

Suwannee River Water Management District

Governing Board Materials

# Water Supply and Resource Management

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

Director of Water Supply and  
Resource Management

Assistant Executive Director

Executive Director

## MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Senior Professional Engineer

DATE: October 20, 2011

RE: Environmental Resource Permit Application Number  
07-0288M, Josephine Recreational Project, Columbia County  
Regarding Lake City Management, LLC, CE10-0026

### RECOMMENDATION

**Staff recommends the Governing Board authorize revocation of General Environmental Resource Permit number 07-0288M issued to Lake City Development, LLC, for Josephine Recreational Project, Columbia County and to refer the stop payment of the surety bond check to the State Attorney's Office.**

### BACKGROUND

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

An Environmental Resource Permit (ERP) application was received on July 26, 2010, and a Request for Additional Information (RAI) was sent on August 11, 2010. Staff met with Mr. Oosterhoudt on February 4, 2011 and a Compliance Agreement (CA) was signed by Mr. Oosterhoudt on March 4, 2011. The CA specified a monthly payment schedule for the assessed penalty and administrative costs as well as other remedial actions.

After numerous meetings and correspondence, Lake City Management, LLC submitted payment as outlined in the CA and the necessary information required for permit issuance. The ERP was issued on August 17, 2011.

The \$5,000 surety bond check (number 3594, dated August 8, 2011) was returned to the District for Stop Payment. Staff sent Mr. Oosterhoudt a certified letter dated October 4, 2011 asking for the \$5,000 in cash or money order by October 18, 2011. Failure to do so would result in staff seeking Governing Board approval to revoke the ERP and initiate legal action. As of October 24, 2011, payment for the surety bond has not been received.

The project is partially built and does not have the necessary surety bond in place to assure as-built certification of the surfacewater management system.

TS/rl

October 20, 2011

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

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

Dear Mr. Oosterhoudt:

Suwannee River Water Management District (District) staff proposes to recommend to the Governing Board that your permit be revoked.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on November 9, 2011, which is open to the public.

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

Sincerely,

Tim Sagul, P. E., CFM  
Senior Professional Engineer

TS/rl

Enclosure

cc: Columbia County Board of Commissioners  
GTC Design Group

Certified Mail Receipt Number: 7010 1060 0001 1350 2236

## NOTICE OF RIGHTS

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

## NOTICE OF RIGHTS

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

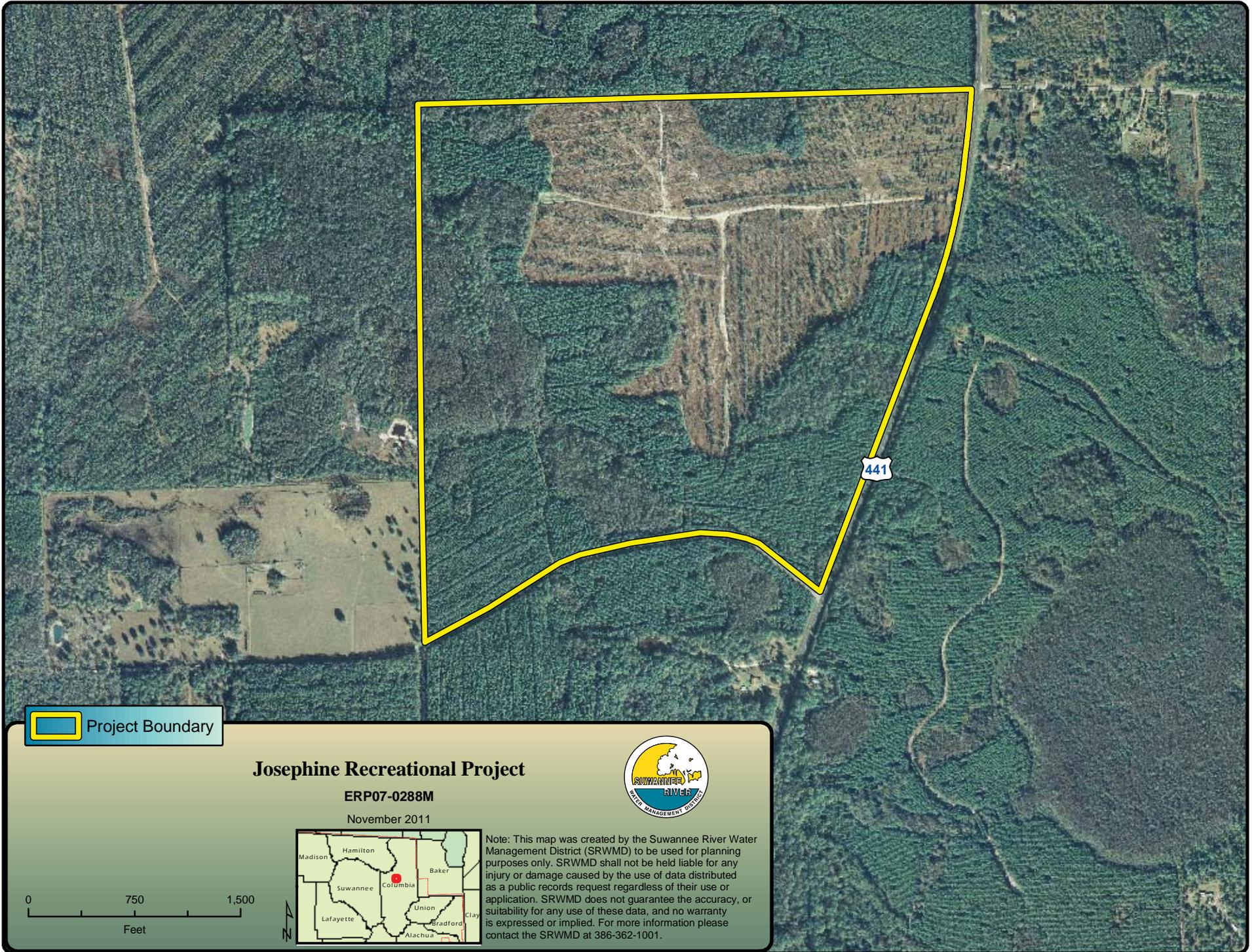
## CERTIFICATE OF SERVICE

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

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

At 4:00 p.m. this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

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



 Project Boundary

### Josephine Recreational Project

ERP07-0288M

November 2011



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

## MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Senior Professional Engineer

DATE: October 20, 2011

RE: Interagency Agreement with St. Johns River Water Management District regarding ERP11-0179, ABC Store 79B, Alachua County

### RECOMMENDATION

**Staff recommends the Governing Board authorize the Executive Director to execute an interagency agreement with St. Johns River Water Management District (SJRWMD) for Environmental Resource Permit application number 11-0179, for the delegation of regulatory responsibilities to Suwannee River Water Management District.**

### BACKGROUND

The project is located in the City of Gainesville, a local government with geographic area in both SJRWMD and SRWMD, and the discharge from the project drains to a project permitted by the SRWMD (ERP08-0190M, Wal-Mart SuperCenter #538-05 Modification, issued April 21, 2011). It will be more efficient for one district to assume regulatory responsibility for the project.

A boundary map and a copy of the proposed Interagency Agreement are attached to this memorandum.

TS/rl

**INTERAGENCY AGREEMENT  
BETWEEN  
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT  
AND  
SUWANNEE RIVER WATER MANAGEMENT DISTRICT  
FOR  
DESIGNATION OF REGULATORY RESPONSIBILITY  
FOR  
ABC STORE 79B, CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA**

THIS INTERAGENCY AGREEMENT is made and entered into by and between the ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (SJRWMD) and the SUWANNEE RIVER WATER MANAGEMENT DISTRICT (SRWMD).

WHEREAS, DRMP, Inc., has submitted a request by email on October 13, 2011 to SJRWMD, concerning the proposed ABC Store 79B (Project) to be located at NW 34<sup>th</sup> and NW 13<sup>th</sup> Streets, City of Gainesville, Alachua County, Florida, requesting water management district jurisdictional information for an Environmental Resource Permit application; and

WHEREAS, the Project is located in the City of Gainesville, a local government with geographic area within the jurisdictional boundaries of SJRWMD and SRWMD, and the discharge from the Project will cross the jurisdictional boundaries of SJRWMD and SRWMD; and

WHEREAS, the receiving area for the discharge has been permitted by SRWMD; and

WHEREAS, Subsection 373.046(6), F.S., authorizes affected water management districts to designate, by interagency agreement, regulatory responsibility to a single, affected water management district over a project located in the jurisdictional boundaries of a local government that crosses the boundary of both districts; and

WHEREAS, the designation of the SRWMD as the water management district with Part IV, Chapter 373, F.S., regulatory responsibility for the Project would allow for more efficient processing of permit applications under that part; and

WHEREAS, SJRWMD and SRWMD desire to designate SRWMD as the water management district with Part IV, Chapter 373, F.S., regulatory responsibility for the Project; and

NOW, THEREFORE, SJRWMD and SRWMD, under the authority of subsection 373.046(6), F.S., hereby agree as follows:

1. SJRWMD hereby designates to SRWMD all regulatory responsibilities under Part IV of Chapter 373, F.S., for those activities which are associated with the Project that lie within the jurisdictional boundaries of SJRWMD. Such regulatory responsibilities shall include receiving, processing, and taking final agency action on all environmental resource permit applications or modifications thereof, and taking any compliance and enforcement action with regard to those permits.
2. This Agreement will commence upon execution by all parties and will remain in effect until either party terminates such agreement for its convenience upon ninety (90) days written notice to the other party.

IN WITNESS WHEREOF, each party, or its lawful representative, has executed this Agreement on the date set forth next to its signature below.

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

Attest: \_\_\_\_\_

By: \_\_\_\_\_  
 David Still  
 Executive Director

Approved as to Legal Form and Content _____ George T. Reeves
---

Date: \_\_\_\_\_

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

Attest: \_\_\_\_\_

By: \_\_\_\_\_  
 Hans G. Tanzler, III  
 Executive Director

Date: \_\_\_\_\_



-  Project Boundary
-  Districts Line

**ABC Store 79B**  
 ERP11-0179  
 November 2011



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

## MEMORANDUM

TO: Governing Board  
FROM: Tim Sagul, Senior Professional Engineer  
DATE: October 20, 2011  
RE: Environmental Resource Permit Application Number 02-0548M, Silver Lake Dairy, Jefferson County, Regarding Silver Lake Dairy of Jefferson County, Inc., CE10-0016

### RECOMMENDATION

**Staff recommends the Governing Board authorize a time extension until December 31, 2011, to comply with the executed Compliance Agreement and authorize enforcement if Silver Lake Dairy of Jefferson County, Inc., fails to comply by the new compliance date.**

### BACKGROUND

The Permittee, Silver Lake Dairy of Jefferson County, Inc., was issued Environmental Resource Permit (ERP) number ERP02-0548 on January 21, 2003, to rebuild a discharge control structure.

The District opened a compliance action on February 9, 2010, in response to upstream flooding concerns. Investigation of the complaint found the discharge control structure was not constructed in accordance with the permitted plans. A Compliance Agreement was prepared requiring Silver Lake Dairy of Jefferson County, Inc., obtain a modification to permit number ERP02-0548 or build the structure in conformance with the permitted plan. The Compliance Agreement included a refundable penalty fee of \$1,125.00 contingent upon completion of construction by July 10, 2011.

Ms. Judy Miller, secretary of Silver Lake Dairy of Jefferson County, Inc., signed the Compliance Agreement and it was ratified by the Executive Director on December 9, 2010. To date, the conditions of the Consent Agreement have not been met (construction has not been completed). Ms. Miller requested an extension until December 31, 2011, to bring project in to compliance.

TS/rl

Attachments: Compliance Agreement, Permit and Map

SUWANNEE RIVER WATER MANAGEMENT DISTRICT  
COMPLIANCE AGREEMENT

IN RE: SUWANNEE RIVER WATER  
MANAGEMENT DISTRICT

VS.

JUDY F. MILLER  
SILVER LAKE DAIRY OF JEFFERSON  
COUNTY, INC.  
240 W. WASHINGTON STREET  
MONTICELLO, FL 32344-1442

Scanned

CE NUMBER CE10-0016

This Environmental Resource Permit (ERP) Compliance Agreement is entered into by Judy F. Miller, Secretary of Silver Lake Dairy of Jefferson County, Inc. ("Respondent"), and the Suwannee River Water Management District ("District"), to settle certain matters at issue between them under chapter 373, Florida Statutes (FS), and chapters 40B-1, 40B-4, and 40B-400, Florida Administrative Code (FAC).

1. The District is a special taxing district established by chapter 373, FS, and charged with the duty to administer and enforce chapter 373, FS, and the rules promulgated thereunder, including chapters' 40B-1, 40B-4, and 40B-400, FAC.
2. Respondent owns or controls real property (the "subject property") located in Township 2 North, Range 6 East, Section 18, Jefferson County and referred to as Parcel ID 18-2N-6E-0000-0042-0000.
3. As discovered on February 9, 2010, Respondent violated section 373.430(1)(b), FS, and 40B-1.702(3) and 40B-4.1040(1) and 40B-4.1140, FAC, by failing to construct a surfacewater management system according to permit number ERP02-0548.
4. The District has jurisdiction over this matter, Respondent, and the subject property. See sections 373.069(2)(c), 373.413, and 373.416, FS.
5. The District is authorized under section 373.129, FS, to seek injunctive relief and/or a civil penalty not to exceed ten thousand dollars (\$10,000.00), per offense per day, for violations of chapter 373, FS, and the rules promulgated thereunder.
  - Respondent agrees to pay a settlement penalty of \$1,500 and staff costs of \$805.65 Within ten (10) days of rendition of this Compliance Agreement, Respondent shall deliver to the District a cashier's check or money order made payable to the Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, in the total amount of \$2,305.65. Any sums unpaid within the time frame provided herein shall bear interest at the rate of 1.5 percent per month until paid or the District shall have the right to terminate this agreement.

6. Respondent agrees to complete the following corrective actions:

Scanned

**A. Remediation**

No later than 15 days from rendition of this order, Respondent shall:  
Provide written documentation to the District detailing how the structure will be repaired and brought into proper functioning capacity and into compliance with ERP02-0548, District rules and Florida Statutes; and

Within 30 days of District approval of the proposed corrective actions, perform to the satisfaction of the District all work necessary to bring the system into proper functioning condition and into compliance with ERP02-0548; and

Within 15 days after the approved work is completed, provide properly completed as-built certification forms Sections A, B and C to the District.

*Or*

**B. Modification**

No later than 15 days from rendition of this order, Respondent shall:

Submit a permit modification application plan to the District detailing how the structure will be modified, corrected and brought into proper functioning capacity and into compliance with ERP02-0548, District rules and Florida Statutes; and

Timely and cooperatively provide all additional information requested by the District regarding the permit modification application throughout the permitting process; and

Within 90 days of District approval of the permit modification, perform to the satisfaction of the District all work necessary to bring the system into a properly functioning condition and into compliance with the conditions of the modified permit; and

Within 15 days after the modification work is completed, provide properly completed as-built certification forms Sections A, B and C to the District.

7. If Respondent completes all actions in either 6.(A). or 6.(B). within the specified timeframes, District shall reimburse \$1,125.00 of the penalty specified in paragraph 5 above.

8. Respondent shall not undertake any further construction on the subject property except as authorized by District permit and this Compliance Agreement.

9. Entry of this Compliance Agreement does not relieve Respondent of the need to comply with any applicable federal, state, or local laws, regulations, or ordinances.
10. Respondent shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards, in accordance with the guidelines and specifications in the latest version of The Florida Stormwater, Erosion and Sedimentation Control Inspectors Manual.
11. The complete and timely performance of the obligations set forth herein shall be dispositive of the violation(s).
12. By execution of this Compliance Agreement, Respondent waives his rights to an administrative hearing pursuant to F.S. § 120.57, and his right of appeal pursuant to F.S. § 120.68 or F.S. Chapter 373, with regard to the terms of this Compliance Agreement.
13. Nothing herein shall be construed to limit the authority of the District to undertake enforcement or legal actions against Respondent in response to conditions that may present an imminent hazard to the public health, welfare, or the environment.
14. District hereby expressly reserves the right to initiate appropriate administrative or legal action to prevent or prohibit future violation of applicable statutes or any rules promulgated there under, or to protect the public health, safety, or general welfare.
15. The terms and conditions set forth in this Compliance Agreement may be enforced in a court of competent jurisdiction, pursuant to F.S. § 120.69, and F.A.C. Chapter 28, or any other applicable rule or statute, and Respondent consents to entry of final judgment by a court of competent jurisdiction to enforce the terms of the agreement plus attorneys' fees and costs, pursuant to F.S. § 373.129, if Respondent fails to comply. Failure to comply with the terms of this Compliance Agreement shall constitute a violation of F.A.C. Chapter 28, and the appropriate statutes.
16. Either party failing to comply with the terms hereof shall be liable to the other party for reasonable attorneys' fees and costs incurred by such other party by virtue of such failure.
17. This Compliance Agreement contains the entire agreement between the parties, and any agreement to amend or modify this Compliance Agreement will be ineffective unless it is in writing and signed by both parties.

Scanned

**Respondent**

12-1-10  
Date

Judy F. Miller  
(Signature)  
Judy F. Miller  
Silver Lake Dairy Of Jefferson  
County, Inc

Judy F. Miller  
(Printed Name)

**Suwannee River Water  
Management District Staff**

11/29/10  
Date

Lon Martin  
(Signature)

Louis Martin  
(Printed Name)

12/7/10  
Date

Timothy J. Sagul  
District Clerk/ Deputy Clerk

Timothy J. Sagul  
(Printed Name)

Rendered this 9 day of Dec., 2010.

David Still  
David Still  
Executive Director/Secretary

\*\*Notice of Rights is herewith attached to this document



**NOTICE OF RIGHTS**

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

NOTICE OF RIGHTS

Scanned

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

CERTIFICATE OF SERVICE

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

**JUDY MILLER**  
**SILVER LAKE DAIRY OF JEFFERSON COUNTY, INC.**  
**240 W. WASHINGTON STREET**  
**MONTICELLO, FL, 32344-1442**

At 4:00 p.m. this 29 day of Nov, 2010

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



Scanned

**SUWANNEE  
RIVER  
WATER  
MANAGEMENT  
DISTRICT**

9225 CR 49  
LIVE OAK, FLORIDA 32060  
TELEPHONE: (386) 362-1001  
TELEPHONE: 800-226-1066  
FAX (386) 362-1056

**GENERAL PERMIT**

**PERMITTEE:**  
SILVER LAKE DAIRY, INCORPORATED  
240 WEST WASHINGTON  
MONTICELLO, FL 32344

**PERMIT NUMBER:** ERP02-0548M  
**DATE ISSUED:** 04/07/2011  
**DATE EXPIRES:** 04/07/2014  
**COUNTY:** JEFFERSON  
**TRS:** S18/T2N/R6E

**PROJECT:** SILVER LAKE DAIRY MODIFICATION

Approved entity to whom operation and maintenance may be transferred pursuant to rule 40B-4.1130, Florida Administrative Code (F.A.C.):

JUDY MILLER  
SILVER LAKE DAIRY, INCORPORATED  
240 WEST WASHINGTON  
MONTICELLO, FL 32344

Based on information provided, the Suwannee River Water Management District's (District) rules have been adhered to and an environmental resource general permit is in effect for the permitted activity description below:

**Modification of an existing impoundment spillway on a total project area of 1.0 acres in a manner consistent with the application package submitted by leland Smith P.E. of Environmental Consulting and Technology certified on March 17, 2011.**

It is your responsibility to ensure that adverse off-site impacts do not occur either during or after construction. Any additional construction or alterations not authorized by this permit may result in flood control or water quality problems both on and off site and will be a violation of District rule.

You or any other substantially affected persons are entitled to request an administrative hearing or mediation. Please refer to enclosed notice of rights.

This permit is issued under the provisions of chapter 373, F.S., chapter 40B-4, and chapter 40B-400, F.A.C. A general permit authorizes the construction, operation, maintenance, alteration,

abandonment, or removal of certain minor surface water management systems. This permit authorizes the permittee to perform the work necessary to construct, operate, and maintain the surface water management system shown on the application and other documents included in the application. This is to notify you of District's agency action concerning Notice Of Intent. This action is taken pursuant to rule 40B-4 and 40B-400, F.A.C.

Standard Conditions for All General Permits:

1. The permittee shall perform all construction authorized in a manner so as to minimize adverse impacts to fish, wildlife, natural environmental values, and water quality. The permittee shall institute necessary measures during construction including riprap, reinforcement, or compaction of any fill materials placed around newly installed structures, to minimize erosion, turbidity, nutrient loading, and sedimentation in the receiving waters.
2. Water quality data representative of the water discharged from the permitted system, including, but not limited to, the parameters in chapter 62-302, F.A.C., shall be submitted to the District as required. If water quality data are required, the permittee shall provide data as required on the volume and rate of discharge including the total volume discharged during the sampling period. All water quality data shall be in accordance with and reference the specific method of analysis in "Standard Methods for the Examination of Water and Wastewater" by the American Public Health Association or "Methods for Chemical Analysis of Water and Wastes" by the U.S. Environmental Protection Agency.
3. The operational and maintenance phase of an environmental resource permit will not become effective until the owner or his authorized agent certifies that all facilities have been constructed in accordance with the design permitted by the District. If required by the District, such as-built certification shall be made by an engineer or surveyor. Within 30 days after the completion of construction of the system, the permittee shall notify the District that the facilities are complete. If appropriate, the permittee shall request transfer of the permit to the responsible entity approved by the District for operation and maintenance. The District may inspect the system and, as necessary, require remedial measures as a condition of transfer of the permit or release for operation and maintenance of the system.
4. Off-site discharges during and after construction shall be made only through the facilities authorized by the permit. Water discharged from the project shall be through structures suitable for regulating upstream stage if so required by the District. Such discharges may be subject to operating schedules established by the District.
5. The permit does not convey to the permittee any property right nor any rights or privileges other than those specified in the permit and chapter 40B-1, F.A.C.

6. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, operation, maintenance, alteration, abandonment, or development in a Works of the District which is authorized by the permit.
7. The permit is issued based on the information submitted by the applicant which reasonably demonstrates that adverse off-site water resource impacts will not be caused by the permitted activity. It is the responsibility of the permittee to insure that such adverse impacts do not in fact occur either during or after construction.
8. It is the responsibility of the permittee to obtain all other clearances, permits, or authorizations required by any unit of local, state, or federal government.
9. The surfacewater management system shall be constructed prior to or concurrent with the development that the system is intended to serve and the system shall be completed within 30 days of substantial completion of the development which the system is intended to serve.
10. Except for General Permits After Notice or permits issued to a unit of government, or unless a different schedule is specified in the permit, the system shall be inspected at least once every third year after transfer of a permit to operation and maintenance by the permittee or his agent to ascertain that the system is being operated and maintained in a manner consistent with the permit. A report of inspection is to be sent to the District within 30 days of the inspection date. If required by chapter 471, F.S., such inspection and report shall be made by an engineer.
11. The permittee shall allow reasonable access to District personnel or agents for the purpose of inspecting the system to insure compliance with the permit. The permittee shall allow the District, at its expense, to install equipment or devices to monitor performance of the system authorized by their permit.
12. The surfacewater management system shall be operated and maintained in a manner which is consistent with the conditions of the permit and chapter 40B-4.2040, F.A.C.
13. The permittee is responsible for the perpetual operation and maintenance of the system unless the operation and maintenance is transferred pursuant to chapter 40B-4.1130, F.A.C., or the permit is modified to authorize a new operation and maintenance entity pursuant to chapter 40B-4.1110, F.A.C.
14. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.

15. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.

16. Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.

17. Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan. If site-specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

18. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than seven days after the construction activity in that portion of the site has temporarily or permanently ceased.

19. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District a Construction Commencement Notice Form No. 40B-1.901(14) indicating the actual start date and the expected completion date.

20. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an Annual Status Report Form No. 40B-1.901(15). These forms shall be submitted during June of each following year.

21. For those systems which will be operated or maintained by an entity requiring an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by Paragraph 40B-4.2030(2)(g), F.A.C., and Rule 40B-4.2035, F.A.C., must be submitted to the District for approval. Documents meeting the requirements set forth in these subsections of District rules will be approved. Deed restrictions, easements and other

operation and maintenance documents which require recordation either with the Secretary of State or Clerk of the Circuit Court must be so recorded prior to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.

22. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.

23. Within 30 days after completion of construction of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, using the supplied As-Built Certification Form No. 40B-1.901(16) incorporated by reference in Subsection 40B-1.901(16), F.A.C. When the completed system differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed form shall serve to notify the District that the system is ready for inspection. The statement of completion and certification shall be based on on-site observation of construction (conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at a minimum, shall be verified on the as-built drawings:

- a. Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;
- b. Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;
- c. Dimensions, elevations, contours, or cross-sections of all treatment storage areas sufficient to

determine stage-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate;

d. Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system;

e. Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;

f. Existing water elevation(s) and the date determined; and

g. Elevation and location of benchmark(s) for the survey.

24. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of the condition in paragraph 23 above, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District in accordance with Rule 40B-4.2035, F.A.C., accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the approved responsible operation and maintenance operating entity if different from the permittee. Until the permit is transferred pursuant to Rule 40B-4.1130, F.A.C., the permittee shall be liable for compliance with the terms of the permit.

25. Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the District of the changes prior to implementation so that a determination can be made whether a permit modification is required.

26. This permit does not eliminate the necessity to obtain any required federal, state, local and special District authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and in this chapter and Chapter 40B-4, F.A.C.

27. The permittee is hereby advised that Section 253.77, F.S., states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary

authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

28. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under 40B-400.046, F.A.C., provides otherwise.

29. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rule 40B-4.1130, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.

30. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District.

31. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

Special limiting conditions made part of this permit are as follows:

32. Construction to be completed by July 10, 2011.

WITHIN 30 DAYS AFTER COMPLETION OF THE PROJECT, THE PERMITTEE SHALL NOTIFY THE DISTRICT, IN WRITING, THAT THE FACILITIES ARE COMPLETE.

Approved by *John H. [Signature]* Date Approved 4-7-11  
District Staff

*[Signature]* Clerk *[Signature]* Executive Director



#### NOTICE OF RIGHTS

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

7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.

8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.

9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.

10. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.

11. Failure to observe the relevant time frames for filing a petition for judicial review, or for Commission review, will result in waiver of the right to review.

#### CERTIFICATE OF SERVICE

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

SILVER LAKE DAIRY, INCORPORATED  
240 WEST WASHINGTON  
MONTICELLO, FL 32344

At 4:00 p.m. this 14 day of April, 2011.



Jen M. Dinges  
Deputy Clerk  
Suwannee River Water Management District  
9225 C.R. 49

Permit No.: ERP02-0548M

Project: SILVER LAKE DAIRY MODIFICATION

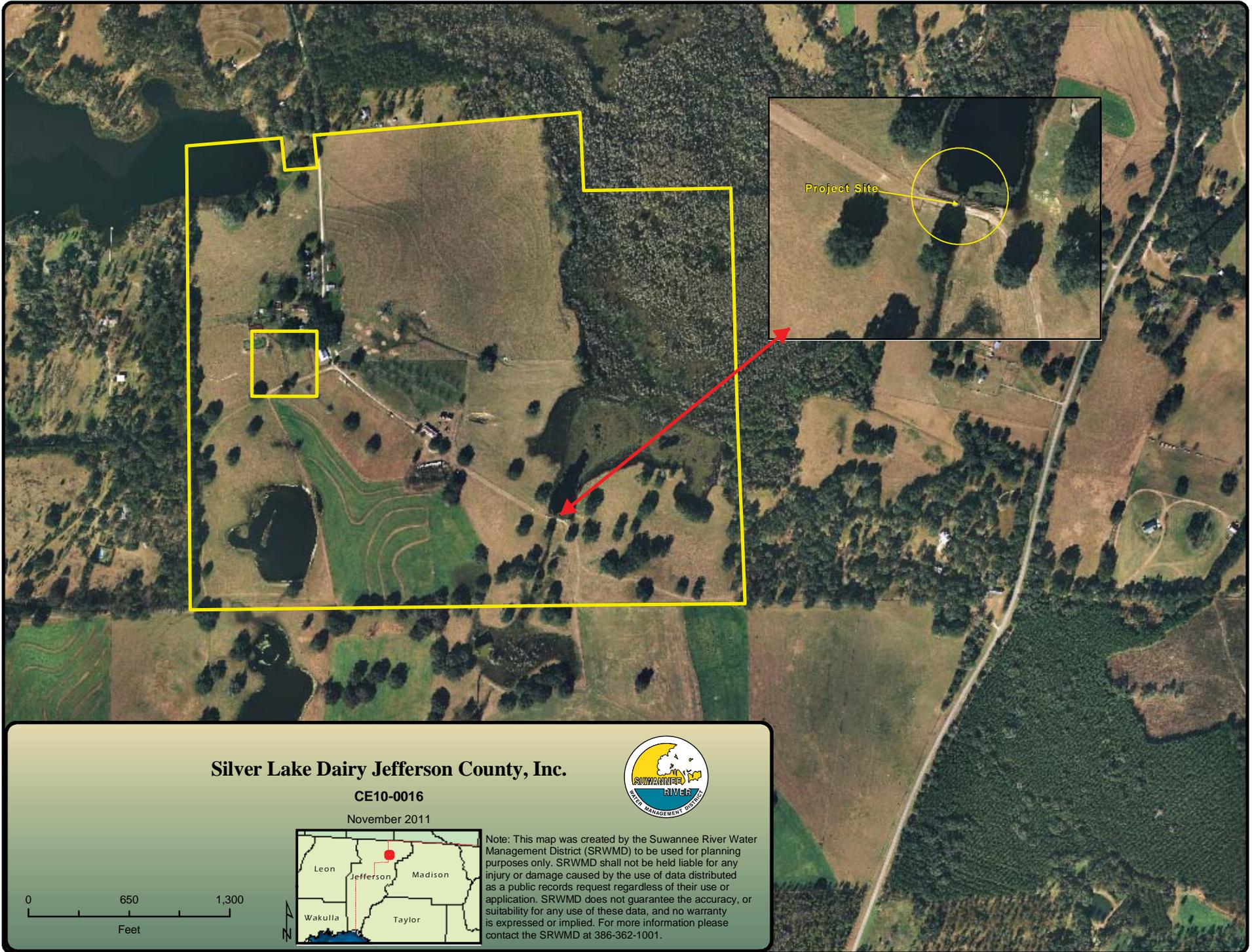
Scanned

Page 10 of 10

---

Live Oak, Florida 32060  
386.362.1001 or 800.226.1066 (Florida only)

cc: File Number: ERP02-0548M



# Silver Lake Dairy Jefferson County, Inc.

CE10-0016

November 2011



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



## MEMORANDUM

TO: Governing Board

FROM: Carlos Herd, Senior Hydrogeologist

DATE: October 20, 2011

RE: Authorization to Enter into an Interlocal Agreement with the City of Fanning Springs for a Cooperative Reclaimed Water Program

### RECOMMENDATION

**Staff recommends the Governing Board authorize the Executive Director to enter into an Interlocal Agreement with the City of Fanning Springs to provide cost share funding for a reclaimed water project for a total cost not to exceed \$400,000.**

### BACKGROUND

In 2010, the City of Fanning Springs developed a plan to deliver reclaimed wastewater to Simpson Farms for irrigation. The plan includes upgrades to the proposed wastewater treatment facility and a reuse water main from the treatment facility to Simpson Farms. The plan was contingent upon the Suwannee River Water Management District being able to provide cost share funding for the project. The attached Interlocal Agreement proposes to provide up to \$400,000 to the City for construction costs on a reimbursement basis. The City's engineer provided an opinion of total probable project cost at \$435,000. Any additional construction cost above \$400,000 will be paid by the City of Fanning Springs.

Simpson Farms owns and operates a farm that is located approximately two miles east of the City. The proposed 12-inch reclaimed water main will provide approximately 50,000 gallons per day initially and up to 500,000 gallons of reclaimed water per day as wastewater flows for the City of Fanning Springs increase.

Simpson Farms, under Water Use Permit number 2-11-00006, is authorized to withdraw 0.2136 million gallons per day on an average basis and 3.56 million gallons maximum on any day from the Floridan aquifer. The permit, issued June 3, 2011, for 20 years, requires Simpson Farms to use reclaimed water if it becomes available. This project would make the reclaimed water available. The Floridan aquifer allocation would be placed on standby for use if the reclaimed water is not available in sufficient quantity to meet irrigation demands. Staff will ensure that Simpson Farms monitors Floridan aquifer withdrawals once the project is complete.

The City of Fanning Springs proposes to construct, as a component of the new wastewater plant, a 500,000 gallon reclaimed water storage tank. Excess reclaimed water not needed by Simpson Farms can be stored in the tank or sprayed on the City's sprayfield.

The reclaimed water will offset irrigation demands from the upper Floridan aquifer and provide for beneficial use of nutrients in the reclaimed water. The proposed project is consistent with the intent of Chapter 373.707, Florida Statutes, which is to encourage cooperation in the development of water supplies and to provide for alternative water supply development. The proposed project is also consistent with the District's goal of using the lowest quality of water when feasible in order to protect water resources.

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

DJ/dd

**INTERLOCAL AGREEMENT  
BETWEEN  
SUWANNEE RIVER WATER MANAGEMENT DISTRICT  
AND  
CITY OF FANNING SPRINGS  
FOR  
COOPERATIVE RECLAIMED WATER PROGRAM**

THIS INTERLOCAL AGREEMENT (“Agreement”), by and between the SUWANNEE RIVER WATER MANAGEMENT DISTRICT, a special taxing District organized under Chapter 373, Florida Statutes, whose address is 9225 County Road 49, Live Oak, Florida 32060, hereinafter called “DISTRICT”, and the CITY OF FANNING SPRINGS, a Political Subdivision of the State of Florida, whose address is 17651 Northwest 90<sup>th</sup> Court, Fanning Springs, Florida 32693, hereinafter called “CITY”, is entered into four originals this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

WITNESSETH:

WHEREAS, CITY and DISTRICT desire to promote the efficient use of reclaimed water and conserve groundwater resources; and,

WHEREAS, CITY and DISTRICT have identified areas where reclaimed water can be effectively and efficiently used; and,

WHEREAS, DISTRICT desires to assist CITY in maximizing the use of reclaimed water by providing cost share funding for an alternative water supply project consistent with Chapter 373.707, Florida Statutes; and,

WHEREAS, the project involves the expenditure of funds as allocated in the DISTRICT’s Fiscal Year 2011-2012 budget.

NOW THEREFORE, the parties agree to the following:

A) The purpose of this Interlocal Agreement is to set forth the responsibilities of CITY and DISTRICT for construction of an alternative water supply project (hereinafter referred to as the "Project").

B) The Project's scope of work is attached hereto as Attachment A, "Scope of Work", and made a part of this Agreement. Attachment A also contains a site plan illustrating the wastewater collection and treatment facility and proposed reuse main layout.

C) Upon execution of this Agreement, CITY shall implement the approved project by contracting with the necessary firms to construct project. CITY may seek reimbursement from DISTRICT for its construction costs contracted or paid to Third party by providing proof of contractors' payment. Such invoices shall not exceed construction costs up to \$400,000 for the life of this Agreement. CITY shall not request compensation for in-kind services. Invoices shall describe the construction, the costs of such construction, and the date of construction. Each invoice must include the following certification, and CITY hereby agrees to delegate authority to its Project Manager to affirm said certification:

"I hereby certify that the costs requested for payment, as represented in this invoice, are for construction costs under the Cooperative Reclaimed Water Program Agreement between the Suwannee River Water Management District and the City of Fanning Springs, Agreement No. \_\_\_\_\_, are allowable, allocable, properly documented, and are in accordance with the approved budget and scope of work."

D) DISTRICT's reimbursement shall not cover engineering, design, permitting, or as-built services. CITY agrees to pay all costs in excess of \$400,000 construction costs relating to the Project, including planning, design, engineering, and/or additional construction costs, such as for implementation of the approved project under this Agreement.

E) During construction, CITY shall submit a progress status report to DISTRICT on the 15<sup>th</sup> of each month. A final progress report shall be submitted to DISTRICT upon completion of construction.

MISCELLANEOUS.

F) DISTRICT and CITY agree that the following persons are the designated representatives and are to have direct, primary, and continuing responsibility for the work under this Agreement. CITY's representative shall have authority to interpret this Agreement for CITY and act to give all approvals for CITY.

**DISTRICT**

Dale Jenkins  
9225 C.R. 49  
Live Oak, FL 32060  
386.362.1001  
[DJR@srwmd.org](mailto:DJR@srwmd.org)

**CONTRACTOR**

Mayor Cheryl Nekola  
17651 Northwest 90<sup>th</sup> Court  
Fanning Springs, FL 32693  
352.463.2855  
[mayornekola@bellsouth.net](mailto:mayornekola@bellsouth.net)

G) This Agreement shall remain in effect until December 31, 2013, unless the project is completed prior to such date.

H) CITY shall maintain books, records and documents directly pertinent to performance under this Agreement in accordance with generally accepted accounting principles consistently applied. DISTRICT, or its authorized representative, shall have access to such records for audit purposes during the term of this Agreement and for three years following completion.

I) CITY shall secure and obtain all local, regional, state, federal, and any other permits required for activities listed herein and shall adhere to all permitting requirements.

J) CITY shall be responsible for the operation and maintenance of any reclaimed water facility or structure constructed under this Agreement.

K) This Agreement shall become effective on the date it is executed by the last party to execute it. A fully executed copy shall be filed with the Offices of the Suwannee County and Gilchrist County Clerk of Courts. The parties may, at any time in writing, modify this Agreement by mutual consent.

L) Nothing in this Agreement shall be construed as either limiting or extending the statutory jurisdiction of any of the signatories hereto.

M) This Agreement is between CITY and DISTRICT and shall not be interpreted to be for the benefit of any party or entity not signing this Agreement.

N) Either party may terminate this Agreement upon thirty (30) days written notice to the other party.

IN WITNESS WHEREOF, CITY and DISTRICT have hereto set their hands and seals on the day and year indicated below.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011 by CITY.

**CITY OF FANNING SPRINGS**

WITNESS:

By: \_\_\_\_\_  
Cheryl Nekola,  
Mayor

\_\_\_\_\_  
\_\_\_\_\_  
(Print Name)

Approved as to Form and Legality

By: \_\_\_\_\_  
Conrad Bishop  
Attorney

\_\_\_\_\_  
\_\_\_\_\_  
(Print Name)

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT**

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011 by DISTRICT.

WITNESS:

By: \_\_\_\_\_  
David Still,  
Executive Director

\_\_\_\_\_  
\_\_\_\_\_  
(Print Name)

Approved as to Form and Legality

By: \_\_\_\_\_  
George T. Reeves,  
Legal Counsel

\_\_\_\_\_  
(Print Name)

Reviewed and Approved

Approved as to Conformance to District  
Budgetary and Administrative  
Procedures

By: \_\_\_\_\_  
Dale Jenkins,  
Project Manager

By: \_\_\_\_\_  
Jon Dinges, Director,  
Water Supply & Resource Mgmt.

<b>MITTAUER &amp; ASSOCIATES, INC.</b>		Subject: Prelim. Opinion of Project Cost			
<b>CONSULTING ENGINEERS</b>		Project: Simpson Farm Reuse System			
<b>580-1 WELLS ROAD</b>		Client: City of Fanning Springs			
<b>ORANGE PARK, FL 32073</b>		Job No.: 9805-12-1		Sht.: 1	
<b>TEL: (904) 278-0030</b>		Prepared By: MIH/JAM		Date: 9-8-11	
<b>FAX: (904) 278-0840</b>					
<b>OPINION OF PROBABLE PROJECT COST</b>					
BASIS FOR ESTIMATE: <input checked="" type="checkbox"/> PRE-DESIGN STUDY, <input type="checkbox"/> PRELIMINARY DESIGN, <input type="checkbox"/> FINAL DESIGN, <input type="checkbox"/> BID					
Item No.	Item Description	Estimated Quantity	Unit	Unit Price	Estimated Cost
<b><u>SIMPSON FARM REUSE SYSTEM</u></b>					
<b>A</b>	<b>PRELIMINARY PROJECT PLANNING TASK</b>				
	Engineering Services during the planning of the project				By Others
					\$0
		<b>TOTAL FOR TASK "A"</b>			<b>\$0</b>
<b>B</b>	<b>ENGINEERING DESIGN SERVICES</b>				
1	Basic Engineering Design Services				\$26,200
2	Additional Engineering Services				
a	Topographic Surveying				\$9,900
b	Prepare Permit Modifications: DEP WWTP, DEP Effluent Disposal				\$5,400
					<b>\$41,500</b>
		<b>TOTAL FOR TASK "B"</b>			<b>\$41,500</b>
<b>C</b>	<b>CONSTRUCTION PHASE SERVICES</b>				
1	Mobilization (5% of Total)	1	LS	\$15,900	\$15,900
2	12" PVC Reuse Main	6,600	LF	\$22	\$145,200
3	8" PVC Reuse Main	150	LF	\$18	\$2,700
4	Clearing along Reuse Main	3,000	LF	\$5	\$15,000
5	Reclaimed Water H.S. Pumps (1,200 gpm ea), Conc pad, Pip	2	EA	\$30,000	\$60,000
6	Air Release Valve	1	EA	\$4,000	\$4,000
7	12" Gate Valve & Box	1	EA	\$3,000	\$3,000
8	8" Gate Valve & Box	1	EA	\$2,500	\$2,500
9	8" RPZ Assembly	2	EA	\$7,000	\$14,000
10	10K Hydropneumatic Tank, Foundation, Air Compressor	1	EA	\$30,000	\$30,000
11	Connection to Existing Irrigation System	2	LS	\$6,000	\$12,000
12	Electrical, Controls & w/ VFD	1	LS	\$25,000	\$25,000
13	Misc. Clearing & Restoration	1	LS	\$5,000	\$5,000
14	Construction Contingencies	10%	LS	\$334,300	\$33,700
15	Basic Engineering Construction Services				\$6,500
16	Resident Observation Services				\$19,000
					<b>\$393,500</b>
		<b>TOTAL FOR TASK "C"</b>			<b>\$393,500</b>
	<b>TOTAL OPINION OF PROBABLE PROJECT COST</b>				<b>\$435,000</b>



MEMORANDUM

TO: Governing Board

FROM: Hugh Thomas, Suwannee River Partnership Coordinator

DATE: October 20, 2011

SUBJECT: Authorization to Continue Suwannee River Partnership Cooperative Conservation Technician Services

RECOMMENDATION

**Staff recommends the Governing Board continue co-funding three Conservation Technician positions associated with the Suwannee River Partnership (SRP) program with the Florida Department of Agriculture and Consumer Services (FDACS) for a contract period of six months. The District's cost for these positions will not exceed \$45,000.**

BACKGROUND

FDACS and the District have recognized the need to provide technical support services to farmers operating within the Suwannee River Water Management District to implement and maintain Best Management Practices (BMPs). These services have been critical to the overall SRP mission to help protect and save water in the District.

FDACS and the District have been providing funds for this effort for the last four years with FDACS entering into agreements with the Gilchrist County Soil & Water Conservation District, Lafayette County Soil & Water Conservation District, and Suwannee County Conservation District for these three positions. The

Conservation Districts employ three conservation technicians who work under the direction of FDACS to supply these services to the farmers.

Garrett McCray – Suwannee and Hamilton Counties

William Hart – Lafayette and Taylor Counties

John Stubblefield – Gilchrist, Dixie, Levy, Alachua, Columbia, Union and Bradford Counties

This six-month timeframe is requested in order to synchronize the renewal of this agreement with the SRP's shared position agreement.

Among other things, these technicians work one-on-one with farmers to help implement BMPs for fertilizer, irrigation, and waste management.

Funds for this project are provided for in the Fiscal Year 2012 budget within fund 29.

HT/dd

## Memorandum

TO: Governing Board  
FROM: Megan Wetherington, Senior Professional Engineer  
DATE: October 20, 2011  
RE: Procurement of Equipment for Water Resource Monitoring Network  
Modernization and Automation

### RECOMMENDATION

**Staff recommends the Governing Board authorize the Executive Director to purchase data collection and transmission equipment for an amount not to exceed \$214,300.**

### BACKGROUND

The District's water level monitoring network is largely dependent on manual readings and obsolete equipment. The majority of water levels are read during 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. Many long-term sentinel wells are equipped with punch-tape recorders that require paper tape and tape readers that are no longer manufactured or repairable. Automation and telemetry will reduce the frequency of field visits from monthly to quarterly or greater, thus reducing costs and increasing the ability of existing staff to perform other tasks. Automation also results in improved data quality, continuity, accessibility, and integrity. Automated delivery minimizes labor and handling, resulting in less missing data caused by calculation error, data entry error, and loss of physical logs. Electronic records reduce the cost of archiving and retrieval of handwritten and paper-tape records.

In April 2011, staff held a workshop with the Governing Board regarding the modernization of the network. The budget estimate at that time, as a worst case scenario, was \$472,000. Assuming a 10% equipment replacement budget and telemetry data charges of \$10 per month per station based on cellular delivery, staff estimated that capitalization will be compensated by reduced costs within

five years. Efforts to date have eliminated the replacement of a retired technician without a loss of network integrity. These efforts have included reworking routes, installing and repairing relatively new equipment donated by other agencies, and reducing data entry time.

As part of the effort to further increase efficiency by automating the collection of groundwater and surfacewater levels, staff requests the purchase of the equipment listed in Table 1. These components comprise the data collection platform needed to automate the District's network. The components are accessories to water level sensors such as the pressure transducers (not to exceed \$80,000) approved for purchase in October 2011 and shaft encoders. Staff is pursuing the rental of shaft encoders from the U.S. Geological Survey instead of purchasing, which will result in significant cost savings.

Telemetry under this proposal is represented by cell modems. The District began using cell modems in 2008 as an alternative to landline telephone modems. Staff observed improvements in transmission success and reduced equipment failures, along with a significantly lower monthly cost. However, there are alternatives to cell modems such as radio telemetry and internet access. Hardware costs are equivalent to modems but would not have a monthly subscription. These alternatives require the cooperation of other agencies to collocate equipment on their facilities. Staff cannot determine item quantities until negotiation with other agencies is finished, so the cell modem quantities serve as a placeholder to provide flexibility in later procurement.

The items listed are the major components of the data collection platforms (Figure 1). The equipment will automate 130 wells, lake gages, and river gages including spares. Also included, as a contingency for procurement of projects currently under development, are 10 potential new sites for the minimum flows and levels project and 5 potential gages for a Florida Department of Transportation wetland mitigation project, both of which would be reimbursed. Not listed are miscellaneous hardware and field fittings, estimated at \$250 per site. Largely due to the use of donated hardware, staff calculates the capital cost of project completion as less than \$400,000.

Certain types of equipment, such as dataloggers and datalogger accessories, would be purchased from a sole source provider to conform to existing data collection software and databases.

Staff is proposing to buy other components under the prices negotiated by other agencies, including 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 other agency contracts, 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.

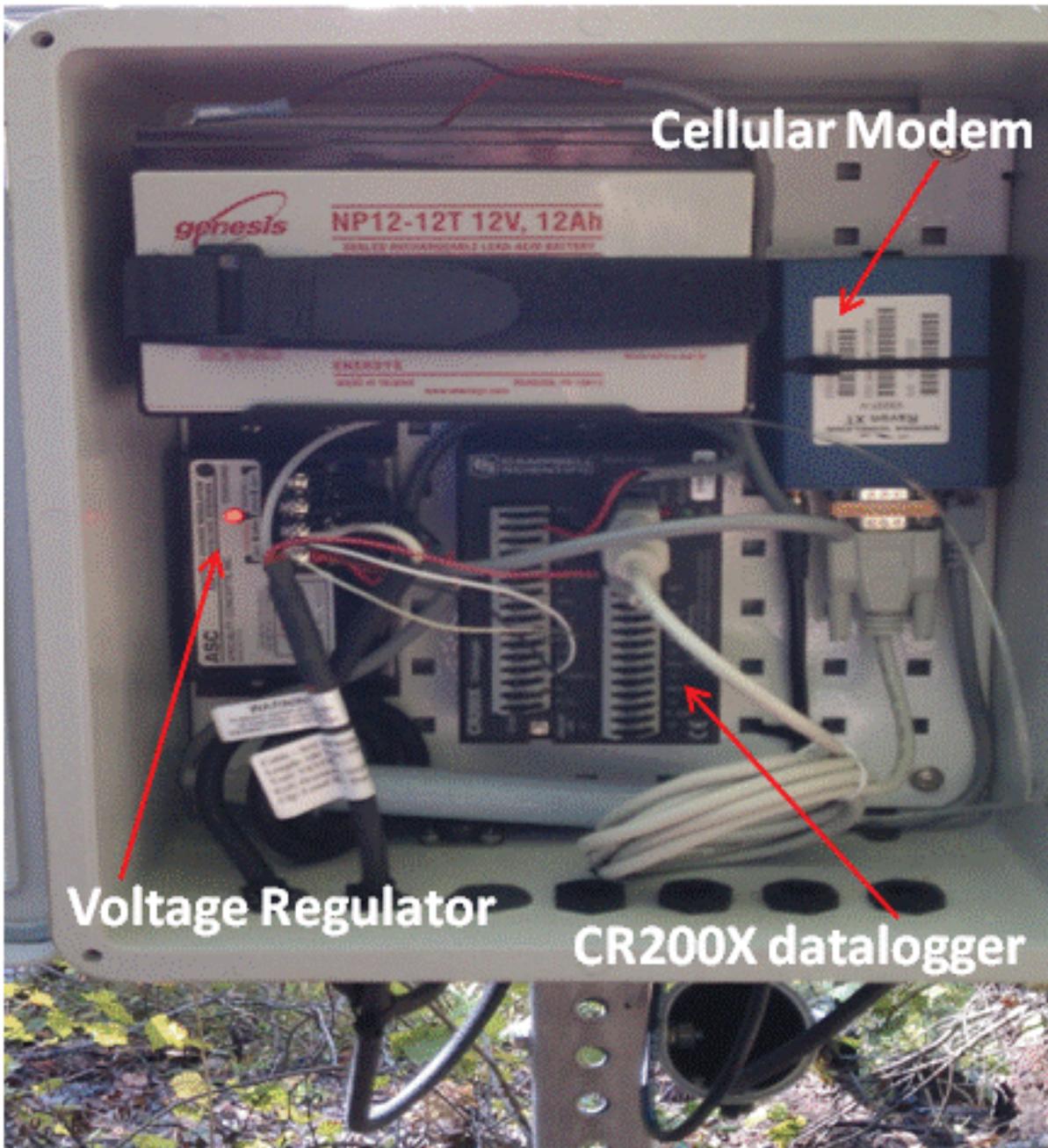
Funds associated with these purchases are budgeted in the FY 2011/2012 Water Resource Monitoring budget in Fund 01.

MW/dd

Table 1: Equipment list and cost

Item	Description	Quantity	Not to Exceed
SC932A	Datalogger/Modem Interface	30	\$2,500
Cr200X	Basic Datalogger	185	\$70,100
Cr206X	Datalogger with radio	30	\$18,100
Cr800	Datalogger for Multi-station Hub	10	\$9,800
V2227-VD	Cellular modem	155	\$74,500
TRA821/18503	Antenna for modem	155	\$4,900
MBC800	Mobile to base convertor	155	\$3,500
CA-195-nm-sm-10	Antenna cable	155	\$4,500
BSP-1012	10 Watt solar panel	110	\$8,800
BSP-2012	20 Watt solar panel	50	\$6,850
SS-6	12 Volt solar regulator	160	\$5,400
HMP18/30	Solar panel bracket	75	\$2,350
	Estimated shipping		\$3,000
		Total	\$214,300

Figure 1: Typical Data Collection Platform



## MEMORANDUM

TO: Governing Board

FROM: Carlos Herd, Senior Hydrogeologist

DATE: October 20, 2011

RE: Authorization to Continue Master Contracts with Selected Minimum Flows and Levels Consultants

### RECOMMENDATION

**Staff recommends the Governing Board authorize the Executive Director to continue eleven master contracts with selected minimum flows and levels (MFL) consultants, for a total amount, in aggregate, not to exceed \$1,200,000 to provide technical assistance in the development of MFLs on an as needed, when needed basis.**

### BACKGROUND

Staff submitted a memorandum to the Governing Board at the November 2010 meeting requesting authorization to procure services under a MFL consultant qualification process executed by the Southwest Florida Water Management District (SWFWMD). Following Board approval, master contracts were developed and staff has issued 9 work orders to 4 firms totaling a not to exceed amount of \$323,174. Staff request authorization to continue this services procurement under the SWFWMD request for qualifications as allowed by Florida law and District procedures. The selection process was not conducted in accordance with the Consultants' Competitive Negotiation Act, section 287.055, Florida Statutes. Any engineering services required will be incidental to scientific services.

Under this proposal, the District would continue existing contracts with firms identified from the SWFWMD list (see attached\*). A master contracting

\* The SWFWMD ranked twelve firms, however the District was unable to come to mutually agreeable terms with one firm, Jones Edmunds and Associates, Inc.

agreement was developed with the firm(s); the negotiated hourly rates are limited to be no greater than those developed by SWFWMD for each respective firm. Prior to issuance of a Work Order, the scope of work and total cost for each task is negotiated with the respective firm. Subsequently, upon written notice from the District, the consultant provides the required services on an as-needed basis.

Having the flexibility to work with contractors in this manner has increased the efficiency of staff in pursuing this complex work. Since field and analytical work scopes often depend on the results of prior steps, each subsequent work order can be more explicitly tailored to the particulars of the waterbody in a highly collaborative process with the contractors. Staff is also planning to accelerate early stages of MFL development for subsequent waterbodies. This will result in earlier field data collection (water levels, surveying, and biology) and development of river models prior to analysis and production of each MFL technical report.

The term of the master contracts is one year, renewable each year up to five years total if required. Staff will issue Work Orders only during the first three years of a contract. The remaining two years would be available, if needed, for completion of work products that are authorized prior to the end of the third year.

The contractors on the attached list are grouped into three different categories as follows:

- Category 1 – Hydrologic and Hydraulic Modeling
- Category 2 – Water Quality/Quantity Assessment
- Category 3 – Biological Assessment

Products developed by the consultants will be analyses, models and/or reports, and will include full documentation of results. District staff will use these materials to develop a final technical report for each water body that defines the recommended MFLs. After independent peer review and Governing Board review and approval, the recommended MFLs would be adopted into 40B-8 F.A.C.

The not to exceed budget for this work for FY 2012 is \$1,200,000. Work efforts are focused on the Lower Santa Fe, Ichetucknee River, and the Upper and Middle Suwannee Rivers including associated priority springs. Funds not expended in each fiscal year will carry forward to subsequent years.

Funds for this contract are in the FY 2012 budget in Fund Code 01.

/dd



# Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899  
(352) 796-7211 or 1-800-423-1476 (FL only)  
TDD only: 1 800 231 6103 (FL only)  
On the Internet at [WaterMatters.org](http://WaterMatters.org)

**Bartow Service Office**  
170 Century Boulevard  
Bartow, Florida 33830 7700  
(863) 534-1448 or  
1-800-492-7862 (FL only)

**Sarasota Service Office**  
6750 Fruitville Road  
Sarasota, Florida 34240 9711  
(941) 377-3722 or  
1-800-320-3503 (FL only)

**Tampa Service Office**  
7601 Highway 301 North  
Tampa, Florida 33637 6759  
(813) 985-7481 or  
1-800-536-0797 (FL only)

- Ronald E. Oakley**  
Chair, Pasco
- Hugh M. Gramling**  
Vice Chair, Hillsborough
- H. Paul Senft, Jr.**  
Secretary, Polk
- Douglas B. Tharp**  
Treasurer, Sumter
- Neil Combee**  
Former Chair, Polk
- Todd Pressman**  
Former Chair, Pinellas
- Judith C. Whitehead**  
Former Chair, Hernando
- Jeffrey M. Adams**  
Pinellas
- Carlos Beruff**  
Manatee
- Bryan K. Beswick**  
DeSoto
- Jennifer E. Closshey**  
Hillsborough
- Albert G. Joerger**  
Sarasota
- Maritza Rovira-Forino**  
Hillsborough
- David L. Moore**  
Executive Director
- William S. Bilenky**  
General Counsel

August 27, 2010

**REVISION 2**

All Respondents to RFQ No. 010-10

Subject: Short List of Qualified Vendors for RFQ No. 010-10  
Qualification for Minimum Flows and Levels Consultants

Pursuant to the responses received on the above-referenced qualification, the District has qualified the following firms in accordance with the evaluation criteria set forth in Part VI of the Request for Qualifications:

**Category 1**

- HSW Engineering, Inc.
- Intera Incorporated
- Jones Edmunds & Associates, Inc.
- Engineering & Applied Science, Inc.
- Dynamic Solutions, LLC

**Category 2**

- Janicki Environmental, Inc.
- HSW Engineering, Inc.
- Mote Marine Laboratory
- Post, Buckley, Schuh & Jernigan, Inc.
- Vanasse Hangen Brustlin, Inc.

**Category 3**

- HSW Engineering, Inc.
- Janicki Environmental, Inc.
- BCI Engineers & Scientists, Inc.
- GPS Southeast, Inc.
- WilsonMiller, Inc.
- Mote Marine Laboratory

If you have any questions concerning this qualified list, please contact the Contracts Administration Section of the Finance Department, 352-796-7211, extension 4146.

Thank you for your participation in our Request for Qualifications process.

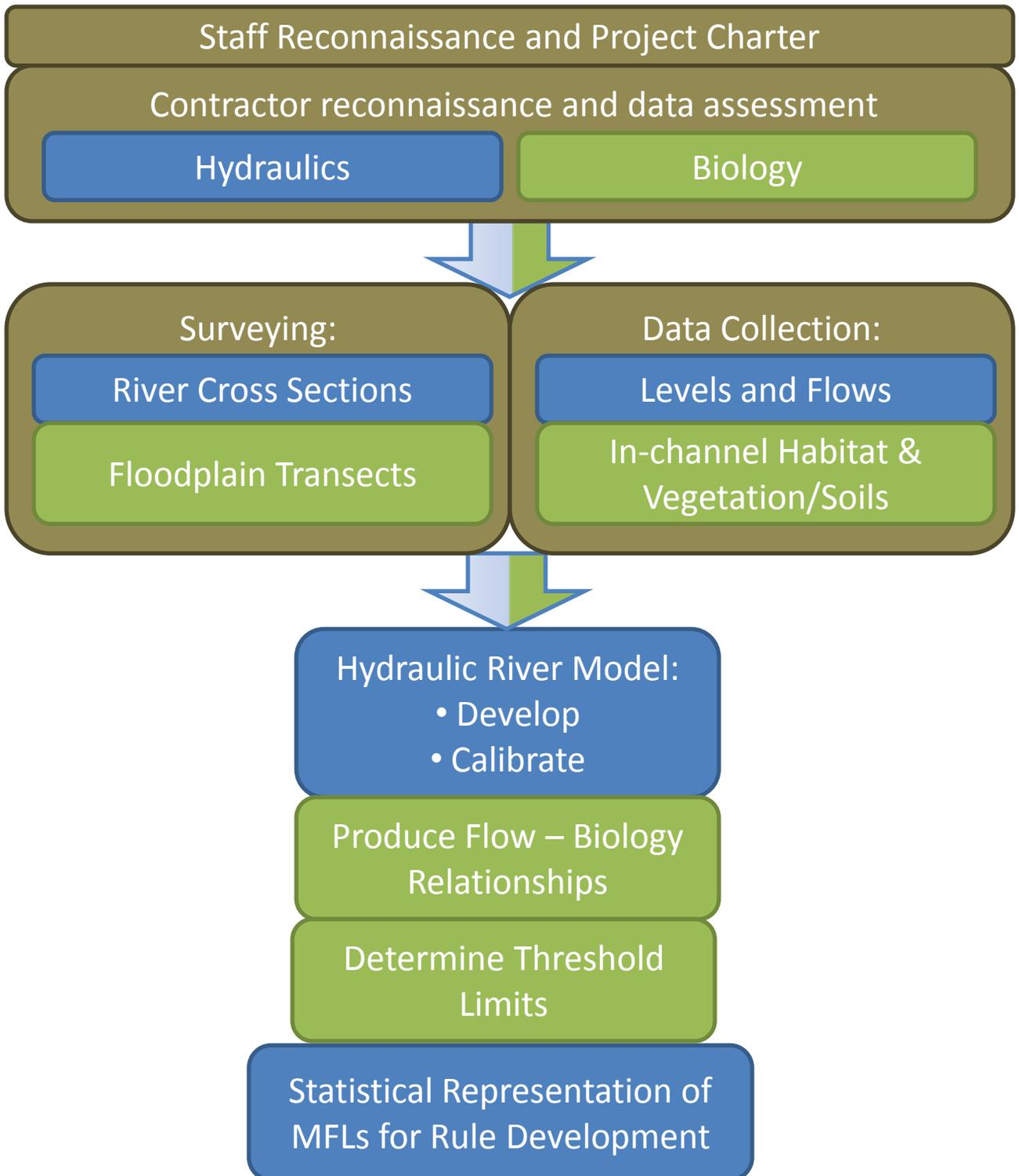
Sincerely,

*Ellen F. Cuarta*

Ellen F. Cuarta  
Contracts Administrator

EFC:alh

# River MFL Development Process



MEMORANDUM

TO: Governing Board  
FROM: Bob Heeke, Sr. Land Resources Manager  
DATE: October 25, 2011  
RE: Authorization to Amend Rule 40B-9.1381, Florida Administrative Code (F.A.C.)

RECOMMENDATION

**Staff recommends the Governing Board authorize staff to:**

- **Submit Section 40B-9.1381, F.A.C., to the Governor's Office of Fiscal Accountability and Regulatory Reform for review;**
- **Publish Notice of Rule Development for Section 40B-9.1381, F.A.C.;**
- **Publish Notice of Proposed Rule for Section 40B-9.1381, F.A.C.; and**
- **File 40B-9.1381, F.A.C., with Department of State if no comments or objections are received.**

BACKGROUND

During the spring 2011 legislative session changes were made to Section 790.33, Florida Statutes (F.S.). The intent of the changes was to provide uniform firearms

laws and to nullify firearms ordinances and regulations enacted by any jurisdictions other than state and federal.

Staff has reviewed the changes to Section 790.33, F.S., and suggests the removal of a reference to firearms in Subsection 40B-9.1381(13), Florida Administrative Code (F.A.C.). The language to be removed is shown struck through below:

*(13) The use of ~~firearms~~, archery equipment, animal traps, or other similar devices on District lands is prohibited unless specifically authorized for:*

*(a) Hunting activities as authorized under paragraph 40B-9.131(3)(j), F.A.C., above;*

*(b) District initiated land management activities; or*

*(c) A use specifically authorized by the District through a Special Use Authorization issued under Rule 40B-9.1411, F.A.C.*

*~~The possession of firearms or other similar devices on District lands must comply with Chapter 790, F.S.~~*

The District must submit the proposed amendments to the Legislature for its review at least 30 days prior to the beginning of the legislative session. At that time the proposed amendments will be provided to the Joint Administrative Procedures Committee (JAPC) for review and comment. Once the 2012 Legislative session ends, the amendments must be filed with the Department of State for adoption, and the rule will take effect 20 days after filing.

Staff will send a letter to all partnering law enforcement entities within the District's jurisdiction as well as to Florida Fish and Wildlife Conservation Commission, notifying them of the District's intention to amend subsection 40B-9.1381(13), F.A.C., and until the amendment is final, they are not to enforce this subsection.

gal

## MEMORANDUM

TO: Governing Board  
FROM: Carlos Herd, Senior Hydrogeologist  
DATE: October 21, 2011  
RE: Water Supply Program Activity Report

### **SRWMD/SJRWMD/DEP Interagency Agreement:**

- October 20, 2011 – Staff attended a kickoff meeting with SJRWMD and DEP. Items of agreement and discussion from the meeting include the following:
  - SJRWMD has selected a staff member, Warren Zwanka, to work in a coordination role. Mr. Zwanka will spend part of his work time at the SRWMD office.
  - SJRWMD staff will send to SRWMD staff an initial draft scope of work for the Floridan aquifer system study for review by the Water Science and Technology Board of the National Academy of Sciences. SJRWMD and SRWMD staff agreed to complete the draft scope on or around November 23, 2011.
  - Staff gave an update on the interagency groundwater model development effort. This project is chartered and underway. Part of this discussion focused on the data needs for modeling and water supply planning.
  - SRWMD staff provided an update on minimum flows and levels. Discussion followed concerning how the SRWMD minimum flows and levels effort should consider technical work in the Central Florida Water Initiative (<http://cfwiwater.com/>). All agreed that SRWMD staff will stay informed of the work products from the Central Florida Water Initiative and provide technical input as appropriate.
  - SRWMD staff discussed a strategy for holding the Upper Santa Fe River Basin Regional Water Supply Plan in draft form while SRWMD and SJRWMD align their planning efforts. The geographical area of mutual concern will expand into the three other Water Resource Caution Areas.
  - SRWMD staff discussed the scope of work and budget for the Upper Floridan Aquifer Recharge Concepts project. SJRWMD staff will review the scope and budget and consider participating in funding.

- There will be a progress meeting for the Executive Directors and the Governing Board Chairs scheduled for sometime in December, schedules permitting.

### **Water supply planning:**

- The District's water supply planning contractor has completed a draft of the Upper Santa Fe River Basin Water Resource Impact Assessment Report.
- The District's water supply planning contractor has completed a draft of the Upper Santa Fe River Basin Regional Water Supply Plan. Staff is working on revisions to the Water Supply Plan.
- St. Johns River Water Management District continues to maintain an indefinite postponement of their Water Supply Assessment and Water Supply Plan.
- Staff continues to meet regularly with SJRWMD via conference calls to coordinate activities in the water supply planning and permitting processes.
- Staff presented the water supply planning update to the Lake Butler Rotary in Lake Butler on October 11, 2011.
- Staff attended the Consumptive Use Permitting Consistency Core Team meeting with the Florida Department of Environmental Protection (FDEP) and other water management district staff in Tallahassee on October 18, 2011.
- Staff attended a Northeast Florida Utility Coordination Group Executive meeting at the SJRWMD headquarters in Palatka on October 20, 2011.
- Staff attended the FDEP, SJRWMD and SRWMD Interagency Agreement kick-off meeting at the SJRWMD headquarters in Palatka on October 20, 2011.

### **Interstate coordination:**

- Staff will attend a Florida-Georgia coordination meeting before the end of the year in Valdosta, Georgia.

### **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.

- Analysis of collected data has begun:
  - Processing of topography and bathymetry for use in both biological and hydraulic studies.
  - Quality control and on-going collection of continuous water elevation data; selected flow measurements are also collected.

- Floodplain soils/vegetation and in-stream habitat data are being processed to determine the types of floodplain habitat inundated by floods and the key in-channel water depths and velocities supporting fish reproduction and habitat.
- Revision and calibration of a HEC-RAS river model has begun. 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.
- Data analysis for the fluvial geomorphic investigation of the Santa Fe and Ichetucknee rivers continues.

Upper Suwannee River and Springs – A project charter is in development for the Upper Suwannee River, and the springs that contribute to this river reach. Work orders are being developed for contractors to assist with the biological field work and hydraulic river modeling.

**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 attended a groundbreaking for both Gainesville Renewable Energy Center and the new water system at Fowler’s Bluff.
- Staff met with Coggins Acres, LLC, to discuss a modification to their existing permit.
- The following table summarizes water use permitting activities during the month of September.

<b>September 2011</b>	<b>Received</b>		<b>Issued</b>
Water Use Permits	13		17
Water Well Permits	122		122
Water well permits issued and received according to well use:			
Abandoned/destroyed	0	Livestock	3
Agricultural Irrigation	1	Monitor	29
Aquaculture	0	Nursery	1
Climate Control	0	Other	1
Fire Protection	0	Public Supply	1
Garden (Non Commercial)	0	Self-supplied Residential	81
Landscape Irrigation	5	Drainage or injection	0
Commercial or Industrial	0		

**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 November 9, 2011, Governing Board meeting if you would like further information.

CH/dd

## MEMORANDUM

TO: Governing Board

FROM: Megan Wetherington, Senior Professional Engineer

DATE: October 20, 2011

RE: Water Resource Monitoring Program Activity Report

Staff collected water chemistry samples at 24 groundwater sites; measured flow at 8 stations on the Upper Suwannee in support of minimum flows and levels; 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 formally requested cooperation with Florida Department of Environmental Protection (FDEP) to implement data transmission via internet access at state park facilities to reduce cost of data collection.

Staff participated in FDEP's inaugural Salinity Network Workgroup webinar.

Staff monitored 188 telemetered water use monitoring devices on 47 agricultural operations.

Thank you for your attention to this summary of current activities. Please feel free to contact staff prior to the November 9, 2011, Governing Board meeting if you would like further information.

MW/dd

MEMORANDUM

TO: Governing Board  
 FROM: Tim Sagul, Senior Professional Engineer  
 DATE: October 20, 2011  
 RE: Environmental Resource Permitting Program Activity Report

**Permitting activities:**

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

September 2011	Received			
Environmental Resource Permits	Noticed General	General	Individual	Exemption Requests
	9	12	0	8
	Issued			
	Noticed General	General	Individual	Exemptions Granted
	5	8	1	8

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

ERP Number	Project Name	County	Issue Date
ERP11-0175M	Chemring Ordnance Modification	Taylor	10/17/11

**Compliance report:**

The compliance report is included in the Informal Items section of this report. Staff will provide an updated report at the Governing Board meeting.

**Rule development and adoption:**

The rulemaking schedule follows this report. Staff is participating in joint meetings and conference calls 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 September 2011, staff inspected six projects under construction and 22 projects for as-built compliance. The total number of projects constructed from January 2005 to September 2011 is 855. The number in compliance with certification requirements is 824, with 31 permits not in compliance.

The total number of Works of the District permits issued from January 2009 through September 2010 is 87 with 37 completed and 50 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. Based on this interest from FDOT, the District has received Governing Board approval to enter into agreements with FDOT and the City of Starke to begin the process of expanding this project in order to provide wetland mitigation for FDOT.

In addition, the District is requesting approval to begin the appraisal process in order to obtain the back 14 acres of the KOA property. This property will be an integral part of the overall project scope.

**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 by the end of October 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 and 2011. On August 4, 2011, Hydromentia provided their final nutrient removal report. The IFAS report will be provided by the end of October 2011. Staff extended the contract until October 31, 2011. The final meeting and the results of the pilot study was presented to the District on October 13, 2011.

**Water Quality Compensatory Treatment:**

The FDOT provided the District with \$46,640 for water quality compensatory treatment for the US 98 Bridge Replacement project over the Aucilla River as part of ERP10-0057. As of this date, District staff has identified and implemented water quality improvements at two of the Districts river access locations on the Mt. Gilead tract. Restoration included the regrading and stabilization at these locations to prevent further erosion into the river and to relocate parking away from the river bank. Additional water quality improvements are being planned at locations on the Mt. Gilead and Cabbage Grove tracts within the Aucilla River basin in the month of November 2011.

**Staff Outreach**

Leroy Marshall was a speaker at the IFAS Madison Extension Office's Pond Workshop on October 4, 2011. Leroy addressed permitting thresholds and criteria as they relate to agricultural ponds.

Leroy Marshall attended The Association of State Dam Safety Officials, Florida DEP Dam safety seminar. The 3 ½ days of training were held in Tampa, Florida

October 10 through 14, 2011. The training included classroom and field demonstrations. This was funded by a Federal Grant.

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.	11/4/11
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: October 20, 2011

RE: Suwannee River Partnership Program Activity Report

Staff secured a contract to supply services to the United States Department of Agriculture - Natural Resources Conservation Service to provide "Conservation Technical Assistance" to update poultry farm conservation plans in the Middle Suwannee area.

As part of the Partnership's effort to help farmers save water, staff continues to work with farmers, District staff, University of Florida – Institute of Food and Agricultural Services (UF-IFAS), and others to develop advanced irrigation scheduling as part of the Conservation Innovation Grant.

Staff continues to work to re-establish a Mobile Irrigation Lab (MIL) to perform center pivot evaluations as part of the Florida Department of Agriculture and Consumer Services Precision Agriculture Daily Logistics Online Calendar project.

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

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 a survey to determine producer's knowledge of water quality and water quantity issues.

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 an outreach meeting for agricultural producers and the general public scheduled for October 25, 2011, in Ft. White.

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 is visiting poultry farms to collect litter samples for bi-annual reporting.

Staff has worked to develop a contract with the Suwannee County Conservation District and University of Florida laboratory services to continue analysis of animal waste samples collected as part of the Partnership's implementation assurance program.

Staff assisted farmers with water use permit renewals. Staff 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 November 9, 2011, Governing Board meeting if you would like further information.

HT/dd

# Compliance

updated 10/19/2011 3:07:20 PM

<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	11/8/2011	Unpermitted construction.	Douglas McKoy	Permit denial was removed from May 2010 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. 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 applicant's 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; working on revising mitigation plan.As of 10/18/11, no response received. Staff to contact by 11/8/11.	Webster, Patrick
CE10-0016	JEFFERSON	2/9/2010	11/8/2011	Unpermitted construction.	Judy Miller	Compliance Agreement mailed 11/29/10. Received signed agreement 12/6/10. Returned executed agreement to Ms. Miller 12/9/10, which requires fees for a settlement penalty and staff costs to be paid no later than 12/19/10. RAI sent 1/14/11. 3/21/11; received fee & penalty check for \$2,305.65 and RAI material. 4/8/11; permit issued. Staff to monitor Compliance Agreement stipulations. 9/12/11; letter sent. 18 days to complete construction & 30 days to submit as-builts. 9/22/11; received extension request to complete construction until 12/31/11. Staff declined request. November 2011 Board for initiation of legal action to enforce the terms of the compliance 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>
CE10-0026	COLUMBIA	4/20/2010	11/8/2011	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. 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. 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. 10/4/11; 14 days to pay for returned check. 10/18/11; no payment received. November 2011 Board for revocation of permit and initiation of legal action.	Marshall, Leroy
CE10-0046	LEVY	9/23/2010		Unpermitted road construction.	Donny Crews / Levy County Road Department	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
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 was held 7/13/11 to discuss alternatives with the parties concerned. Respondent proposes to modify the permit to correct the deficiencies. 09/13/11; E-mail sent requesting update. 10/13/11; call from Engineer; as-built to be submitted by 10/31/11.	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>
CE11-0041	MADISON	7/18/2011		Unpermitted boat ramp.	Wilbur & Teresa Rutherford	Staff review GPS coordinates to confirm violation because project may be in Georgia. GPS points were taken on 9/28/11. Staff to review survey data.	Robinson, Vince
CE11-0043	GILCHRIST	9/1/2011	11/8/2011	Unpermitted construction in floodway.	Ronald & Patricia Williams	20 days to contact District.	Robinson, Vince
CE10-0060	HAMILTON	12/14/2010	11/8/2011	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. 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 staff legal to prepare Consent Agreement.	Hastings, John
CE10-0042	UNION	10/10/2010	11/5/2011	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. 9/22/11; meeting with Worthington Springs Council President. 10/5/11; sent letter to Mr. Rimes. 30 days to submit ERP application & supporting documentation.	Mantini, Louis

<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>
CE11-0005	BRADFORD	2/24/2011	11/20/2011	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. 10/20/11; updated compliance agreement mailed. 30 days to sign.	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	11/12/2011	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. 10/7/11; received mail from Mr. Tenaglia stating sudden health issues. 10/22/11; letter sent. 18 days to sign CA & return to District.	Robinson, Vince

<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>
CE11-0010	GILCHRIST	3/17/2011	12/1/2011	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. 10/7/11; Mr. Roberts informed District that due to health conditions, he has stopped debris removal, but would complete the removal by 12/1/11.	Webster, Patrick
CE10-0055	DIXIE	11/10/2010	11/10/2011	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. 10/5/11; site visit. No work done. 10/13/11; restoration close to completion. Staff to follow-up by 11/10/11, to ensure stabilization.	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>
CE11-0019	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. Staff to work with Columbia County to resolve maintenance issues.	Link, James
CE11-0026	COLUMBIA	5/18/2011	1/7/2012	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. 9/23/11; received ERP application, ERP fee and penalty for enforcement. 10/4/11; RAI sent.	Marshall, Leroy
CE11-0033	GILCHRIST	5/16/2011	11/18/2011	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. 9/21/11; meeting at District. Mr. Walden is in the process of bringing his shop into compliance. Received application 10/18/11.	Robinson, Vince
CE11-0034	LAFAYETTE	5/16/2011	11/5/2011	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. 10/5/11; meeting at District. Submitted survey and zero rise. Will submit the rest of engineering and site plan by 11/5/11.	Robinson, Vince

<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>
CE11-0035	SUWANNEE	7/25/2011	12/15/2011	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. Hay bails 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
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
CE11-0042	LEVY	9/30/2011	10/20/2011	Unpermitted construction.	Todd & Lynne Hubbard	20 days to contact District. Received phone call from engineer. He states that no further work will take place until permit is issued. Plans to submit application by 10/14/11. Staff will monitor site. As of 10/18/11; no application received.	Webster, Patrick

MEMORANDUM

TO: Governing Board
FROM: Bob Heeke, Senior Land Resources Manager
DATE: October 25, 2011
Subject: Land Management Activity Report

FACILITY MANAGEMENT

District contractors have completed mowing administrative roads. The second mowing of public use roads on all District lands has also been completed.

Additional access and road signs have been installed on the Aucilla and Econfina Rivers.

Road repairs in Steinhatchee Springs are complete. This includes repairs to the roads used as haul routes for Steinhatchee Springs 3 & 8 timber sales as well as small repairs on some of the roads to facilitate future timber operations. Ditch blocks on South Canal have been repaired or modified to improve drainage or water retention.

Staff continues to meet with the Friends of Suwannee Springs on their project to enhance and protect the cultural and historical resources at Suwannee Springs.

NATURAL RESOURCE MANAGEMENT

District lands were monitored for invasive weeds, and control methods were applied as shown below:

Table with 4 columns: Species, Tracts, Active Infestation, Applied Control. Rows include Camphor Tree, Chinese Tallow, Chinaberry, Japanese Climbing Fern, and Mimosa.

One District tract was surveyed for the presence of Cardinal Flower (Lobelia cardinalis) and Gulf Hammock Indian Plantain (Hasteola robertiorum), both are listed as Endangered.

Status of timber sales currently underway are shown below:

Contract #	Timber Sale Name	Consultant	Estimated Start Date	Estimated Pine Tons	Harvest Completion
10/11-117	Little River #3	NRPS	9/5/2011	2,500	0%
10/11-116	Jones Mill Creek #1	TFC	10/12/2011	29,690	15%
10/11-120	Ellaville #13	DOF/TRSF	9/15/2011	7,905	0%
10/11-119	Sullivan #1	DOF/TRSF	8/15/2011	6,574	0%

The 162-acre ± Owens Spring #1 Timber Sale was completed August 8, 2011. This was a modified 4th row thinning conducted under supervision of District consultant Natural Resource Planning Services (NRPS). The timber was harvested by Greenville Timber Corporation under License to Cut Timber 10/11-038. Projected and actual harvest tons and incomes are shown on the table below.

Income received and volume of timber harvested from the Owen Springs #1 Timber Sale is approximately 20% lower than originally estimated. NRPS stated the difference “is attributed to both the total tons of all products harvested being less than estimated by the cruise and to the percentage of chip-n-saw harvested being less than anticipated.” The primary factor seems to be an inflated pre-harvest estimate resulting from sampling error. In addition, mill inventories of chip-n-saw and saw timber were high, which means the mills became very selective in what they accepted. NRPS conducted regular timber security inspections which confirmed the proper sorting of the chip-n-saw trees according to the current mill specifications. Since this was a pay-as-cut sale, SRWMD received the proper income, which was a little less than expected.

Product	Harvest (Tons)			Income (\$)	
	Originally Cruised	Actually Harvested	Product Prices \$/Ton	Originally Cruised	Actually Harvested
Pine Pulpwood	7,612.00	6,672.00	\$13.23	\$100,706.76	\$88,270.56
Pine CNS	1,422.00	550.00	\$16.23	\$23,079.06	\$8,926.50
Total	9,034.0	7,222.00		\$123,785.82	\$97,197.06
% Estimate		79.94%			78.52%

Overall, the 2011 burn season was a successful with crews burning over 11,700 acres under a variety of weather related constraints. District contractors conducted prescribed burns on 10,227 acres, exceeding the target of 8,500 acres for the 2011 fiscal year. Florida Forest Service (FFS) staff burned 1,521 acres of their 2,000-acre target for Twin Rivers State Forest.

Weather conditions continued to stay excessively hot and dry during this final report period of the 2011 burn season. In order to limit stress and potential

mortality on pine trees and to reduce the chance of fire escaping while conditions were volatile very few burning activities have been conducted. Approximately 1,500 acres were burned during this period for site-prep purposes to help prepare areas for the up-coming fall/winter tree planting season.

*Prescribed Fire Activity Table (June-September 2011)*

		WFS	NRPS	TFC	B&BD	FFS COOP	FFS TRSF	Total Acres	Total Wildfire Acres
TRACT	COUNTY								
White Springs Wellfield	Hamilton		41					41	
Mallory Swamp	Lafayette			187				187	
Jones Mill Creek	Jefferson	306			195			501	
Goose Pasture	Jefferson	29							
Steinhatchee Falls	Taylor	83						83	
Steinhatchee Springs	Lafayette	123				625		748	
Black	Madison						66		
Mill Creek North	Madison						39		
Hopewell	Columbia								1
Sandlin Bay	Columbia								12
Mallory Swamp	Lafayette								10
Santa Fe Swamp	Bradford								5,342
Steinhatchee Springs	Lafayette								7
Woods Ferry	Suwannee								2
<i>Sub-total for Period</i>		541	41	187	195	625	105	1,560	5,374
<i>Previous Acres Burned</i>		3,649	902	2,381	1,706	0	1,416	10,054	143
<b>Total Acres</b>		<b>4,190</b>	<b>943</b>	<b>2,568</b>	<b>1,901</b>	<b>625</b>	<b>1,521</b>	<b>11,748</b>	<b>5,517</b>

As a reflection of the volatile conditions during this period, six wildfires were recorded on District land. These fires ranged in size from approximately 1 acre on the Hopewell tract to over 5,000 acres on the Santa Fe Swamp tract. All the fires have been declared out by FFS, and fireline rehabilitation has either been completed or is pending.

#### VISITOR MANAGEMENT

A total of 44 special use authorizations were distributed during the last month: 36 for recreation and 8 for temporary ingress and egress.

The Santa Fe River Ranch Tract was opened to the public in late September after a culvert was installed, a parking area built and an entrance sign erected.

gal  
008-00025