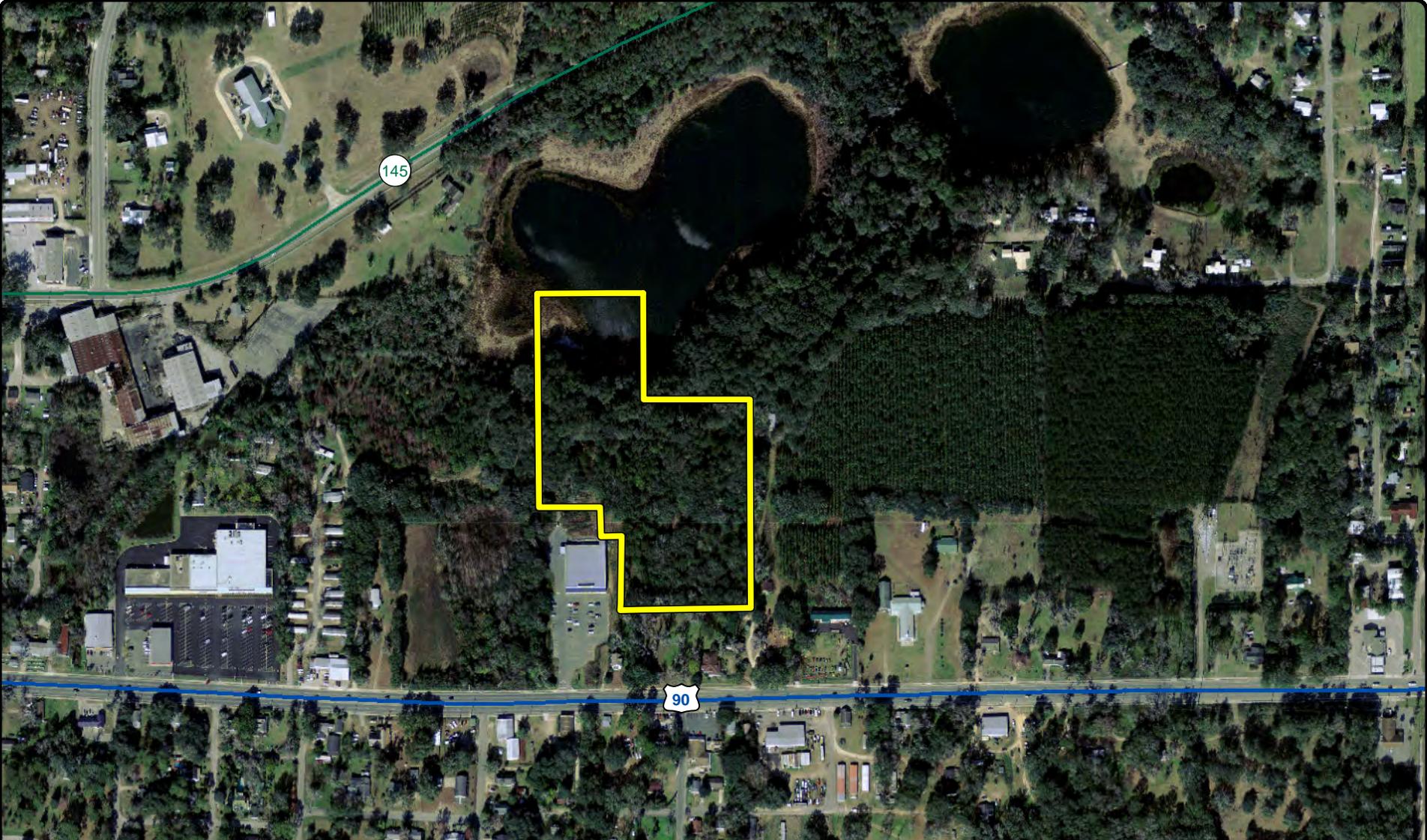
The proposed project is a seven-acre apartment complex. Information was received on June 2, 2009. The applicant was notified that an application and fee was required. An environmental resource permit application and fee was received on July 1, 2009. A request for additional information was sent on July 13, 2009. A time extension request was received on September 4, 2009. No further information has been received.

Interagency Coordination

The United States Army Corps of Engineers, and the Florida Fish and Wildlife Conservation Commission are aware of the proposed project.

Site inspection to ensure project was not constructed

The site has been inspected intermittently, with the latest inspection on January 19, 2011. No construction has occurred.



Myrick Enterprises Apartments

ERP09-0068

April 2011



 Project Boundary



Note: This map was created by the Suwannee River Water Management District (SRWMD) to be used for planning purposes only. SRWMD shall not be held liable for any injury or damage caused by the use of data distributed as a public records request regardless of their use or application. SRWMD does not warrant the accuracy, or suitability for any use of these data, and no warranty is expressed or implied. For more information please contact the SRWMD at 386-362-1001.

MEMORANDUM

TO: Governing Board

FROM: Carlos D. Herd, P.G., Senior Hydrogeologist

DATE: March 24, 2011

RE: Approval of Water Use Permit Application Number
2-84-00183R, Coggins Farm Supply, Inc., Hamilton County

RECOMMENDATION

Staff recommends the Governing Board approve a renewal of Water Use Permit Application number 2-84-00183R, with seventeen standard conditions and nine special limiting conditions to Coggins Farm Supply, Inc., in Hamilton County.

BACKGROUND

Staff has determined that the application is complete and satisfies the conditions for issuance in Chapter 40B-2, Florida Administrative Code.

/tm

March 24, 2011

Coggins Farm Supply, Inc.
C/O Kevin Coggins
240 Coggins Farm Road
Lake Park, GA 31636

Subject: Approval of Water Use Permit Application Number
2-84-00183R, Coggins Farm Supply, Inc., Hamilton County

Dear Mr. Coggins:

Suwannee River Water Management District (District) staff proposes to recommend to the Governing Board that the above-mentioned project be approved. Enclosed is a copy of the Staff Report with Conditions.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on April 12, 2011, which is open to the public.

Persons considered to be affected by this proposed agency action may request an administrative hearing. The request must be written and must adhere to the requirements of Chapter 28-106, Florida Administrative Code. Please see the enclosed Notice of Rights. All requests for administrative hearings shall be sent to the District at 9225 County Road 49, Live Oak, Florida 32060. Please call permitting staff at 386.362.1001 if you have any questions.

Sincerely,

Jon Dinges, P. E.
Director, Water Supply & Resource Management

JD/tm

Enclosure

Certified Mail Receipt Number: 7008 1300 0001 7732 0043

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 Florida Statutes. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may choose to pursue mediation as an alternative remedy as described above. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.
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4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon receipt of the petition by the Office of the District Clerk at the District Headquarters in Live Oak, Florida.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing pursuant to Rule 28-106.111, Florida Administrative Code.

NOTICE OF RIGHTS

7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.
10. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
11. Failure to observe the relevant time frames for filing a petition for judicial review, or for Commission review, will result in waiver of the right to review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

Coggins Farm Supply, Inc.
C/O Kevin Coggins
240 Coggins Farm Road
Lake Park, GA 31636

At 4:00 p.m. this _____ day of _____, _____

Jon Dinges
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

STAFF REPORT

WATER USE PERMIT APPLICATION

DATE: March 24, 2011

PROJECT: Coggins Farm Supply, Inc.

APPLICANT: Coggins Farm Supply, Inc.
240 Coggins Farm Road
Lake Park, GA 31636

PERMIT APPLICATION NO.: 2-84-00183R
DATE OF APPLICATION: November 5, 2010
APPLICATION COMPLETE: February 14, 2011

	Previous Quantities:		Proposed Quantities:	
Average Daily Rate (ADR)	0.2381	mgd	2.6745	mgd
Maximum Daily Rate (MDR)	1.2960	mgd	30.8664	mgd

MANAGER/MEMBER DETAIL:

Gerald Coggins 1794 J Frank Culpepper Rd Lake Park, GA 31636	CEO
Edwin Coggins 1638 J Frank Culpepper Rd Lake Park, GA 31636	CFO
Kevin Coggins 530 East St Lake Park, GA 31636	Secretary

Recommended Agency Action

Staff recommends approval of a permit renewal of an existing agricultural water use permit for a farm operation located within Hamilton County. The permit will include seventeen standard conditions and nine special limiting conditions. The permit will expire on April 12, 2031.

Project Review Staff

Kevin Wright, P.E., John Kruse, and Carlos D. Herd, P.G., have reviewed the application.

Project Location

The withdrawal facilities are currently located in Township 01 North, Range 11 East, Sections 26 and 35, Township 02 North, Range 12 East, Sections 05, 08, 11, 12, 13, 28 and 32, Township 02 North, Range 13 East, Sections 08, 18 and 20, Georgia Fractional 192 and Georgia Fractional 224 in Hamilton County. The project is located within the Alapaha and Withlacoochee River Basins.

Project Description

The project area consists of approximately 5,187 acres with 2,469 acres being irrigated using groundwater. 40 acres of an 80-acre field crossed into the state of Georgia. Since the well is located within the District, the crop water needs were included within the allocation. The applicant has provided a written statement that they own or have legal control to the 5,187 acres included in this application.

The water use calculations are based upon the irrigated acreage, crop rotation and crop type provided by Coggins Farm Supply, Inc.'s, agronomist. Crops include sweet potatoes, cucumbers, pasture, corn, cotton, snap beans, blackberries and carrots. For irrigation, Coggins uses 34 center pivots and 6 drip irrigation systems. Coggins also runs approximately 230 head of beef cattle in their Florida operation. Coggins operates a packing house which runs four months out of the year. Coggins also maintains a labor camp which can house 125 people for six months out of the year. The Average Daily Rate (ADR) of withdrawal will be 2.6745 MGD.

The significant increase from the previous permit is due to Coggins Farm Supply, Inc. farming property previously permitted by Zellwin Farms Company. The previous permits were 2-99-00043 and 2-99-00082. Both of the previous permits were for the operation the Coggins Farm Supply, Inc. now controls. The previous permits have been voided and a memo placed in each file. An increase in permitted ADR is also attributed to different crop types and an increase in irrigated acreage from previous permitted uses.

The project area includes 33 existing wells. Use of the wells will be for irrigation purposes, livestock use, industrial (food processing), and public supply. Most wells are self-metered, which will help in estimating actual groundwater use.

The well table is listed below. The number/name was provided by the applicant.

Name	Status	Diameter	Capacity (gpm)	Water Use
Miller Well	Active	12	1200	Irrigation
Cedar Lane Drip Well	Active	12	1200	Irrigation
Cedar Lane Pivot Well	Active	12	700	Irrigation
Cunningham Well	Active	12	800	Irrigation
Timber Lake Drip Well	Active	10	800	Irrigation
Timber Lake Pivot Well	Active	12	900	Irrigation
Prescott Cattle	Active	4	10	Livestock
Prescott Pivot	Active	10	500	Irrigation
Reynolds Place well	Active	10	1450	Irrigation
Reynolds Cattle well	Active	4	10	Livestock
Little Prescott	Active	10	350	Irrigation
Florida Line East	Active	10	350	Irrigation
Butlers Well	Active	8	500	Irrigation
Florida Line West	Active	10	325	Irrigation
Big Woods 1 well	Active	10	650	Irrigation
Big Woods 2 well	Active	10	650	Irrigation
Big Woods 3	Active	10	650	Irrigation
Big Woods 4&5	Active	12	600	Irrigation
Big Woods 6&7	Active	12	600	Irrigation
Big Woods 8	Active	10	500	Irrigation
Big Woods 9	Active	10	900	Irrigation
Jennings Labor Camp	Active	4	20	Public Supply
Zellwin Packing House	Active	4	20	Drinking
Zellwin Packing House 2	Active	8	250	Industrial
Selph Well	Active	12	1000	Irrigation
Zellwin #8	Active	8	700	Irrigation
Zellwin #7	Active	8	700	Irrigation
Zellwin #6	Active	12	850	Irrigation
Zellwin #5	Active	10	850	Irrigation
Zellwin #4	Active	10	550	Irrigation
Zellwin #3	Active	12	900	Irrigation
Zellwin #2	Active	12	950	Irrigation
Zellwin #1	Active	10	1000	Irrigation

Demonstration of Need

The applicant has provided information that supports the requested allocation, based upon number of livestock, crop types, irrigated acres, population served and packing house needs.

Water Conservation

Coggins Farm Supply, Inc., has completed the Water Conservation worksheets for Livestock Use, Center Pivot Irrigation and Drip Irrigation. Coggins Farm Supply, Inc., also self-meters most of their large production wells. Coggins Farm Supply, Inc., is proactive in repairing or replacing leaking irrigation system parts.

Minimum Flows and Levels Compliance

Staff determined through the SRWMD North Florida Model, version 1.0, that the proposed water use would not violate minimum flows and levels (MFLs) at any downstream MFL points established along the Suwannee River or its tributaries. However, a special limiting condition has been included in the permit for the District to seek a modification to the permit to assist in the recovery and/or prevention strategy associated with an adopted MFL.

Conclusions

After verification of all current and proposed water use activities, District staff was able to determine the following:

1. Water use will occur 365 days each year.
2. The farm operation results in an increase of the permitted ADR up to 2.6745 MGD and MDR to 30.8664 MGD.
3. The proposed use meets the requirements outlined in 40B-2.301, Florida Administrative Code and Staff recommends approval of this permit modification.

Standard Conditions

1. Nothing in this permit should be construed to limit the authority of the Suwannee River Water Management District to declare a water shortage and issue orders pursuant to Section 373.175, Florida Statutes, or to formulate a rule for implementation during times of water shortage pursuant to Section 373.246, Florida Statutes. In the event of water shortage as declared by the Board, the permittee shall adhere to any limitations on withdrawal or use ordered by the District.
2. This permit is classified as confined Floridian Aquifer for overhead irrigation.

3. Permittee shall allow District personnel at reasonable times and at District expense or with District equipment to monitor withdrawal rates and volumes authorized by this permit.
4. Capping of Withdrawals Not In Use: Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500(3)(a)(4), F.A.C.
5. The permittee may apply for a permit modification at any time in accordance with section 40B-2.331, FAC.
6. In the event of a District-declared water shortage, the permittee must immediately comply with any restrictions or requirements ordered in accordance with the District's Water Shortage Plan, chapter 40B-21, FAC.
7. Permittee must mitigate interference with existing legal uses caused in whole or in part by the permittee's withdrawals, consistent with a District-approved mitigation plan. As necessary to offset such interference, mitigation may include, but is not limited to, reducing pumpage, replacing the existing legal user's withdrawal equipment, relocating wells, changing withdrawal source, supplying water to existing legal user, or other means needed to mitigate the impacts.
8. Permittee must mitigate harm to existing off-site land uses caused by the permittee's withdrawals. When harm occurs, or is imminent, the permittee must modify withdrawal rates or mitigate the harm.
9. Permittee must mitigate harm to the natural resources caused by the permittee's withdrawals. When harm occurs or is imminent, the permittee must modify withdrawal rates or mitigate the harm.
10. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to chapter 373, FS.
11. Authorized representatives of the District, upon reasonable notice to the permittee, shall be permitted to enter and inspect the permitted water use to determine compliance with the permit conditions.
12. This permit does not relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.

13. This permit does not convey to the permittee any property rights or privileges other than those specified herein.

14. Permittee shall notify the District in writing within 90 days of any sale, conveyance, or other transfer of ownership or control of the real property on which the permitted water use activities are located. All water use permit transfers are subject to the requirements of section 40B-2.301, FAC.

15. Permittee must notify the District in writing prior to implementing any changes in the water use that may alter the permit allocations. Such changes include, but are not limited to, change in irrigated acreage, crop type, irrigation system, water treatment method, or entry into one or more large water use agreements. In the event a proposed change will alter the allocation, permittee must first obtain a permit modification.

16. When the District provides a permanent identification tag, the tag shall be prominently displayed at the withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility. If the permit covers several facilities such as a well field, a tag shall be affixed to each facility. Failure to display a tag as prescribed herein shall constitute a violation of the permit. The permittee shall be allowed ten (10) days after the notice of violation of this section to obtain a replacement tag.

17. The District reserves the right to open this permit, following notice to the permittee, to include a permit condition prohibiting withdrawals for resource protection.

Special Limiting Conditions

18. All correspondence sent to the District regarding this permit must include the permit number 2-84-00183R.

19. At the initial Five-Year Review Phase (in 2016), the Permittee shall submit a plan for estimating and monitoring groundwater withdrawals. Following approval of the plan by District staff, total flow from each well shall be monitored and recorded on a monthly basis and reported to the District on or before the fifteenth day of the following month. Total flow from each alternative water supply point shall also be individually monitored and reported to the District on a monthly basis.

20. If water use causes adverse impacts to occur, the District reserves the right to curtail future withdrawal rates or otherwise modify the site certification.

Adverse impacts include:

- a. Cumulative reduction in well water levels that impairs the ability of the well to produce water;
- b. Cumulative reduction in levels in an adjacent water body such as a lake, pond, or retention/detention area that impairs the designated function of the water body or the ability for a permitted withdrawal facility to produce water;
- c. Saline water intrusion or induced movement of pollutants into the water supply of an adjacent water use, resulting in harm due to a reduction in water quality;
- d. Land collapse or subsidence caused by reduction in water levels;
- e. Damage to crops and other types of vegetation;
- f. Harm to a naturally occurring water body such as lake, pond, or wetland by reducing water levels or changing the hydroperiod; and,
- g. Harm to the natural system including damage to habitat for endangered or threatened species, or species of special concern.

21. If water use causes or contributes to a violation of Minimum Flows and Levels (MFLs), the District reserves the right to curtail future withdrawal rates or otherwise modify the site certification as described in the recovery or prevention strategy associated with the MFL.

22. The Permittee shall implement and/or maintain the conservation practices selected on the Water Conservation Worksheet(s) which are associated with this permit. Any new practices selected shall be implemented in one year from the date of permit issuance. Practices that involve scheduling methods or maintenance shall be documented. Documentation for implementation and/or maintenance shall be maintained on all practices and available upon request.

23. The permitted water withdrawal facilities consist of the table on Attachment A.

24. The permittee shall ensure that the irrigation systems will water target areas only under field operations. Irrigation of non-target areas (roads, woods, structures, etc.) is prohibited.

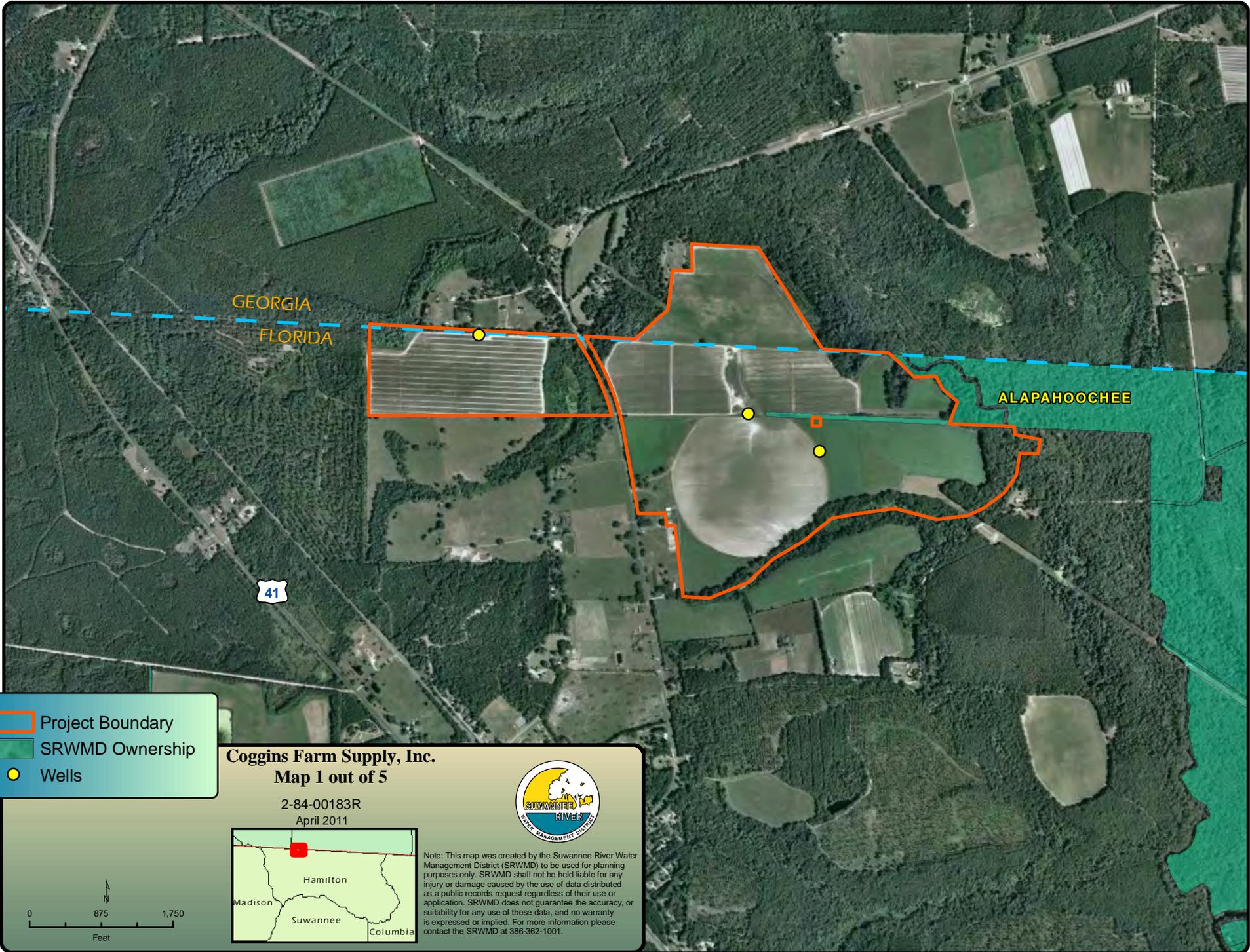
25. This permit and the agricultural operation will be reviewed by District staff and the permittee every five years starting in the year 2016. Results of this review will be presented to the Governing Board with staff recommendations for consideration of any further action, if needed. The Governing Board can make a decision to act on staff recommendations and modify the permit, if they feel the

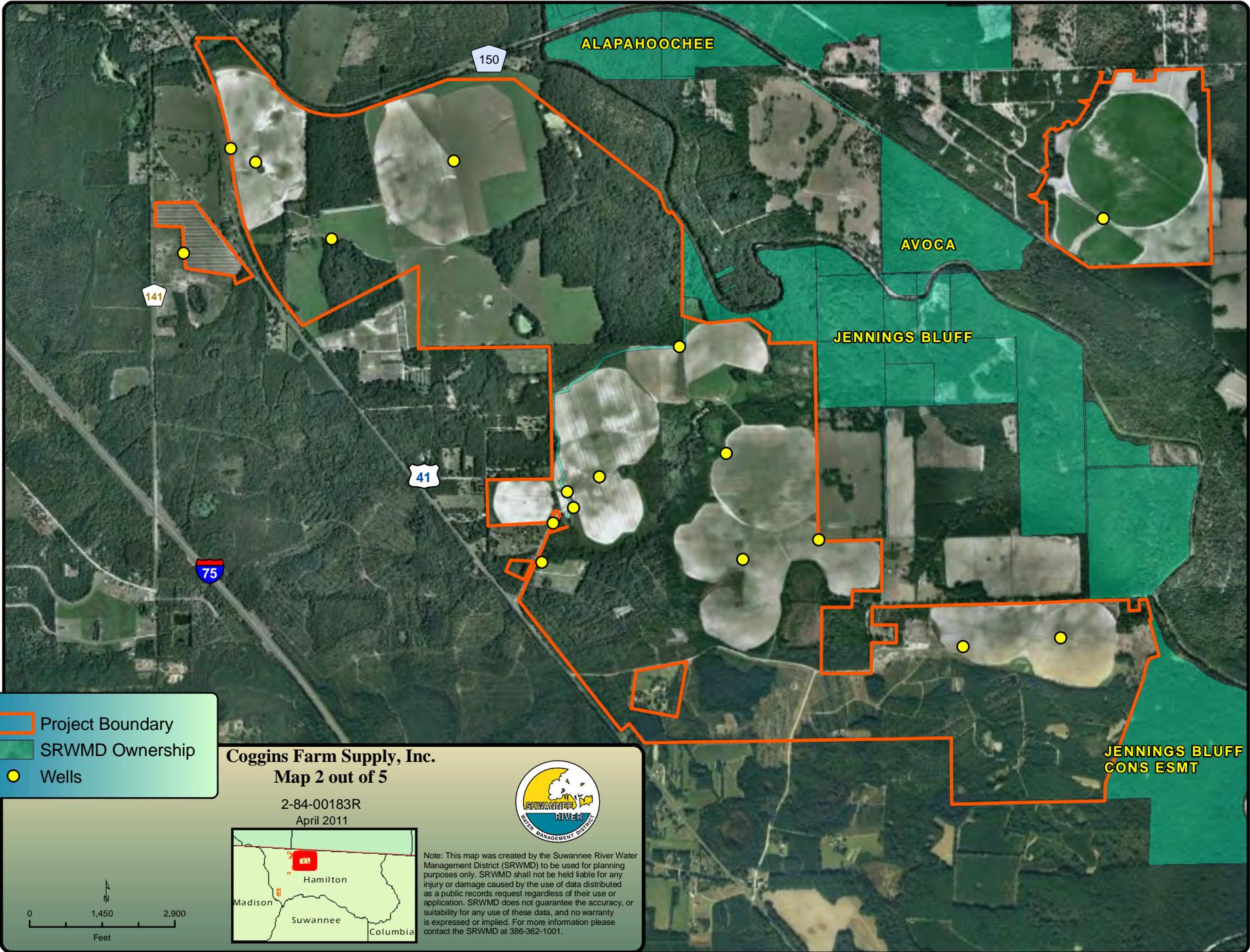
staff's recommendations are appropriate. The review will consist of comparing current use to the previously permitted use based upon use type, addition or deletion of withdrawal points or irrigation points, changes in ownership, improved conservation practices/best management practices, change in project area, and or other factors identified during the review that are warranted for discussion.

26. This permit shall expire on April 12, 2031. The permittee must submit the appropriate application form incorporated by reference in subsection 40B-2.041(2), FAC and the required fee to the District pursuant to section 40B-2.361, FAC, prior to this expiration date in order to continue the use of water.

Attachment A
2-84-00183R
Coggins Farm Supply, Inc.

Name	Status	Diameter	Capacity (gpm)	Water Use
Miller Well	Active	12	1200	Irrigation
Cedar Lane Drip Well	Active	12	1200	Irrigation
Cedar Lane Pivot Well	Active	12	700	Irrigation
Cunningham Well	Active	12	800	Irrigation
Timber Lake Drip Well	Active	10	800	Irrigation
Timber Lake Pivot Well	Active	12	900	Irrigation
Prescott Cattle	Active	4	10	Livestock
Prescott Pivot	Active	10	500	Irrigation
Reynolds Place well	Active	10	1450	Irrigation
Reynolds Cattle well	Active	4	10	Livestock
Little Prescott	Active	10	350	Irrigation
Florida Line East	Active	10	350	Irrigation
Butlers Well	Active	8	500	Irrigation
Florida Line West	Active	10	325	Irrigation
Big Woods 1 well	Active	10	650	Irrigation
Big Woods 2 well	Active	10	650	Irrigation
Big Woods 3	Active	10	650	Irrigation
Big Woods 4&5	Active	12	600	Irrigation
Big Woods 6&7	Active	12	600	Irrigation
Big Woods 8	Active	10	500	Irrigation
Big Woods 9	Active	10	900	Irrigation
Jennings Labor Camp	Active	4	20	Public Supply
Zellwin Packing House	Active	4	20	Drinking
Zellwin Packing House 2	Active	8	250	Industrial
Selph Well	Active	12	1000	Irrigation
Zellwin #8	Active	8	700	Irrigation
Zellwin #7	Active	8	700	Irrigation
Zellwin #6	Active	12	850	Irrigation
Zellwin #5	Active	10	850	Irrigation
Zellwin #4	Active	10	550	Irrigation
Zellwin #3	Active	12	900	Irrigation
Zellwin #2	Active	12	950	Irrigation
Zellwin #1	Active	10	1000	Irrigation





-  Project Boundary
-  SRWMD Ownership
-  Wells

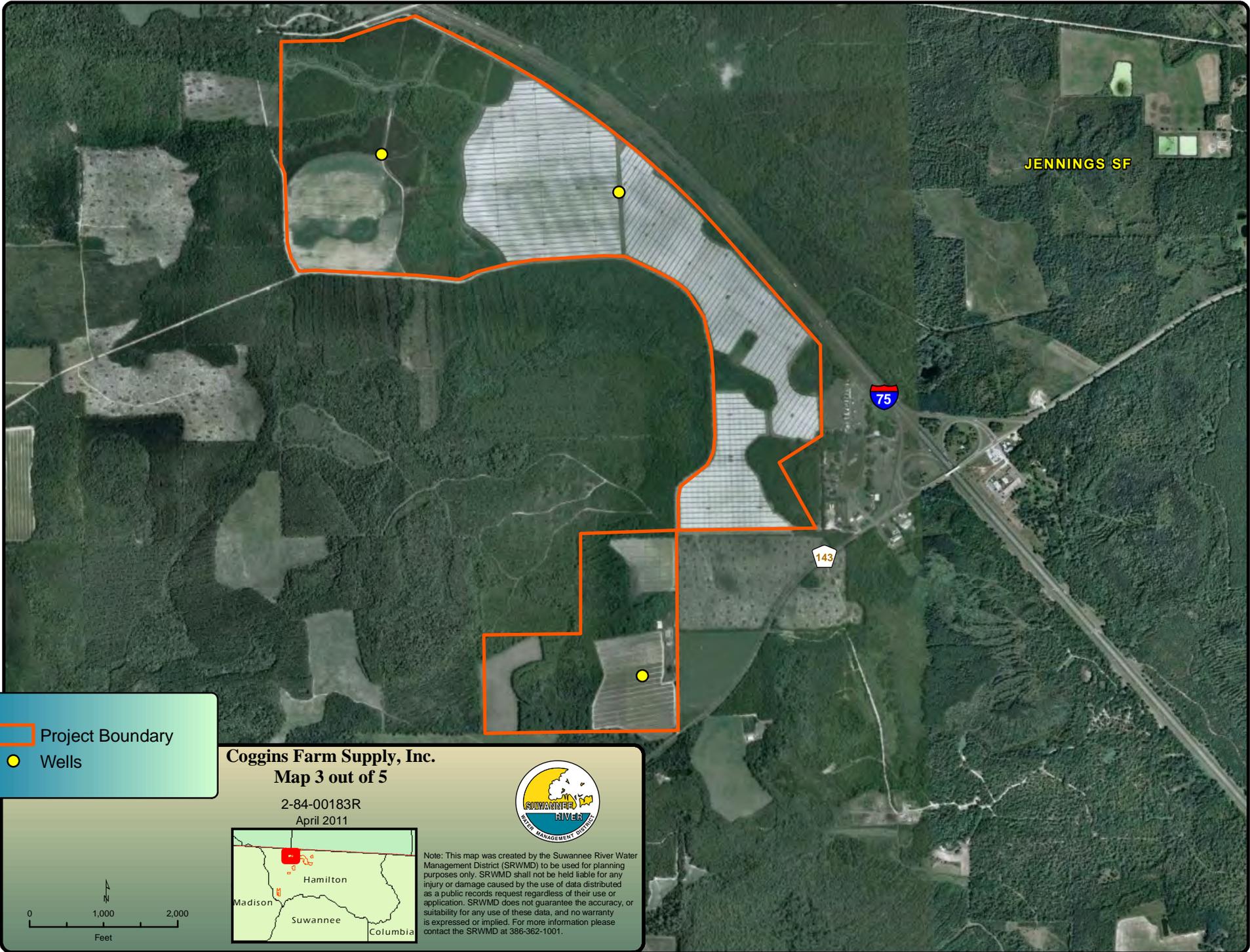
Coggins Farm Supply, Inc.
Map 2 out of 5

2-84-00183R
 April 2011



Note: This map was created by the Suwannee River Water Management District (SRWMD) to be used for planning purposes only. SRWMD shall not be held liable for any injury or damage caused by the use of data distributed as a public records request regardless of their use or application. SRWMD does not guarantee the accuracy, or suitability for any use of these data, and no warranty is expressed or implied. For more information please contact the SRWMD at 386-362-1001.





Project Boundary

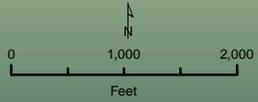
Wells

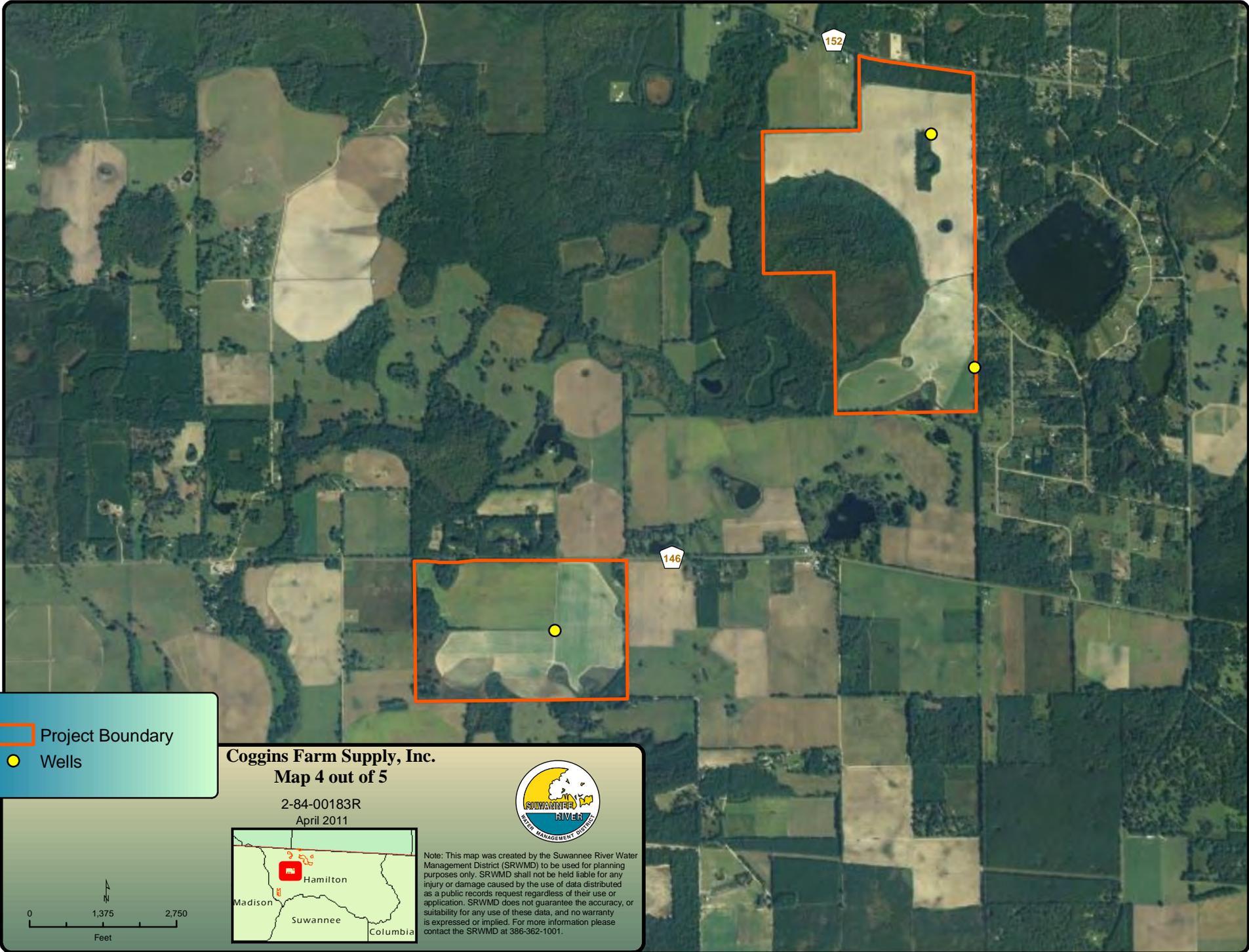
Coggins Farm Supply, Inc.
Map 3 out of 5

2-84-00183R
 April 2011



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 Project Boundary
 Wells

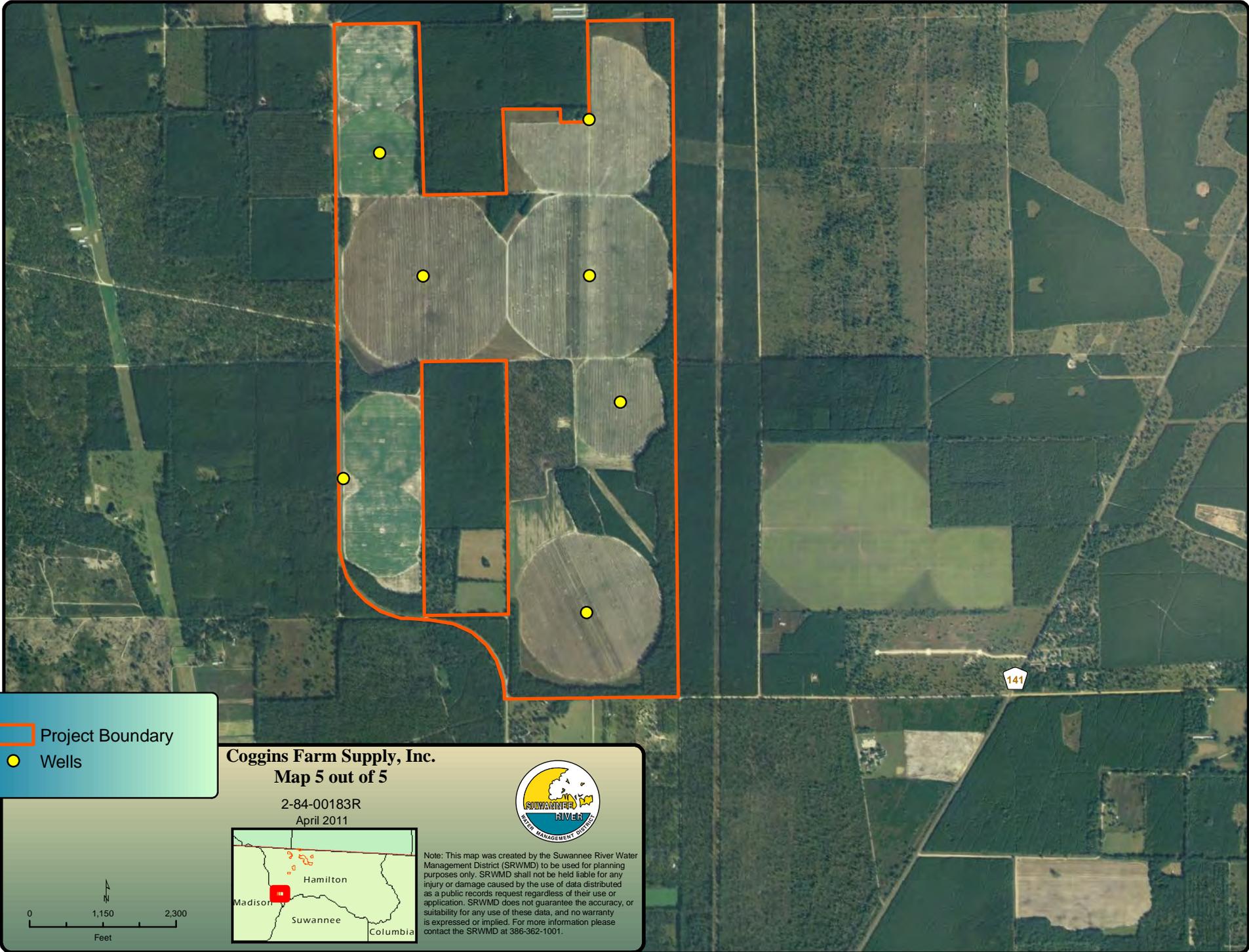
Coggins Farm Supply, Inc.
Map 4 out of 5

2-84-00183R
 April 2011



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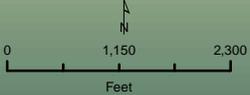
 Project Boundary
 Wells

Coggins Farm Supply, Inc.
Map 5 out of 5

2-84-00183R
 April 2011



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MEMORANDUM

TO: Governing Board

FROM: Carlos D. Herd, P.G., Senior Hydrogeologist

DATE: March 24, 2011

RE: Approval of Water Use Permit Application Number
2-86-00139M, Southpoint Dairy, Levy County

RECOMMENDATION

Staff recommends the Governing Board approve a modification to Water Use Permit Application Number 2-86-00139M, with seventeen standard conditions and nine special limiting conditions to Ron and Marcia St. John, for Southpoint Dairy in Levy County.

BACKGROUND

Staff has determined that the application is complete and satisfies the conditions for issuance in Chapter 40B-2, Florida Administrative Code.

/tm

March 24, 2011

Ron and Marcia St. John
4951 NW 170th Street
Trenton, FL 32693

Subject: Approval of Water Use Permit Application Number
2-86-00139M, Southpoint Dairy, Levy County

Dear Mr. and Mrs. St. John:

Suwannee River Water Management District (District) staff proposes to recommend to the Governing Board that the above-mentioned project be approved. Enclosed is a copy of the Staff Report with Conditions.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on April 12, 2011, which is open to the public.

Persons considered to be affected by this proposed agency action may request an administrative hearing. The request must be written and must adhere to the requirements of Chapter 28-106, Florida Administrative Code. Please see the enclosed Notice of Rights. All requests for administrative hearings shall be sent to the District at 9225 County Road 49, Live Oak, Florida 32060. Please call permitting staff at 386.362.1001 if you have any questions.

Sincerely,

Jon Dinges, P. E.
Director, Water Supply & Resource Management

JD/tm

Enclosure

Certified Mail Receipt Number: 7009 0820 0000 0505 3656

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 Florida Statutes. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may choose to pursue mediation as an alternative remedy as described above. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon receipt of the petition by the Office of the District Clerk at the District Headquarters in Live Oak, Florida.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing pursuant to Rule 28-106.111, Florida Administrative Code.

NOTICE OF RIGHTS

7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.
10. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
11. Failure to observe the relevant time frames for filing a petition for judicial review, or for Commission review, will result in waiver of the right to review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

Ron & Marcia St. John
4951 NW 170th Street
Trenton, FL 32693

At 4:00 p.m. this _____ day of _____, _____

Jon Dinges
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

STAFF REPORT
WATER USE PERMIT APPLICATION

DATE: March 24, 2011

PROJECT: Southpoint Dairy

APPLICANT: Ron and Marcia St. John
4951 NW 170th Street
Trenton, FL 32693

PERMIT APPLICATION NO.: 2-86-00139M
DATE OF APPLICATION: February 18, 2011
APPLICATION COMPLETE: February 18, 2011

	Previous Quantities:		Proposed Quantities:	
Average Daily Rate (ADR)	1.0006	mgd	1.5418	mgd
Maximum Daily Rate (MDR)	5.0400	mgd	6.2582	mgd

Recommended Agency Action

Staff recommends approval of a transfer in ownership and modification to an existing agricultural water use permit for an existing dairy operation located within Levy County. The permit will include seventeen standard conditions and nine special limiting conditions. The modified permit will expire on November 13, 2017.

Project Review Staff

John Kruse, Kevin Wright, P.E., Glenn Horvath, and Carlos D. Herd, P.G., have reviewed the application.

Project Location

The withdrawal facilities are currently located in Township 12 South, Range 14 East, Sections 16, 20 and 21 in Levy County. The project is located approximately 5.5 miles southwest from the City of Chiefland. The project is located within the lower Suwannee River basin.

Project Description

District records indicate that the original permit for the dairy was issued on March 19, 1987. The water use permit has been modified several times since then to include expansions at the dairy. The District received a February 18, 2011, request from Ron and Marcia St. John to transfer and modify the water use permit for the dairy. District staff conducted a site visit on February 8, 2011, and held a pre-application meeting with Mr. St. John and other dairy personnel. Data was gathered and collected that was used in preparation of this permit.

The project area consists of approximately 1,020 acres with 591 acres being irrigated using center pivot systems supplied by groundwater. The dairy was previously operated as a total confinement dairy, in which a larger amount of wastewater was generated from the operation. However, changes in the dairy operation under Mr. St. John's direction has changed the operation over to a rotational grazed, low intensity management system that generates very little wastewater. The dairy has received a Florida Department of Environmental Protection (FDEP) permit (FLA285374-003) for a concentrated animal feeding operation. In this permit, the total acreage needed for the nutrient management plan (wastewater application) is 87 acres of pasture.

The applicants have legal control to the 1,020 acres included in this application. The total number of milking cows at the dairy will be 1,600 with another 1,080 dry cows, heifers, and/or calves.

The water use calculations were based upon the irrigated acreage and crop type and livestock use at the dairy. The dairy irrigates two crops per year to provide animal feed for the dairy. The dairy has 6 center pivot irrigation systems. The crop rotation schedule provided by the applicants consists of pasture-dairy grazing and rye. The modified Average Daily Rate (ADR) of withdrawal will be 1.5418 MGD.

The project has 10 existing wells for irrigation, livestock, and other dairy uses.

The well table is listed below. The number/name was provided by the applicant.

Well #	Well Status	Dia.	Capacity (gpm)	Use/Pivot
1/Beauchamp	Existing	12	1200	Center Pivot
3/Springer Lot	Existing	4	33	Livestock Use
4/Usher	Existing	12	1200	Center Pivot
5/Shop	Existing	4	20	Dairy Barn

7/State	Existing	4	33	Livestock Use
8/Main	Existing	8	800	Dairy Barn
10/Allen	Existing	4	20	Livestock Use
11/CR 347	Existing	12	1000	Center Pivot
13/Beauchamp Heifers	Existing	4	20	Livestock Use
14/Beauchamp Livestock	Existing	4	20	Livestock Use
NOTE:	The missing wells # 2, 6, 9, and 12 are not part of the operation that was acquired by Mr. St. John. These wells were either properly abandoned or on property not affiliated with the current dairy operation.			
	Not on table above.			

Demonstration of Need

The applicant has provided information that supports the requested increase, based upon number of livestock, crop types, and irrigated acres.

Water Conservation

The applicants have submitted water conservation worksheets showing the conservation measures used at the dairy operation. The primary function of the irrigation systems is to provide forage crops for the grazing dairy operation. In addition, the applicant has signed a Notice of Intent (NOI) with Florida Department of Agriculture and Consumer Services on following Best Management Practices (BMPs) for the many agricultural components of the dairy operation.

Minimum Flows and Levels Compliance

Staff determined through the SRWMD North Florida Model, version 1.0, that the proposed water use would not violate minimum flows and levels (MFLs) at any downstream MFL points established along the Suwannee River. However, a special limiting condition has been included in the permit for the District to seek a modification to the permit to assist in the recovery and/or prevention strategy associated with an adopted MFL.

Conclusions

After verification of all current and proposed water use activities, District staff was able to determine the following:

1. Water use will occur 365 days each year.
2. The expansion at the dairy results in an increase of the permitted ADR up to 1.5418 MGD and MDR to 6.2582 MGD.
3. The proposed use meets the requirements outlined in 40B-2.301, Florida Administrative Code and staff recommends approval of this permit modification.

Standard Conditions

1. Nothing in this permit should be construed to limit the authority of the Suwannee River Water Management District to declare a water shortage and issue orders pursuant to Section 373.175, Florida Statutes, or to formulate a rule for implementation during times of water shortage pursuant to Section 373.246, Florida Statutes. In the event of water shortage as declared by the Board, the permittee shall adhere to any limitations on withdrawal or use ordered by the District.
2. This permit is classified as unconfined Floridan Aquifer for overhead irrigation.
3. Permittee shall allow District personnel at reasonable times and at District expense or with District equipment to monitor withdrawal rates and volumes authorized by this permit.
4. Capping of Withdrawals Not In Use: Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500(3)(a)(4), F.A.C.
5. The permittee may apply for a permit modification at any time in accordance with section 40B-2.331, FAC.
6. In the event of a District-declared water shortage, the permittee must immediately comply with any restrictions or requirements ordered in accordance with the District's Water Shortage Plan, chapter 40B-21, FAC.

7. Permittee must mitigate interference with existing legal uses caused in whole or in part by the permittee's withdrawals, consistent with a District-approved mitigation plan. As necessary to offset such interference, mitigation may include, but is not limited to, reducing pumpage, replacing the existing legal user's withdrawal equipment, relocating wells, changing withdrawal source, supplying water to existing legal user, or other means needed to mitigate the impacts.
8. Permittee must mitigate harm to existing off-site land uses caused by the permittee's withdrawals. When harm occurs, or is imminent, the permittee must modify withdrawal rates or mitigate the harm.
9. Permittee must mitigate harm to the natural resources caused by the permittee's withdrawals. When harm occurs or is imminent, the permittee must modify withdrawal rates or mitigate the harm.
10. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to chapter 373, FS.
11. Authorized representatives of the District, upon reasonable notice to the permittee, shall be permitted to enter and inspect the permitted water use to determine compliance with the permit conditions.
12. This permit does not relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
13. This permit does not convey to the permittee any property rights or privileges other than those specified herein.
14. Permittee shall notify the District in writing within 90 days of any sale, conveyance, or other transfer of ownership or control of the real property on which the permitted water use activities are located. All water use permit transfers are subject to the requirements of section 40B-2.301, FAC.
15. Permittee must notify the District in writing prior to implementing any changes in the water use that may alter the permit allocations. Such changes include, but are not limited to, change in irrigated acreage, crop type, irrigation system, water treatment method, or entry into one or more large water use agreements. In the event a proposed change will alter the allocation, permittee must first obtain a permit modification.
16. When the District provides a permanent identification tag, the tag shall be prominently displayed at the withdrawal site by permanently affixing such tag to

the pump, headgate, valve, or other withdrawal facility. If the permit covers several facilities such as a well field, a tag shall be affixed to each facility. Failure to display a tag as prescribed herein shall constitute a violation of the permit. The permittee shall be allowed ten (10) days after the notice of violation of this section to obtain a replacement tag.

17. The District reserves the right to open this permit, following notice to the permittee, to include a permit condition prohibiting withdrawals for resource protection.

Special Limiting Conditions

18. All correspondence sent to the District regarding this permit must include the permit number (2-86-00139M).

19. Five-Year Compliance Review: This permit and the dairy/agricultural operation will be reviewed by District staff and the permittee every five years starting in the year 2016. Results of the review will be presented to the Governing Board with staff recommendations for consideration of any further action, if needed. The Governing Board can make a decision to act on staff recommendations and modify the permit, if they feel the staff's recommendations are appropriate. The review will consist of comparing current use to the previously permitted use based upon use type, addition or deletion of withdrawal points or irrigation points change in ownership, improved conservation practices/best management practices, change in project area and/or other factors identified during the review that are warranted for discussion.

20. If water use causes adverse impacts to occur, the District reserves the right to curtail future withdrawal rates or otherwise modify the permit. Adverse impacts include:

- a. Cumulative reduction in well water levels that impairs the ability of the well to produce water;
- b. Cumulative reduction in levels in an adjacent water body such as a lake, pond, or retention/detention area that impairs the designated function of the water body or the ability for a permitted withdrawal facility to produce water;
- c. Saline water intrusion or induced movement of pollutants into the water supply of an adjacent water use, resulting in harm due to a reduction in water quality;
- d. Land collapse or subsidence caused by reduction in water levels;
- e. Damage to crops and other types of vegetation;
- f. Harm to a naturally occurring water body such as lake, pond, or wetland by reducing water levels or changing the hydroperiod; and,

g. Harm to the natural system including damage to habitat for endangered or threatened species, or species of special concern.

21. If water use causes or contributes to a violation of Minimum Flows and Levels (MFLs), the District reserves the right to curtail future withdrawal rates or otherwise modify the permit as described in the recovery or prevention strategy associated with the MFL.

22. Irrigation of target areas: The permittee shall ensure that the irrigation systems will water target areas only under field operations. Irrigation of non-target areas (roads, woods, structures, etc.) is prohibited.

23. Participation in the Florida Department of Agricultural and Consumer Services (FDACS) Water Quality/Quantity Best Management Practices (BMPs) for Florida Vegetable and Agronomic Crops shall be accepted as a water conservation and management plan until the first five-year compliance review in 2016. At the time of the first compliance review, the permittee shall submit a Water Conservation and Management Plan to the District for approval, which documents conservation measures implemented in the first five years of the permit and those proposed for the duration of the permit.

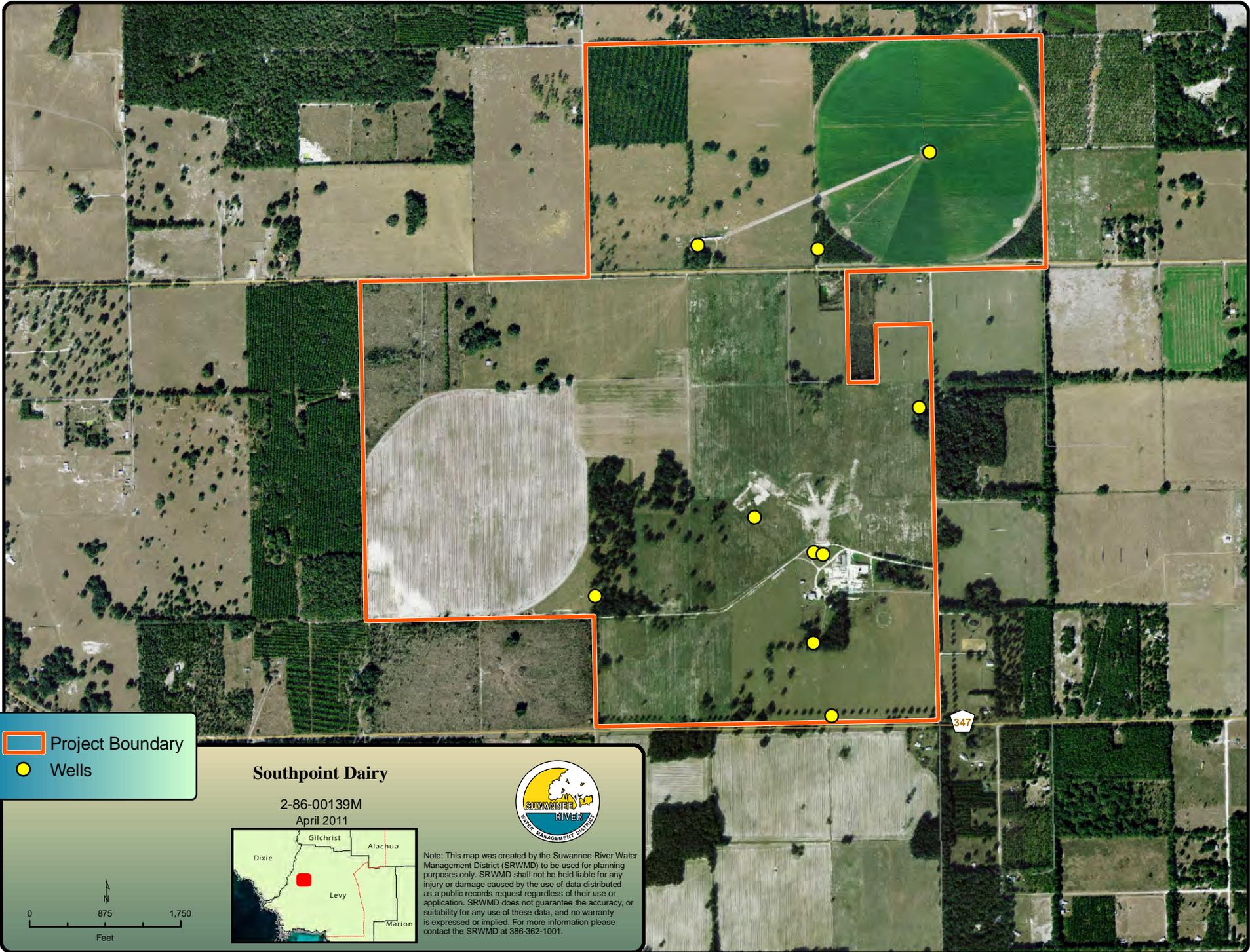
24. The Permittee shall implement and/or maintain the conservation practices selected on the Water Conservation Worksheet(s) which are associated with this permit. Any new practices selected shall be implemented in one year from the date of permit issuance. Practices that involve scheduling methods or maintenance shall be documented. Documentation for implementation and/or maintenance shall be maintained on all practices and available upon request.

25. The permitted water withdrawal facilities consist of the table on Attachment A.

26. This permit shall expire on 11/13/2017. The permittee must submit the appropriate application form incorporated by reference in subsection 40B-2.041(2), FAC and the required fee to the District pursuant to section 40B-2.361, FAC, prior to this expiration date in order to continue the use of water.

Attachment A
 2-86-00139M
 Ron and Marcia St. John
 Project: Southpoint Dairy

Well #	Well Status	Dia.	Capacity (gpm)	Use/Pivot
1/Beauchamp	Existing	12	1200	Center Pivot
3/Springer Lot	Existing	4	33	Livestock Use
4/Usher	Existing	12	1200	Center Pivot
5/Shop	Existing	4	20	Dairy Barn
7/State	Existing	4	33	Livestock Use
8/Main	Existing	8	800	Dairy Barn
10/Allen	Existing	4	20	Livestock Use
11/CR 347	Existing	12	1000	Center Pivot
13/Beauchamp Heifers	Existing	4	20	Livestock Use
14/Beauchamp Livestock	Existing	4	20	Livestock Use



- Project Boundary
- Wells

Southpoint Dairy

2-86-00139M
April 2011



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MEMORANDUM

TO: Governing Board

FROM: Carlos D. Herd, P.G., Senior Hydrogeologist

DATE: March 24, 2011

RE: Approval of Water Use Permit Application Number
2-87-00122M3, Shenandoah Dairy, Inc., Suwannee County

RECOMMENDATION

Staff recommends the Governing Board approve a modification to Water Use Permit Application Number 2-87-00122M3, with seventeen standard conditions and eleven special limiting conditions to Shenandoah Dairy, Inc., in Suwannee County.

BACKGROUND

Staff has determined that the application is complete and satisfies the conditions for issuance in Chapter 40B-2, Florida Administrative Code.

/tm

March 24, 2011

Shenandoah Dairy, Inc.
C/O Edwin J. Henderson
16540 68th Place
Live Oak, FL 32060

Subject: Approval of Water Use Permit Application Number
2-87-00122M3, Shenandoah Dairy, Inc., Suwannee County

Dear Mr. Henderson:

Suwannee River Water Management District (District) staff proposes to recommend to the Governing Board that the above-mentioned project be approved. Enclosed is a copy of the Staff Report with Conditions.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on April 12, 2011, which is open to the public.

Persons considered to be affected by this proposed agency action may request an administrative hearing. The request must be written and must adhere to the requirements of Chapter 28-106, Florida Administrative Code. Please see the enclosed Notice of Rights. All requests for administrative hearings shall be sent to the District at 9225 County Road 49, Live Oak, Florida 32060. Please call permitting staff at 386.362.1001 if you have any questions.

Sincerely,

Jon Dinges, P. E.
Director, Water Supply & Resource Management

JD/tm

Enclosure

Certified Mail Receipt Number: 7009 0820 0000 0505 3625

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 Florida Statutes. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may choose to pursue mediation as an alternative remedy as described above. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon receipt of the petition by the Office of the District Clerk at the District Headquarters in Live Oak, Florida.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing pursuant to Rule 28-106.111, Florida Administrative Code.

NOTICE OF RIGHTS

7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.
10. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
11. Failure to observe the relevant time frames for filing a petition for judicial review, or for Commission review, will result in waiver of the right to review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

**Shenandoah Dairy, Inc.
C/O Edwin J. Henderson
16540 68th Place
Live Oak, FL 32060**

At 4:00 p.m. this _____ day of _____, _____

Jon Dinges
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

STAFF REPORT

WATER USE PERMIT APPLICATION

DATE: March 24, 2011

PROJECT: Shenandoah Dairy, Inc.

APPLICANT: Shenandoah Dairy, Inc.
16540 68th Place
Live Oak, FL 32060

PERMIT APPLICATION NO.: 2-87-00122M3
DATE OF APPLICATION: February 17, 2009
APPLICATION COMPLETE: February 18, 2011

	Previous Quantities:		Proposed Quantities:	
Average Daily Rate (ADR)	1.7090	mgd	3.8832	mgd
Maximum Daily Rate (MDR)	15.2208	mgd	24.8760	mgd

MANAGER/MEMBER DETAIL:

James E. Henderson 16540 68 th Place Live Oak, FL 32060	P
Carol Henderson 16540 68 th Place Live Oak, FL 32060	VP
Edwin J. Henderson 16540 68 th Place Live Oak, FL 32060	ST
Theodore D. Henderson 16540 68 th Place Live Oak, FL 32060	VP

Recommended Agency Action

Staff recommends approval of a modification to an existing agricultural water use permit for an existing dairy operation located within Suwannee County. The permit will include seventeen standard conditions and eleven special limiting conditions. The modified permit will expire on July 26, 2019.

Project Review Staff

John Kruse, Kevin Wright, P.E., and Carlos D. Herd, P.G., have reviewed the application.

Project Location

The withdrawal facilities are currently located in Township 01 South, Range 12 East, Section 33 and Township 02 South, Range 12 East, Sections 3,4,9,10,11,14,and 22 in Suwannee County. The Project is located approximately 8 miles northwest from the City of Live Oak. The project is located within the middle Suwannee River basin.

Project Description

District records indicate that the original permit for the dairy was issued on June 21, 1987. The water use permit has been modified several times since then to include expansions at the dairy. The District received a February 17, 2009, request from Shenandoah Dairy to modify their water use permit for the latest expansion. Since this time, communication between the District, Florida Department of Agricultural and Consumer Services (FDACS), and the applicant has been ongoing to complete the application.

The project area consists of approximately 2,239 acres with 1,560 acres being irrigated using groundwater and/or wastewater from the dairy lagoon. The applicant has provided a written statement of ownership or legal control over the 2,239 acres included in this application. A total of 612,500 gallons per day of wastewater will offset groundwater withdrawals, as provided by the applicant. The total number of milking cows at the dairy will be 3,460 with another 2,700 dry cows, heifers, and/or calves.

The water use calculations are based upon the irrigated acreage, crop type, and livestock use at the dairy, and the reuse of wastewater for crop needs. The dairy irrigates three crops per year to provide animal feed for the dairy. The dairy currently has 12 pivot irrigation systems with five more being proposed for a total of 17 pivot irrigation systems. The crop rotation schedule provided by the applicant consists of corn, sorghum, and rye. The modified Average Daily Rate (ADR) of withdrawal will be 3.8832 MGD.

The project will have 21 wells consisting of 6 proposed and 15 existing wells. The wells will be used for irrigation, livestock, and other dairy needs.

The well table is listed below. The number/name was provided by the applicant.

Well #	Well Status	Dia.	Capacity (gpm)	Use/Pivot
1	Existing	10	1000	Dairy Barn
2	Existing	10	1000	Center Pivot
3	Existing	4	75	Dairy Barn
4	Existing	6	350	Dairy Barn
5	Existing	4	75	Livestock Use
6	Existing	8	750	Dairy Barn
7	Existing	4	75	Livestock Use
8	Existing	10	1000	Center Pivot
9	Existing	10	1000	Center Pivot
10	Existing	10	1000	Center Pivot
11	Existing	10	1000	Center Pivot
12	Existing	10	1000	Center Pivot
14	Existing	10	1000	Center Pivot
15	Proposed	8	750	Center Pivot
16	Proposed	10	1000	Center Pivot
17	Proposed	10	1000	Center Pivot
18	Existing	10	1000	Center Pivot
19	Proposed	10	1000	Center Pivot
21	Proposed	10	1000	Center Pivot
29	Proposed	10	1000	Center Pivot
30	Existing	12	1200	Center Pivot
NOTE:	Wells # 13, 20, 22-28 were never constructed and are no longer being proposed. These wells were indicated on previous documents as future well sites. Not on table above.			

Demonstration of Need

The applicant has provided information that supports the requested increase, based upon number of livestock, crop types, and irrigated acres. The dairy is operated under Florida Department of Environmental Protection (FDEP) permit FLA362778-006 for a concentrated animal feeding operation. FDEP's permit requires nutrient utilization of wastewater for beneficial crop use. Based upon this permit, the total acreage needed for the nutrient management plan (wastewater application) is 1,203 acres. The additional irrigated acreage, 337 acres, is to provide additional food source for the livestock.

Water Conservation

The dairy is required under their FDEP permit to apply wastewater on 1,203 acres of agronomic crops for nutrient uptake. Water conservation would be a secondary component because the goal is to reduce nutrients in the wastewater through crop uptake and expel this volume of wastewater in an efficient and useful manner. Application rates and constraints specified in the FDEP permit must be followed in order to properly apply the wastewater. A special limiting condition has been included in the water use permit to assure irrigation of target areas only under field operations will be required. In addition, the applicant has signed a Notice of Intent (NOI) with FDACS on following Best Management Practices (BMPs) for the many agricultural components of the dairy operation.

The additional irrigated acreage, 337 acres, not covered under the FDEP permit can use water conservation techniques to minimize water supplied from groundwater. The pivot irrigation systems that currently rely upon groundwater withdrawals could potentially be offset with reuse water from the City of Live Oak if it were to become available and is economically, environmentally, and technically feasible. A special limiting condition has been included to investigate the feasibility of using this alternative water supply.

Minimum Flows and Levels Compliance

Staff determined through the SRWMD North Florida Model, version 1.0, that the proposed water use would not violate minimum flows and levels (MFLs) at any downstream MFL points established along the Suwannee River. However, a special limiting condition has been included in the permit for the District to seek a modification to the permit to assist in the recovery and/or prevention strategy associated with an adopted MFL.

Conclusions

After verification of all current and proposed water use activities, District staff was able to determine the following:

1. Water use will occur 365 days each year.
2. The expansion at the dairy results in an increase of the permitted ADR up to 3.8832 MGD and MDR to 24.8760 MGD.
3. The proposed use meets the requirements outlined in 40B-2.301, Florida Administrative Code and Staff recommends approval of this permit modification.

Standard Conditions

1. Nothing in this permit should be construed to limit the authority of the Suwannee River Water Management District to declare a water shortage and issue orders pursuant to Section 373.175, Florida Statutes, or to formulate a rule for implementation during times of water shortage pursuant to Section 373.246, Florida Statutes. In the event of water shortage as declared by the Board, the permittee shall adhere to any limitations on withdrawal or use ordered by the District.
2. This permit is classified as unconfined Floridan Aquifer for overhead irrigation.
3. Permittee shall allow District personnel at reasonable times and at District expense or with District equipment to monitor withdrawal rates and volumes authorized by this permit.
4. Capping of Withdrawals Not In Use: Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500(3)(a)(4), F.A.C.
5. The permittee may apply for a permit modification at any time in accordance with section 40B-2.331, FAC.
6. In the event of a District-declared water shortage, the permittee must immediately comply with any restrictions or requirements ordered in accordance with the District's Water Shortage Plan, chapter 40B-21, FAC.

7. Permittee must mitigate interference with existing legal uses caused in whole or in part by the permittee's withdrawals, consistent with a District-approved mitigation plan. As necessary to offset such interference, mitigation may include, but is not limited to, reducing pumpage, replacing the existing legal user's withdrawal equipment, relocating wells, changing withdrawal source, supplying water to existing legal user, or other means needed to mitigate the impacts.
8. Permittee must mitigate harm to existing off-site land uses caused by the permittee's withdrawals. When harm occurs, or is imminent, the permittee must modify withdrawal rates or mitigate the harm.
9. Permittee must mitigate harm to the natural resources caused by the permittee's withdrawals. When harm occurs or is imminent, the permittee must modify withdrawal rates or mitigate the harm.
10. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to chapter 373, FS.
11. Authorized representatives of the District, upon reasonable notice to the permittee, shall be permitted to enter and inspect the permitted water use to determine compliance with the permit conditions.
12. This permit does not relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
13. This permit does not convey to the permittee any property rights or privileges other than those specified herein.
14. Permittee shall notify the District in writing within 90 days of any sale, conveyance, or other transfer of ownership or control of the real property on which the permitted water use activities are located. All water use permit transfers are subject to the requirements of section 40B-2.301, FAC.
15. Permittee must notify the District in writing prior to implementing any changes in the water use that may alter the permit allocations. Such changes include, but are not limited to, change in irrigated acreage, crop type, irrigation system, water treatment method, or entry into one or more large water use agreements. In the event a proposed change will alter the allocation, permittee must first obtain a permit modification.
16. When the District provides a permanent identification tag, the tag shall be prominently displayed at the withdrawal site by permanently affixing such tag to

the pump, headgate, valve, or other withdrawal facility. If the permit covers several facilities such as a well field, a tag shall be affixed to each facility. Failure to display a tag as prescribed herein shall constitute a violation of the permit. The permittee shall be allowed ten (10) days after the notice of violation of this section to obtain a replacement tag.

17. The District reserves the right to open this permit, following notice to the permittee, to include a permit condition prohibiting withdrawals for resource protection.

Special Limiting Conditions

18. All correspondence sent to the District regarding this permit must include the permit number (2-87-00122M3).

19. Alternative Water Supply Opportunities: The Permittee, with assistance from the District, Florida Department of Agriculture & Consumer Services (FDACS), and other governmental agencies, shall investigate the technical, economic, and environmental feasibility of using alternative water supplies as a water source for irrigation and submit a report describing the feasibility to the District within 90 days after reclaimed water has been made available at the property boundary. The report shall contain an analysis of sources in the area, relative location of the sources to the Permittee's property, the quantity available, the costs associated with obtaining the alternative supply, and an implementation schedule. If the use of alternative water supplies is determined infeasible, a detailed explanation for this finding must be submitted. If the use of alternative water supplies is feasible, the equivalent quantity of groundwater will be placed in standby status to be used when the alternative water supply is not available.

20. Five-Year Compliance Review: This permit and the dairy/agricultural operation will be reviewed by District staff and the permittee every five years starting in the year 2016. Results of the reviews will be presented to the Governing Board with staff recommendations for consideration of any further action, if needed. The Governing Board can make a decision to act on staff recommendations and modify the permit, if they feel the staff's recommendations are appropriate. The review will consist of comparing current use to the previously permitted use based upon use type, addition or deletion of withdrawal points or irrigation points, changes in ownership, improved conservation practices/best management practices, change in project area, and/or other factors identified during the review that are warranted for discussion.

21. If water use causes adverse impacts to occur, the District reserves the right to curtail future withdrawal rates or otherwise modify the permit. Adverse impacts include:

- a. Cumulative reduction in well water levels that impairs the ability of the well to produce water;
- b. Cumulative reduction in levels in an adjacent water body such as a lake, pond, or retention/detention area that impairs the designated function of the water body or the ability for a permitted withdrawal facility to produce water;
- c. Saline water intrusion or induced movement of pollutants into the water supply of an adjacent water use, resulting in harm due to a reduction in water quality;
- d. Land collapse or subsidence caused by reduction in water levels;
- e. Damage to crops and other types of vegetation;
- f. Harm to a naturally occurring water body such as lake, pond, or wetland by reducing water levels or changing the hydroperiod; and,
- g. Harm to the natural system including damage to habitat for endangered or threatened species, or species of special concern.

22. If water use causes or contributes to a violation of minimum flows and levels (MFLs), adopted in chapter 40B-8, Florida Administrative Code, the District reserves the right to curtail future withdrawal rates or otherwise modify the permit as described in the recovery or prevention strategy associated with the MFL.

23. Irrigation of target areas: The permittee shall ensure that the irrigation systems will water target areas only under field operations. Irrigation of non-target areas (roads, woods, structures, etc.) is prohibited.

24. Monitoring Groundwater Withdrawals: At the initial Five-Year Review (2016), the Permittee shall submit a plan for monitoring groundwater withdrawals. Following approval of the plan by District staff, total flow from each well shall be recorded on a monthly basis and reported to the district annually on or before the fifteenth day of February of each year.

25. Participation in the FDACS Water Quality/Quantity Best Management Practices (BMPs) for Florida Vegetable and Agronomic Crops shall be accepted as a water conservation and management plan until the first five-year compliance review in 2016. At the time of the first compliance review, the permittee shall submit a Water Conservation and Management Plan to the District for approval, which documents conservation measures implemented in the first five years of the permit and those proposed for the duration of the permit.

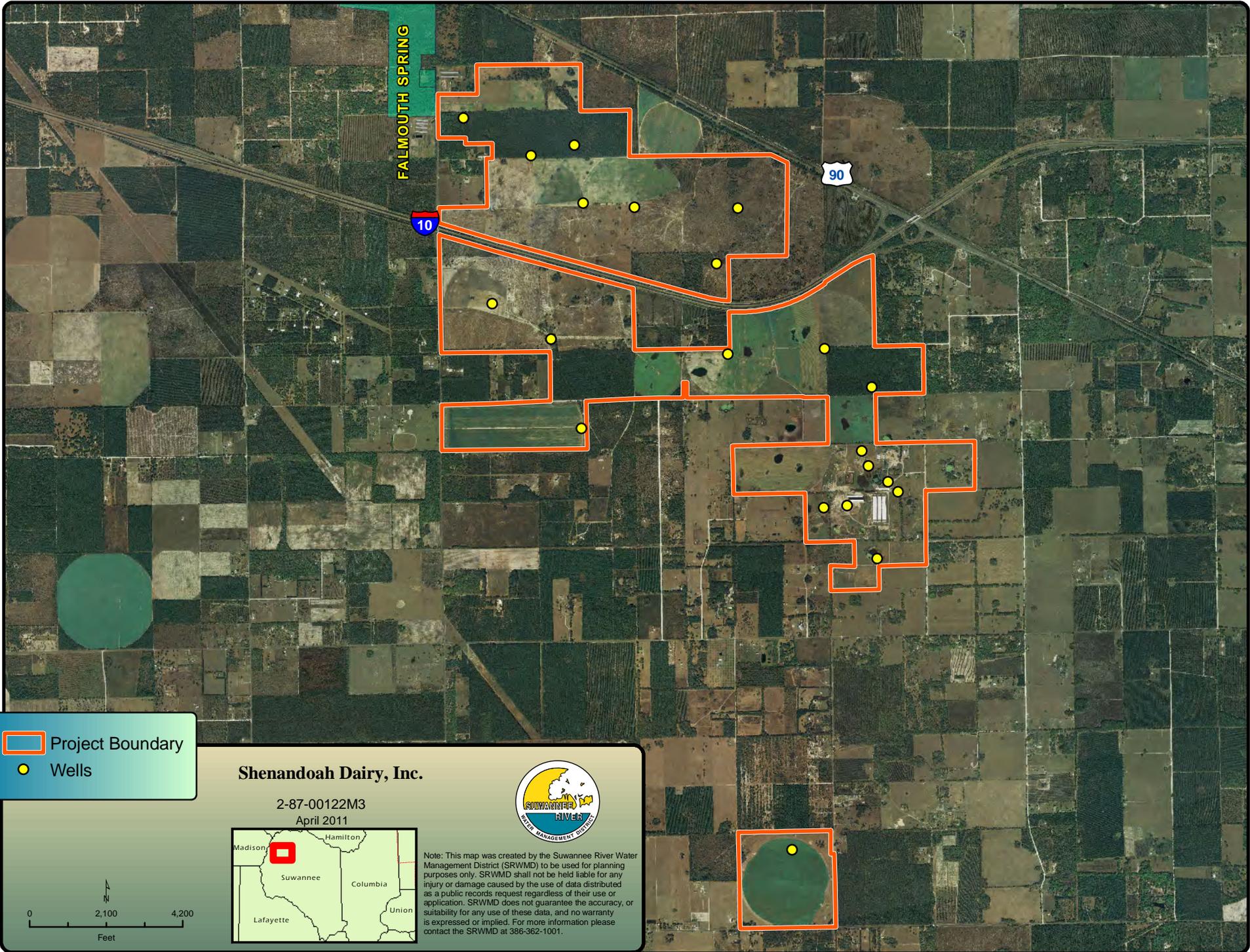
26. The permittee shall implement and/or maintain the conservation practices selected on the Water Conservation Worksheet(s) which are associated with this permit. Any new practices selected shall be implemented in one year from the date of permit issuance. Practices that involve scheduling methods or maintenance shall be documented. Documentation for implementation and/or maintenance shall be maintained on all practices and available upon request.

27. The permitted water withdrawal facilities consist of the table on Attachment A.

28. This permit shall expire on July 26, 2019. The permittee must submit the appropriate application form incorporated by reference in subsection 40B-2.041(2), FAC and the required fee to the District pursuant to section 40B-2.361, FAC, prior to this expiration date in order to continue the use of water

Attachment A
 2-87-00122M3
 Shenandoah Dairy, Inc.

Well #	Well Status	Dia.	Capacity (gpm)	Use/Pivot
1	Existing	10	1000	Dairy Barn
2	Existing	10	1000	Center Pivot
3	Existing	4	75	Dairy Barn
4	Existing	6	350	Dairy Barn
5	Existing	4	75	Livestock Use
6	Existing	8	750	Dairy Barn
7	Existing	4	75	Livestock Use
8	Existing	10	1000	Center Pivot
9	Existing	10	1000	Center Pivot
10	Existing	10	1000	Center Pivot
11	Existing	10	1000	Center Pivot
12	Existing	10	1000	Center Pivot
14	Existing	10	1000	Center Pivot
15	Proposed	8	750	Center Pivot
16	Proposed	10	1000	Center Pivot
17	Proposed	10	1000	Center Pivot
18	Existing	10	1000	Center Pivot
19	Proposed	10	1000	Center Pivot
21	Proposed	10	1000	Center Pivot
29	Proposed	10	1000	Center Pivot
30	Existing	12	1200	Center Pivot



FALMOUTH SPRING

90

10

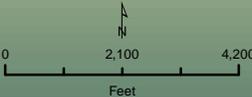
-  Project Boundary
-  Wells

Shenandoah Dairy, Inc.

2-87-00122M3
April 2011



Note: This map was created by the Suwannee River Water Management District (SRWMD) to be used for planning purposes only. SRWMD shall not be held liable for any injury or damage caused by the use of data distributed as a public records request regardless of their use or application. SRWMD does not guarantee the accuracy, or suitability for any use of these data, and no warranty is expressed or implied. For more information please contact the SRWMD at 386-362-1001.



MEMORANDUM

TO: Governing Board

FROM: Carlos D. Herd, P.G., Senior Hydrogeologist

DATE: March 24, 2011

RE: Approval of Water Use Permit Application Number
2-92-00037RM, City of Lake City, Columbia County

RECOMMENDATION

Staff recommends the Governing Board approve a modification to Water Use Permit Application Number 2-92-00037RM, with seventeen standard conditions and ten special limiting conditions to City of Lake City, in Columbia County.

BACKGROUND

Staff has determined that the application is complete and satisfies the conditions for issuance in Chapter 40B-2, Florida Administrative Code.

/tm

March 24, 2011

City of Lake City
C/O Dave Clanton
144 SE Ozone Loop
Lake City, FL 32025

Subject: Approval of Water Use Permit Application Number
2-92-00037RM, City of Lake City, Columbia County

Dear Mr. Clanton:

Suwannee River Water Management District (District) staff proposes to recommend to the Governing Board that the above-mentioned project be approved. Enclosed is a copy of the Staff Report with Conditions.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on April 12, 2011, which is open to the public.

Persons considered to be affected by this proposed agency action may request an administrative hearing. The request must be written and must adhere to the requirements of Chapter 28-106, Florida Administrative Code. Please see the enclosed Notice of Rights. All requests for administrative hearings shall be sent to the District at 9225 County Road 49, Live Oak, Florida 32060. Please call permitting staff at 386.362.1001 if you have any questions.

Sincerely,

Jon Dinges, P. E.
Director, Water Supply & Resource Management

JD/tm

Enclosure

Certified Mail Receipt Number: 7009 0820 0000 0505 3663

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 Florida Statutes. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may choose to pursue mediation as an alternative remedy as described above. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon receipt of the petition by the Office of the District Clerk at the District Headquarters in Live Oak, Florida.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing pursuant to Rule 28-106.111, Florida Administrative Code.

NOTICE OF RIGHTS

7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.
10. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
11. Failure to observe the relevant time frames for filing a petition for judicial review, or for Commission review, will result in waiver of the right to review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

City of Lake City
C/O Dave Clanton
144 SE Ozone Loop
Lake City, FL 32025

At 4:00 p.m. this _____ day of _____, _____

Jon Dinges
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

STAFF REPORT
WATER USE PERMIT APPLICATION

DATE: March 24, 2011

PROJECT: City of Lake City

APPLICANT: City of Lake City
144 SE Ozone Loop
Lake City, FL 32025

PERMIT APPLICATION NO.: 2-92-00037RM
DATE OF APPLICATION: December 7, 2010
APPLICATION COMPLETE: February 17, 2011

	Previous Quantities:		Proposed Quantities:	
Average Daily Rate (ADR)	5.7800	mgd	4.1906	mgd
Maximum Daily Rate (MDR)	8.8400	mgd	11.3544	mgd

Recommended Agency Action

Staff recommends approval of a permit modification to an existing public supply water use permit located within Columbia County. The permit will include seventeen standard conditions and ten special limiting conditions. The modified permit will expire on December 11, 2023.

Project Review Staff

Kevin Wright, P.E., John Kruse, and Carlos D. Herd, P.G., have reviewed the application.

Project Location

The withdrawal facilities are currently located in Township 03 South, Range 16 East, Section 21, Township 04 South, Range 16 East, Section 23, Township 04 South, Range 17 East, Sections 01, and 35, and Township 04 South, Range 18 East, Section 06, in Columbia County. The project is located within the upper Suwannee River Basin and lower Santa Fe River Basin.

Project Description

The City of Lake City currently serves a population of approximately 23,000 people, resulting in approximately 7,600 residential customers and 1,400 commercial customers. City of Lake City anticipates Columbia Correctional Institution connecting to the City's system by the end of April 2011. The City does not anticipate any expansion projects to their system. All expansion will be a result of requests. City of Lake City has an emerging reclaimed water system, which is currently intended to reduce groundwater pumpage from a single agricultural operation south of the municipal boundaries. City of Lake City hopes to expand reclaimed water to include residential irrigation.

The well table is listed below. The number/name was provided by the applicant.

Well Name	Well Status	Dia.	Capacity (gpm)	Use
Sealy Pines No. 1	Active	6	250	Public Supply
Sealy Pines No. 2	Active	6	250	Public Supply
Price Creek Well No. 1	Active	16	1600	Public Supply
Price Creek Well No. 2	Active	16	1600	Public Supply
Price Creek Well No. 8	Active	16	1600	Public Supply
Price Creek Well No. 9	Active	16	1600	Public Supply
Brandon Brent Well No. 1	Active	6	250	Public Supply
Brandon Brent Well No. 2	Active	6	250	Public Supply
WASTEWATER WELL No.1	Active	4	20	Irrigation
WASTEWATER WELL No.2	Active	6	50	Industrial

Demonstration of Need

The following table is the allocation for the City based on staff review.

Year	Average Daily Use Mgd
2011	3.7674
2016	3.8912
2021	4.0155
2024	4.1906

Currently, the City's residential per capita water use is 60 gallons per person per day. The City's gross per capita water use is 146 gallons per person per day.

The water use calculations were based upon historic pumpage data and billing information provided by the City. A residential growth rate of 1.7% was included and based on University of Florida Bureau of Economic and Business Research data. A commercial growth rate of 1.25% was also included. City of Lake City has an emerging irrigation program, which currently uses treated groundwater. The City of Lake City hope to transition their irrigation program from groundwater to reclaimed water. The irrigation demand was given a 2.0% growth rate. Currently the City has an unaccounted water loss of 38%, mostly caused by faulty meters and aging infrastructure. Staff made the City aware of this high percentage of water loss and is currently working to replace distribution pipe on an annual basis. The City's unaccounted for water loss was incrementally lowered to 25% over the remainder of their 13-year permit, thus, the Average Daily Rate (ADR) of withdrawal will be 4.1906 MGD.

Water Conservation

City of Lake City has introduced several water conservation techniques to help reduce water use. Those techniques include adopting a conservation rate structure, working with Florida Rural Water Association to perform water audits, leak detection (26-miles phase) with replacement of faulty infrastructure, annual calibration of meters, informational handouts, and participated in Ichetucknee Partnership (TIP) activities.

Minimum Flows and Levels Compliance

Staff determined through the SRWMD North Florida Model, version 1.0, that the proposed water use would not violate minimum flows and levels (MFLs) at any downstream MFL points established along the Suwannee River or its tributaries. However, a special limiting condition has been included in the permit for the District to seek a modification to the permit to assist in the recovery and/or prevention strategy associated with an adopted MFL.

Conclusions

After verification of all current and proposed water use activities, District staff was able to determine the following:

1. Water use will occur 365 days each year.
2. The Permit modification results in a decrease of the permitted ADR down to 4.1906 MGD and MDR to 11.3544 MGD.
3. The proposed use meets the requirements outlined in 40B-2.301, Florida Administrative Code and Staff recommends approval of this permit modification.

Standard Conditions

1. Nothing in this permit should be construed to limit the authority of the Suwannee River Water Management District to declare a water shortage and issue orders pursuant to Section 373.175, Florida Statutes, or to formulate a rule for implementation during times of water shortage pursuant to Section 373.246, Florida Statutes. In the event of water shortage as declared by the Board, the permittee shall adhere to any limitations on withdrawal or use ordered by the District.
2. This permit is classified as confined Floridan Aquifer for Government Owned Community Public Water System (DEP).
3. Permittee shall allow District personnel at reasonable times and at District expense or with District equipment to monitor withdrawal rates and volumes authorized by this permit.
4. Capping of Withdrawals Not In Use: Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500(3)(a)(4), F.A.C.
5. The permittee may apply for a permit modification at any time in accordance with section 40B-2.331, FAC.
6. In the event of a District-declared water shortage, the permittee must immediately comply with any restrictions or requirements ordered in accordance with the District's Water Shortage Plan, chapter 40B-21, FAC.

7. Permittee must mitigate interference with existing legal uses caused in whole or in part by the permittee's withdrawals, consistent with a District-approved mitigation plan. As necessary to offset such interference, mitigation may include, but is not limited to, reducing pumpage, replacing the existing legal user's withdrawal equipment, relocating wells, changing withdrawal source, supplying water to existing legal user, or other means needed to mitigate the impacts.
8. Permittee must mitigate harm to existing off-site land uses caused by the permittee's withdrawals. When harm occurs, or is imminent, the permittee must modify withdrawal rates or mitigate the harm.
9. Permittee must mitigate harm to the natural resources caused by the permittee's withdrawals. When harm occurs or is imminent, the permittee must modify withdrawal rates or mitigate the harm.
10. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to chapter 373, FS.
11. Authorized representatives of the District, upon reasonable notice to the permittee, shall be permitted to enter and inspect the permitted water use to determine compliance with the permit conditions.
12. This permit does not relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
13. This permit does not convey to the permittee any property rights or privileges other than those specified herein.
14. Permittee shall notify the District in writing within 90 days of any sale, conveyance, or other transfer of ownership or control of the real property on which the permitted water use activities are located. All water use permit transfers are subject to the requirements of section 40B-2.301, FAC.
15. Permittee must notify the District in writing prior to implementing any changes in the water use that may alter the permit allocations. Such changes include, but are not limited to, change in irrigated acreage, crop type, irrigation system, water treatment method, or entry into one or more large water use agreements. In the event a proposed change will alter the allocation, permittee must first obtain a permit modification.
16. When the District provides a permanent identification tag, the tag shall be prominently displayed at the withdrawal site by permanently affixing such tag to

the pump, headgate, valve, or other withdrawal facility. If the permit covers several facilities such as a well field, a tag shall be affixed to each facility. Failure to display a tag as prescribed herein shall constitute a violation of the permit. The permittee shall be allowed ten (10) days after the notice of violation of this section to obtain a replacement tag.

17. The District reserves the right to open this permit, following notice to the permittee, to include a permit condition prohibiting withdrawals for resource protection.

Special Limiting Conditions

18. All correspondence sent to the District regarding this permit must include the permit number 2-92-00037RM.

19. City of Lake City shall correct any unforeseen adverse impact on existing legal uses, existing off-site land uses, and to the natural systems as a consequence of withdrawals permitted herein. If adverse impacts occur, or are imminent, the District reserves the right to curtail future withdrawal rates or otherwise modify the permit. Adverse impacts include:

- a. Cumulative reduction in well water levels that impairs the ability of the well to produce water;
- b. Cumulative reduction in levels in an adjacent water body such as a lake, pond, or retention/detention area that impairs the designated function of the water body or the ability for a permitted withdrawal facility to produce water;
- c. Saline water intrusion or induced movement of pollutants into the water supply of an adjacent water use, resulting in harm due to a reduction in water quality;
- d. Land collapse or subsidence caused by reduction in water levels;
- e. Damage to crops and other types of vegetation;
- f. Harm to a naturally occurring water body such as lake, pond, or wetland by reducing water levels or changing the hydroperiod; and,
- g. Harm to the natural system including damage to habitat for endangered or threatened species, or species of special concern.

20. City of Lake City shall implement measures to reduce the unaccounted for water loss to a level of 10% or less by reducing non-metered uses, replacement of faulty meters, detection and correction of leaks or other appropriate means. These measures shall be evaluated during the 5-year compliance review.

21. City of Lake City shall maintain an accurate, non-resettable, totalizing flow meter(s) at each water withdrawal point. The meters shall be accurate to within 5 percent of actual flow. The meters shall be calibrated at a minimum every 5 years with a report of the calibration submitted to the District within 30 days of completion. Meters found to be outside the 5 percent flow measurement requirement shall be repaired or replaced within 30 days of discovery. The District shall be notified of any broken meters within 10-days of discovery and the reported flow shall be estimated and submitted to the District for the time the meter was out-of-service.

22. City of Lake City shall notify the District of any change in municipal potable water service area within 30 days of change in boundary.

23. City of Lake City shall provide to the District a copy of the monthly operating report submitted to Florida Department of Environmental Protection showing daily wellfield pumpage not later than 15 working days after the end of each month. The water use permit number shall be displayed on all reports.

24. If water use causes or contributes to a violation of minimum flows and levels (MFLs), the District reserves the right to curtail future withdrawal rates or otherwise modify the site certification as described in the recovery or prevention strategy associated with the MFL.

25. Pursuant to subsection 373.236, F.S., the permittee shall submit to the District a compliance report 5 years after permit issuance. Specifically, the permittee shall submit the report by July 31, 2016, the report must contain sufficient information to maintain reasonable assurances that the permittee's use of water will continue, for the remaining duration of the permit, to meet the conditions for permit issuance set forth in the rules that existed at the time this permit was issued. Specifically, the compliance report must include, at a minimum:

- a. Documentation verifying that allocations from all sources in the permit will continue to be needed for the remainder of the permit duration;
- b. Documentation verifying that the sources are capable of supplying the needs authorized by this permit without causing harm to water and water-related resources;
- c. Documentation verifying that use of water is efficient and that the permittee is implementing all feasible water conservation measures;
- d. Documentation of changes to withdrawal facilities; and
- e. Documentation of billing data to support residential and commercial needs and documentation of unaccounted-for losses.

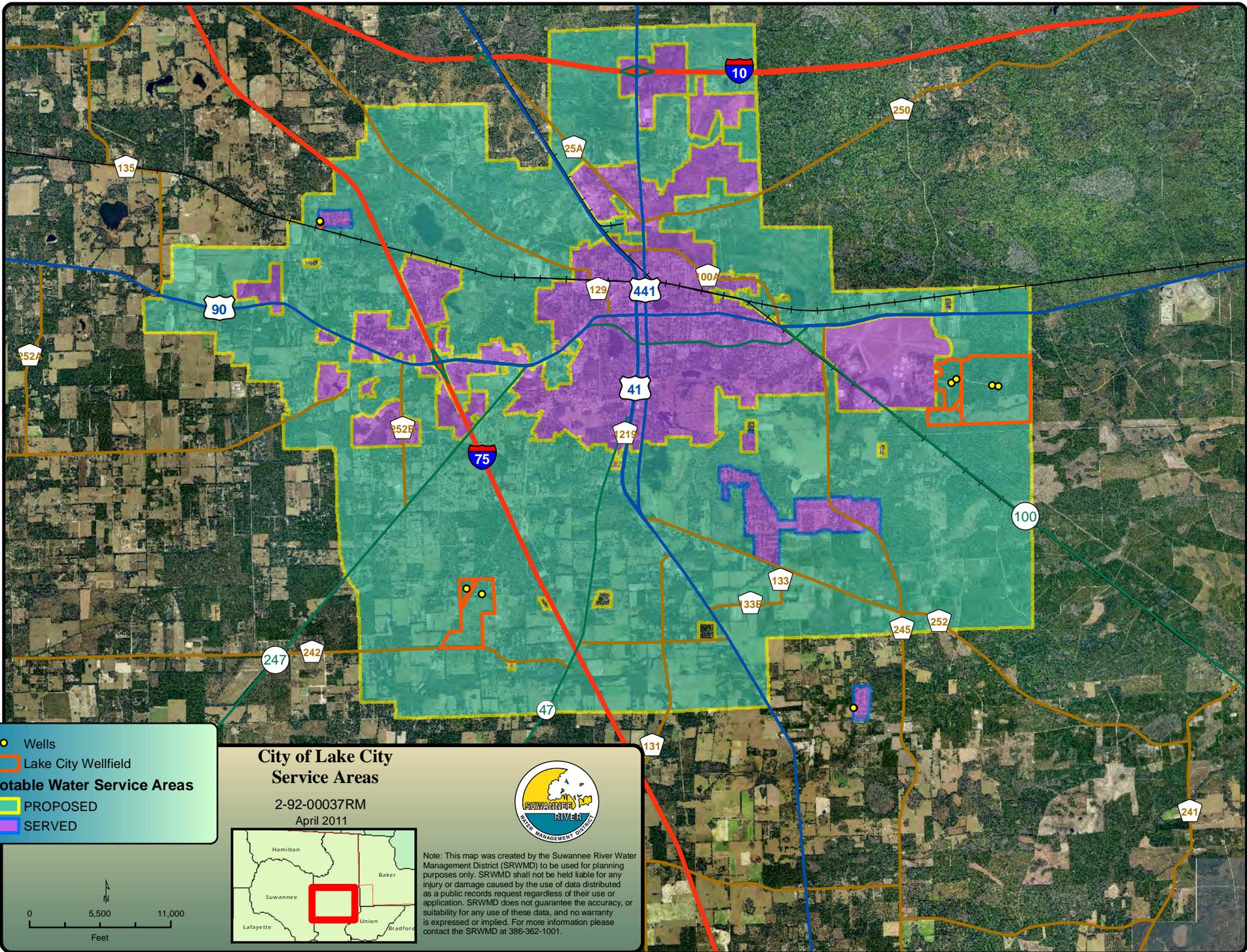
Following review of the compliance report, the District may modify the permit, following notice to the permittee, to maintain assurance that the water use will satisfy the conditions for issuance in effect at the time the permit was issued. During this review, the permittee and/or District staff may make recommendations based upon this review to modify this permit. These recommendations may come from new best management practices and/or Conserve Florida Water Clearinghouse.

26. The permitted water withdrawal facilities consist of the table on Attachment A.

27. This permit shall expire on December 11, 2023. The permittee must submit the appropriate application form incorporated by reference in subsection 40B-2.041(2), FAC, and the required fee to the District pursuant to section 40B-2.361, FAC, prior to this expiration date in order to continue the use of water.

Attachment A
2-92-00037RM
City of Lake City

Well Name	Well Status	Dia.	Capacity (gpm)	Use
Sealy Pines No. 1	Active	6	250	Public Supply
Sealy Pines No. 2	Active	6	250	Public Supply
Price Creek Well No. 1	Active	16	1600	Public Supply
Price Creek Well No. 2	Active	16	1600	Public Supply
Price Creek Well No. 8	Active	16	1600	Public Supply
Price Creek Well No. 9	Active	16	1600	Public Supply
Brandon Brent Well No. 1	Active	6	250	Public Supply
Brandon Brent Well No. 2	Active	6	250	Public Supply
WASTEWATER WELL No.1	Active	4	20	Irrigation
WASTEWATER WELL No.2	Active	6	50	Industrial



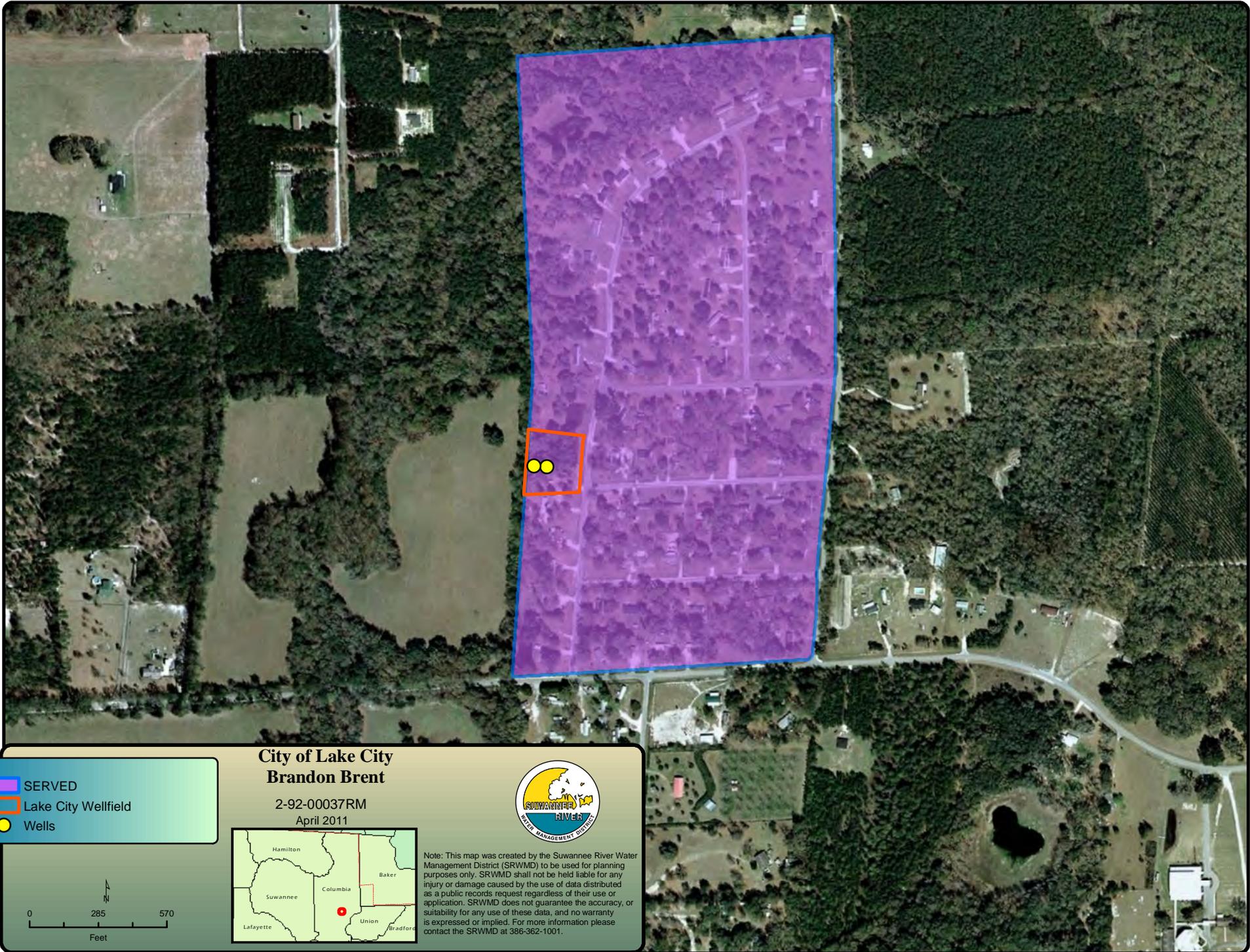
- Wells
- Lake City Wellfield
- Potable Water Service Areas**
- PROPOSED
- SERVED

**City of Lake City
Service Areas**

2-92-00037RM
April 2011



Note: This map was created by the Suwannee River Water Management District (SRWMD) to be used for planning purposes only. SRWMD shall not be held liable for any injury or damage caused by the use of data distributed as a public records request regardless of their use or application. SRWMD does not guarantee the accuracy, or suitability for any use of these data, and no warranty is expressed or implied. For more information please contact the SRWMD at 386-362-1001.



**City of Lake City
Brandon Brent**

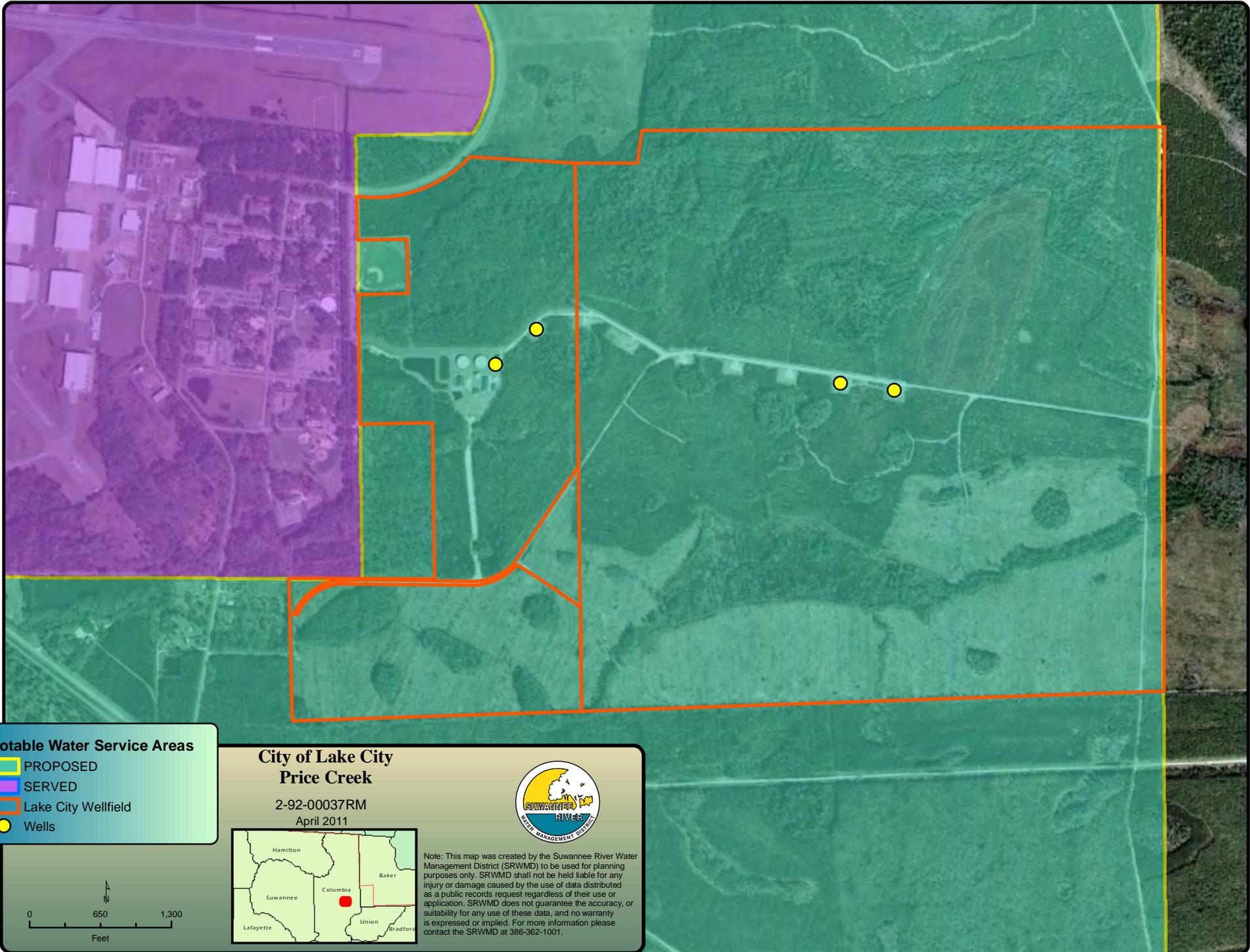
2-92-00037RM
April 2011



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- SERVED
- Lake City Wellfield
- Wells





Potable Water Service Areas

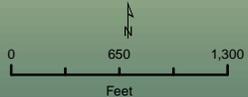
-  PROPOSED
-  SERVED
-  Lake City Wellfield
-  Wells

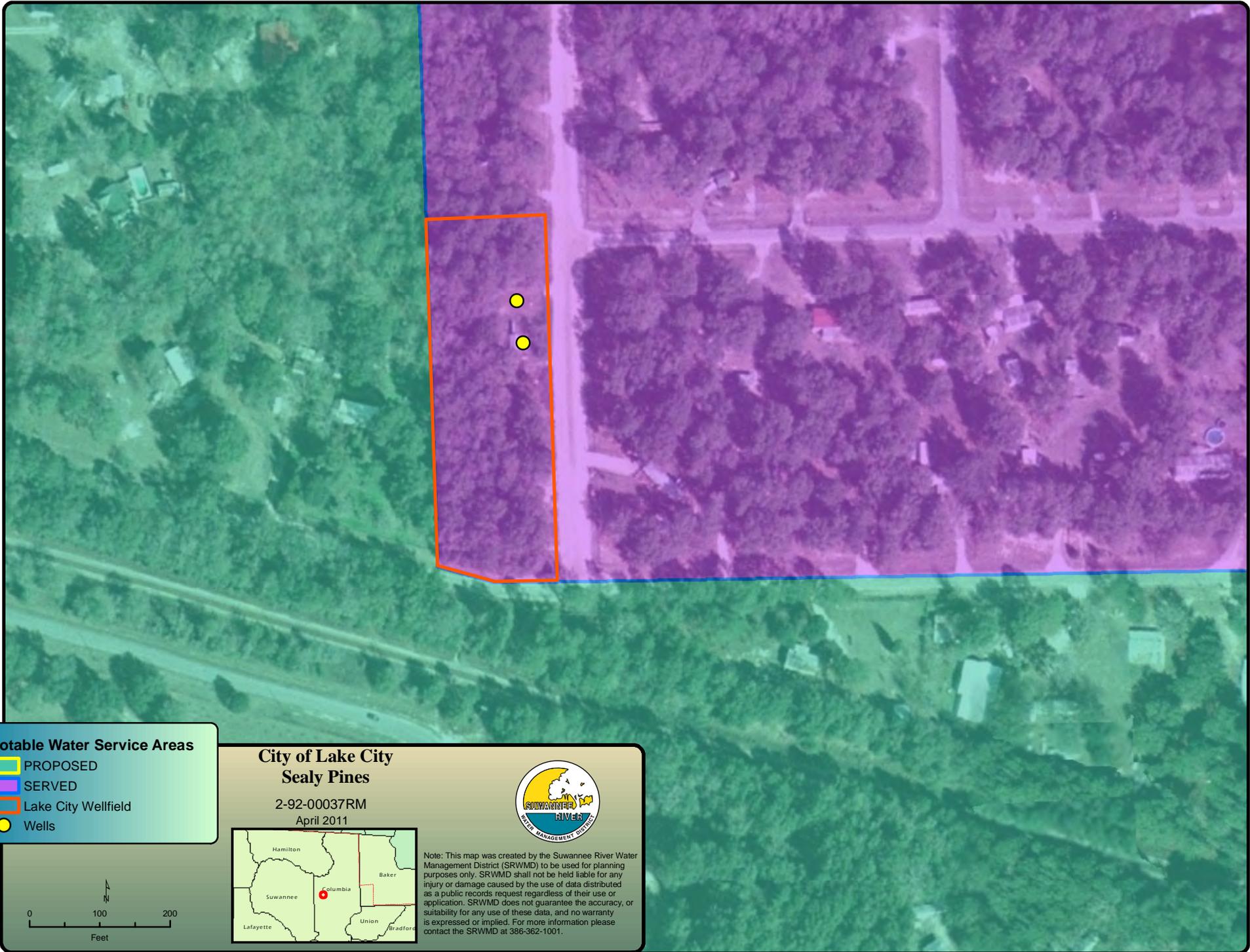
**City of Lake City
Price Creek**

2-92-00037RM
April 2011



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Potable Water Service Areas

- PROPOSED
- SERVED
- Lake City Wellfield
- Wells

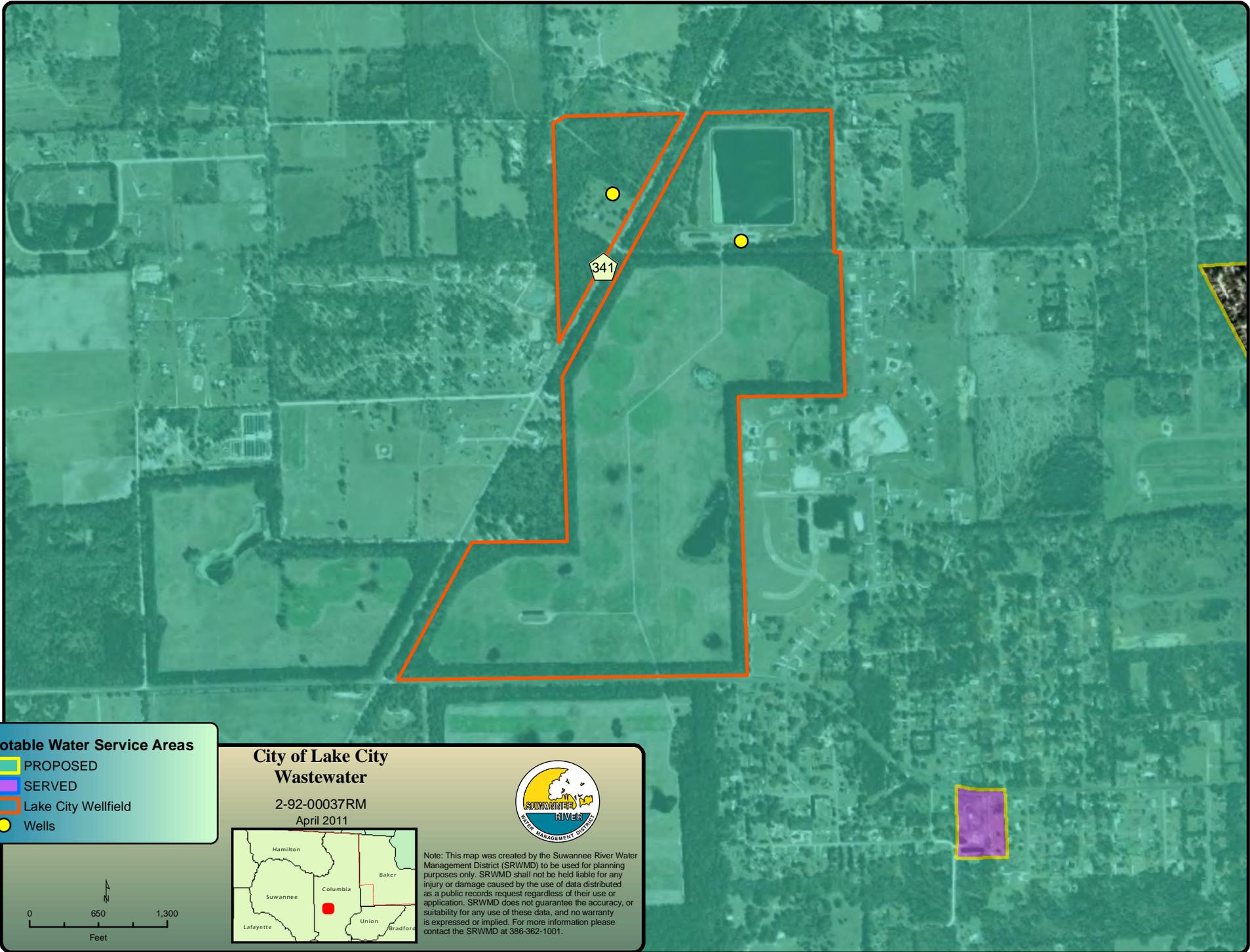
City of Lake City
Sealy Pines

2-92-00037RM
April 2011



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Potable Water Service Areas

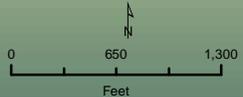
- PROPOSED
- SERVED
- Lake City Wellfield
- Wells

**City of Lake City
Wastewater**

2-92-00037RM
April 2011



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MEMORANDUM

TO: Governing Board

FROM: Carlos D. Herd, P.G., Senior Hydrogeologist

DATE: March 24, 2011

RE: Approval of Water Use Permit Application Number
2-95-00035M3, Alliance Dairies, Gilchrist & Levy Counties

RECOMMENDATION

Staff recommends the Governing Board approve a modification to Water Use Permit Application Number 2-95-00035M3, with seventeen standard conditions and ten special limiting conditions to Ron St. John, Managing Partner, for Alliance Dairies in Gilchrist & Levy Counties.

BACKGROUND

Staff has determined that the application is complete and satisfies the conditions for issuance in Chapter 40B-2, Florida Administrative Code.

/tm

March 24, 2011

Alliance Dairies
C/O Ron St. John
4951 NW 170th Street
Trenton, FL 32693

Subject: Approval of Water Use Permit Application Number
2-95-00035M3, Alliance Dairies, Gilchrist & Levy Counties

Dear Mr. St. John:

Suwannee River Water Management District (District) staff proposes to recommend to the Governing Board that the above-mentioned project be approved. Enclosed is a copy of the Staff Report with Conditions.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on April 12, 2011, which is open to the public.

Persons considered to be affected by this proposed agency action may request an administrative hearing. The request must be written and must adhere to the requirements of Chapter 28-106, Florida Administrative Code. Please see the enclosed Notice of Rights. All requests for administrative hearings shall be sent to the District at 9225 County Road 49, Live Oak, Florida 32060. Please call permitting staff at 386.362.1001 if you have any questions.

Sincerely,

Jon Dinges, P. E.
Director, Water Supply & Resource Management

JD/tm

Enclosure

Certified Mail Receipt Number: 7009 0820 0000 0505 3670

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 Florida Statutes. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may choose to pursue mediation as an alternative remedy as described above. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon receipt of the petition by the Office of the District Clerk at the District Headquarters in Live Oak, Florida.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing pursuant to Rule 28-106.111, Florida Administrative Code.

NOTICE OF RIGHTS

7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.
10. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
11. Failure to observe the relevant time frames for filing a petition for judicial review, or for Commission review, will result in waiver of the right to review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

Alliance Dairies
C/O Ron St. John
4951 NW 170th Street
Trenton, FL 32693

At 4:00 p.m. this _____ day of _____, _____

Jon Dinges
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

STAFF REPORT

WATER USE PERMIT APPLICATION

DATE: March 24, 2011

PROJECT: Alliance Dairies

APPLICANT: Alliance Dairies
 4951 NW 170th St.
 Trenton, FL 32693

PERMIT APPLICATION NO.: 2-95-00035M3
DATE OF APPLICATION: February 23, 2011
APPLICATION COMPLETE: February 23, 2011

	Previous Quantities:		Proposed Quantities:	
Average Daily Rate (ADR)	1.8059	mgd	3.0472	mgd
Maximum Daily Rate (MDR)	7.8336	mgd	13.5589	mgd

MANAGER/MEMBER DETAIL: Alliance Dairies, a general partnership, in the state of Florida, is the landowner of 1,510 acres of the project area associated with the permit. Two corporations, Saints, Inc. and Piedmont Dairies, Inc., own the general partnership. Ron St. John, the managing partner for Alliance Dairies and President of Saints, Inc., has signed a document indicating he has legal control over the remaining 860 acres associated with the project area. The total project area is 2,370 acres.

Recommended Agency Action

Staff recommends approval of a modification to an existing agricultural water use permit for an existing dairy operation located in Gilchrist and Levy counties. The permit will include seventeen standard conditions and ten special limiting conditions. The modified permit will expire on April 12, 2031.

Project Review Staff

Glenn Horvath, John Kruse, Kevin Wright, P.E., and Carlos D. Herd, P.G., have reviewed the application.

Project Location

The withdrawal facilities are currently located in Township 10 South, Range 14 East, Sections 24, 25, and 36 and Township 10 South, Range 15 East, Sections

18, 19, 30, 31 and 32 in Gilchrist and Levy counties. The Project is located approximately 2 miles southwest from the City of Trenton and is within the Lower Suwannee River Basin.

Project Description

District records indicate that the original permit for the dairy was issued on July 9, 1996. The water use permit has been modified several times since the issuance date to include additional water uses. The District and the applicant had a pre-application meeting on February 8, 2011, to begin working on the permit modification.

Alliance Dairies owns approximately 1,510 acres and leases approximately 860 acres surrounding the dairy. The total project area consists of approximately 2,370 acres for growing crops and raising livestock. Ron St. John, the managing partner, has provided a written statement that they own or have legal control to the 2,370 acres included in this application.

Within the project area, 1,158 acres are associated with crop irrigation using both groundwater and dairy wastewater and 52 acres are associated with cooling livestock with groundwater for a total of 1,210 irrigated acres.

A total of 694,689 gallons per day of wastewater will offset groundwater withdrawals, as provided by the applicant.

Alliance Dairy manages 4,606 milking cows with an additional 622 dry cows and 2,479 heifers and calves.

The water use calculations are based upon the irrigated acreage, crop type, and livestock use at the dairy, and the reuse of wastewater for crop needs. The dairy irrigates three crops per year to provide animal feed for the dairy. The dairy currently has 13 pivot irrigation systems. The crop rotation schedule provided by the applicant consists of corn, sorghum, and rye grass. The modified Average Daily Rate (ADR) of withdrawal will be 3.0472 MGD.

The project will have 18 active wells for irrigation, livestock, and other dairy uses.

The well table is listed below. The number/name was provided by the applicant.

Well IDs	Well Status	Dia.	Capacity (gpm)	Use/Pivot
91	Existing	12	940	Irrigation
92	Existing	8	616	Irrigation
93	Existing	10	708	Irrigation
94	Existing	12	828	Irrigation
95	Existing	6	450	Irrigation
96	Existing	10	350	Irrigation
101	Existing	10	958	Irrigation
102	Existing	8	750	Irrigation
116	Existing	10	780	Irrigation
117	Existing	10	793	Irrigation
118	Existing	8	891	Irrigation
120	Existing	6	402	Irrigation
122	Existing	6	451	Irrigation
126	Existing	8	350	Irrigation
1349	Existing	4	60	Livestock
1350	Existing	6	300	Livestock
1351	Existing	4	20	Livestock
1352	Existing	4	150	Livestock

Demonstration of Need

The applicant has provided information that supports the requested increase, based upon number of livestock, crop types, and irrigated acres. The dairy has Florida Department of Environmental Protection (FDEP) permit FLA116521 for their concentrated animal feeding operation. FDEP’s permit requires a nutrient balance between the waste produced by the cows specified in the permit and the nutrients needed to grow crops for their cows. Based on the number of cows listed in the permit, the total acreage needed for wastewater application is 1,115 acres.

Water Conservation

The proposed permit contains two special limiting conditions that address conservation. The first outlines the requirement to irrigate target areas only. The second states the applicant will implement practices selected on the District provided water conservation worksheets that will help conserve water. Also, Alliance Dairies has a FDEP permit requiring application of wastewater on crops, which also reduces use of groundwater needed to grow forage crops. In addition, the applicant has signed a Notice of Intent (NOI) with FDACS on following best management practices (BMPs) for the many agricultural components of the dairy operation.

Minimum Flows and Levels Compliance

Staff determined through the SRWMD North Florida Model, version 1.0, that the proposed water use would not violate minimum flows and levels (MFLs) at any downstream MFL points established along the Suwannee River. However, a special limiting condition has been included in the permit for the District to seek a modification to the permit to assist in the recovery and/or prevention strategy associated with an adopted MFL.

Conclusions

After verification of all current and proposed water use activities, District staff was able to determine the following:

1. Water use will occur 365 days each year.
2. The expansion at the dairy results in an increase of the permitted ADR up to 3.0472 MGD and MDR to 13.5589 MGD.
3. The proposed use meets the requirements outlined in 40B-2.301, Florida Administrative Code and Staff recommends approval of this permit modification.

Standard Conditions

1. Nothing in this permit should be construed to limit the authority of the Suwannee River Water Management District to declare a water shortage and issue orders pursuant to Section 373.175, Florida Statutes, or to formulate a rule for implementation during times of water shortage pursuant to Section 373.246, Florida Statutes. In the event of water shortage as declared by the Board, the

permittee shall adhere to any limitations on withdrawal or use ordered by the District.

2. This permit is classified as unconfined Floridan Aquifer for livestock care.
3. Permittee shall allow District personnel at reasonable times and at District expense or with District equipment to monitor withdrawal rates and volumes authorized by this permit.
4. Capping of Withdrawals Not In Use: Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500(3)(a)(4), F.A.C.
5. The permittee may apply for a permit modification at any time in accordance with section 40B-2.331, FAC.
6. In the event of a District-declared water shortage, the permittee must immediately comply with any restrictions or requirements ordered in accordance with the District's Water Shortage Plan, chapter 40B-21, FAC.
7. Permittee must mitigate interference with existing legal uses caused in whole or in part by the permittee's withdrawals, consistent with a District-approved mitigation plan. As necessary to offset such interference, mitigation may include, but is not limited to, reducing pumpage, replacing the existing legal user's withdrawal equipment, relocating wells, changing withdrawal source, supplying water to existing legal user, or other means needed to mitigate the impacts.
8. Permittee must mitigate harm to existing off-site land uses caused by the permittee's withdrawals. When harm occurs, or is imminent, the permittee must modify withdrawal rates or mitigate the harm.
9. Permittee must mitigate harm to the natural resources caused by the permittee's withdrawals. When harm occurs or is imminent, the permittee must modify withdrawal rates or mitigate the harm.
10. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to chapter 373, FS.
11. Authorized representatives of the District, upon reasonable notice to the permittee, shall be permitted to enter and inspect the permitted water use to determine compliance with the permit conditions.

12. This permit does not relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
13. This permit does not convey to the permittee any property rights or privileges other than those specified herein.
14. Permittee shall notify the District in writing within 90 days of any sale, conveyance, or other transfer of ownership or control of the real property on which the permitted water use activities are located. All water use permit transfers are subject to the requirements of section 40B-2.301, FAC.
15. Permittee must notify the District in writing prior to implementing any changes in the water use that may alter the permit allocations. Such changes include, but are not limited to, change in irrigated acreage, crop type, irrigation system, water treatment method, or entry into one or more large water use agreements. In the event a proposed change will alter the allocation, permittee must first obtain a permit modification.
16. When the District provides a permanent identification tag, the tag shall be prominently displayed at the withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility. If the permit covers several facilities such as a well field, a tag shall be affixed to each facility. Failure to display a tag as prescribed herein shall constitute a violation of the permit. The permittee shall be allowed ten (10) days after the notice of violation of this section to obtain a replacement tag.
17. The District reserves the right to open this permit, following notice to the permittee, to include a permit condition prohibiting withdrawals for resource protection.

Special Limiting Conditions

18. All correspondence sent to the District regarding this permit must include the permit number (2-95-00035M3).
19. Five-Year Compliance Review: This permit and the dairy/agricultural operation will be reviewed by District staff and the permittee every five years starting in the year 2016. Results of the reviews will be presented to the Governing Board with Staff recommendations for consideration of any further action, if needed. The Governing Board can make a decision to act on staff recommendations and modify the permit , if they feel the staff's recommendations are appropriate. The review will consist of comparing current

use to the previously permitted use based upon type,, addition or deletion of withdrawal points or irrigation points, changes in ownership, improved conservation practices/best management practices, change in project area, and/or other factors identified during the review that are warranted for discussion.

20. If water use causes adverse impacts to occur, the District reserves the right to curtail future withdrawal rates or otherwise modify the permit. Adverse impacts include:

- a. Cumulative reduction in well water levels that impairs the ability of the well to produce water;
- b. Cumulative reduction in levels in an adjacent water body such as a lake, pond, or retention/detention area that impairs the designated function of the water body or the ability for a permitted withdrawal facility to produce water;
- c. Saline water intrusion or induced movement of pollutants into the water supply of an adjacent water use, resulting in harm due to a reduction in water quality;
- d. Land collapse or subsidence caused by reduction in water levels;
- e. Damage to crops and other types of vegetation;
- f. Harm to a naturally occurring water body such as lake, pond, or wetland by reducing water levels or changing the hydroperiod; and,
- g. Harm to the natural system including damage to habitat for endangered or threatened species, or species of special concern.

21. If water use causes or contributes to a violation of Minimum Flows and Levels (MFLs), the District reserves the right to curtail future withdrawal rates or otherwise modify the permit as described in the recovery or prevention strategy associated with the MFL.

22. Irrigation of target areas: The permittee shall ensure that the irrigation systems will water target areas only under field operations. Irrigation of non-target areas (roads, woods, structures, etc.) is prohibited.

23. Monitoring Groundwater Withdrawals: At the initial Five-Year Review (2016), the Permittee shall submit a plan for monitoring groundwater withdrawals. Following approval of the plan by District staff, total flow from each well shall be recorded on a monthly basis and reported to the district annually on or before the fifteenth day of February of each year.

24. Participation in the Florida Department of Agricultural and Consumer Services (FDACS) Water Quality/Quantity Best Management Practices (BMPs) for Florida Vegetable and Agronomic Crops shall be accepted as a water conservation and management plan until the first five-year compliance review in

2016. At the time of the first compliance review, the permittee shall submit a Water Conservation and Management Plan to the District for approval, which documents conservation measures implemented in the first five years of the permit and those proposed for the duration of the permit.

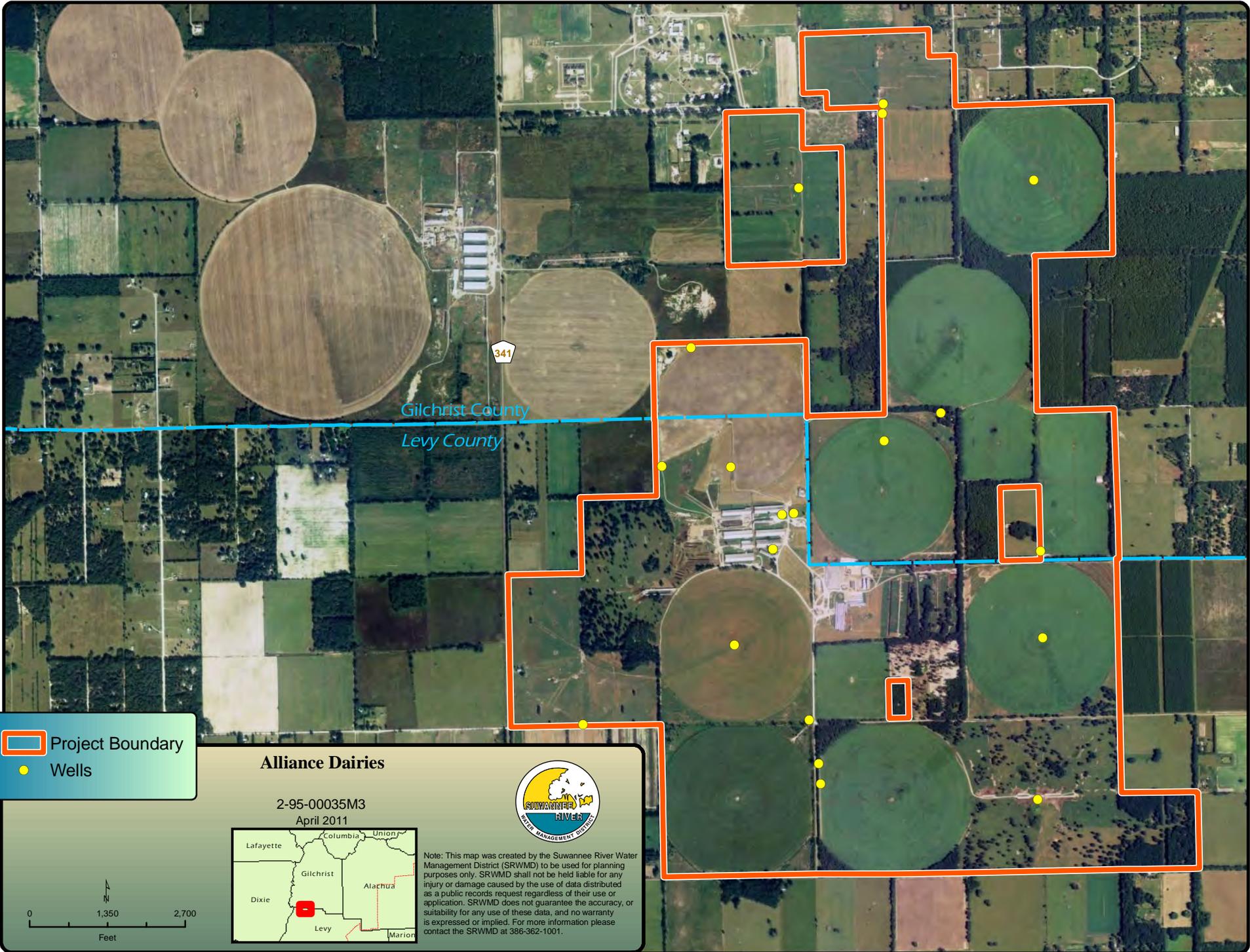
25. The Permittee shall implement and/or maintain the conservation practices selected on the Water Conservation Worksheet(s) which are associated with this permit. Any new practices selected shall be implemented in one year from the date of permit issuance. Practices that involve scheduling methods or maintenance shall be documented. Documentation for implementation and/or maintenance shall be maintained on all practices and available upon request.

26. The permitted water withdrawal facilities consist of the table on Attachment A.

27. This permit shall expire on April 12, 2031. The permittee must submit the appropriate application form incorporated by reference in subsection 40B-2.041(2), FAC and the required fee to the District pursuant to section 40B-2.361, FAC, prior to this expiration date in order to continue the use of water.

Attachment A
2-95-00035M3
Alliance Dairies

Name	Status	Diameter	Capacity (gpm)	Water Use
91	Existing	12	940	Irrigation
92	Existing	8	616	Irrigation
93	Existing	10	708	Irrigation
94	Existing	12	828	Irrigation
95	Existing	6	450	Irrigation
96	Existing	10	350	Irrigation
101	Existing	10	958	Irrigation
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117	Existing	10	793	Irrigation
118	Existing	8	891	Irrigation
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122	Existing	6	451	Irrigation
126	Existing	8	350	Irrigation
1349	Existing	4	60	Livestock
1350	Existing	6	300	Livestock
1351	Existing	4	20	Livestock
1352	Existing	4	150	Livestock



Project Boundary
● Wells

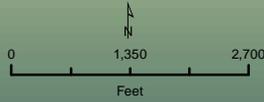
Alliance Dairies

2-95-00035M3

April 2011



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MEMORANDUM

TO: Governing Board

FROM: Carlos D. Herd, P.G., Senior Hydrogeologist

DATE: March 24, 2011

RE: Approval of Water Use Permit Application Number
2-96-00054M, Grassy Bell Dairy, Gilchrist County

RECOMMENDATION

Staff recommends the Governing Board approve a modification to Water Use Permit Application Number 2-96-00054M, with seventeen standard conditions and seven special limiting conditions to Piedmont Farms, Inc., for Grassy Bell Dairy, in Gilchrist County.

BACKGROUND

Staff has determined that the application is complete and satisfies the conditions for issuance in Chapter 40B-2, Florida Administrative Code.

/tm

March 24, 2011

Piedmont Farms, Inc.
C/O Ron St. John
PO Box 6937
Jacksonville, FL 32236

Subject: Approval of Water Use Permit Application Number
2-96-00054M, Grassy Bell Dairy, Gilchrist County

Dear Mr. St. John:

Suwannee River Water Management District (District) staff proposes to recommend to the Governing Board that the above-mentioned project be approved. Enclosed is a copy of the Staff Report with Conditions.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on April 12, 2011, which is open to the public.

Persons considered to be affected by this proposed agency action may request an administrative hearing. The request must be written and must adhere to the requirements of Chapter 28-106, Florida Administrative Code. Please see the enclosed Notice of Rights. All requests for administrative hearings shall be sent to the District at 9225 County Road 49, Live Oak, Florida 32060. Please call permitting staff at 386.362.1001 if you have any questions.

Sincerely,

Jon Dinges, P. E.
Director, Water Supply & Resource Management

JD/tm

Enclosure

Certified Mail Receipt Number: 7009 0820 0000 0505 3618

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 Florida Statutes. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may choose to pursue mediation as an alternative remedy as described above. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon receipt of the petition by the Office of the District Clerk at the District Headquarters in Live Oak, Florida.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing pursuant to Rule 28-106.111, Florida Administrative Code.

NOTICE OF RIGHTS

7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.
10. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
11. Failure to observe the relevant time frames for filing a petition for judicial review, or for Commission review, will result in waiver of the right to review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

**Piedmont Farms, Inc.
C/O Ron St. John
PO Box 6937
Jacksonville, FL 32236**

At 4:00 p.m. this _____ day of _____, _____

Jon Dinges
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

STAFF REPORT

WATER USE PERMIT APPLICATION

DATE: March 24, 2011

PROJECT: Grassy Bell Dairy

APPLICANT: Piedmont Farms, Inc.
 PO Box 6937
 Jacksonville, FL 32236

PERMIT APPLICATION NO.: 2-96-00054M
DATE OF APPLICATION: March 3, 2011
APPLICATION COMPLETE: March 3, 2011

	Previous Quantities:		Proposed Quantities:	
Average Daily Rate (ADR)	0.2903	mgd	1.5679	mgd
Maximum Daily Rate (MDR)	3.0240	mgd	5.0008	mgd

Manager/Member Detail

Piedmont Farms, Inc., a corporation in the state of Florida, is the landowner of 760 acres of the project area associated with the permit. Alliance Grazing Group, a partnership, is acting as the agent for this permit. Below is the corporation information pertaining to Piedmont Farms, Inc.

McArthur, William A 569 Edgewood Avenue South Jacksonville FI 32205	PD
Hendrix, Charles N 569 Edgewood Avenue South Jacksonville FI 32205	V

Recommended Agency Action

Staff recommends approval of a modification to an existing agricultural water use permit located within Gilchrist County. The permit will include seventeen standard conditions and seven special limiting conditions. The modified permit will expire on May 13, 2016.

Project Review Staff

Glenn Horvath, John Kruse, Kevin Wright, P.E., and Carlos D. Herd, P.G., have reviewed the application.

Project Location

The withdrawal facilities are currently located in Township 9 South, Range 15 East, Sections 19, 20, 29 and 30 in Gilchrist County. The project is located approximately 4 miles north from the City of Trenton. The project is located within the lower Suwannee River Basin.

Project Description

District records indicate that the original permit for the agriculture operation was issued on May 13, 1996. This is the first modification for this permit and the proposed use will be a rotational grazing dairy. Currently two center pivots used for crops are associated with this permit. The District received a March 4, 2011, request from Piedmont Farms, Inc. The applicant's agent is the Alliance Grazing Group. District staff previously collected the data under the existing permit and the change to grazing dairy with four proposed wells was discussed with Ron St. John at a February 8, 2011, pre-application meeting.

The dairy has received a Florida Department of Environmental Protection (FDEP) permit FLA728004-001 for a concentrated animal feeding operation. In this permit, the total acreage needed for the nutrient management plan (wastewater application) is 98 acres of pasture.

The project area consists of approximately 760 acres with 576 acres being irrigated using center pivot systems supplied by groundwater. The applicants have legal control over the entire 760 acres included in this application. The total number of milking cows at the dairy will be 1,710 with another 370 dry cows.

The water use calculations were determined based on the irrigated acreage and crop type, livestock use and staff needs at the dairy. Each year two crops are planned for providing animal feed. The proposed dairy plans to add three additional center pivot irrigation systems to the two that exist under the current permit. The crop rotation schedule provided by the applicants consists of pasture-dairy grazing and rye. The modified Average Daily Rate (ADR) of withdrawal will be 1.5679 MGD.

The project will have six wells. Two wells currently exist and four are proposed to be drilled. Use of the wells will be for irrigation, livestock, and other dairy uses.

Listed below are the withdrawal wells associated with the permit. The applicant provided this information.

Well #	Well Status	Dia.	Capacity (gpm)	Use/Pivot
Martin Well 1	Existing	10	1000	Irrigation
Martin Well 2	Existing	10	1000	Irrigation
East L Irrigation Well	Proposed	10	800	Irrigation
East L Livestock Well	Proposed	4	120	Livestock
Martin Well #3	Proposed	8	450	Livestock/Barn/ Drinking Water
Martin Well #4	Proposed	8	450	Livestock/Barn/ Drinking Water

Demonstration of Need

The applicant has provided information that supports the requested increase based upon number of livestock, crop types, irrigated acres, and staff use.

Water Conservation

The applicants have submitted water conservation worksheets showing the conservation measures used at the dairy operation. The primary function of the irrigation systems is to provide forage crops for the grazing dairy operation.

Minimum Flows and Levels Compliance

Staff determined through the SRWMD North Florida Model, version 1.0, that the proposed water use would not violate minimum flows and levels (MFLs) at any downstream MFL points established along the Suwannee River. However, a special limiting condition has been included in the permit for the District to seek a modification to the permit to assist in the recovery and/or prevention strategy associated with an adopted MFL.

Conclusions

After verification of all current and proposed water use activities, District staff was able to determine the following:

1. Water use will occur 365 days each year.
2. The expansion at the dairy results in an increase of the permitted ADR up to 1.5679 MGD and MDR to 5.5008 MGD.
3. The proposed use meets the requirements outlined in 40B-2.301, Florida Administrative Code, and staff recommends approval of this permit modification.

Standard Conditions

1. Nothing in this permit should be construed to limit the authority of the Suwannee River Water Management District to declare a water shortage and issue orders pursuant to Section 373.175, Florida Statutes, or to formulate a rule for implementation during times of water shortage pursuant to Section 373.246, Florida Statutes. In the event of water shortage as declared by the Board, the permittee shall adhere to any limitations on withdrawal or use ordered by the District.
2. This permit is classified as unconfined Floridan Aquifer for livestock care.
3. Permittee shall allow District personnel at reasonable times and at District expense or with District equipment to monitor withdrawal rates and volumes authorized by this permit.
4. Capping of Withdrawals Not In Use: Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500(3)(a)(4), F.A.C.
5. The permittee may apply for a permit modification at any time in accordance with section 40B-2.331, FAC.
6. In the event of a District-declared water shortage, the permittee must immediately comply with any restrictions or requirements ordered in accordance with the District's Water Shortage Plan, chapter 40B-21, FAC.

7. Permittee must mitigate interference with existing legal uses caused in whole or in part by the permittee's withdrawals, consistent with a District-approved mitigation plan. As necessary to offset such interference, mitigation may include, but is not limited to, reducing pumpage, replacing the existing legal user's withdrawal equipment, relocating wells, changing withdrawal source, supplying water to existing legal user, or other means needed to mitigate the impacts.
8. Permittee must mitigate harm to existing off-site land uses caused by the permittee's withdrawals. When harm occurs, or is imminent, the permittee must modify withdrawal rates or mitigate the harm.
9. Permittee must mitigate harm to the natural resources caused by the permittee's withdrawals. When harm occurs or is imminent, the permittee must modify withdrawal rates or mitigate the harm.
10. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to chapter 373, FS.
11. Authorized representatives of the District, upon reasonable notice to the permittee, shall be permitted to enter and inspect the permitted water use to determine compliance with the permit conditions.
12. This permit does not relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
13. This permit does not convey to the permittee any property rights or privileges other than those specified herein.
14. Permittee shall notify the District in writing within 90 days of any sale, conveyance, or other transfer of ownership or control of the real property on which the permitted water use activities are located. All water use permit transfers are subject to the requirements of section 40B-2.301, FAC.
15. Permittee must notify the District in writing prior to implementing any changes in the water use that may alter the permit allocations. Such changes include, but are not limited to, change in irrigated acreage, crop type, irrigation system, water treatment method, or entry into one or more large water use agreements. In the event a proposed change will alter the allocation, permittee must first obtain a permit modification.
16. When the District provides a permanent identification tag, the tag shall be prominently displayed at the withdrawal site by permanently affixing such tag to

the pump, headgate, valve, or other withdrawal facility. If the permit covers several facilities such as a well field, a tag shall be affixed to each facility. Failure to display a tag as prescribed herein shall constitute a violation of the permit. The permittee shall be allowed ten (10) days after the notice of violation of this section to obtain a replacement tag.

17. The District reserves the right to open this permit, following notice to the permittee, to include a permit condition prohibiting withdrawals for resource protection.

Special Limiting Conditions

18. All correspondence sent to the District regarding this permit must include the permit number (2-96-00054M).

19. If water use causes adverse impacts to occur, the District reserves the right to curtail future withdrawal rates or otherwise modify the permit. Adverse impacts include:

- a. Cumulative reduction in well water levels that impairs the ability of the well to produce water;
- b. Cumulative reduction in levels in an adjacent water body such as a lake, pond, or retention/detention area that impairs the designated function of the water body or the ability for a permitted withdrawal facility to produce water;
- c. Saline water intrusion or induced movement of pollutants into the water supply of an adjacent water use, resulting in harm due to a reduction in water quality;
- d. Land collapse or subsidence caused by reduction in water levels;
- e. Damage to crops and other types of vegetation;
- f. Harm to a naturally occurring water body such as lake, pond, or wetland by reducing water levels or changing the hydroperiod; and,
- g. Harm to the natural system including damage to habitat for endangered or threatened species, or species of special concern.

20. If water use causes or contributes to a violation of minimum flows and levels (MFLs), the District reserves the right to curtail future withdrawal rates or otherwise modify the permit as described in the recovery or prevention strategy associated with the MFL.

21. Irrigation of target areas: The permittee shall ensure that the irrigation systems will water target areas only under field operations. Irrigation of non-target areas (roads, woods, structures, etc.) is prohibited.

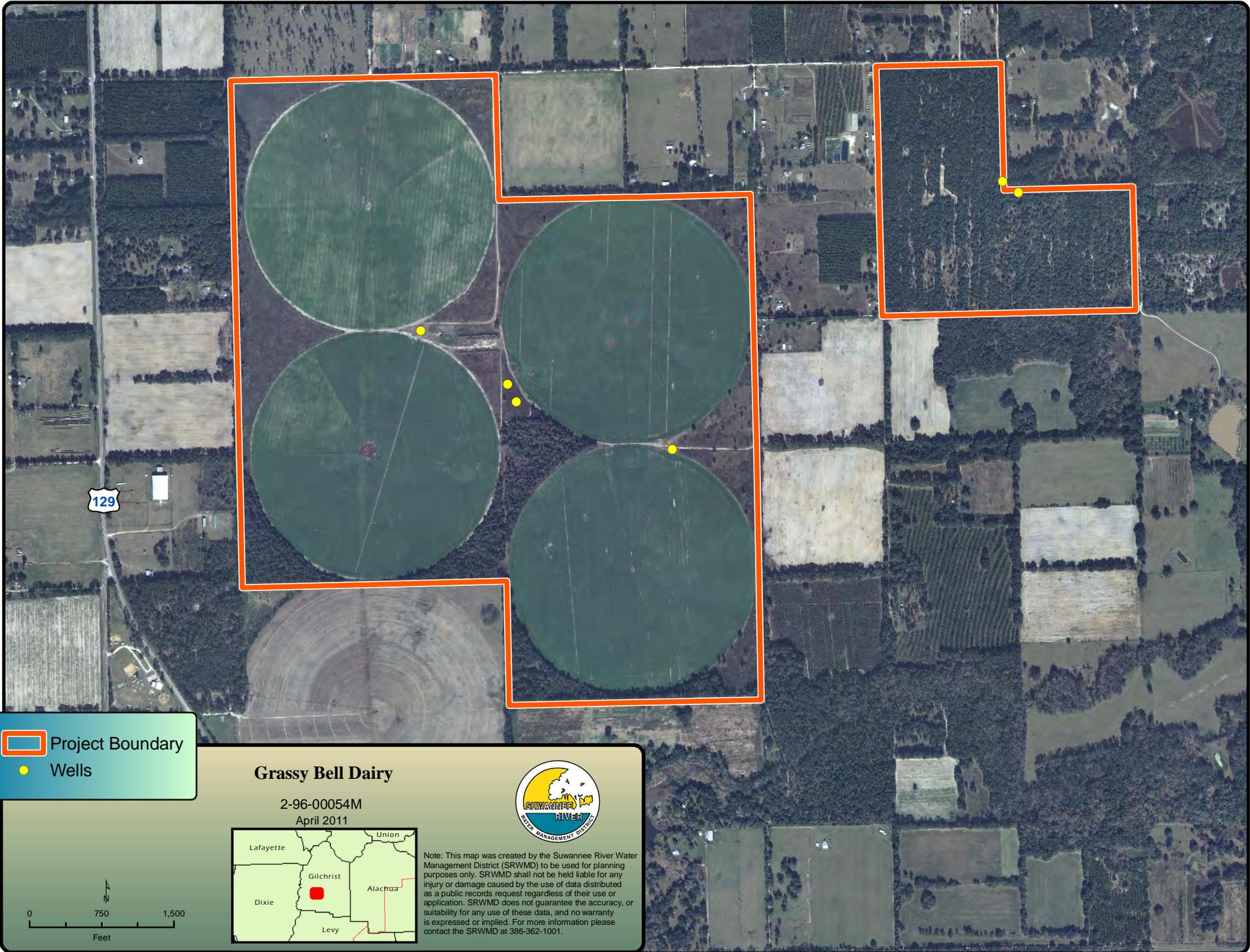
22. The Permittee shall implement and/or maintain the conservation practices selected on the Water Conservation Worksheet(s) which are associated with this permit. Any new practices selected shall be implemented in one year from the date of permit issuance. Practices that involve scheduling methods or maintenance shall be documented. Documentation for implementation and/or maintenance shall be maintained on all practices and available upon request.

23. The permitted water withdrawal facilities consist of the table on Attachment A.

24. This permit shall expire on 5/13/2016. The permittee must submit the appropriate application form incorporated by reference in subsection 40B-2.041(2), FAC and the required fee to the District pursuant to section 40B-2.361, FAC, prior to this expiration date in order to continue the use of water.

Attachment A
2-96-00054M
Grassy Bell Dairy
Piedmont Farms, Inc.

Name	Status	Diameter	Capacity (gpm)	Water Use
Martin Well 1	Existing	10	1000	Irrigation
Martin Well 2	Existing	10	1000	Irrigation
East L Irrigation Well	Proposed	10	800	Irrigation
East L Livestock Well	Proposed	4	120	Livestock
Martin Well #3	Proposed	8	450	Livestock/Barn/ Drinking Water
Martin Well #4	Proposed	8	450	Livestock/Barn/ Drinking Water



MEMORANDUM

TO: Governing Board
FROM: Carlos Herd, Senior Hydrogeologist
DATE: March 24, 2011
RE: Water Supply Program Activity Report

Water supply planning:

- The District's contractor is finalizing the minimum flow and levels recovery and prevention strategies and continues preparation of the draft Regional Water Supply Plan for the Upper Santa Fe River basin.
- St. Johns River Water Management District has indefinitely postponed completion of their Water Supply Assessment and Water Supply Plan.
- Staff continues to meet regularly with St. Johns River Water Management District via conference calls to coordinate activities in the water supply planning process.
- Staff attended a meeting between the St. Johns River Water Management District and the Northeast Florida Utility Coordination Group's consultants to discuss minimum flows and levels in the St. Johns District.
- Staff hosted a joint groundwater modeling meeting with St. Johns River Water Management District staff and consultants with the Northeast Florida Utility Coordination Group on March 4, 2011.
- Staff attended a St. Johns River Water Management District Governing Board Workshop on March 7, 2011, where St. Johns staff discussed minimum flows and levels recovery and prevention strategies.
- Staff facilitated the abandonment of a 10-inch diameter drainage well discovered in Lake Sampson. The well was discovered during low lake levels and was open to the Upper Floridan aquifer.

Interstate coordination:

Staff attended the February 23, 2011, Suwannee-Satilla Water Planning Council meeting near Adel, Georgia.

Staff attended a successful technical meeting on March 2, 2011, with State of Georgia Environmental Protection Division staff discussing instream flows and our methodologies for development of minimum flows and levels. It was agreed

at the meeting that further cooperative efforts are needed and additional meetings will be scheduled after the Georgia staff has had time to review the information covered at this meeting.

Staff will be attending the 2011 Georgia Water Resources Conference in Athens, Georgia on April 11 through April 13.

Staff has a tentative meeting scheduled for May 19, 2011, with staff from the State of Georgia Environmental Protection Division, Florida Department of Environmental Protection, and the St. Johns River Water Management District to coordinate water resource issues across state boundaries.

Minimum flows and levels (MFLs):

- All master contracts have been signed except for one that involves a potential conflict of interest. These firms, and their subcontractors, constitute the pool of expertise to assist staff with MFL development over the next five years.
- The two primary firms selected for assisting staff on the lower Santa Fe River and springs MFL work are Janicki Environmental and INTERA Engineering. Both firms were involved as subcontractors in prior work for the District on these water bodies prior to loss of funding in fiscal year 2009. Staff has issued the first work order for floodplain vegetative transect reconnaissance and selection to Janicki.
- Delta Surveying continues work in the field establishing benchmarks and surveying cross-sections and transects on the lower Santa Fe and Ichetucknee Rivers.
- J. Sherman Frier & Associates has surveyed cross-sections and set benchmarks in the Suwannee River at Big and Little Shoals. A site meeting is scheduled to plan a survey of the spring structure and surrounding river gages at White Spring.
- Revisions to the North Florida Groundwater Model (NFM) continue. The contractor is modifying boundary conditions and working on a revision of how rivers and springs are represented in the model. Staff continues working on a new well file for 1995 to be supplied to the contractor.
- On March 4, 2011, the District received approval of the District's 2010 Minimum Flows and Levels Priority List from the Florida Department of Environmental Protection.

Monticello Reuse Project:

- Reuse water continues to be pumped to Simpson's Nursery. Monticello is still making a few operational adjustments. The fence around the wet weather storage pond is scheduled to be installed along with several other

miscellaneous improvements (a grate to keep trash out of the wetwell from the pond intake and a shelter over the pump control panels).

Water use regulation:

- District staff continues to coordinate with the Department of Environmental Protection (DEP) and water management districts on reclaimed water policy.
- District received a response to the Request for Additional Information (RAI) from Camp Weed. District staff is currently evaluating the submittal.
- Staff met with Florida Fish and Wildlife regarding their plans to drain, rehabilitate, and then refill Suwannee Lake in Suwannee County.
- District staff, along with staff from the Suwannee River Partnership, met with Dr. Dukes, UF Agricultural Engineering Professor, to discuss agricultural water conservation options on March 1, 2011.
- District staff attended the Conservation Innovation Grant presentation and field demonstration at the IFAS Research Center on March 9, 2011.
- District staff will attend the Suwannee River Partnership Water Conservation Committee meeting on March 21, 2011.
- The following table summarizes water use permitting activities during the month of January.

January 2011	Received		Issued
Water Use Permits	5		9
Water Well Permits	120		120
Water well permits issued and received according to well use:			
Abandoned/destroyed	0	Livestock	1
Agricultural Irrigation	4	Monitor	31
Aquaculture	1	Nursery	1
Climate Control	0	Other	3
Fire Protection	0	Public Supply	2
Garden (Non Commercial)	0	Self-supplied Residential	74
Landscape Irrigation	3	Test	0

Water conservation:

Staff is collecting information from the other water management districts on their approach to water conservation retrofit cost sharing. Staff is developing a proposal for consideration by the Governing Board during the budget and workplan review process.

Rule development:

Staff has been reviewing existing rules, as required by the Governor's Executive Order 11-01. Review of these existing rules has been concurrent with other water management districts to maintain consistency, where applicable.

Thank you for your attention to this summary of current activities. Please feel free to contact staff prior to the April 12, 2011, Governing Board meeting if you would like further information.

CH/dd

MEMORANDUM

TO: Governing Board

FROM: Megan Wetherington, Senior Professional Engineer

DATE: March 24, 2011

RE: Water Resource Monitoring Program Activity Report

Staff collected water chemistry samples at 20 groundwater sites; recorded levels and maintained stations at 181 wells, 21 lakes, and 19 stream stations; and reported rainfall from 39 sites to the National Weather Service.

Staff met with Florida Department of Environmental Protection Springs Initiative and Watershed Assessment groups to identify redundancies in water chemistry and biological sampling and to begin the development of a strategy for both agencies to maximize monitoring resources in the District.

Staff met with St. Johns River Water Management District (SJRWMD) staff to review monitor wells of interest to both agencies in the Upper Santa Fe and Upper Suwannee River Basins.

Staff continued discussions with Division of Forestry personnel regarding use of forestry tower sites and infrastructure to transmit water level and rainfall data efficiently.

Staff worked with University of Florida and SJRWMD personnel to plan the automation of a long-term monitor well on the university campus to reduce costs of collection.

Staff monitored 157 telemetered water use monitoring devices on 46 agricultural operations.

A new real-time river level gage was installed at the Nobles Ferry Bridge on the Suwannee River. The gage will serve the area of the Alapaha/Suwannee confluence. The Suwannee River in this area was strongly affected by backwater in April 2009 which caused uncertainty among residents because the upstream gage (Suwannee Springs) barely rose above flood stage while the downstream gage (Ellaville) recorded a 50-year event.

Thank you for your attention to this summary of current activities. Please feel free to contact staff prior to the April 12, 2011, Governing Board meeting if you would like further information.

MW/dd

MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Senior Professional Engineer

DATE: March 24, 2011

RE: Environmental Resource Permitting Program Activity Report

Permitting activities:

The following table summarizes permitting activities during the month of February.

February 2011	Received			Issued		
Environmental Resource Permits	Noticed General	General	Individual	Noticed General	General	Individual
	13	7	0	7	12	1

Compliance and enforcement report:

Staff will transmit an updated compliance and enforcement report on April 8, 2011.

Rule development and adoption:

The Rulemaking Schedule follows this report. Staff has been reviewing existing rules (chapters 40B-4 and 40B-400), as required by the Governor's Executive Order 11-01. Review of these existing rules has been concurrent with other water management districts to maintain consistency, where applicable.

Inspections and as-built certification:

In January 2011, staff inspected six projects under construction and 14 projects for as-built compliance. The total number of projects constructed from January 2005 through February 2011 is 769. The number in compliance with certification requirements is 750, with 19 permits not in compliance.

The total number of Works of the District permits issued from January 2009 through February 2010 is 55 with 28 completed and 27 in the construction process.

Edwards Road Bottomlands Wetlands Restoration Project, Bradford County:

BCI Engineers and Scientists is modeling and designing the proposed system. Preliminary modeling results were completed on November 15, 2010. Staff provided comments on the modeling results at the end of November 2010. BCI has completed the conceptual plans. District staff met with BCI on January 19, 2011, to review the conceptual plans. Additional details on the control structure options have been provided by BCI for review prior to moving to preliminary plans. On March 11, 2011, District staff and BCI met with representatives from the City of Starke, FWC and Bradford County Soil Conservation Commission to discuss the conceptual design.

Federal Emergency Management Agency (FEMA) Map Modernization:

Levy County: The official 90-day appeal period began on February 24, 2011 through May 25, 2011. Staff continues to coordinate with the county and municipalities.

Bradford County: Appeal and protest resolutions are being reviewed by FEMA staff and the expected date for the Letter of Final Determination is July 6th.

Fiscal Year 2009 projects: Detailed studies in Live Oak, Lafayette County, Dixie County, and Gilchrist County have begun though some portions will be delayed for the acquisition of Light Detection and Ranging (LiDAR) data that will enhance the studies.

Fiscal Year 2010 projects: Preparations are being made to conduct a Discovery meeting for the Lower Suwannee River Basin. LiDAR acquisition has been contracted and is underway.

Lake Sampson Water Control Structure:

Staff provided technical assistance to Bradford County regarding repair of the water control structure. The work is complete and the contract has been closed. Staff is developing a surface water modeling approach to determine the feasibility of replacing the water control structure.

Algal Turf Scrubber Pilot System at Boston Farm:

The District contracted with Hydromentia and the University of Florida (IFAS) to install a mobile pilot unit Algal Turf Scrubber on district property. The unit was installed in 2009 and was operational in 2010. On January 20, 2011, Hydromentia provided their third quarter nutrient removal progress report. Due to initial set up problems, low water flow conditions in the Santa Fe River and power outages; the contract was extended to June 1, 2011.

Thank you for your attention to this summary of current activities. Please feel free to contact staff prior to the April 12, 2011, Governing Board meeting if you would like further information.

Upcoming Rulemaking

40B-2

Upper Santa Fe River Basin Permit Duration

Send to OFARR	
GB Rule Dev. Auth.	9/8/09
Notice of Rule Dev.	9/18/09
GB Proposed Rule Auth.	
Notice of Proposed Rule	
Send to JAPC	
Mail to DOS (tentative)	
Effective Date (tentative)	

40B-4.1090

Incorporation of Hamilton & Madison FEMA Flood Studies

GB Rule Dev. Auth.	6/8/10
Notice of Rule Dev.	6/18/10
GB Proposed Rule Auth.	6/8/10
Notice of Proposed Rule	12/3/10
Send to JAPC	11/23/10
Send to OFARR	2/10/11
Mail to DOS (tentative)	2/18/11
Effective Date (tentative)	3/14/11

40B-4.1020

Clearing Definition

GB Rule Dev. Auth.	10/12/10
Notice of Rule Dev.	10/22/10
GB Proposed Rule Auth.	1/11/11
Send to OFARR	3/15/11
Notice of Proposed Rule	
Send to JAPC	
Mail to DOS (tentative)	
Effective Date (tentative)	

40B-400.091

ERP Handbook

GB Rule Dev. Auth.	12/9/08
Notice of Rule Dev.	2/4/11
GB Proposed Rule Auth.	1/11/11
Send to OFARR	3/15/11
Notice of Proposed Rule	
Send to JAPC	
Mail to DOS (tentative)	
Effective Date (tentative)	

40B-4.3030

Diseased Vegetation Determination

GB Rule Dev. Auth.	10/12/10
Notice of Rule Dev.	10/22/10
GB Proposed Rule Auth.	1/11/11
Send to OFARR	3/15/11
Notice of Proposed Rule	
Send to JAPC	
Mail to DOS (tentative)	
Effective Date (tentative)	

40B-400.103

ERP Handbook

GB Rule Dev. Auth.	1/11/11
Notice of Rule Dev.	2/4/11
GB Proposed Rule Auth.	1/11/11
Send to OFARR	3/15/11
Notice of Proposed Rule	
Send to JAPC	
Mail to DOS (tentative)	
Effective Date (tentative)	

MEMORANDUM

TO: Governing Board

FROM: Darrell Smith, Suwannee River Partnership Coordinator

DATE: March 24, 2011

RE: Suwannee River Partnership Program Activity Report

Staff met with University of Florida - Institute of Food and Agricultural Sciences Research Center director and staff to develop a plan for demonstrating water quality and conservation at the Live Oak center.

Staff assisted Florida Farm Bureau and Madison Farm Bureau staff in organizing a farm tour of the Madison Nestle facility.

Staff worked to develop a Partnership Agriculture Water Conservation working group to evaluate and develop recommendations for focused areas.

Staff met with specialists and worked to gather information related to agricultural irrigation and conservation that will be used by the Partnership Agriculture Water Conservation working group.

Staff continued to work with USDA-NRCS on a Conservation Innovation Grant to help develop an advanced irrigation scheduling package for farmers.

Staff is planning this year's CARES dinner that will be held on June 30, 2011, at the UF-IFAS Research Center in Live Oak.

Staff assisted with the Suwannee Farms Nutrient Budget project.

Staff continued to work with the Suwannee and Levy Soil and Water Conservation Districts to assist farmers with the Best Management Program (BMP) crop tools cost share program.

Staff visited farmers to assist with BMP implementation assurance, BMP follow-up, sampling assistance, record keeping assistance, and other education.

Staff continued to work on the BMP implementation assurance program for dairy and poultry operations.

Staff assisted farmers with water use permit renewals.

Thank you for your attention to this summary of current activities. Please feel free to contact staff prior to the April 12, 2011, Governing Board meeting if you would like further information.

DS/dd