

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: Megan Wetherington, Senior Professional Engineer

DATE: September 22, 2011

RE: Procurement of Water Level Sensors from Federally Approved Vendors

### RECOMMENDATION

**Staff recommends the Governing Board authorize the Executive Director to purchase water level sensors from federally approved vendors under the U.S. General Services Administration for an amount not to exceed \$80,000.**

### BACKGROUND

As part of the effort to increase efficiency by automating the collection of groundwater and surfacewater levels, staff requests the purchase of up to 75 pressure transducer water level sensors. These sensors will be installed in narrow-diameter monitor wells.

Water level monitoring currently depends mostly on monthly field visits to wells and surfacewater gages, resulting in almost 10,000 miles traveled monthly and associated costs of salary, benefits, fuel, vehicles, and vehicle maintenance. Automation and telemetry will reduce the frequency of field visits from monthly to quarterly or greater, thus reducing costs and staffing. Efforts to date have allowed the program to reduce staffing by one without a loss of network integrity. Assuming a 10% equipment replacement budget and telemetry data charges of \$10 per month per station based on cellular delivery, the payback on this investment through reduced costs will be approximately five years. Automation also results in improved data quality, continuity, accessibility, and integrity.

The District is proposing to buy the sensors under the prices negotiated by the U.S. General Services Administration (GSA), pursuant to Chapter 287.057(5)(b), Florida Statutes, and the District Procedures Manual Section 6.4.6 – Governmental Contracts, which states the District is eligible to take advantage of offers for services or products extended by providers to other governmental entities. “The District may, at its discretion, purchase from a provider extending State of Florida Contract, Federal GSA Contract, PRIDE, RESPECT, Water Management District, County, City or other Governmental Contract established prices in lieu of obtaining its own bids on any particular service.”

By “piggybacking” on the GSA contract, the District can avoid the cost of conducting its own bid process and can realize major discounts of catalog prices offered by the approved vendors.

Funds associated with this contract are budgeted in the FY 2011/2012 Water Resource Monitoring budget in Fund 44.

MW/dd

## MEMORANDUM

TO: Governing Board

FROM: Carlos Herd, Senior Hydrogeologist

DATE: September 22, 2011

RE: Authorization to Amend Contract Number 10/11-015 with INTERA, Inc.,  
for Revision of the District's North Florida Groundwater Flow Model

### RECOMMENDATION

**Staff recommends the Governing Board authorize the Executive Director to amend contract number 10/11-015 with INTERA, Inc., for an additional fee not to exceed \$38,400 to update the hydrostratigraphic conceptualization of the District's North Florida groundwater flow model.**

### BACKGROUND

The District entered into contract with Intera, Inc., on November 1, 2010, to revise the District's North Florida groundwater flow model for an amount not to exceed \$160,000. As work progressed on the contracted model revisions, staff became aware that the United States Geologic Survey (USGS) will complete an improved hydrostratigraphic conceptualization of the entire Floridan aquifer system, a portion of which is within the domain of the North Florida model. All five water management districts are working with the USGS on this effort. Through this collaboration with the USGS, the final work product will be a consistent aquifer-wide lithologic framework. Staff recommends including this new hydrostratigraphic conceptualization in the model to ensure that the model revision is the most current and is consistent with models being developed by other water management districts and the USGS.

In addition, keeping the North Florida model as current as possible will enable effective implementation of the interagency agreement between SRWMD and

SJRWMD. Staff has coordinated with SJRWMD, and both agencies are in agreement that the new hydrostratigraphic framework will be used for future model development projects.

See the attached memorandum from the October 2010 Governing Board meeting for additional information.

INTERA is an international company headquartered in Austin, Texas, and with a branch office in Tampa (Lutz), Florida. INTERA was originally established in 1974. As an early modeling contractor for the United States Geological Survey, INTERA developed the first groundwater code to couple flow, energy transport, and contaminant transport in three dimensions, accounting for density and viscosity effects.

Today, they focus on three key service areas; environmental, water resources, and waste isolation, including radioactive waste. The firm continues to bring their groundwater modeling expertise to remediating contaminated sites, developing groundwater availability models to support future water planning efforts, and conducting and analyzing hydrologic tests at a proposed radioactive waste repository site.

The revised not to exceed cost will be \$198,400. Funds for this contract are budgeted in the FY 2011/2012 Minimum Flows and Levels budget in Fund Code 36.

CH/dd

## MEMORANDUM

TO: Governing Board

FROM: Carlos Herd, Senior Hydrogeologist

DATE: September 23, 2010

RE: Authorization to Enter into a Contract with INTERA, Inc., for Revision of the District's North Florida Groundwater Flow Model

### RECOMMENDATION

**Staff recommends the Governing Board authorize the Executive Director to enter into a contract with INTERA, Inc., for an amount not to exceed \$160,000 to upgrade the District's North Florida Groundwater Flow Model.**

### BACKGROUND

In 2006, the District took delivery on its current regional groundwater model, the North Florida Model (NFM). The NFM was built on prior work by the U.S. Geological Survey (USGS), but incorporates a more detailed representation of the hydrogeology of the region and the complexities of groundwater-surfacewater interactions. It also extended the boundaries of the USGS model, particularly to the west and east, to incorporate the entire north central Florida region.

The NFM is used for multiple purposes including water supply assessment, water supply planning, water use permitting, and minimum flows and levels evaluations.

The Upper Santa Fe River basin water supply planning work is being done in conjunction with the St. Johns River Water Management District (SJRWMD). However, the NFM grid does not align with that of models used by the SJRWMD, specifically the Northeast Florida Regional Groundwater Flow Model (NEF Model, SJRWMD) and the USGS Peninsular Florida Model ("Mega Model", Sepulveda, 2002), making data sharing and comparisons of results between models difficult. Also, two brief independent reviews of the NFM noted a number

of issues that could provide useful improvements to the model. Therefore, staff recommends a revision of the NFM to modify the grid and incorporate review suggestions. The District's impetus for revising the NFM also includes desired improvements in data sets and conceptualization that build toward a long-term goal of implementing 'telescoping' and transient modeling.

On January 15, 2010, the District issued Request For Qualifications (RFQ) 09/10-010WR, pursuant to Chapter 287 F.S. and the District's procurement procedures, for groundwater flow model revision. Seven firms responded to the RFQ. The selection committee ranked the three most qualified firms as follows:

<b><u>Firm</u></b>	<b><u>Rank</u></b>
INTERA, Inc.	1
Environmental Simulations, Inc.	2
GeoTrans, Inc.	3

Staff initiated scoping with INTERA, Inc., following Governing Board approval of the selection committee's ranking in March 2010.

Funds for this project are proposed in the draft Fiscal Year 2011 budget.

JG/dd

## MEMORANDUM

TO: Governing Board

FROM: Carlos Herd, Senior Hydrogeologist

DATE: September 22, 2011

RE: Declaration of Water Resource Caution Areas Including the Upper Santa Fe River Basin, Lower Santa Fe River Basin, Upper Suwannee River Region, and Alapaha River Basin

### RECOMMENDATION

**Staff recommends the Governing Board designate the Upper Santa Fe River Basin, Lower Santa Fe River Basin, Upper Suwannee River Region, and the Alapaha River Basin as Water Resource Caution Areas pursuant to 62-40.520(2), Florida Administrative Code.**

### BACKGROUND

At the December 2010 Governing Board meeting, the Governing Board accepted the 2010 Water Supply Assessment Report. The Water Supply Assessment Report designated the Upper and Lower Santa Fe River Basins, the Upper Suwannee River Region, and the Alapaha River Basin as Water Supply Planning Regions. Chapter 62-40.520(2), Florida Administrative Code, states, in part: "Within one year of the determination that a regional water supply plan is needed for a water supply planning region, the region shall also be designated as a water resource caution area."

Chapter 62-40, Florida Administrative Code, defines a Water Resource Caution Area as "a geographic area identified by a District as having existing water resource problems or an area in which water resource problems are projected to develop during the next twenty years". The Water Resource Caution Area designation requires the District to evaluate alternative water supplies (e.g.

reclaimed water, surface water) in order to either prevent or recover affected natural systems. More stringent water use permitting requirements will be necessary within these areas in order to implement the prevention or recovery strategies developed as part of the associated regional water supply plans.

CH/dd

## MEMORANDUM

TO: Governing Board

FROM: Carlos Herd, Senior Hydrogeologist

DATE: September 22, 2011

RE: Upper Floridan Aquifer Regional Recharge Concepts and Feasibility Study

### RECOMMENDATION

**Staff recommends the Governing Board approve the attached scope of work and authorize the Executive Director to seek partners to fund the Upper Floridan Aquifer Regional Recharge Concepts and Feasibility Study.**

### BACKGROUND

In December 2010, the Governing Board accepted the District-wide 2010 Water Supply Assessment. The Assessment concluded that Upper Floridan aquifer groundwater levels in the northeastern portion of the District are in decline, and the declining levels are predicted to impact river and spring flows in certain areas during the 2010 to 2030 planning period.

In response to the water resources impacts identified and predicted in the Assessment, the District designated four water supply planning regions. The purpose of this project is to conceptually develop four water resource development projects intended to recover Upper Floridan aquifer groundwater levels and prevent additional water resource impacts in one or more of the planning regions. The concepts will include feasibility assessments with opinions of probable costs for planning-level analysis. As required in Florida Statutes Section 373.709, these projects are an important component of water supply planning.

Staff worked with Atkins, Inc., (formerly PBS&J) to develop the attached scope of work and fee schedule. Pending Governing Board approval, staff will seek partners to share the cost of executing this scope of work.

Funds associated with this contract are budgeted in the FY 2011/2012 Water Supply Planning budget in Fund 36.

CH/dd

## **Atkins Scope of Work for the Upper Floridan Aquifer Recharge Concepts Project Detailed Task Descriptions, Budget, and Schedule**

The four tasks described below are based upon the Suwannee River Water Management District's Scope of Work provided to Atkins on August 11, 2011, to conceptually develop and assess the feasibility of four regional aquifer recharge projects.

### **Task 1 30% Completion; Develop Recharge Concepts for Study**

#### **1.1 Client Meetings**

Attend a kick-off meeting, two monthly project status meetings and one end of task meeting with client as necessary and requested by District project manager. The kick-off meeting will be scheduled within a week of the notice to proceed issued by the District and held at the Atkins office in Tampa, Florida. The monthly meetings will be held via teleconference (unless otherwise specified) to provide the District a monthly update of ongoing work and schedule updates. The end of task meeting will be held at Atkins office (Tampa) to discuss the draft technical memorandum, the selection of the four recharge concepts for study and items to consider prior to initiating Task 2.

#### **1.2 Identify Stakeholders**

Work with District staff to identify stakeholders who would derive benefits or would have interest in contributing/participating in the implementation of any of the four recharge concepts. Stakeholders may include governmental entities (cities and counties), private entities, water supply authorities, other water management districts, and other state or federal agencies. A list of stakeholders along with key contact information and potential ranges for their project involvement will be identified.

#### **1.3 Acquire Hydrologic/Hydrogeologic data**

Obtain available relevant hydrologic/hydrogeologic data that will be used in the course of the study to establish the feasibility of each recharge concept. These data may include river flows, surface water/reclaimed water/groundwater quality, previous hydrogeologic and modeling studies, GIS data bases maintained by the District and publically accessible entities, and engineering plans and cost information generated for projects with similar conceptual design. Only existing data and information will be collected and no field work is included as part of this SOW. GIS data shall include, but are not limited to:

- Satellite Imagery/Aerial Photography
- Geology/Soils
- Topography
- Hydrologic/Hydrogeologic data, models, maps and studies
- Sensitivity/Unique Vegetation and Wildlife Habitats
- Threatened and Endangered Species known occurrence information
- Recorded Cultural Resources sites

- National Wetland Inventory/Waters of the US
- Well Locations
- Floodplains
- Land Use/Land Cover
- Prime Farmland
- Major Oil and Gas Fields/pipelines
- Mines/Quarries
- Government-Owned Parks and Wildlife Managements Areas

#### **1.4 Develop Engineering Concept for Reclaimed Water Recharge**

Based on data gathered in subtask 1.3 and following a limited evaluation as part of this subtask, an engineering concept for taking reclaimed water from northeast Florida and also other possible reclaimed water sources within the District will be developed and summarized within the technical memorandum ( described in subtask 1.7). Atkins will generate a schematic of the engineering concept along with a limited description of the reclaimed water system infrastructure that will be evaluated.

#### **1.5 Identify Potential Interlocal Water Agreements**

Primarily for Concept 1 but also including the other three concepts which may require reclaimed water supply and regional pipeline connections, the entities to be involved in interlocal agreements will be identified and discussed. Items for discussion include relevant permitting requirements, legal issues and environmental issues that could impact an executed interlocal agreement.

#### **1.6 Determine Treatment Process and Regulatory Constraints**

Identify treatment alternatives, based on assumptions/considerations for anticipated surface water and reclaimed water quality (water quality data obtained in subtask 1.3), combined with traditional groundwater water quality. Water treatment alternatives for selection of disinfectants, chemical coagulant, Flocculation/Sedimentation process, and contact times through treatment train, including evaluation of Total Organic Carbon (TOC) removal, will be evaluated with respect to the current Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR) and consideration for future regulations. Comparison of conventional treatment, and newer technologies including Ozone/GAC, and membrane technologies will be evaluated. The range of water quality for the new surface water source will be quantified in preparation for identification of water treatment process alternatives. Parameters such as silt index, barium, free chlorine vs. chloramines, etc., will be evaluated to assure that pretreatment required for membrane technologies are understood. A summary of results and anticipated treatment methods recommended for each source water selected and discussion of water quality and current FDEP/USEPA recharge water regulatory factors will be included in technical memorandum 1.

## **1.7 Draft Technical Memorandum 1**

A draft technical memorandum (TM) summarizing the results of subtasks 1.1 through 1.6 will be prepared. The memorandum will include a detailed description of each of the four recharge concepts and identify the data and groundwater model that will be evaluated to assess concept feasibility. A list of stakeholders will be presented in addition to requirements for interlocal agreements. Also, water treatment process and regulatory constraints will be identified. A draft copy of the technical memorandum will be provided to the District in electronic format for review and comment. Submittal of TM No. 1 will constitute the 30% submittal.

## **Task 2 60% Completion; Develop Conceptual Design of Recharge Concepts**

### **2.1 Final Technical Memorandum 1**

After receiving one set of review comments from the District within 30 days of TM submittal, finalize the technical memorandum 1. Two final paper copies of the technical memorandum and one electronic copy (pdf format) will be provided to the District.

### **2.2 Evaluate Hydrologic/Hydrogeologic data**

- a. The available hydrologic/hydrogeologic data identified in task 1 will be evaluated as part of this subtask. The data will be evaluated taking into account the project concept criteria as a means of evaluating recharge concept feasibility. Issues of recharge/discharge, aquifer confinement, potentiometric water levels, and aquifer characteristics will be key factors for the hydrogeology evaluation. For concept 1, reclaimed water availability and quality and interconnection options will play a key role in feasibility evaluations. For concepts 2 and 3, determining sustainable yields from the Suwannee River without ecological consequences will be an important aspect of the feasibility evaluation. Concept 3 will also focus on finding District lands that are suitable to store flood waters from the upper Suwannee River. Concept 4 and potential data requirements and evaluations will be established as part of task 1. Statistical modeling of surface water flows will be performed as appropriate and may include: cumulative distribution frequency (CDF) curves, seasonal Kendall tau analyses (to evaluate seasonal and time series trends in flows), moving average analyses (also to evaluate trends), as well as simple statistics such as median, high, low, and other various flow percentiles to characterize surface water flows in the upper Suwannee River. Percentile flows may also be calculated based on a percentage of mean annual flow (MAF). Q90, 7Q2, and 7Q10 methods, especially for small streams, are not typically protective of instream flows, but can be examined.
- b. Identify data gaps and evaluate these gaps with regard to potential limitations on analyses.
- c. Use relevant hydrologic data to develop seasonal and yearly hydrographs and analyze data for presence of long term trends in flows.

- d. Use available data and long term trends in stream flows to identify surface water flow diversions available under proposed flow constraints. Flow data sets developed in association with the project may be analyzed. Differences in monthly and seasonal characteristics will be compared using appropriate statistical methods. If the District develops an MFL for a waterbody under evaluation by Atkins during the Project, the MFL shall be used to determine allowable flow diversions.

### **2.3 Develop Conceptual Design of Diversion/Recharge Concepts**

- a. Establish Engineering Criteria (Raw Water Facilities) – Develop preliminary criteria for facilities. Criteria to be developed under this task are for the purpose of documenting the design criteria which will be used in developing conceptual designs/sizing facilities and includes the following for four recharge concepts:
  - i. Establish typical range for diversion facilities design criteria for the following potential components or aspects: Low head channel dams, Sediment exclusion (capture path and velocities), Intake trash racks (spacing and velocity), Intake screens, including quantities and characteristics of screening, Pump sump design including consideration of Hydraulic Institute Standards, Pump type and general pump station configuration, Discharge lines to reservoir and Electrical Substations for sites (two main power users – diversion pump station and reservoir pump station).
  - ii. Establish typical range for Reservoir design criteria for the following potential components or aspects: Embankment typical section, Evaporation and transpiration losses, Wind data including velocity-duration, Minimum pool elevation, Maximum pool elevation from physiographic and cultural limitations, and sedimentation characteristics and yield.
  - iii. Establish typical range for Reservoir Pumping Station design criteria for the following potential components or aspects: Intake, including screens, sump, multiple intake levels for optimizing water quality, optimize location of intake to optimize costs, water quality, ease of access, Pump type and general pump station configuration.
  - iv. Establish typical range for Transmission main design criteria for the following potential components or aspects: Velocity in transmission main reflecting concerns for capital cost, electricity costs, and mitigation of hydraulic transients and materials of construction. Also, develop conceptual transmission line sizes and route lengths and routes sufficient to calculate pipeline velocities and pump station heads from diversion structures to reservoirs and to water treatment plants and recharge wells.
  - v. Develop design criteria for Right-of-Way (ROW) corridors for water transmission facilities.

- vi. Establish typical range of design criteria for Water Treatment Plant. Determine preliminary estimates of depth, diameter, and location of recharge wells.

## **2.4 Determine Project Effectiveness with Groundwater Model**

- a. Atkins will evaluate the effectiveness of each aquifer recharge concept with the use of groundwater flow modeling. Only a pre-selected existing public domain non-proprietary groundwater flow model will be used in this analysis. Based on current available information, the North Florida Model will probably be used, however, other existing models will be identified and evaluated, including the USGS Mega Model, prior to conducting the evaluation. The District will ultimately approve the use of the appropriate groundwater flow model prior to conducting the analysis.
- b. The groundwater flow model will be used as a tool to assist in locating feasible area or areas in which to install each potential recharge mechanism. Some of the recharge mechanisms that will be simulated may include recharge wells, infiltration galleries, in-stream or off-stream reservoirs, treatment wetlands, or rapid infiltration basins. Up to three locations per concept will be evaluated to establish the site or sites that would provide the most direct benefit to the potentiometric surface of the Upper Floridan aquifer in northeast Florida.

## **2.5 Develop Conceptual Design Drawings**

Develop conceptual drawings showing general locations of intake, pumping and treatment facilities, surface water reservoirs and storage areas, pipeline routes and recharge wells. Graphics we deliver to District will be conceptual planning level information showing proposed general locations of surface water conveyance and storage facilities on aerial imagery. No drawings showing plan and profiles of storage facilities are included in this work. Use existing topographic data to determine locations along the upper Suwannee River on SRWMD lands that can store flood water with minimal structural alteration to the floodplain. GIS mapping will be provided to show constraints on aerial imagery such as floodplains, SRWMD lands, wetlands, threatened and endangered species (T & E), habitat, cultural resources, oil/gas pipelines, recharge zones and any other readily available information obtained during data collection efforts.

## **2.6 Draft Technical Memorandum 2**

A draft technical memorandum summarizing the results of subtasks 2.1 through 2.5 will be prepared. The memorandum will include tabular and graphical summary of hydrologic and hydrogeologic data evaluated in subtask 2.2. The results of the groundwater and surface water models that demonstrate recharge concept effectiveness will be presented with final model runs included. All conceptual design drawings for each of the four recharge concepts will be included as attachments to the memorandum. A draft copy of the technical memorandum will be provided to the District in electronic format for review and comment. Submission of TM No. 2 constitutes the 60% submittal.

## **2.7 Client Meetings**

Attend four monthly project status meetings and one end of task meeting with client. One of the monthly meetings shall be via webex or at the Atkins (Tampa) office to discuss the approach and progress concerning statistical modeling and flow constraints discussed in Task 2.2. The monthly meetings will be held via teleconference to provide the District a monthly update of ongoing work and schedule updates. The end of task meeting will be held at the Atkins office (Tampa) to discuss the draft technical memorandum 2, the conceptual design of the four recharge concepts for study and items to consider prior to initiating Task 3.

## **Task 3 90% Completion; Determine Recharge Concepts Costs and Feasibility**

### **3.1 Final Technical Memorandum 2**

After receiving one set of review comments from the District within 30 days of TM submittal, finalize the technical memorandum 2. Two final paper copies of the technical memorandum and one electronic copy (pdf format) will be provided to the District.

### **3.2 Determine Recharge Concepts Probable Costs**

- a. Develop planning level cost estimates for each of the four recharge concepts including economic assumptions, anticipated project life, analysis period, unit capital, operations costs, discount rate, interest rate, inflation rates for capital and power costs. It is assumed that all water storage, treatment and recharge portions of the projects will be constructed on District land so land costs will not be factored. However, right-of-way acquisition costs for pipelines will be included into the cost analysis.
- b. Construction cost (Assume Costs will be based on 2011 Dollars), Engineering News Record Construction Cost (ENRCC) indices or other appropriate methods will be used to project any unit costs to base case (i.e. 2011).
- c. Total capital cost.
- d. Operation and maintenance cost will be based on a percentage; however, energy costs associated with pumping and treatment differences between, surface water reservoir, and direct withdrawal will be estimated based on this conceptual analysis.
- e. Equivalent annual cost (\$/year).
- f. Total unit production cost (\$/1,000 gallons).

### **3.3 Identify Cost Sharing and Funding Sources**

Identify potential funding sources for each of the feasible recharge concepts including local and state government agencies, private entities and federal funded programs. Discuss the amount of potential contributions from each funding source and the probable timing of availability of funds for the projects.

### **3.4 Develop Implementation Schedule**

Based on the conceptual design of each recharge concept and taking into account the timing and amount of available funds, work with the District to develop an implementation schedule for each feasible recharge concept. The schedule will include primary work elements from permitting through final design, construction and testing. The schedule will identify each project work element to be completed within a District fiscal year and include estimated funds for each year.

### **3.5 Prepare Draft Feasibility Report**

A draft feasibility report summarizing the work elements performed as part of this project will be prepared. The report will present the data evaluated for each of the four recharge concepts including a breakdown with respect to the feasibility factors: environmental, technical, regulatory and economic. Data will be discussed and presented in both graphic and tabular format. A draft copy of the report will be provided to the District in electronic format for review and comment. Submission of the draft feasibility report constitutes the 90% submittal.

### **3.6 Client Meetings**

Attend two monthly project status meetings and one end of task meeting with client as necessary and requested by District project manager. The monthly meetings will be held via teleconference to provide the District a monthly update of ongoing work and schedule updates. The end of task meeting will be held at the Atkins office (Tampa) to discuss the conceptual costs of the four recharge concepts, an implementation schedule and the draft report.

## **Task 4 100% Completion; Feasibility Final Report**

### **4.1 Feasibility Final Report**

After receiving one set of review comments from the District within 30 days of draft submittal, finalize the feasibility report. Six final paper copies of the feasibility report and one electronic copy (pdf format) will be provided to the District.

### **4.2 Workshop with District Staff for Presentation**

Attend a workshop with District staff to develop an outline and key elements for presentation of the feasibility study results. The workshop will be held at Atkins office (Tampa) and is anticipated to include key members of the District staff and consultant team. Following the workshop, Atkins will prepare a power point presentation for District staff review and approval.

### **4.3 SRWMD Board Presentation**

Following District staff approval of presentation materials, consultant team, with assistance from District staff, will present results of the feasibility study to District

Governing Board Members at a regularly scheduled Governing Board Meeting in Fiscal Year 2013.

### **Schedule**

A project schedule that includes the work elements of this SOW is included as Attachment 1. The schedule assumes 14 months are required to complete all work elements from the notice to proceed to Board presentation.

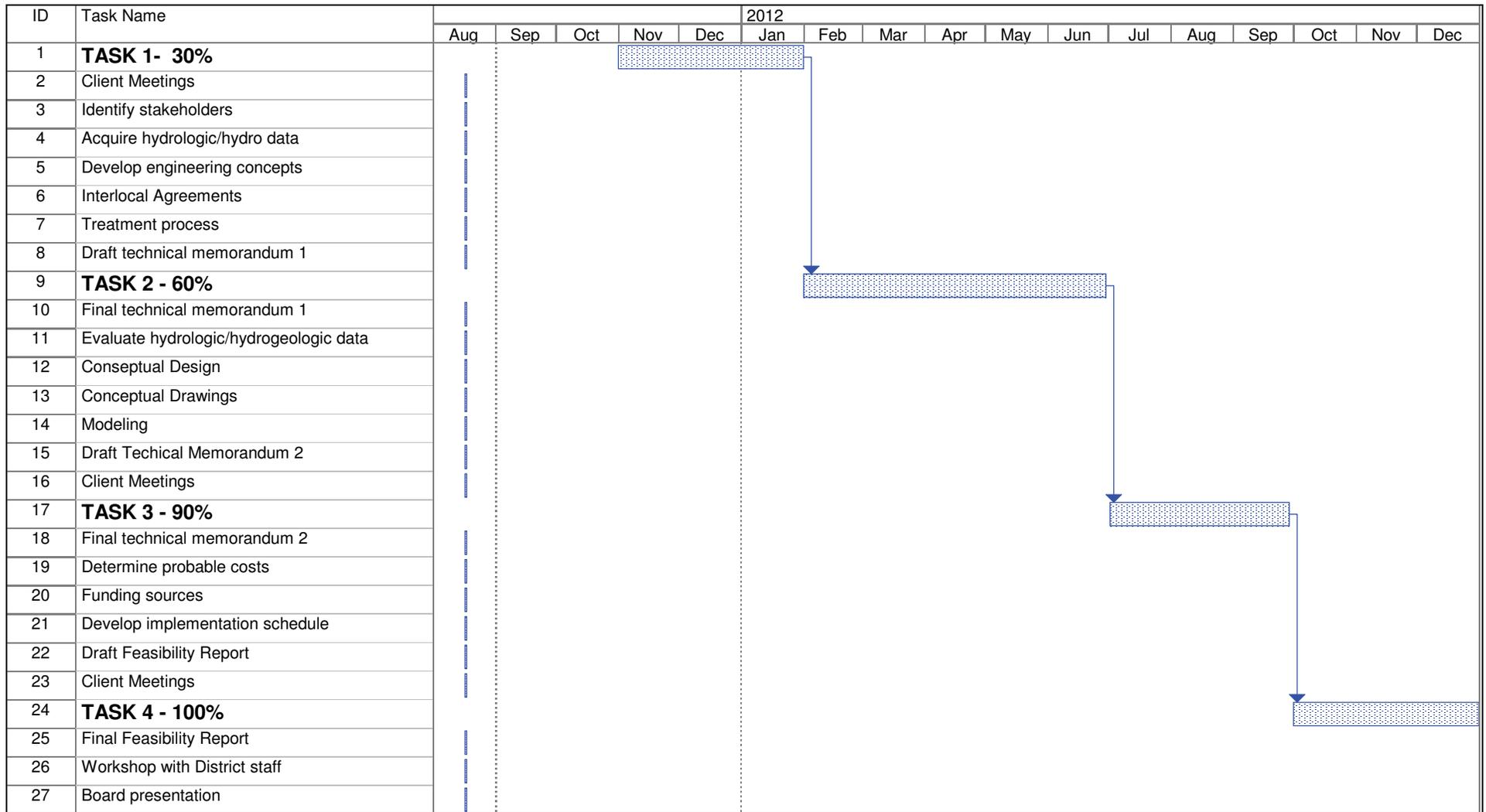
### **Cost**

The cost to complete the Project based upon the aforementioned considerations and SOW is a lump sum fee of \$239,796. A breakdown of subtask costs is shown in the attached Table.

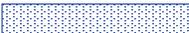
The District shall reimburse Atkins for services rendered on a percent complete, not to exceed basis. Invoices shall be submitted on a monthly basis and will reflect the percent complete of the individual tasks. Each invoice submittal shall be accompanied by a project status memorandum. Following acceptance of the Final Report and Atkins' presentation to the Governing Board, the 100% complete invoice shall be submitted for payment.

TABLE B-1

<b>Upper Floridan Aquifer Regional Recharge Concepts</b>		
	<b>Task Description</b>	<b>Totals by Task</b>
<b>TASK 1 30% COMPLETION</b>		
<b>1</b>	<b>Develop Recharge Concepts for Study</b>	
	Client meetings (4)- kick-off, progress and end of task	\$13,990
	Identify stakeholders	\$5,126
	Acquire hydrologic/hydrogeologic data	\$13,092
	Develop engineering concepts for recharge of the UFA	\$6,411
	Discuss interlocal agreements	\$3,610
	Determine treatment process and regulatory constraints	\$9,421
	Technical Memo 1 (Draft)	\$10,213
		\$0
		\$0
	<b>TASK 1 TOTAL</b>	<b>\$61,862</b>
<b>TASK 2 60% COMPLETION</b>		
<b>2</b>	<b>Develop Conceptual Design of Recharge Concepts</b>	
	Technical Memo 1- Final	\$6,005
	Evaluate hydrologic/hydrogeologic data	\$29,818
	Develop conceptual design of diversion/recharge concepts	\$14,418
	Determine project effectiveness with groundwater model	\$13,453
	Develop conceptual design drawings	\$9,396
	Technical Memo 2 (Draft)	\$15,361
	Client meetings (5) - monthly progress and end of task	\$10,024
		\$0
	<b>TASK 2 TOTAL</b>	<b>\$98,474</b>
<b>TASK 3 90% COMPLETION</b>		
<b>3</b>	<b>Determine Project Costs and Feasibility</b>	
	Technical Memo 2- Final	\$5,268
	Determine project probable costs	\$13,262
	Discuss cost sharing and funding sources	\$2,277
	Develop implementation schedule	\$4,537
	Prepare draft feasibility report	\$18,263
	Client meetings (3) - monthly progress and end of task	\$6,408
	<b>TASK 3 TOTAL</b>	<b>\$50,014</b>
<b>TASK 4 100% COMPLETION</b>		
<b>4</b>	<b>Feasibility Final Report</b>	
	Finalize final report	\$13,516
	Workshop with SRWMD Staff for presentation	\$8,230
	SRWMD Board Presentation	\$7,700
		\$0
	<b>TASK 4 TOTAL</b>	<b>\$29,446</b>
	<b>PROJECT SUBTOTAL</b>	<b>\$239,796</b>
	<b>TOTAL CONTRACT</b>	<b>\$239,796</b>



Project: SUWANEE-rev.mpp  
Date: Thu 9/1/11

Task		Milestone		External Tasks	
Split		Summary		External Milestone	
Progress		Project Summary		Deadline	

## MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Senior Professional Engineer

DATE: September 22, 2011

RE: Authorization to Enter into a Memorandum of Agreement with the Florida Department of Transportation (FDOT) for the Alligator Creek Floodplain Restoration Project

### RECOMMENDATION

**Staff recommends the Governing Board authorize the Executive Director to enter into a Memorandum of Agreement with the FDOT to outline the responsibilities of each agency to provide wetland mitigation within the Alligator Creek Floodplain corridor for FDOT's Starke Bypass Project.**

### BACKGROUND

Section 373.4137, Florida Statutes, identifies an environmental mitigation process for transportation projects. This statute requires that mitigation for transportation projects be accomplished through regional, long-term planning instead of a project-by-project basis. This statute also requires that FDOT fund the mitigation and the District carry out the plans for such mitigation.

The District is currently working with the City of Starke and the Florida Fish and Wildlife Conservation Commission (FWC) on a project to manage sediment and restore stream habitat within the Edwards Road Bottomlands within the Alligator Creek floodplain. As this project progressed, it became known that FDOT was going to need wetland mitigation for their future Starke Bypass project within the vicinity of the Alligator Creek floodplain corridor. Based on FDOT's future and as-yet undetermined mitigation needs, the Edwards Bottomlands site and the remaining Alligator Creek floodplain corridor, south of the Edwards Bottomlands site, has been determined by staff that these sites should provide the regional mitigation necessary for FDOT's Starke Bypass project. In order to commit to

this mitigation project, an agreement should be executed to outline the responsibilities of FDOT and the District to utilize this corridor for this purpose as required under Section 373.4137, Florida Statutes.

PW/lgw

## MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Senior Professional Engineer

DATE: September 22, 2011

RE: Authorization to Enter into an Interlocal Agreement with the City of Starke for the Alligator Creek Floodplain Restoration Project

### RECOMMENDATION

**Staff recommends the Governing Board authorize the Executive Director to enter into an Interlocal Agreement with the City of Starke in order to outline duties and responsibilities for the Alligator Creek Floodplain Restoration Project.**

### BACKGROUND

The District is currently working with the City of Starke and the Florida Fish and Wildlife Conservation Commission (FWC) on a project to manage sediment and restore stream habitat within the Edwards Road Bottomlands within the Alligator Creek floodplain. As this project progressed, it became known that Florida Department of Transportation (FDOT) was going to need wetland mitigation for their future Starke Bypass project within the vicinity of the Alligator Creek floodplain corridor. This agreement will expand the project limits of the original Edwards Bottomlands site into other properties owned by the City of Starke within the Alligator Creek floodplain so that wetland mitigation can be provided for the Starke Bypass project.

The District will be conducting this mitigation project on lands owned, maintained and operated by the City of Starke and the District. This agreement will authorize the District to work on lands owned by the City of Starke and outline responsibilities of the District and the City to accomplish this project.

PW/lgw

## MEMORANDUM

TO: Governing Board  
FROM: Carlos Herd, Senior Hydrogeologist  
DATE: September 22, 2011  
RE: Water Supply Program Activity Report

### **Water supply planning:**

- The District's water supply planning contractor completed a draft of the Upper Santa Fe River Basin Water Resource Impact Assessment Report and the draft Upper Santa Fe River Basin Regional Water Supply Plan.
- St. Johns River Water Management District (SJRWMD) continues to maintain an indefinite postponement of their Water Supply Assessment and Water Supply Plan.
- Staff continues to meet regularly with SJRWMD via conference calls to coordinate activities in the water supply planning and permitting processes.
- Staff presented the water supply planning update to the Branford Rotary in Branford on September 20, 2011.
- Staff attended the SJRWMD Clay-Putnam Strategy Area Minimum Flows and Levels Prevention/Recovery Strategy Technical Work Group Meeting for Lakes Brooklyn, Cowpen, Geneva, and Grandin at the Trinity Baptist Church Fellowship Hall in Keystone Heights on September 29, 2011.

### **Interstate coordination:**

- Staff attended a Suwannee Satilla Water Council meeting on September 14, 2011, in Valdosta, Georgia. The Water Council unanimously approved the Suwannee-Satilla Initial Recommended Regional Water Plan for transmittal to the State of Georgia. The Water Council also provided a response to all comments to their draft Water Plan. The Water Council's response to the District's comments was positive and shows a desire to continue coordination.
- Staff will attend a Florida-Georgia coordination meeting on October 6, 2011, in Valdosta, Georgia, with staff from the Georgia Environmental Protection Division, the Florida Department of Environmental Protection, and St. Johns River Water Management District.

## **Minimum flows and levels (MFLs):**

Lower Santa Fe and Ichetucknee Rivers and Springs – Through September, District staff and contractors are wrapping up field work and transitioning to analysis and documentation. This is a major project milestone.

- The field data collected include:
  - Surveying of 54 new benchmarks, 29 river channel cross-sections, and 14 floodplain transects. The channel sections are at critical hydraulic and/or shoal locations and will support the model revisions mentioned last month. The floodplain transects will control and/or augment the digital topographic information for the out-of-bank portion of the flow regime.
  - Collection of continuous water elevation data through the end of the month.
  - Final floodplain soils/vegetation and in-stream habitat data collection. This data provides information on the types of floodplain habitat inundated by floods and the key in-channel water depths and velocities supporting fish reproduction and habitat.
- The revision and calibration of a HEC-RAS river model and analysis of the floodplain soils/vegetation and in-stream habitat data are the next step. This work will continue through the next several months. With a working river model the river flows can be linked to the floodplain and in-stream data and various “what if” scenarios (e.g., withdrawal scenarios) examined.
- Staff will also be reviewing state park usage data (like Ichetucknee tubers), looking for recreational components.
- The data collection phase of the fluvial geomorphic investigation of the Santa Fe and Ichetucknee rivers is complete and is also in the analysis phase. 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.

Upper Suwannee River and Springs – Until recently, only White Sulphur Spring on the upper Suwannee was proposed for immediate MFL establishment. However, due to the findings of the recently completed 2010 Water Supply Assessment Report, staff is developing plans to expand this work to include gages on the upper Suwannee River and other springs that feed this river reach. This would necessitate a change in the District’s MFL Priority List and MFL schedule. More information on this proposal will be provided in the near future.

## **Monticello Reuse Project:**

- The Monticello Reuse project is complete and operational.

### Water use regulation:

- District staff continued to coordinate with FDEP and water management districts on reclaimed water policy.
- Staff spoke with consultants regarding the proposed Suwannee Catalyst project. Suwannee County is proposing to establish a potable water service area near I-10 and US-90.
- Staff attended a pre-application meeting for the Columbia County Catalyst project. The meeting was organized by the Department of Economic Opportunity.
- The following table summarizes water use permitting activities during the month of August.

August 2011	Received		Issued
Water Use Permits	13		11
Water Well Permits	113		113
Water well permits issued and received according to well use:			
Abandoned/destroyed	2	Livestock	2
Agricultural Irrigation	3	Monitor	21
Aquaculture	0	Nursery	0
Climate Control	0	Other	2
Fire Protection	0	Public Supply	3
Garden (Non Commercial)	0	Self-supplied Residential	78
Landscape Irrigation	1	Drainage or injection	0
Commercial or Industrial	1		

### Water conservation:

- Staff is continuing to coordinate the District's Water Conservation Program with local governments. Currently staff is working to inventory fixtures in public buildings within our four planning regions.
- Staff is working with local hotels in the Lake City area to establish a partnership for water conservation.

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

CH/dd

## MEMORANDUM

TO: Governing Board

FROM: Megan Wetherington, Senior Professional Engineer

DATE: September 22, 2011

RE: Water Resource Monitoring Program Activity Report

Staff collected water chemistry samples at 15 groundwater sites; recorded levels and maintained stations at 181 wells, 21 lakes, and 19 stream stations; and reported rainfall from 38 sites to the National Weather Service.

Staff installed 10 temporary continuous-stage monitoring stations at sites on the Suwannee River between Big Shoals and Noble's Ferry. The data will be used to calibrate the riverine model for the Minimum Flows and Levels project. The equipment will then be used elsewhere in the regular network.

Staff monitored 181 telemetered water use monitoring devices on 47 agricultural operations.

Staff met with representatives of PCS Phosphate concerning shared gaging at Hunter Creek and Little Creek in the Upper Suwannee Basin.

Staff participated in the Sampson Lake Public Workshop on September 6.

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

MW/dd

## MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Senior Professional Engineer

DATE: September 22, 2011

RE: Environmental Resource Permitting Program Activity Report

### Permitting activities:

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

August 2011	Received			Issued		
	Noticed General	General	Individual	Noticed General	General	Individual
Environmental Resource Permits	9	12	0	5	8	1

The following Environmental Resource Permits were issued at Accelerated Permit Review (APR) level.

ERP Number	Project Name	County	Issue Date
ERP11-0097	Florida Pest Control	Columbia	6/9/11
ERP93-0091M7	Columbia High School Distribution Center	Columbia	6/27/11
ERP11-0137	Michael Shaw District Floodway Project	Lafayette	8/8/11

### Enforcement and compliance reports:

Enforcement and compliance reports are included in the Informal Items section of this report. Staff will provide updated reports at the Governing Board meeting.

### Rule development and adoption:

The rulemaking schedule follows this report. Staff will be participating in a joint meeting with the Department of Environmental Protection (DEP) and the other Water Management District's (WMD) to address any rule changes required as a result of the recent legislative session and as outlined in the 2011-2012 Annual Regulatory Plan required by Executive Order 11-72 that was submitted to the Governor's Office of Fiscal Accountability and Regulatory Reform on June 29, 2011.

## **Inspections and as-built certification:**

In August 2011, staff inspected seven projects under construction and 26 projects for as-built compliance. The total number of projects constructed from January 2005 to August 2011 is 835. The number in compliance with certification requirements is 811, with 24 permits not in compliance.

The total number of Works of the District permits issued from January 2009 through August 2010 is 80 with 35 completed and 45 in the construction process.

## **Edwards Road Bottomlands Wetlands Restoration Project, Bradford County:**

District staff met with representatives from United States Army Corps of Engineers (USACOE) on June 8, 2011, and received positive feedback from them on the project. The District, along with the USACOE, is considering the potential to generate advance wetland mitigation credits for use by the Florida Department of Transportation (FDOT) for the future Starke U.S. Highway 301 By-Pass project. The District and the USACOE met with FDOT on August 11, 2011, to discuss the advanced mitigation concept and it appears they are interested in taking advantage of this opportunity. After several meetings with stakeholders, additional survey work is being conducted to verify some key areas along Alligator Creek prior to completing preliminary plans. The survey work has been completed. District staff is also trying to obtain background water quality data from the Florida Department of Environmental Protection at the City of Starke's Wastewater Treatment Plant which is adjacent to Alligator Creek, in order to save water quality monitoring costs which are required by Florida Wildlife Conservation Commission as part of the project improvements.

## **Federal Emergency Management Agency (FEMA) Map Modernization:**

Levy County: The appeals and protests that were submitted are being addressed by URS.

Bradford County: The Letter of Final Determination is expected to be issued on 10/17/11 to notify the county that the new Digital Flood Insurance Rate Map (DFIRM) will be effective in six months. As a participant in the National Flood Insurance Program (NFIP) a community must also adopt a compliant floodplain management ordinance by the effective date of the DFIRM to remain in good standing with the NFIP.

Fiscal Year 2009 projects: Detailed studies in Live Oak, Lafayette County, Dixie County, and Gilchrist County are ongoing. LiDAR data has been delivered for use in the Lafayette Dixie and Gilchrist study areas.

Fiscal Year 2010 projects: The Discovery Meetings for the Lower Suwannee River Basin were held on September 7<sup>th</sup> and 8<sup>th</sup>. A Discovery Report and Map will be finalized and used to develop a scope of work for upcoming projects within the basin.

**Lake Sampson Water Control Structure:**

A public workshop was held on September 6, 2011, at the Andrews Center in Starke to inform citizens of the preliminary concepts. Input was received and staff is proceeding with structure design and coordination with the Florida Fish and Wildlife Conservation Commission.

**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 August 4, 2011, Hydromentia provided their final nutrient removal report. The IFAS report will be provided by the end of September 2011. Staff extended the contract until October 31, 2011, so that final meetings can be conducted once the IFAS report is completed.

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  
Attachments

## Rulemaking Activity Report Upcoming Rulemaking

### 40B-1.706

#### Fee Schedule – 40B-2 Citations

GB Rule Dev. Auth.	9/14/10
Notice of Rule Dev.	
GB Proposed Rule Auth.	9/14/10
Send to OFARR	3/15/11
Notice of Proposed Rule	
Send to JAPC	
Mail to DOS (tentative)	
Effective Date (tentative)	

### 40B-2.301

#### Conditions of Issuance of Permits

Send to OFARR	6/29/11
Approved by OFARR	7/5/11
GB Rule Dev. Auth.	8/9/11
Notice of Rule Dev.	8/26/11
GB Proposed Rule Auth.	
Notice of Proposed Rule	
Send to OFARR	
Send to JAPC	
Mail to DOS (tentative)	
Effective Date (tentative)	

### 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-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-400.091

#### 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-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: Hugh Thomas, Suwannee River Partnership Coordinator

DATE: September 22, 2011

RE: Suwannee River Partnership Program Activity Report

Staff continued work with United States Department of Agriculture - Natural Resources Conservation Service and Pilgrim's Pride to obtain a \$225,000 "Conservation Technical Assistance" grant to help cover the cost of updating poultry farm conservation plans in the Middle Suwannee River Basin area.

Staff met with University of Florida Institute of Food and Agricultural Sciences (UF-IFAS) horticultural extension agents from Clay, Duval, and Nassau counties to discuss water supply and water quality issues in the Suwannee River Basin.

Staff assisted several soil and water conservation districts host North Central Florida Cooperative Invasive Species Management Area (CISMA) workshops to educate landowners about invasive plants and treatment procedures.

As part of the Partnership's effort to help farmers save water, staff continues to work with farmers, District staff, UF-IFAS, and others to develop advanced irrigation scheduling as part of the Conservation Innovation Grant.

Staff participated in a tour for legislative staff to visit a blueberry producer utilizing innovative irrigation and freeze-protection technology.

Staff conducted a Mobile Irrigation Lab (MIL) center pivot evaluation to demonstrate the benefits of utilizing a MIL and led discussions about restarting the program in the Suwannee Basin.

Staff continues to work with District staff and agriculture industry associations to help develop a solution to water use monitoring.

Staff presented an overview of Partnership programs and the potential for an agricultural water reuse project with the new waste water treatment plant proposed for Fanning Springs to the Fanning/Manatee Springs Working Group.

As part of the Partnership Agriculture Water Conservation working group, staff continues to work with the University of Florida Public Issues Education (PIE) Center for Agriculture and Natural Resources to develop strategies and recommendations related to water supply issues and develop a survey.

Staff continues to work with the Florida Department of Environmental Protection (FDEP) to finalize the Basin Management Action Plan (BMAP) that includes using the Partnership approach. Staff is also working with FDEP and Farm Bureau to coordinate outreach meetings for agricultural producers and the general public.

Staff continues to assist with resolving irrigation and other agriculture related complaints.

Staff continues to visit farmers to assist with Best Management Practice (BMP) implementation assurance, BMP follow-up, sampling assistance, record keeping assistance, and other education.

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

Staff assisted farmers with water use permit renewals. Staff also continues to meet with District staff to discuss and strategize future permit renewals for landowners, dairy and poultry operators.

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

HT/dd

## MEMORANDUM

TO: Governing Board

FROM: Jon Dinges, Director, Water Supply & Resource Management

DATE: September 19, 2011

RE: Enforcement Status & Litigation Report / Compliance Report

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### **ADMINISTRATIVE MATTERS WITHIN THE DISTRICT**

#### **Justin M. Fitzhugh/Movie Gallery (CE05-0046) – Columbia County (Approximate legal fees-\$2,111)**

Counsel mailed a Notice of Violation to Justin Fitzhugh on July 22, 2010, regarding a non-functioning surface water management system and failure to submit as-built certification forms. The Notice of Violation required a response from Mr. Fitzhugh on or before August 22, 2010.

After numerous contacts with Mr. Fitzhugh, a Compliance Agreement was executed by Mr. Fitzhugh and the District.

Staff performed a site inspection on March 15, 2011, and discovered that no work has been done to bring the pond into compliance with permit conditions. The Compliance Agreement specified a monthly payment schedule for the assessed penalty, administrative costs and attorney's fees. As of June 2, 2011, no payments have been received.

It has been discovered that the property at issue in this matter is in foreclosure and will likely be sold via foreclosure sale in the very near future. It is anticipated that the mortgagee, Columbia Bank, will take title to the property after the sale. The bank is aware of the outstanding violations and will likely be willing to work with the District to remedy the violations once the bank receives a Certificate of Title.

**Columbia Bank now owns property. Staff and counsel have contacted the Bank regarding requirements to resolve violation.**

#### **Derrick Freeman (CE08-0043) – Suwannee County (Approximate legal fees-\$667)**

This file was sent to counsel on August 9, 2010. Counsel has attempted to notify Mr. Freeman repeatedly of the violation. Counsel has discovered that Mr. Freeman has been unavoidably detained in South Florida due to health issues.

Counsel has not received a response from Mr. Freeman, but has been informed by Express Legal Support Services that Mr. Freeman is still located in South Florida due to

health concerns. Staff is working with counsel to determine an alternate legal party on behalf of Mr. Freeman. **No changes since last report.**

**Richard Oldham (CE10-0024) – Bradford County (Approximate legal fees-\$1,203)**

**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.**

**Mr. Oldham had commenced corrective work but has stopped. On May 1, 2011, staff sent Mr. Oldham a Compliance Agreement for signature. He has not returned the signed agreement.**

**At the September 2011 Governing Board meeting, the Board authorized Counsel to seek resolution. Staff sent file to Counsel on September 15, 2011.**

**Scott McNulty (CE10-0045) - Levy County (Approximate legal fees-\$383)**

This file was sent to counsel on March 7, 2011. On July 14, 2010, the District discovered that unpermitted excavation and road construction had occurred in the Cedar Key Heights Subdivision, within portions of SW 126<sup>th</sup> Terrace and SW 127<sup>th</sup> Court and may have occurred in jurisdictional wetlands within the SW 77<sup>th</sup> Place rights-of-way. A violation letter was sent to Mr. McNulty via certified mail, which requires a response from him on or before April 10, 2011. Received letter April 8, 2011, from Respondent's counsel indicating that Mr. McNulty is not in violation of the District permitting process and does not intend to pay any fees or fines. At the May 2011 Governing Board meeting, the Board directed staff to hire counsel to develop a list of options for resolution and bring the options back to the Board for further consideration.

Staff contracted with Bruce Robinson of Robinson, Kennon & Kendron, P.A., to advise the Governing Board on resolution options. Mr. Robinson provided the options for resolution. These were discussed at the June Board meeting. Staff is expecting to contract with Mr. Robinson to pursue legal action against Mr. McNulty as authorized by the Governing Board.

**Staff met with Levy County on August 18, 2011, to discuss historic plats and how to work together to prevent situations like this. In addition, staff discussed a**

possible resolution to this matter that would involve the District and the County taking corrective action.

**Larry R. Sigers Wetland Dredge & Fill (CE08-0072) – Columbia County**

The District opened a compliance proceeding on December 16, 2008 when staff discovered unpermitted dredge and fill of approximately 13.5 acres within a forested wetland. After numerous meetings, Mr. Sigers applied for and was issued an Environmental Resource permit (ERP09-0244). While the permit was being processed, Mr. Sigers signed a Consent Agreement that was executed by the Board in March 2011. The Consent Agreement, upon final signature, became Final Order 11-0001.

As of August 15, 2001, Mr. Sigers has not fulfilled his obligations under the Final Order and the conditions of his ERP. This includes restoration, mitigation, land donation in lieu of penalty and payment of administrative costs and attorneys' fees currently totaling \$2,252.99.

At the September 2011 Governing Board meeting, the Board authorized Counsel to seek resolution. Staff sent file to Counsel on September 15, 2011.

**Rodney O. Tompkins, Trustee (CE11-0001) – Gilchrist County**

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, staff sent a Notice of Violation (NOV) 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. Local law enforcement served a second NOV on February 11, 2011. The NOV 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. Staff sent a certified letter on May 16, 2011 stating that an application must be submitted by May 31, 2011. There has been no response.

The Governing Board authorized enforcement proceedings at its June 2011 meeting. Staff has worked with Governing Board counsel to determine that specific action is needed to order the Respondent to cease water use until Respondent obtains a water use permit from the District.

At September 2011 Governing Board meeting, the Board instructed staff to prepare a Final Order ordering Mr. Tompkins to cease water use until he obtains a water use permit from the District.

## CIRCUIT COURT MATTERS

### Suwannee River Water Management District v. El Rancho No Tengo, Inc. (Legal fees-\$241,525)

This enforcement matter has been ongoing since 2006. After multiple court hearings, and in accordance with Court rulings, a Notice of Sheriff's Sale was sent to the parties by certified mail.

The Sheriff's Sale of Defendant's real property pursuant to two writs of execution occurred on May 3, 2011. The Executive Director and Counsel were present at the sale. After an opening bid by Jeffrey Hill of ten dollars, Mr. Still bid \$390,000, which was also the highest bid. Twenty-two minutes prior to the sale, Jeffrey Lance Hill, Sr., filed a chapter 12 case with the U.S. Bankruptcy Court in Jacksonville, Florida. Counsel has since consulted with Lance Cohen, a bankruptcy attorney in Jacksonville, whom the District retained in 2008 when El Rancho No Tengo, Inc., filed a bankruptcy case. Mr. Cohen is of the opinion that because Mr. Hill filed for bankruptcy prior to the Sheriff's Sale, the District's interest in quieting title would best be served in bankruptcy court. Therefore, Staff has directed Counsel to work with Mr. Cohen again to efficiently and expeditiously secure title to the land in the District.

Bankruptcy counsel filed a motion to dismiss the first week of June 2011. Staff attended the creditors' meeting on June 11, 2011, at which Jeffrey Hill was placed under oath and questioned by the court-appointed Trustee, District staff, and an IRS representative. Mr. Hill's responses failed to reveal much, but the meeting did serve to educate the Trustee regarding the District's interest in the bankruptcy proceeding. Bankruptcy counsel attended a preliminary hearing on July 6, 2011.

Staff inspected the property on July 5, 2011, and found no apparent environmental problems. Staff is contracting with a firm for a detailed phase one environmental audit.

The hearing on July 6, 2011, was merely a pretrial conference with the Bankruptcy Judge at which counsel for the District indicated that it was ready for trial and would need only 30 minutes; only the District's bankruptcy counsel attended this hearing and Jeffrey Hill. The Court stated that it would set the matter for trial and allow two hours. On July 22, 2011, Jeffrey Hill served a request to produce on the District asking for verbatim transcripts of two past Governing Board meetings – February 14, 2006 and May 19, 2011. District counsel is assisting bankruptcy counsel in responding to this request and in preparing for the final hearing scheduled for September 12, 2011.

Columbia County Sheriff Office served a Summons of Civil Action from Jeffrey and Linda Hill on the District on August 3, 2011.

**Mr. Still and Mr. Dinges, under subpoena from Mr. Hill, attended and testified at the chapter 12 confirmation hearing in federal bankruptcy court on September 12, 2011. This was an evidentiary hearing for the District's motion to dismiss. Jeffrey Hill's Amended Motion for Sanctions against the District's counsel was**

**heard and the Judge set this motion for final hearing at a later date.**

**Linda Fennell/Stephen Buckles (CE06-0107) – Lafayette County**  
**(Legal fees-\$13,092)**

The Respondent constructed a residence, dock, and walkway in the floodway of the Suwannee River within the 75-foot setback and below the 100-year flood level.

The Respondent filed a permit application in December 2006. The Governing Board denied the application in June 2007 for lack of information. The Respondent filed a second application and variance request in January 2008. The Governing Board denied the second application in May 2008 for lack of information. Staff referred this matter to counsel after many attempts to resolve the violation and Counsel initiated litigation in July 2009. Service of process took quite some time as Respondent was difficult to locate.

Counsel recently held informal settlement discussions with the Respondent's attorney. Counsel was informed that Respondent is willing to raise the structure above the 100-year flood elevation but unwilling to move the residence outside of the 75-foot setback. Therefore, it appears litigation in this matter will need to continue so this case can be resolved by the Court. Counsel is coordinating with Respondent's attorney to schedule the trial.

Staff attended the Lafayette County Board of County Commissioners (BOCC) meeting on June 27, 2011, and requested that the County engage its code enforcement process. The BOCC indicated that they will provide support to the District in order to resolve the violation, but that the District should continue to take the lead.

**Counsel was informed by her attorney that Ms. Fennell is willing to raise the structure above the 100-year flood elevation; however, Ms. Fennell is unwilling to remove the structure to a location outside of the 75-foot setback. Therefore, it appears litigation in this matter will need to continue so this case can be resolved by the Court. Counsel is coordinating with Ms. Fennell's attorney to reschedule the trial.**

**Staff is sending a settlement proposal to Fennell's attorney to require removal of the dock, raising the home above the 100-year flood level, payment of the District's costs and attorneys' fees, and application of a deed restriction or similar instrument allowing the home to stay within the 75-foot setback for the duration of Fennell's ownership. The settlement proposal, if acceptable to Fennell, will be brought to the Governing Board for action.**

**Charlie Hicks, Jr. (CE07-0087) — Madison County (Legal fees-\$15,237)**

This enforcement case has been ongoing since 2008. The violation consists of construction of a structure in the floodway, without obtaining a Works of the District permit. The case has been before this court several times.

On March 1, 2011, the Court granted the District's Motion for Appointment of the Madison County Sheriff or Other Neutral Party to Perform the Acts Required by the Court's June 8, 2010, Order. The Sheriff of Madison County is unable to accept appointment to perform the acts required the Court's June 8, 2010, Order due to a lack of finances, resources, equipment and personnel. Therefore, a neutral third party will be appointed by the Court to carry out the terms of the Court's Order. **No action since last report.**

**Steven Midyette (CE07-0065) – Gilchrist County (Legal fees-\$8,852)**

The is an ongoing enforcement case which involved clearing of wetland vegetation within a riverine wetland slough without a permit, filling in wetlands and constructing a boat ramp within a riverine wetland slough without a permit. Mr. Midyette eventually signed a Consent Agreement and Order on March 29, 2010. The Governing Board adopted Final Order 10-0010 on July 13, 2010, adopting the Consent Agreement.

Mr. Midyette failed to timely obtain a permit for his floating dock and submit a restoration plan as required by the Final Order.

A Complaint was filed with the Circuit Court of Gilchrist County and it was served on Mr. Midyette on March 30, 2011. We are awaiting his Answer to the Complaint, which is due on April 19, 2011.

A status conference was held with the Court on May 24, 2011, at which Mr. Midyette did not deny our allegation that he breached the Consent Agreement, but simply reiterated his ongoing financial difficulties. The court encouraged Mr. Midyette to get with District Counsel to resolve the issues as it would be less expensive for everyone involved. The Court set another status conference for July 22, 2011. Since Mr. Midyette denies breaching the Consent Agreement in his Answer, District counsel will initiate discovery prior to the next status conference.

**Received Works of the District application on July 13, 2011. Staff is reviewing the submittal.**

**Paul Moody (CE10-0009) - Bradford County (Legal fees-\$3,184)**

Staff referred this matter to Counsel on February 18, 2010. Counsel was unsuccessful in negotiations with Mr. Moody in an attempt to resolve this matter. This violation was unpermitted construction of a water well by an unlicensed contractor. A complaint has been filed with the Clerk of Circuit Court of Bradford County.

A Process Server located and served Mr. Moody with the Complaint on March 2, 2011. As of March 29, 2011, Mr. Moody has not filed an answer to the Complaint. Counsel will file a Motion for Default in this matter on or before April 6, 2011.

On May 26, 2011, the Court entered a Final Judgment on Liability against Mr. Moody. Counsel will now move for the entry of an Injunction against Mr. Moody to prevent him

from conducting any further well drilling without the required license and permit and for collection of a civil penalty, attorneys' fees and costs. **No action since last report.**

**Bill McCans/Starke Sonic Drive-In (CE08-0037) – Bradford County**  
**(Legal fees \$2,337)**

Staff referred this matter to Counsel on July 1, 2010. The violation consists of failure to fix a non-functioning surface water management system that poses off-site impacts to the water resources and it is a public safety concern. Also, Mr. McCans has failed to submit as-built certification forms. After numerous attempts to resolve this matter, a complaint was filed in the Circuit Court of Bradford County. Sonic Restaurants, Inc. was served on February 24, 2011, and Mr. McCans was served on February 22, 2011. An Answer to the Complaint was served by Mr. McCans on March 25, 2011. Sonic Restaurants, Inc. was served on February 24, 2011, and a Motion to Dismiss was served by Sonic on March 25, 2011. However, Mr. McCans has employed the services of an engineering firm to either bring the pond into proper functioning condition under the terms of the original permit, or submit plans for a permit modification if necessary to bring the pond into proper functioning condition. By April 17, 2011, District counsel to contact Mr. McCans Counsel to discuss settlement agreement.

Counsel is drafting a proposed Settlement Agreement to resolve the outstanding violations. Once completed and agreed upon by the parties, the Settlement Agreement will be presented to the Board for approval or denial. **No action since last report.**

**Jeff Hill / Haight-Ashbury Subdivision: (Legal fees \$10,130)**

This enforcement activity has been ongoing for several years. At the most recent hearing (January 31, 2011), the Court granted the motion for summary judgment in this case. The judge's order requires Mr. Hill to comply with the corrective actions specified in the District's final order, imposes a civil penalty, and awards the District its costs and attorney's fees. The order, which was reduced to writing on February 15<sup>th</sup>, also sets a date for a case management conference with Judge Parker on April 25, 2011, for the purpose of determining compliance.

District staff discussed the corrective actions needed to bring the stormwater management system into compliance with the permit with a contractor, Sam Oosterhoudt, on March 15, 2011, and Mr. Oosterhoudt is going to complete the work prior to the case management conference on April 25, 2011.

Respondent has failed to perform the corrective action District staff was expecting to be completed prior to April 25, 2011. Neither Respondent nor Mr. Oosterhoudt contacted District staff after the site meeting on March 15, 2011. At the case management conference with Judge Parker on April 25, 2011, Respondent and Counsel for Columbia County both stated it was their understanding that the work was completed towards the end of March/beginning of April. However, when District staff inspected the property on April 21<sup>st</sup>, no work had been done.

Judge Parker ordered the parties to appear at a second case management conference

set for July 18, 2011, to confirm that the repairs to the pond have been made.

District staff has been regularly inspecting the site to determine whether the repairs are in progress and/or completed. Thus far, no work has been done to comply with the District's final order or the Court's directives.

District staff again inspected the site on July 14, 2011, in anticipation of the second case management conference with Judge Parker and observed that no work had been accomplished. Counsel attended a case management conference with Judge Parker July 18, 2011. Respondent, Jeffery Hill failed to attend the hearing. The Court directed counsel for the District to draft and file a motion requesting that an order to show cause why Respondent should not be held in contempt because Mr. Hill did not show for Court and did not repair the pond as ordered.

**District counsel filed a motion for an order to show cause why Jeffrey Hill should not be held in contempt on August 8, 2011, and a hearing was set for October 12, 2011. Counsel immediately withdrew this motion and cancelled the hearing upon receipt of Mr. Hill's Amended Motion for Sanctions on August 12, 2011, which alleged that counsel's actions were in violation of the automatic stay that resulted from Mr. Hill's bankruptcy filing. Counsel intends to re-file the motion and reset the hearing immediately following a decision by the bankruptcy court on September 12, 2011 (see above discussion under Suwannee River Water Management District v. El Rancho No Tengo, Inc.). Counsel will not charge any fees to the District for actions necessitated by the filing of this motion, which may have violated the automatic stay.**

#### **Jeff Hill / Smithfield Estates - Phase 1 (Legal fees \$10,130)**

This enforcement activity has been ongoing for several years. At the last hearing (January 31, 2011), the Court granted the motion for summary judgment in this case. The judge's order requires Mr. Hill to comply with the corrective actions specified in the District's final order, imposes a civil penalty, and awards the District its costs and attorney's fees. The order, which was reduced to writing on February 17<sup>th</sup>, also sets a date for a case management conference with Judge Parker on April 25, 2011, for the purpose of determining compliance.

District staff met with a contractor, Sam Oosterhoudt, at the site on March 15, 2011, to review the corrective actions needed to bring the stormwater management system into compliance with the permit. Staff agreed with Mr. Oosterhoudt that there are physical obstacles. Therefore, staff also agreed to allow Mr. Oosterhoudt two weeks to explore with the Columbia County Engineer the possibility of modifying the permit. Mr. Oosterhoudt failed to contact District staff as expected on or about March 29, 2011, to provide additional information concerning a possible permit modification. Neither Respondent nor Mr. Oosterhoudt contacted District staff after the site meeting on March 15, 2011. District staff inspected the property on April 21, 2011, and no work had been done. A case management conference with Judge Parker was held on April 25, 2011, at which both Respondent and Counsel for Columbia County stated that a meeting

between Respondent and the County occurred within the two-week period. Respondent also stated that since that meeting, the County has performed survey work within the subdivision.

Judge Parker ordered the parties to appear at a second case management conference set for July 18, 2011, to confirm that an application to modify the permit has been submitted.

Following the Case Management Conference on April 25, 2011, District staff provided information to Columbia County that was requested by the County at the conference; however, no response from the County has been received. To date, no application to modify the existing permit has been received by the District.

District staff again inspected the site on July 14, 2011, in anticipation of the second case management conference with Judge Parker and observed that no work had been accomplished. Neither has the District received an application to modify the existing permit. Counsel attended Case Management Conference with Judge Parker July 18, 2011. Respondent, Jeffery Hill failed to attend the hearing. The Court directed counsel for the District to draft and file a motion requesting that an order to show cause why Respondent should not be held in contempt because Mr. Hill did not show for Case Management Conference and did not repair the pond as ordered.

**District counsel filed a motion for an order to show cause why Jeffrey Hill should not be held in contempt on August 8, 2011, and a hearing was set for October 12, 2011. Counsel immediately withdrew this motion and cancelled the hearing upon receipt of Mr. Hill's Amended Motion for Sanctions on August 12, 2011, which alleged that counsel's actions were in violation of the automatic stay resulting from Mr. Hill's bankruptcy filing. Counsel intends to re-file the motion and reset the hearing immediately following a decision by the bankruptcy court on September 12, 2011 (see above discussion under Suwannee River Water Management District v. El Rancho No Tengo, Inc.). Counsel will not charge any fees to the District for actions necessitated by the filing of this motion, which may have violated the automatic stay.**

#### **Cannon Creek Airpark ERP Violation (Legal fees \$6,996)**

This enforcement action has been on-going for a number of years. This involves work that was done within the subdivision to alleviate flooding. The work was done without a permit. Columbia County officials are working on a stormwater project that may alleviate the practical need to obtain compliance with the existing District permit, but instead would require that the permit be modified to reflect the system as constructed.

District staff is currently reviewing an ERP application to implement one phase of the County's master stormwater plan that includes the Cannon Creek area, which should address the remaining drainage problems for this project. The District is waiting for Columbia County to respond to the mitigation offer before taking further action on the permit application.

**Columbia County responded to the request for additional information. Staff is reviewing the submittal in regards to the proposed wetland mitigation offer.**

**PENDING COMPLIANCE MATTERS:**

For a list of pending compliance matters, please see the current Compliance Report.

# Compliance

updated 9/20/2011 11:24:17 AM

<i>CE #</i>	<i>County</i>	<i>Discovery Date</i>	<i>Date Action Required</i>	<i>Violation Summary</i>	<i>Respondent</i>	<i>Comments</i>	<i>Staff</i>
CE06-0058	LEVY	8/2/2006	10/17/2011	Unpermitted construction.	Douglas McKoy	<p>Tabled at April 2010 Board (Denial) for one month. Received emails from applicant. Permit denial was pulled from the Governing Board agenda. Spoke with engineer 8/2/10; has received information from Mr. McCoy. Plans and calculations should be submitted by 9/1/10. Sent email 9/13/10; requesting submittal date. Spoke with engineer. RAI materials to be sent to District by 10/18/10. 11/1/10; engineer stated that the response submittal was in the mail. RAI response received 1/3/11. RAI sent 1/25/11. Response due 4/24/11. Received a 30 day request for an extension on 4/21/11. Extension granted until 6/2/11. District called engineer on 5/31/11 requesting the status of application. 6/8/11; received RAI information. Reviewed applicants submittal and sent out another RAI with a response deadline of 8/10/11. Received RAI responses from applicant on 8/5/11. 9/2/11; RAI sent. 45 days to respond. Meeting 9/22/11.</p>	Webster, Patrick
CE10-0016	JEFFERSON	2/9/2010	10/15/2011	Unpermitted construction.	Judy Miller	<p>Compliance Agreement mailed 11/29/10. Received signed agreement 12/6/10. Returned executed agreement to Ms. Miller 12/9/10. Compliance Agreement executed on 12/9/10, requires fees for a settlement penalty and staff costs to be paid no later than 12/19/10. Ms. Miller informed District staff during a 03/14/11 telephone discussion that she would re-purchase money order to pay penalties and staff costs, as the original purchased on 12/02/10 never cleared or received by the District. RAI sent 1/14/11. Staff to monitor Compliance Agreement stipulations. Consultant has requested an extension until 3/21/11. Extension request granted. 3/21/11; received fee &amp; penalty check for \$2,305.65 and RAI material. Permit issued 4/8/11. Staff to monitor Compliance Agreement stipulations. 9/12/11; letter sent. 18 days to complete construction &amp; 30 days to submit as-builts.</p>	Hastings, John

<i>CE #</i>	<i>County</i>	<i>Discovery Date</i>	<i>Date Action Required</i>	<i>Violation Summary</i>	<i>Respondent</i>	<i>Comments</i>	<i>Staff</i>
CE10-0026	COLUMBIA	4/20/2010		Unpermitted construction.	Sam Oosterhoudt-Lake City Developers, LLC.	SWO had delivered 4/20/10. NOV sent 4/26/10. 14 days to contact District. File sent to legal 5/21/10. Call from Mr. Oosterhoudt on 5/26/10. Engineer has been hired and no other work to be done until permit is modified. Informed legal to hold enforcement. Email to legal, no contact from owner since 5/26/10 phone call. Received ERP application 7/26/10. Sent RAI 8/11/10. 18 day letter sent 11/15/10. Meeting scheduled with applicant. Extension letter sent 1/11/11. Staff met with applicant on 2/4/11. 2/25/11; Compliance Agreement sent to Mr. Oosterhoudt for signature. Executed Compliance Agreement sent to Mr. Oosterhoudt 3/14/11. Awaiting monthly payments beginning 3/31/11 and ending 5/31/11. 5/18/11; received admin cost of \$317.01 & partial penalty of \$382.99. 5/31/11; final payment not received. Respondent has defaulted on Compliance Agreement. June 2011 Board for initiation of legal action to reach resolution. Board directed legal to contact Mr. Oosterhoudt to try and reach resolution. 7/12/11; Board contacted Mr. Oosterhoudt. Information to be forthcoming. Staff to follow up by 7/29/11. As of 8/5/11; no information received. August 2011 Board for initiation of legal action to reach resolution. 8/8/11; paid balance of Compliance agreement, submitted application fee & sent in as-builts. 8/8/11; Close file. 9/12/11; enforcement file reopened. 9/1/11; \$5,000 surety check returned for stop payment.	Marshall, Leroy
CE10-0046	LEVY	9/23/2010		Unpermitted road construction.	Donny Crews / Levy County Road Department	14 days to schedule meeting with District. Conducted a meeting with County, Mr. McNulty, and Lee Mills, P.E., on 10/12/10. Please refer to CE10-0045 (McNulty) for updates regarding this enforcement file.	Mantini, Louis
CE08-0022	SUWANNEE	3/3/2008		Construction without a permit.	Donald Edwards	5/17/11; meeting with NFLG attorney and finance company. 5/26/11; site visit. Retention pond retrofitted to stop the increase of flood hazards offsite. 8/4/11; staff inspected pond. Vegetation is established on constructed overflow. 8/19/11; staff is waiting on foreclosure proceedings to conclude. Bank will contact District when proceedings are final.	Marshall, Leroy

<i>CE #</i>	<i>County</i>	<i>Discovery Date</i>	<i>Date Action Required</i>	<i>Violation Summary</i>	<i>Respondent</i>	<i>Comments</i>	<i>Staff</i>
CE08-0072	COLUMBIA	12/16/2008		Dredging and filling of a pond.	Larry R. and Eva Joyce Sigers	Mailed Consent Agreements to Sigers on 10/19/10. As of 11/22/10, no response. Sent letter 12/16/10; 30 days to sign Consent Agreements. March 2011 Board for execution of Consent Agreement and Final Order. Staff to monitor Consent Agreement conditions. Conditions of Consent Agreement have not been met. At the September 2011 Governing Board meeting, the Board authorized Counsel to seek resolution. Staff sent file to Counsel on 9/15/11.	Spencer, William
CE11-0031	TAYLOR	6/6/2011	10/31/2011	No as-builts.	Fred Shore - Gulf Breeze Partners, LLC.	20 days to contact District. Contact from Mr. Shore on 06/17/11. An on-site meeting is being scheduled during mid July to discuss alternatives with the parties concerned. 7/13/11; on-site meeting. Respondent proposes to modify the permit to correct the deficiencies. Working with engineer to develop as-built plans. Staff to follow up by 9/13/11. 09/13/11 E-mail to Jennifer Ellison requesting update. 09/14/11 Jenifer called and related she had forwarded e-mail to Phil Bishop requesting he call the District. Her assessment based on a previous conversation with Phil was that the as-built information would submitted before the end of October.	Bowden, Jerry
CE10-0060	HAMILTON	12/14/2010	10/8/2011	Unpermitted construction.	Karamchand Doobay - Florida Gateway Resort	SWO & NOV sent 12/16/10. Owner contacted District 12/21/10. They will cease work and respond to RAI. Site visit 1/19/11; not additional work reported. Staff was contacted 2/14/11 by new project owner/management. Site visit 2/16/11. Short term compliance issues as well as how to approach the permitting for the expanded scope of work were discussed. Compliance efforts are temporarily on hold until new engineer works out all details. 4/13/11; reminder letter sent to applicant. Spoke with project manager on 5/17/11. Permit application package is being finalized. Spoke with applicant's engineer on 7/25/11. He has not been paid and will not be submitting until paid. September 2011 Board for permit application denial and initiation of legal action to reach resolution. 9/8/11; pulled from Board agenda per Respondent request. 30 days to submit information requested. 9/19/11; file sent to legal to prepare Consent Agreement.	Hastings, John

<i>CE #</i>	<i>County</i>	<i>Discovery Date</i>	<i>Date Action Required</i>	<i>Violation Summary</i>	<i>Respondent</i>	<i>Comments</i>	<i>Staff</i>
CE11-0001	GILCHRIST	1/13/2011	9/13/2011	Unpermitted water use.	Rodney O. Tompkins Trustee - Misty Farms	20 days to submit water use application. NOV returned unclaimed. Second NOV sent 2/11/11 to be served by Alachua & Gilchrist County Sheriff Offices. WUP application due 3/2/11. Ms. Tompkins called on 2/18/11. Received receipt from Alachua County Sherriff's Office; date served was 2/24/11. Received receipt from Gilchrist County Sherriff's Office 3/3/2011, papers were served on 2/16/2011. Ms. Tompkins called on 3/15/2011. Ms. Tompkins also requested a copy of the District's Enforcement policy. Staff faxed the Enforcement policy on 3/15/2011. Ms. Tompkins called on 4/5/2011 with additional questions about the application and our enforcement policy. Ms. Tompkins left a message with District staff on 4/26/11. Staff spoke with Ms. Tompkins on 5/3/11 & 5/11/11. WUP application due by 5/31/11. June 2011 Board for enforcement proceedings. 6/7/11; certified letter returned unclaimed after 3 attempts by USPS. Board directed legal to contact Respondent to try and reach resolution. September 2011 Board for initiation of action to stop water use. Staff working with legal to prepare Final Order.	Wright, Kevin
CE10-0042	UNION	10/10/2010	7/8/2011	Unpermitted construction.	John Rimes, III - New River Forest Villas	Received sketch from Scott Britt on 04/04/11. Letter sent 5/11/11; 30 days submit compliance deadline. Received a letter on 05/26/11, an engineer had been hired on behalf of the Town & will comply with the District. 6/29/11; staff met on-site to review the site - determine wetland impacts and locating culverts. Engineers are going to propose a phased approach to permit application in order for Mr. Rimes to be able to obtain funding from the City of Worthington Springs. The engineers sent a contract proposal on 7/1/11, and Mr. Rimes to meet with the City 7/6/11. 7/26/11; letter received stating that engineer had been hired and resolution should be reached soon.	Mantini, Louis

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CE11-0005	BRADFORD	2/24/2011	10/12/2011	Unpermitted dredge & fill in wetlands.	Jacob Hake	20 days to contact District. Mr. Hake contacted the District on 2/26/11 and a site visit conducted on 3/11/11 with staff. A Compliance Agreement will be drafted to insure removal of vegetative and earthen debris from (AE) flood zone following an approximate delineation of this zone by staff using best available (GIS) data on 03/17/11. Compliance Agreement hand-delivered to Mr. Hake 4/1/11. Meeting 4/8/11 with staff to discuss Compliance Agreement. Mr. Hake was advised not to follow-through with his compliance agreement until he has formulated a site plan for activities he wishes to conduct on his property. Flooding issues, due to up- and downstream stormwater management, continue to be addressed by staff and must be to fully resolve this enforcement file. A field visit with FPL was conducted downstream on 05/31/11; and upstream issues were addressed regarding DuPont properties and stormwater management. Meeting 6/24/11 to discuss watershed. Meeting 7/1/11 with County to determine ditch maintenance. Site visit conducted on 9/14/11 identifying current source of flooding concerns as DuPont - Staff to follow-up with another discussion with DuPont and site visit by 10/12/11.	Mantini, Louis
CE11-0006	GILCHRIST	1/12/2011	11/15/2011	Unpermitted dredge & fill in wetlands.	Donald Barselou	20 days to contact District. Mr. Barselou contacted the District within the 20-day deadline, and a site visit was conducted with staff on 3/21/11. Compliance Agreement mailed 3/29/11 for signatures. Staff to meet on-site with Mr. Barselou and his consultants on 04/26/11. 5/2/11; received signed Compliance Agreements & penalty (\$1,716.93). An ERP application is due 6/16/11, according to the Consent Agreement. As of 7/6/11, application not received. 7/21/11; received ERP information. 8/16/11; RAI sent.	Mantini, Louis
CE11-0007	GILCHRIST	2/9/2011	10/11/2011	Unpermitted structure in floodway.	Richard & Rebecca Tenaglia	20 days to contact District. Received WOD application 3/2/11. 3/30/11: sent RAI. District staff met with Mr. Tenaglia on 4/8/11 to discuss draft compliance agreement (CA). CA mailed for signature 4/13/11. RAI mailed 4/15/11. CA returned unclaimed 5/2/11. 5/2/11; remailed regular mail per Respondent's request. CA received by Respondent but Respondent cannot return it at this time. 9/20/11; sent letter requesting return of CA by 10/11/11.	Robinson, Vince

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CE11-0010	GILCHRIST	3/17/2011	10/22/2011	Unpermitted development.	Richard Roberts	20 days to contact District. 3/22/11: Compliance Agreement being prepared & RAI sent. Mr. Roberts contacted the District on 3/22/11. Compliance Agreement received by Mr. Roberts on 3/21/11. 4/5/11; meeting at District. Executed the compliance agreement and paid penalty. 4/11/11; mailed executed Compliance Agreement. Conducted site inspection on 4/15/11, fill was removed and regraded but large mounds of cleared vegetation must still be removed from the floodway. RAI responses received on 4/21/11. Permit issued 4/28/11. Owner has requested a burn permit to burn vegetative piles. Has not been able to burn because of drought conditions. 7/19/11; Respondent came in and reported that he will work on burning the vegetative debris. Site visit 8/18/11 & 9/1/11. 9/7/11; letter sent. 45 days to remove vegetation debris.	Webster, Patrick
CE10-0055	DIXIE	11/10/2010	9/23/2011	Unpermitted ditch construction.	Glenn O'Steen - Bascom Gulf, LLC	14 days to contact District. Received a response on 11/29/10. Meeting 12/7/10 to discuss resolution. Staff and Mr. Osteen agreed upon a plan to install ditch blocks to resolve the excessive ditching. Concerned party updated of the resolution plan. Staff has scheduled to meet on 2/22/11 to discuss check-dam installation. During the 2/22/11 meeting, a suitable location for check-dam installation was identified in the field. The check-dam construction contractor requested that the site drain adequately, so equipment may be mobilized at this location. Staff inspected on 04/28/11. One check-dam was installed. John Hastings inspected the check-dam on 5/3/11, during a field visit and reported the check-dam was too narrow and too low. Staff informed Mr. Osteen of the check-dam inadequacies. Mr. Osteen will be advised to contact John Hastings for a more direct line of communication in this matter on 5/31/11. 8/8/11; letter sent. 45 days to address necessary modifications.	Mantini, Louis
CE10-0059	UNION	11/29/2010		Unpermitted construction.	Ms. Pat Harrell - City of Worthington Springs	This is related to CE10-0042, John Rimes, Jr., New River Villas.	

<i>CE #</i>	<i>County</i>	<i>Discovery Date</i>	<i>Date Action Required</i>	<i>Violation Summary</i>	<i>Respondent</i>	<i>Comments</i>	<i>Staff</i>
CE11-0019	COLUMBIA	3/24/2011	9/10/2011	Erosion & sediment control issues.	Palmer Daughtry - Emerald Cove Subdivision	21 days to contact District. Developer contacted the District within the allotted time and has scheduled a meeting for 6/22/11. At the 6/22/11 meeting, the developer agreed to request Columbia County take over operation and maintenance since he is no longer financially capable of providing such services. 8/23/11; letter sent stating 18 days to transfer to O&M to County or complete corrective action. 9/14/11; letter sent informing Mr. Daughtry staff is referring to Governing Board for initiation of legal proceedings.9/15/11; file sent to legal.	Link, James
CE11-0026	COLUMBIA	5/18/2011	9/10/2011	Unpermitted construction.	Clyde Higgs	21 days to contact District to schedule meeting. Meeting 6/10/11 to discuss violation. 6/13/11; letter sent requesting application by 9/10/11. 9/14/11; letter sent informing Mr. Higgs staff is referring to Governing Board for initiation of legal proceedings. 9/15/11; file sent to legal.	Marshall, Leroy
CE11-0033	GILCHRIST	5/16/2011	9/21/2011	Unpermitted fill in floodway.	William Walden, Sr.	20 days to contact District. Mr. Walden called on 6/14/11 and stated he should have the fill removed by 7/1/11. 7/28/11; Compliance agreement mailed for signatures. 30 days to return. 8/9/11; received signed compliance agreements & penalty. 8/11/11; returned executed compliance agreement. 45 days to resolve violation. Site inspection on 8/16/11. Mr. Walden removed the fill and seeded the bank. His survey should be finished by 8/30/11. 8/22/11; received survey. Meeting scheduled 9/21/11.	Robinson, Vince
CE11-0034	LAFAYETTE	5/16/2011	10/7/2011	Unpermitted fill in floodway.	Howard & Patricia Thomas	20 days to contact District. 6/8/11; received penalty & WOD application. 6/27/11; RAI sent. 8/8/11; meeting at District with Mr. Thomas. Requested 60 days to resolve violation.	Robinson, Vince
CE11-0035	SUWANNEE	7/25/2011	9/30/2011	Unpermitted filling & grading.	Dennis Music / DDJ Development Inc.	10 days to contact District. 8/17/11; letter sent requesting BMPs implementation as soon as possible. 08/22/11 telephone conversation with Dennis Music. Area has been fully seeded and mulched. In addition the major discharge area from DDJ property to the north has sod. Engineer is currently working on permit application and expected submittal to the District is late august. Haybails are being placed in the major discharge course of the unpermitted property to slow and lessen flow. Staff will inspect project on 08/23/11. Project inspection revealed grassing and sod well established at this time.9/1/11; ERP application received. Staff reviewing submittal. 09/15/11; RAI letter sent.	Bowden, Jerry

<i>CE #</i>	<i>County</i>	<i>Discovery Date</i>	<i>Date Action Required</i>	<i>Violation Summary</i>	<i>Respondent</i>	<i>Comments</i>	<i>Staff</i>
CE11-0036	TAYLOR	8/24/2011	12/6/2011	Unpermitted construction.	Oscar M. Howard, III/RT 207 Properties/Iron Horse Mud Ranch	Site visit 9/7/11. 9/13/11; NOV sent. 20 days to contact District. 9/16/11; received fax. Staff awaiting RAI response to proceed with Compliance Agreement.	Mantini, Louis
CE11-0038		9/15/2011 9:01:25 AM	9/30/2011	Late well completion report.	Shawn Ouellette	15 days to submit well completion reports. 9/19/2011; well completion report was received, no fines at this time.	Musgrove, Tilda
CE11-0039		9/15/2011 9:06:59 AM	9/30/2011	Late well completion report.	James R. Smith	15 days to submit well completion reports.	Musgrove, Tilda
CE11-0040		9/15/2011 9:08:46 AM	9/30/2011	Late well completion report.	James D. Williams	15 days to complete well completion reports. 9/16/2011; received well completion report, no fines received at this time. A fax cover sheet stating that the report was sent in on 9/7 or 9/8 was attached.	Musgrove, Tilda