

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: Jon Dinges, Department Director

DATE: May 26, 2011

RE: Acceptance Of Title To Real Property Previously Owned By El Rancho No Tengo, Inc., In Satisfaction Of Two Circuit Court Judgments In Case No. 2006-203-CA, Columbia County, Florida

RECOMMENDATION

Staff recommends that the Governing Board accept a Sheriff's Deed from the May 3, 2011, Columbia County Sheriff's Sale of lands previously owned by El Rancho No Tengo, Inc., in satisfaction of two circuit court judgments.

BACKGROUND

This item results from the District's litigation regarding the El Rancho No Tengo, Inc., illegal dam alteration. On April 25, 2008, the Court rendered a final order awarding the District \$100,000 in civil penalties. Thereafter, on March 26, 2010, the Court ordered El Rancho No Tengo, Inc., to pay the District's costs and attorney's fees in the amount of \$280,376.20, plus interest.

The Governing Board authorized the Executive Director to seek writs of execution for both judgments at its June 2010 meeting. On May 3, 2011, David Still, Executive Director, and Jennifer Springfield, District counsel, represented the District at the Sheriff's Sale, which was held at the Columbia County courthouse.

The District is currently in the process of obtaining the Sheriff's Deed for the property. Staff expects that the deed will be in the District's possession prior to the June Governing Board meeting. Following acceptance of title, staff will work with counsel to clear the title to the land.

TS/rl

MEMORANDUM

TO: Governing Board
FROM: Carlos D. Herd, Senior Hydrogeologist
DATE: June 2, 2011
RE: Authorization to Initiate Enforcement Proceedings, Rodney O. Tompkins Trustee, Rodney Tompkins, CE11-0001, Gilchrist County

RECOMMENDATION

Staff recommends the Governing Board authorize initiation of enforcement proceedings against Rodney O. Tompkins Trustee, Rodney Tompkins, in Gilchrist County for water use without a permit.

BACKGROUND

A complaint was filed with District staff on January 13, 2011 against a land owner's irrigation system overspraying onto a county road in Gilchrist County. District staff researched all Water Use Permits and discovered that the land owner does not have a valid permit. Subsequently, a Notice of Violation (NOV) was sent to Rodney Tompkins of Rodney O. Tompkins Trustee, formerly known as Misty Farms, on January 21, 2011, for water use without a valid permit.

The District's initial certified letters were returned unclaimed. A second NOV was sent on February 11, 2011, served by local law enforcement. The letter stated that Rodney O. Tompkins Trustee must contact the District to resolve the matter by March 2, 2011. Ms. Tompkins contacted the District on February 18, 2011 and has spoken to District staff several times. The District sent a certified letter on May 16, 2011 stating that an application needs to be submitted by May 31, 2011.

Due to a lack of response to District staff's numerous efforts, staff recommends that the Governing Board authorize initiation of enforcement proceedings to enforce 40B-2 F.A.C., requiring a Water Use Permit.

KW/tm

MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Senior Professional Engineer

DATE: May 26, 2011

RE: Denial of Environmental Resource Permit Application Number 07-0288M, Josephine Recreational Project, Columbia County and Authorization to Initiate Legal Action to Reach Resolution Regarding Lake City Management, LLC, CE10-0026

RECOMMENDATION

Staff recommends that the Governing Board authorize denial, without prejudice, of General Environmental Resource Permit application number 07-0288M to Lake City Development, LLC, for Josephine Recreational Project, Columbia County and authorize initiation of legal action to reach resolution.

BACKGROUND

A Stop Work Order was hand delivered to Mr. Sam Oosterhoudt, Manager of Lake City Management, LLC, on April 20, 2010 for construction without a permit and a Notice of Violation was sent April 26, 2010.

An Environmental Resource Permit (ERP) application was received on July 26, 2010, and a Request for Additional Information (RAI) was sent on August 11, 2010.

Staff met with Mr. Oosterhoudt on February 4, 2011, and a Compliance Agreement (CA) was signed by Mr. Oosterhoudt on March 4, 2011. The CA specified a monthly payment schedule for the assessed penalty and

administrative costs as well as other remedial actions. He has paid two of the three monthly installments as outlined in the CA.

The application is incomplete because the applicant has failed to provide the application fee and a bond.

TS/rl

May 26, 2011

Lake City Development, LLC
C/o Sam Oosterhoudt
186 SE Newell Dr.
Lake City, FL 32025

Subject: Denial of ERP07-0288M, Josephine Recreational Project,
Columbia County

Dear Mr. Oosterhoudt:

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 June 14, 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
Senior Professional Engineer

TS/rl

Enclosure

cc: Columbia County Board of Commissioners
GTC Design Group

Certified Mail Receipt Number: _____

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:

Lake City Development, LLC
C/o Sam Oosterhoudt
186 SE Newell Dr.
Lake City, FL 32025

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: May 26, 2011

PROJECT: Josephine Recreational Project

APPLICANT:

Lake City Management, LLC.
C/o Sam Oosterhoudt
186 SE Newell Drive
Lake City, FL 32025

PERMIT APPLICATION NO.:ERP07-0288M
DATE OF APPLICATION: 7/22/10
APPLICATION COMPLETE: N/A
DEFAULT DATE: N/A

REGISTERED AGENT:

Terri Andrews
186 SE Newell Dr
Lake City, FL 32025

MANAGER/MEMBER DETAIL

Manager Francis Sam Oosterhoudt
186 SE Newell Dr.
Lake City, FL 32025

Recommended Agency Action

Staff recommends denial, without prejudice, of the environmental resource permit application because the applicant did not supply the information necessary to complete the application.

Project Review Staff

Leroy Marshall II, P.E., Water Resource Engineer, reviewed the project.

Project Location

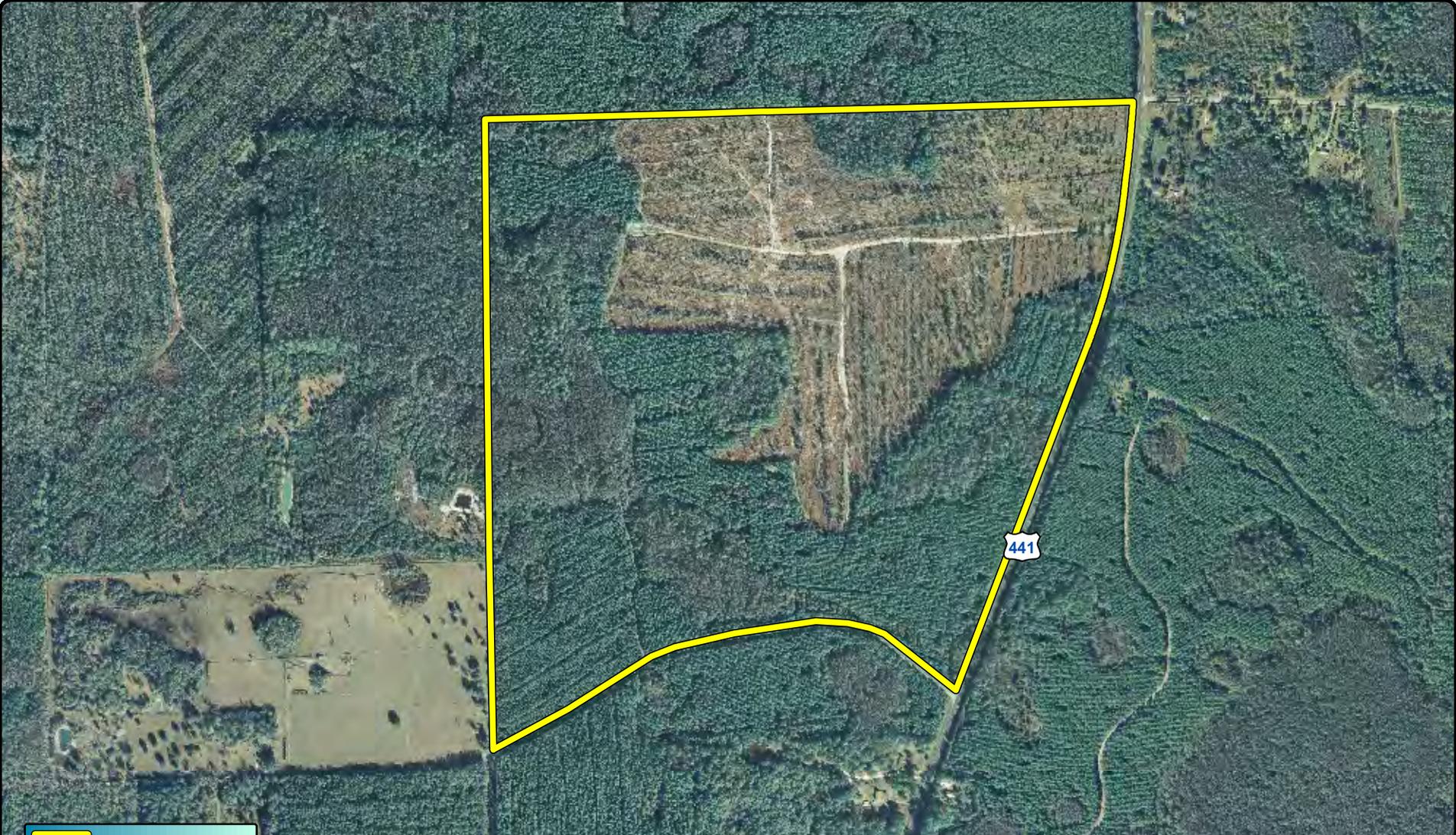
The proposed project is within Township 2 South, Range 17 East, Section 32, in Columbia County. The project site is located just west of Highway 441 and north of Falling Creek Road.

Project Description

The proposed project consisted of the construction of a motocross track, go cart track, other racing features, parking and drives. The stormwater system was designed to be four wet stormwater ponds. All runoff would be directed to the retention ponds which would achieve water quality and quantity treatment. Staff mailed a Request for Additional Information (RAI) extension on January 11, 2011. The applicant has not provided the requested information, which consists of the permit application fee and the bond.

Site inspection to ensure project was not constructed

Staff inspected the project site on December 21, 2010. Construction of the project is complete.



 Project Boundary

Josephine Recreational Project

ERP07-0288M

June 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 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.



SRWMD

MEMORANDUM

TO: Governing Board

FROM: Carlos D. Herd, P.G., Program Leader

DATE: May 26, 2011

RE: Approval of Water Use Permit Application Number
2-04-00034, Wayne Moseley Farm, Columbia County

RECOMMENDATION

Staff recommends to issue Water Use Permit Application Number 2-04-00034, with seventeen standard conditions and seven special limiting conditions, to Wayne Moseley Farm 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

May 26, 2011

Wayne Moseley
17102 S. Hwy 441
Lake City, FL 32024

Subject: Approval of Water Use Permit Application Number
2-04-00034, Wayne Moseley Farm, Columbia County

Dear Mr. Moseley:

Suwannee River Water Management District (District) staff proposes to recommend to the Governing Board that the above-mentioned project be approved.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on June 14, 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 3649

NOTICE OF RIGHTS

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NOTICE OF RIGHTS

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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.
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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:

Wayne Moseley
17102 S. Hwy 441
Lake City, FL 32024

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: May 26, 2011

PROJECT: Wayne Moseley Farm

OWNER:

Wayne Moseley

17102 S Hwy 441

Lake City, FL 32024

PERMIT APPLICATION NO.: 2-04-00034

DATE OF APPLICATION: April 12, 2004

APPLICATION COMPLETE: May 9, 2011

EXPIRATION DATE: June 14, 2031

	Previous Quantities:		Proposed Quantities:	
Average Daily Rate (ADR)	0.5325*	MGD	1.9992	MGD
Maximum Daily Rate (MDR)	4.9680*	MGD	22.1976	MGD

*Previous quantities are from consolidation of five water use permits.

Recommended Agency Action

Staff recommends approval for an application to modify and consolidate a water use permit application by the applicant for the project area located in Columbia County. The permit will consolidate five existing permits. The permit will include seventeen standard conditions and seven special limiting conditions. Staff recommends an expiration date of June 14, 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 06 South, Range 16 East, Sections 13, 25 and 35, Township 06 South, Range 17 East, Sections 18, 19, 20, 22, 23, 27, and 28, Township 06 South, Range 18 East, Section 19, Township 07 South, Range 16 East, Sections 09, 14, and 16, and Township 07 South, Range 17 East, Section 09 in Columbia County. The project is located within the lower Santa Fe River basin.

Project Description

The project area consists of approximately 2,568 acres with 1,753 acres being irrigated using groundwater. The project area consists of nine separate locations in southern Columbia County.

The water use calculations are based upon the irrigated acreage, crop rotation and crop types provided by the applicant and confirmed by District staff. Crops include 200 acres of watermelon, 347 acres of pasture for beef cattle, 1,004 acres of corn/peanut rotation and 1,004 acres of winter rye. For irrigation, the applicant uses six center pivots and multiple hardhose and drip irrigation systems. The applicant rotates approximately 200 head of beef cattle, throughout the project area. The applicant uses a small volume of water for chemical mixing and other related agricultural uses. The average daily rate (ADR) of withdrawal will be 1.9992 million gallons per day (MGD) based upon the water uses within the project area.

This permit will consolidate previous water use permits 2-83-00062, 2-89-00010, 2-90-00115, 2-93-00038, and 2-95-00055; all for overhead irrigation. These permits accounted for a combined allocation of 0.5325 million gallons per day. The consolidation will void these permits.

The project area includes 24 existing wells and one proposed well. The wells will be used for irrigation, livestock and other agricultural needs.

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

Name	Status	Diameter	Capacity (gpm)	Water Use
238 South 4-inch Well	Active	4	25	Livestock
238 South Well	Active	8	650	Irrigation
720 Back Well	Active	12	2000	Irrigation
720 East 4-inch	Active	4	25	Livestock
720 East Well A	Active	8	800	Irrigation
720 East Well B	Active	8	800	Irrigation
720 Front 4-Inch	Proposed	4	25	Livestock
720 Front Well	Active	12	2000	Irrigation
Homeplace #1 4-inch	Active	4	25	Livestock

Homeplace #2 4-inch	Active	4	25	Livestock
Homeplace 8 inch	Active	8	800	Irrigation
Horton Place 12 inch	Active	12	1100	Irrigation
Horton Place 6 inch	Active	6	450	Irrigation
Little Lites Field Well	Active	10	800	Irrigation
McOwen 4 Well A	Active	4	25	Livestock
McOwen 4 Well B	Active	4	25	Livestock
McOwen A Well	Active	10	800	Irrigation
McOwen B Well	Active	10	800	Irrigation
McOwen C Well	Active	10	800	Irrigation
Mikesville 110 Well	Active	10	1000	Irrigation
Rockfield Well	Active	8	600	Irrigation
Scrubtown Well	Active	10	1000	Irrigation
Shiloh Baptist Well	Active	8	800	Irrigation
Shop 4-inch	Active	4	25	Commercial

Demonstration of Need

The applicant has provided information that supports the requested allocation, based upon number of livestock, crop types, and irrigated acres. District staff has been to the nine locations within the project area and has confirmed the water uses.

Water Conservation

The applicant is a participant in the Suwannee River Partnership's Crop Tools program. The applicant has also signed the District's conservation worksheets.

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:

- Water use will occur 365 days each year.
- The consolidation results in a permitted ADR up to 1.9992 MGD and MDR to 22.1976 MGD.
- 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 agricultural uses.
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 2-04-00034.

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

20. 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.

21. The Permittee shall develop and implement a water conservation plan that incorporates the applicable best management practices approved by Florida Department of Agriculture and Consumer Services (FDACS). This plan shall be implemented within one year from the date of permit issuance.

22. The permitted water withdrawal facilities consist of the following:

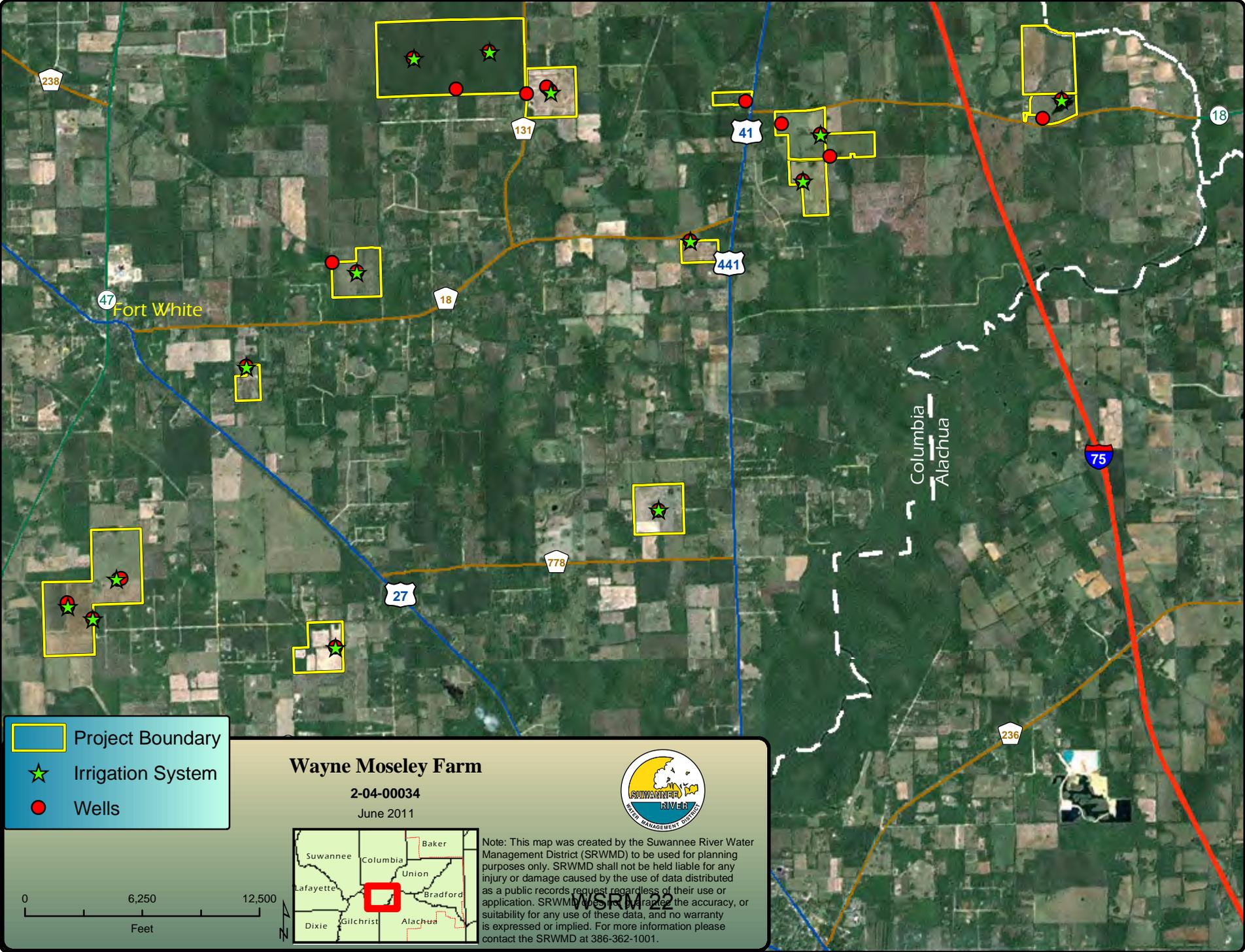
Name	Status	Diameter	Capacity (gpm)	Water Use
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720 East 4-inch	Active	4	25	Livestock
720 East Well A	Active	8	800	Irrigation
720 East Well B	Active	8	800	Irrigation
720 Front 4-Inch	Proposed	4	25	Livestock
720 Front Well	Active	12	2000	Irrigation
Homeplace #1 4-inch	Active	4	25	Livestock
Homeplace #2 4-inch	Active	4	25	Livestock
Homeplace 8 inch	Active	8	800	Irrigation
Horton Place 12 inch	Active	12	1100	Irrigation
Horton Place 6 inch	Active	6	450	Irrigation
Little Lites Field Well	Active	10	800	Irrigation
McOwen 4 Well A	Active	4	25	Livestock
McOwen 4 Well B	Active	4	25	Livestock
McOwen A Well	Active	10	800	Irrigation
McOwen B Well	Active	10	800	Irrigation
McOwen C Well	Active	10	800	Irrigation
Mikesville 110 Well	Active	10	1000	Irrigation
Rockfield Well	Active	8	600	Irrigation
Scrubtown Well	Active	10	1000	Irrigation
Shiloh Baptist Well	Active	8	800	Irrigation
Shop 4-inch	Active	4	25	Commercial

23. This permit and operation will be reviewed by the 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 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 or best management practices, change in project area, and other factors identified during the review.

24. This permit shall expire on June 14, 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.



- Project Boundary
- ★ Irrigation System
- Wells

Wayne Moseley Farm

2-04-00034

June 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 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 Herd, Senior Hydrogeologist

DATE: May 26, 2011

RE: Approval of Ranking of Firms and Authorization to Enter into Contract Negotiations with Atkins Global, Inc., Request For Qualifications (RFQ) No. 10/11-022WR - Upper Floridan Aquifer Regional Recharge Concepts

RECOMMENDATION

Staff recommends the Governing Board approve the ranking of firms as stated in this memorandum and authorize the Executive Director to enter into contract negotiations with the top-ranked firm. If negotiations fail with the top-ranked firm, negotiations will continue with firms, in order of ranking, until staff reaches satisfactory terms.

BACKGROUND

The Upper Floridan aquifer in northeast Florida and southeast Georgia is the traditional source of water for commercial, agricultural, industrial, residential, recreational, and public supply water uses. Pumping of groundwater from the Upper Floridan aquifer has significantly reduced the potentiometric levels in the Upper Floridan aquifer across northeast Florida and southeast Georgia.

Suwannee River Water Management District and St. Johns River Water Management District predictions show that pumping of groundwater from the Upper Floridan aquifer is projected to increase through 2030. Additional pumping from the Upper Floridan aquifer will result in additional reduction in aquifer potentiometric levels and impacts to water resources, including river and spring flows.

Water conservation strategies will play a role in reducing demands on the Upper Floridan aquifer, but conservation alone will not result in long-term recovery of

aquifer levels and mitigation of water resource impacts. As a result, RFQ No. 10/11-022WR was developed to provide for the development of water resource development project concepts with opinions of probable costs for planning-level analysis.

On March 18, 2011, the District issued RFQ 10/11-022WR, pursuant to Chapter 287 F.S. and the District's procurement procedures, for the above project. Six firms responded to the RFQ. The selection committee ranked the three most qualified firms as follows:

<u>Firm</u>	<u>Rank</u>
Atkins (PBS&J)	1
Cardno ENTRIX, Inc.	2
MWH Americas, Inc.	3 (tie)
Environmental Consulting & Technology, Inc.	3 (tie)

Funds for this contract are in the proposed Fiscal Year 2012 budget. Staff will recommend a contract to the Governing Board following negotiations.

DJ/dd

MEMORANDUM

TO: Governing Board
FROM: Tim Sagul, Senior Professional Engineer
DATE: May 26, 2011
RE: Individual Environmental Resource Permit Issued by Staff

The following Individual Environmental Resource Permit was issued by staff, pursuant to 373.079(4)(a), Florida Statutes.

ERP Number	Project Name	County	Issue Date
ERP90-0097M3	Poe Springs Retaining Wall Repairs	Alachua	5/2/11

Attached is a copy of the staff report and map for this project.

**STAFF REPORT
ENVIRONMENTAL RESOURCE PERMIT APPLICATION**

DATE: May 3, 2011

PROJECT: Poe Springs Retaining Wall Repairs

APPLICANT

Alachua County Board of
County Commissioners
PO Box 1188
Gainesville, FL 32602

PERMIT APPLICATION NO.: ERP90-0097M3

DATE OF APPLICATION: 1/5/11
APPLICATION COMPLETE: 5/2/11
DEFAULT DATE: 8/2/11

Agency Action

Staff issued an individual permit for the project with thirty-one standard conditions.

SRWMD Project Review Staff

Patrick Webster, P.E., CFM, Senior Professional Engineer, James Link, CFM, Engineer I, and Louis Mantini, PWS, Environmental Specialist, reviewed the project application.

Project Location

The project is located in Township 8 South, Range 17 East, Section 6, in Alachua County. The project is bounded to the north by the Santa Fe River at the location of Poe Spring.

Project Description

The applicant proposes to replace the existing wall system with a segmental retaining wall system to be constructed behind the current wall and to extend the existing concrete steps down to the current ground line in front of the wall.

Interagency Coordination

The Florida Fish and Wildlife Conservation Commission, the United States Army Corps of Engineers, Florida Department of State-Historical Resources, and FDEP - Division of State Lands are aware of the proposed project.

Who is the authorized Operation and Maintenance Entity?

Alachua County Board of County Commissioners is the authorized operation and maintenance entity.



 Project Boundary
 SRWMD Ownership

Poe Springs
Retaining Wall Repairs
 ERP90-0097M3
 May 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 Herd, Senior Hydrogeologist
DATE: May 26, 2011
RE: Water Supply Program Activity Report

Water supply planning:

- The District's contractor has submitted the first draft of the Regional Water Supply Plan for the Upper Santa Fe River basin for staff review.
- St. Johns River Water Management District continues to maintain an indefinite postponement 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 and permitting processes.
- Staff attended a meeting with St. Johns River Water Management District staff in Palatka on May 3, 2011, to further discuss the joint future modeling project between both districts and the Northeast Florida Utility Coordination Group.
- Staff attended a joint groundwater modeling meeting with St. Johns River Water Management District staff and consultants with the Northeast Florida Utility Coordination Group on May 5, 2011.
- Staff presented the results of the 2010 Water Supply Assessment to the University of Florida, Shands Green Team on May 20, 2011, in Gainesville.
- Staff is working with counsel to draft an interagency agreement with St. Johns River Water Management District and the Department of Environmental Protection regarding water supply planning and water use permitting.

Interstate coordination:

Staff attended the 2011 Upper Suwannee River Watershed Initiative/Upper Suwannee River Partnership Watershed Summit on May 12, 2011, in Tifton, Georgia. This was a very successful networking event with Georgia Environmental Protection Division staff. Several talks focused on groundwater supply issues in Georgia and North Florida.

District staff will host the Florida-Georgia Coordination on Water Resource Assessments meeting on June 9, 2011, in Valdosta, Georgia.

Minimum flows and levels (MFLs):

- Consulting teams have been in the field with staff to initiate both the in-stream habitat and floodplain habitat transect identification and data collection.
- A work order has been released to AMEC-BCI Engineers & Scientists for a fluvial geomorphic investigation of the Santa Fe and Ichetucknee Rivers. Fluvial Geomorphology is the study of processes that shape rivers and streams, such as erosion or sedimentation, and, for MFL purposes, the flows and levels needed to maintain them in their natural state.
- J. Sherman Frier & Associates has surveyed the spring house at White Springs and surrounding river gages. This data will be used in development of a hydraulic model for a portion of the upper Suwannee River that includes the spring.
- Revisions to the North Florida Groundwater Model (NFM) continue. Staff continues working on a new well file for 1995 to be supplied to the contractor.

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 continued to coordinate with the Department of Environmental Protection and water management districts on reclaimed water policy.
- District staff served on the Conserve Florida Clearinghouse Steering Committee meeting on May 13th.
- District staff met with Piedmont Farms regarding their upcoming Water Use Permit renewal.
- District staff attended a webinar on May 10th regarding evaluating a water conservation program.
- District staff met on May 3rd with concerned citizens regarding the Camp Weed – White Lake augmentation permit.
- District staff met on April 20th with Town of Greenville to assist with submittal of information.
- District staff attended a meeting on April 28th at the Suwannee Valley Research Center regarding sod-based rotation, which reduces water use.

- The following table summarizes water use permitting activities during the month of March.

March 2011	Received		Issued
Water Use Permits	2		19
Water Well Permits	130		130
Water well permits issued and received according to well use:			
Abandoned/destroyed	0	Livestock	0
Agricultural Irrigation	5	Monitor	21
Aquaculture	0	Nursery	1
Climate Control	0	Other	0
Fire Protection	0	Public Supply	4
Garden (Non Commercial)	0	Self-supplied Residential	99
Landscape Irrigation	0	Drainage or injection	0

Water conservation:

Staff will implement the conservation program presented to the Governing Board at the May 2011 workshop.

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

CH/dd

MEMORANDUM

TO: Governing Board
FROM: Megan Wetherington, Senior Professional Engineer
DATE: May 26, 2011
RE: Water Resource Monitoring Program Activity Report

Staff collected water chemistry samples at 11 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.

Two rain gage stations and one river station were upgraded to cellular to replace unreliable phone service.

Staff attended Florida Department of Environmental Protection Standard Operating Procedures training to improve techniques for water chemistry sampling.

Staff attended the North Florida Local Emergency Planning Committee quarterly meeting.

Staff gave presentations on hydrologic conditions to the Florida Trail Association.

Staff monitored 172 telemetered water use monitoring devices on 47 agricultural operations.

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

MW/dd

MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Senior Professional Engineer

DATE: May 26, 2011

RE: Environmental Resource Permitting Program Activity Report

Permitting activities:

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

April 2011	Received			Issued		
Environmental Resource Permits	Noticed General	General	Individual	Noticed General	General	Individual
	19	13	1	12	10	0

Compliance and enforcement report:

Staff will provide updated compliance and enforcement reports prior to the Board meeting.

Rule development and adoption:

The rulemaking schedule follows this report. Staff has reviewed existing rules, as required by the Governor's Executive Order 11-01. Review of these existing rules was concurrent with other water management districts to maintain consistency, where applicable.

Inspections and as-built certification:

In April 2011, staff inspected four projects under construction and 14 projects for as-built compliance. The total number of projects constructed from January 2005 to April 2011 is 784. The number in compliance with certification requirements is 764, with 20 permits not in compliance.

The total number of Works of the District permits issued from January 2009 through April 2010 is 62 with 29 completed and 33 in the construction process.

Edwards Road Bottomlands Wetlands Restoration Project, Bradford County:

On March 11, 2011, District staff and BCI met with representatives from the City of Starke, Florida Fish and Wildlife Commission and Bradford Soil and Water Conservation District to discuss the conceptual design. On March 31, 2011, District staff responded to public comments. Staff has received positive feedback from the City of Starke on the conceptual plans. District staff had positive meetings with two adjacent property owners on the conceptual plans on May 6, 2011. With this positive feedback, District staff has given the consultant, BCI, the authorization to move forward with preliminary plans.

Federal Emergency Management Agency (FEMA) Map Modernization:

Levy County: The official 90-day appeal period began on February 24, 2011 and ends on 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: The Coordinated Needs Management Strategy (CNMS) has been contracted with Taylor engineering and the deliverables are scheduled for June 27, 2011. CNMS will assist in preparations to conduct a Discovery meeting for the Lower Suwannee River Basin. The collection of the LiDAR data is complete and the overall LiDAR project is 50% complete.

Lake Sampson Water Control Structure:

The Board approved revocation of Environmental Resource Permit number 99-0187. Staff will work with counsel to prepare an administrative complaint and will initiate design and permitting of a fixed water control structure. Staff will be scheduling a public workshop in the near future to inform citizens of the plans. Staff intends to commence operation and maintenance of the water control structure following entry of a final order of the Governing Board that revokes the permit.

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. Hydromentia completed Task HMI-6 / ATS Pilot Operation for Weeks 40 through 52. The final report is being prepared at this time. Staff is waiting for the final schedule from Hydromentia regarding removal of the pilot project infrastructure.

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

TS/rl

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: May 26, 2011

RE: Suwannee River Partnership Program Activity Report

As part of the Partnership Agriculture Water Conservation working group, staff met with the University of Florida Public Issues Education (PIE) Center for Agriculture and Natural Resources to begin developing strategy and recommendations related to water supply issues.

Staff is working with the Florida Department of Environmental Protection to help draft the agriculture component of the TMDL - Basin Management Action Plan (BMAP) that includes using the Partnership approach.

Staff is working with the University of Florida - Institute of Food and Agricultural Sciences (UF-IFAS) Extension staff to plan a regional water summit meeting with staff and others.

Staff assisted with resolving irrigation and other agriculture related complaints.

Staff is working with UF-IFAS to develop a section 319 Grant Project Proposal that would help demonstrate Best Management Practices that help protect and conserve water.

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

Staff continued planning for this year's CARES dinner that will be held on June 30th at the UF-IFAS Research Center near Live Oak.

Staff continued to work with the Suwannee and Levy Soil and Water Conservation Districts to assist farmers with the Best Management Practices (BMP) crop tool 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 June Governing Board meeting if you would like further information.

DS/dd