

Suwannee River Water Management District

Governing Board Materials

Mission Support

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

Director of Mission Support

Assistant Executive Director

Executive Director

MEMORANDUM

TO: Governing Board
FROM: Melanie Roberts, Director of Mission Support
DATE: October 17, 2011
RE: Approval of October 2011 Financial Report

RECOMMENDATION

Staff recommends that the Governing Board approve the October 2011 Financial Report and confirm the expenditures of the District.

BACKGROUND

Chapter 373.553(1), F.S., authorizes the delegation of authority by the Governing Board to the Executive Director to disburse District funds, providing certification is made to the Board at the next regular meeting that such disbursement is proper, in order, and within budgetary limits. In compliance with the statutory provisions in Chapter 373, the Governing Board of the Suwannee River Water Management District has directed staff to prepare a Financial Report in the manner presented.

Non-Operating Budget	
Acquisition	\$7,207,820
Future Contractual	\$7,304,408
R. O. Ranch Reserves	\$3,810,000
Land Management Reserves	\$5,000,000
Operating Reserves	\$2,760,000
Total	\$26,082,228
Operating Budget	\$21,307,361
Total FY 2012 Budget	\$47,389,589
Total FY 2012 Expenditures	\$484,120
Percent of Operating Budget	2%

If you have any questions about this recommendation or if you would like any further information regarding the District's financial transactions, please contact me.

MONTHLY STATUS OF FY 2011/2012 BUDGET EXPENDITURES BY DEPARTMENT
THROUGH 10/31/11

Land Acquisition & Management

Description	Budgeted	Expenditures to		Balance
		Date	% Expenditures Used	
516 Salaries & Benefits	\$1,144,539	\$78,582	7%	\$1,065,957
540 Other Personal Services	33,000	1,973	6%	31,027
580 Legal Services	76,800	0	0%	76,800
586 Contractual Services	6,629,063	0	0%	6,629,063
590 Pmt. in Lieu of Taxes	365,000	0	0%	365,000
605 Printing & Binding	900	0	0%	900
606 Publication of Notices	1,000	0	0%	1,000
621 Meetings	500	0	0%	500
622 Registrations & Training	6,500	135	2%	6,365
626 Travel Expenses	4,000	102	3%	3,898
627 Utilities	8,500	0	0%	8,500
631 Equipment Maintenance	3,000	0	0%	3,000
701 Field Supplies	157,500	0	0%	157,500
703 Computer Supplies	4,500	0	0%	4,500
706 Books & Documents	500	0	0%	500
740 Office Support Equipment	1,000	0	0%	1,000
790 Other Commodities	1,000	0	0%	1,000
809 Fees & Permits	8,500	0	0%	8,500
903 Office Equipment	2,500	0	0%	2,500
920 Acquisition	7,207,820	0	0%	7,207,820
930 Interagency Expenditures	805,500	0	0%	805,500
960 Reserves	8,810,000	0	0%	8,810,000
TOTAL	\$25,271,622	\$80,792	0%	\$25,190,830

MONTHLY STATUS OF FY 2011/2012 BUDGET EXPENDITURES BY DEPARTMENT
THROUGH 10/31/11

Water Supply & Resource Management

Description	Budgeted	Expenditures to		Balance
		Date	% Expenditures Used	
516 Salaries & Benefits	\$2,405,883	\$166,933	7%	\$2,238,950
540 Other Personal Services	115,000	4,360	4%	110,640
580 Legal Services	118,200	0	0%	118,200
586 Contractual Services	11,236,684	0	0%	11,236,684
605 Printing & Binding	13,000	0	0%	13,000
606 Publication of Notices	15,600	55	0%	15,545
621 Meetings	4,200	0	0%	4,200
622 Registrations & Training	32,850	0	0%	32,850
626 Travel Expenses	30,500	0	0%	30,500
627 Utilities	1,500	0	0%	1,500
631 Equipment Maintenance	6,400	0	0%	6,400
690 Other Contractual Services	8,400	0	0%	8,400
701 Field Supplies	557,400	0	0%	557,400
703 Computer Supplies	850	0	0%	850
705 Maps & Aerials	1,500	0	0%	1,500
706 Books & Documents	2,700	0	0%	2,700
715 Photographic Supplies	1,850	0	0%	1,850
740 Office Support Equipment	4,100	0	0%	4,100
790 Other Commodities	1,400	0	0%	1,400
801 Computer Software	8,700	0	0%	8,700
802 Equipment Rental	5,750	0	0%	5,750
809 Fees & Permits	8,000	0	0%	8,000
903 Office Equipment	1,500	0	0%	1,500
905 Mobile Equipment	24,000	0	0%	24,000
906 Computer Equipment	8,000	0	0%	8,000
907 Lab & Field Equipment	31,000	0	0%	31,000
930 Interagency Expenditures	638,800	0	0%	638,800
TOTAL	\$15,283,767	\$171,347	1%	\$15,112,420

MONTHLY STATUS OF FY 2011/2012 BUDGET EXPENDITURES BY DEPARTMENT
THROUGH 10/31/11

Executive Office

Description	Budgeted	Expenditures to		Balance
		Date	% Expenditures Used	
516 Salaries & Benefits	\$489,133	\$32,243	7%	\$456,890
580 Legal Services	55,000	0	0%	55,000
586 Contractual Services	28,000	450	2%	27,551
605 Printing & Binding	1,000	0	0%	1,000
621 Meetings	500	0	0%	500
622 Registrations & Training	6,525	105	2%	6,420
626 Travel Expenses	27,750	372	1%	27,378
650 Promotions	13,500	375	3%	13,125
706 Books & Documents	2,000	173	9%	1,828
715 Photographic Supplies	350	120	34%	230
930 Interagency Expenditures	5,000	0	0%	5,000
960 Reserves	2,760,000	0	0%	2,760,000
TOTAL	\$3,388,758	\$33,837	1%	\$3,354,921

MONTHLY STATUS OF FY 2011/2012 BUDGET EXPENDITURES BY DEPARTMENT
THROUGH 10/31/11

Mission Support

Description	Budgeted	Expenditures to		Balance
		Date	% Expenditures Used	
516 Salaries & Benefits	\$1,496,542	\$104,533	7%	\$1,392,009
564 Property Appraiser	210,000	22,000	10%	188,000
579 Tax Collector	125,000	40	0%	124,960
580 Legal Services	5,000	0	0%	5,000
585 Audit Services	35,000	0	0%	35,000
586 Contractual Services	490,500	0	0%	490,500
605 Printing & Binding	25,000	0	0%	25,000
606 Publication of Notices	15,000	0	0%	15,000
607 Postage	25,000	0	0%	25,000
621 Meetings	1,000	0	0%	1,000
622 Registrations & Training	34,500	0	0%	34,500
626 Travel Expenses	22,000	0	0%	22,000
627 Utilities	70,000	134	0%	69,866
628 Communications	150,000	30	0%	149,970
629 Facilities Maintenance	75,000	3,480	5%	71,520
630 Vehicle Maintenance	75,000	3,449	5%	71,551
631 Equipment Maintenance	27,000	0	0%	27,000
690 Other Contractual Services	2,500	0	0%	2,500
701 Field Supplies	10,000	0	0%	10,000
702 Office Supplies	41,000	0	0%	41,000
703 Computer Supplies	26,000	647	2%	25,353
704 Fuel & Lubricants	70,000	0	0%	70,000
705 Maps & Aerials	2,000	0	0%	2,000
706 Books & Documents	7,600	0	0%	7,600
740 Office Support Equipment	6,000	0	0%	6,000
790 Other Commodities	3,000	0	0%	3,000
801 Computer Software	86,800	0	0%	86,800
802 Equipment Rental	50,000	1,606	3%	48,394
804 Workers Comp. Insurance	25,000	13,106	52%	11,894
805 Property & Casualty Insurance	60,000	49,117	82%	10,883
903 Office Equipment	16,000	0	0%	16,000
906 Computer Equipment	110,000	0	0%	110,000
907 Lab & Field Equipment	25,000	0	0%	25,000
930 Interagency Expenditures	23,000	0	0%	23,000
TOTAL	\$3,445,442	\$198,143	6%	\$3,247,299
DISTRICT TOTAL	\$47,389,589	\$484,120	1%	\$46,905,469

MEMORANDUM

TO: Governing Board
FROM: Terry Demott, Sr. Land Resources Coordinator
DATE: November 8, 2011
RE: Helm/Chitty Bend West Inholding Parcel

RECOMMENDATION

Staff requests Governing Board authorization to commence detailed assessment and negotiations for the fee purchase of the 98-acre ± Helm/Chitty Bend West Inholding Parcel on the Withlacoochee River in Madison County.

BACKGROUND

During discussions of the 121-acre Chitty Bend West surplus lands tract the Surplus Lands Committee requested that staff contact Walter D. Helm, Jr., regarding the possibility of an exchange of their riverfront inholding for adjoining District surplus lands. Mr. Helm was not amenable to the exchange but, after further talks, he stated he would be open to a fee outright sale.

Purchase of the Helm inholding is advantageous for several reasons. It adds protection to the natural resources and flood plain due to its river frontage along the Withlacoochee River. It would allow better public use of Chitty Bend West with minimal land management issues. It would also eliminate a private access easement through District property. Funding for this purchase is available from surplus land sale proceeds.

Pending Governing Board approval, staff will research the title and procure appraisals to determine the property's fair market value. After independent appraisal review, market value recommendations will be provided to Board members prior to entering into an agreement for purchase.

gal
attachments

PARCEL ASSESSMENT SUMMARY

TRACT: Helm (Chitty Bend West) Inholding

SELLER: Walter D. Helm, Sr. and Walter D. Helm, Jr.

RIVER: Withlacoochee River

COUNTY: Madison

S-T-R: Section 5, Township 1N, Range 11E

ACREAGE: 98 acres ±

CURRENT ASKING PRICE: Fair Market Value

RIVER FRONTAGE: 4,644 feet (.88) miles

WATER RESOURCE VALUES:

Recharge:	0% (0 acres)
Springs Protection:	0% (0 acres)
Surface Water:	17% (16.6 acres)
Floodplain 100-YR:	100% (98 acres)

TRACT DESCRIPTION: This property is a riverfront in-holding of the District's Chitty Bend West tract in Madison County. The Withlacoochee River frontage and its steep limestone outcropping banks are the distinctive features of the property. The tract is undeveloped with regenerating communities of mixed pine and hardwoods. There is very little merchantable timber on the site. The river frontage is buffered by an average 200-foot-wide natural stand of floodplain forest.

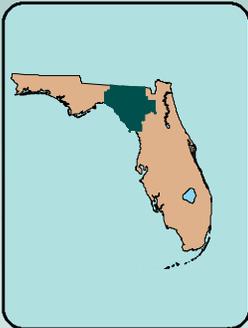
ACCESS: The tract has access through District property.

OUTSTANDING INTERESTS: There are no outstanding interests reported at this time that would affect clear marketable title. A 100-foot-wide overhead electric power transmission line crosses the north half of the parcel, and its ground easement occupies 4.5 acres of cleared area.

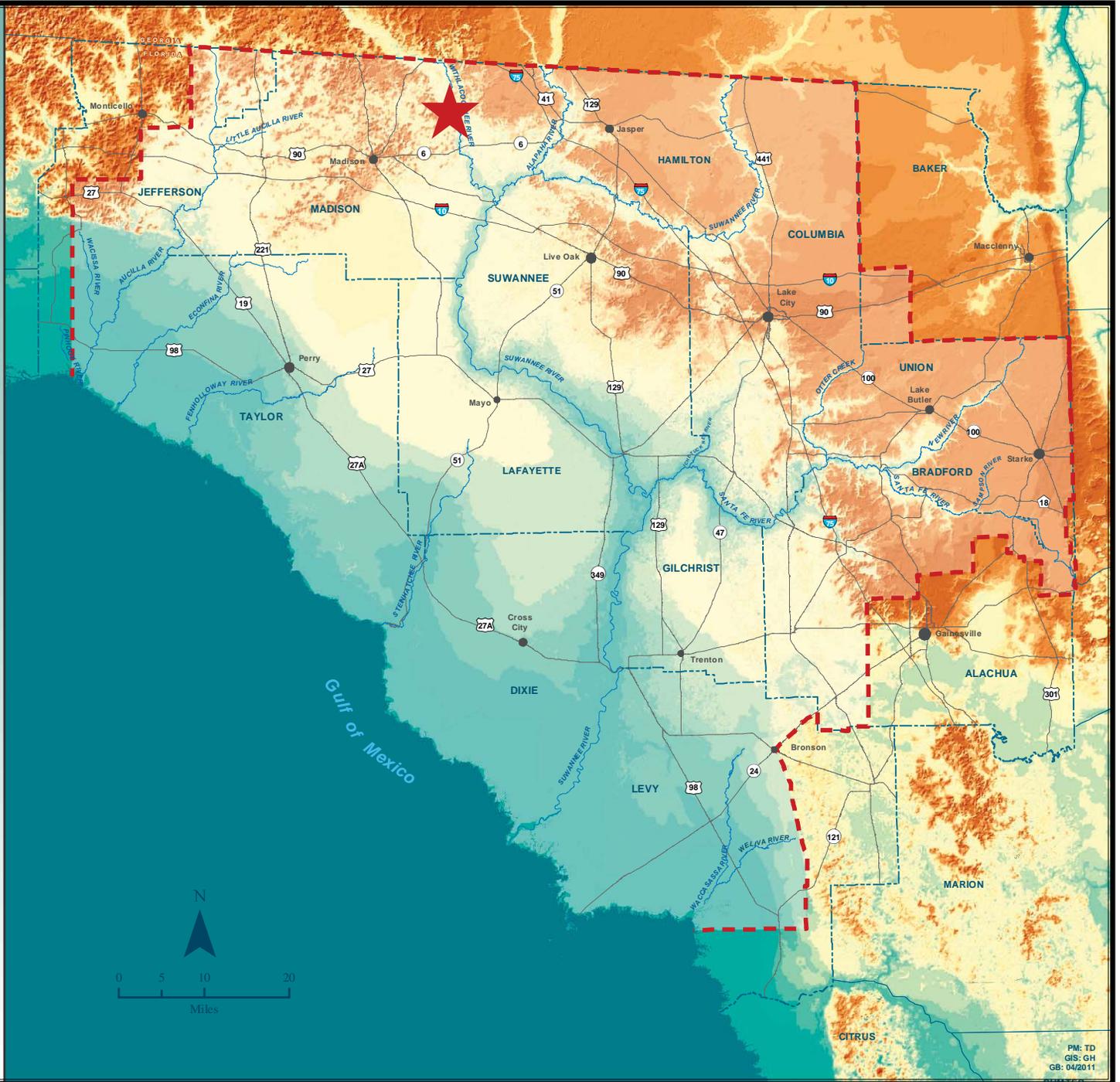
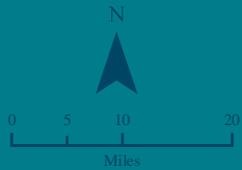
MANAGEMENT ALTERNATIVES: Under a fee purchase, the property would be managed to preserve floodplain function and restore and improve the quality of the forested landscape and recreational opportunities. This inholding would be added to District management activities of the Chitty Bend West Tract.

Helm Chitty Bend West Addition Madison County

 SRWMD Boundary
 Project Location



NOTE: This map was created by the Suwannee River Water Management District (SRWMD), Department of Land Acquisition and Management (LA&M), 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 public records request regardless of the use or application. SRWMD does not guarantee the accuracy, or suitability for any use of this data, and no warranty is expressed or implied. In no event will the SRWMD, its staff, or the contributing agencies be liable for any direct, indirect, special, consequential or other damages, including loss of profit, arising from the use of this data, even if the District has been advised of the possibility of such damages. Users of this data should therefore do so at their own risk. For more information please contact the SRWMD at 1-386-362-1001.



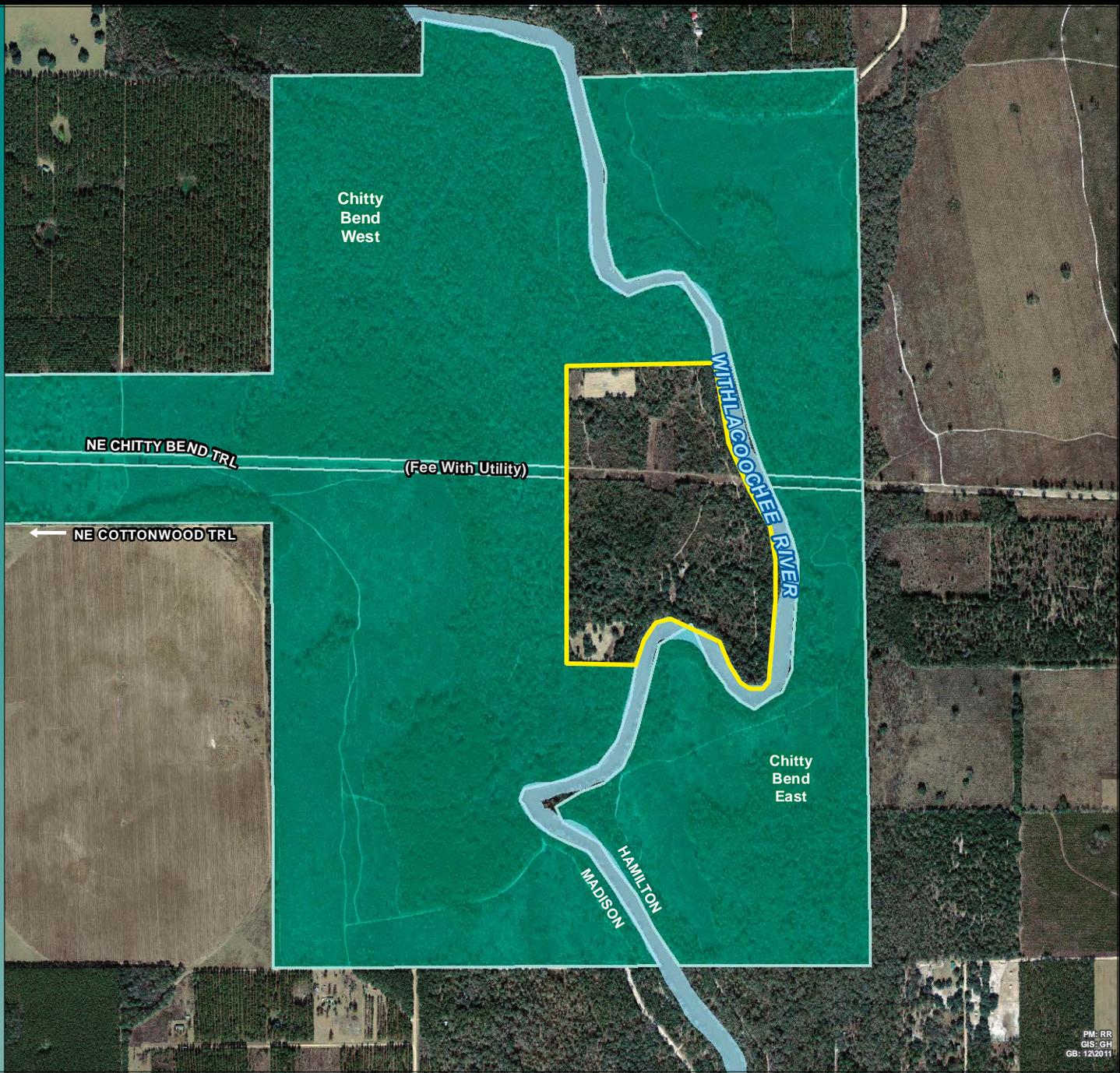
PM: TD
 GIS: GH
 GB: 04/2011

Helm Property Madison County Florida

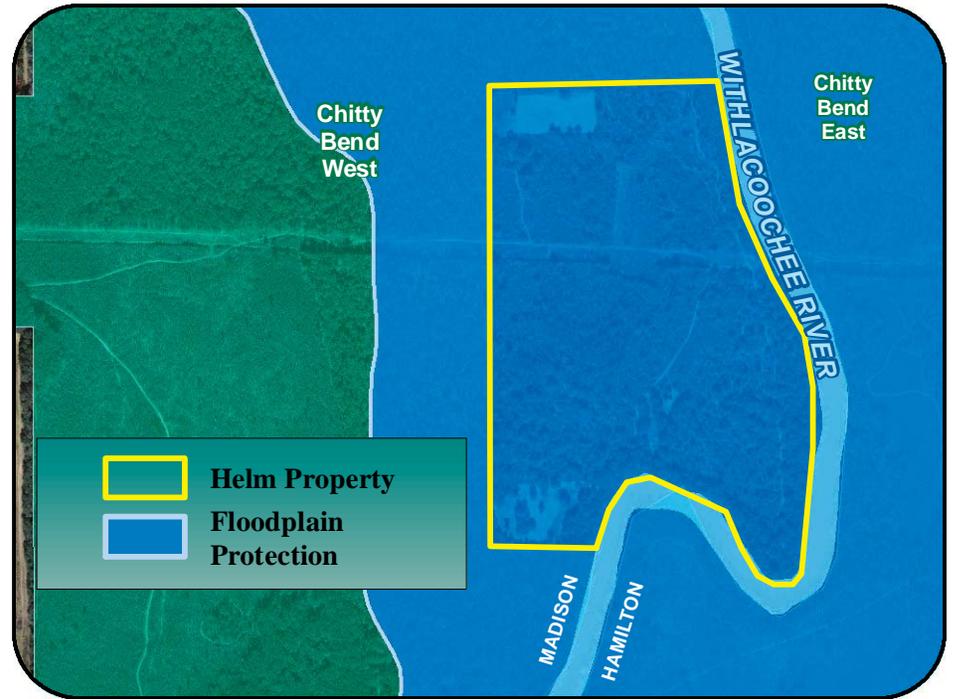
-  Helm Property Boundary
-  SRWMD Fee Land



NOTE: This map was created by the Suwannee River Water Management District (SRWMD), Department of Land Acquisition and Management (LA&M), 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 public records request regardless of the use or application. SRWMD does not guarantee the accuracy, or suitability for any use of this data, and no warranty is expressed or implied. In no event will the SRWMD, its staff, or the contributing agencies be liable for any direct, indirect, special, consequential or other damages, including loss of profit, arising from the use of this data, even if the District has been advised of the possibility of such damages. Users of this data should therefore do so at their own risk. For more information please contact the SRWMD at 1-386-362-1001. Madison 2010 NC 1FT Imagery.



PM: RR
GIS: GH
GB: 12/2011



MEMORANDUM

TO: Governing Board

FROM: Terry E. Demott, Senior Land Resource Coordinator

DATE: November 10, 2011

RE: Approval and Execution of an Easement to Progress Energy

RECOMMENDATION:

Staff recommends approval and execution of a right of way easement granted to Progress Energy on District lands at the Jasper Well Field site in Hamilton County

BACKGROUND

The District has leased property to the City of Jasper for construction of a potable water treatment facility just north of town. In order to begin construction of the facility the City has requested the District provide Progress Energy with a 20-foot power line right-of-way for electric service to the plant. This is a temporary line for construction purposes and will result in very little clearing. When construction of the plant is complete and the permanent line is established the exact legal description will be furnished to the District. This easement format, provided by Progress Energy, has been reviewed and approved by District Counsel.

Staff feels it is in the best interest of the future protection and management of this tract to grant this specific easement to Progress Energy on behalf of the City of Jasper.

/gal
Attachment

Jasper Well Field Site

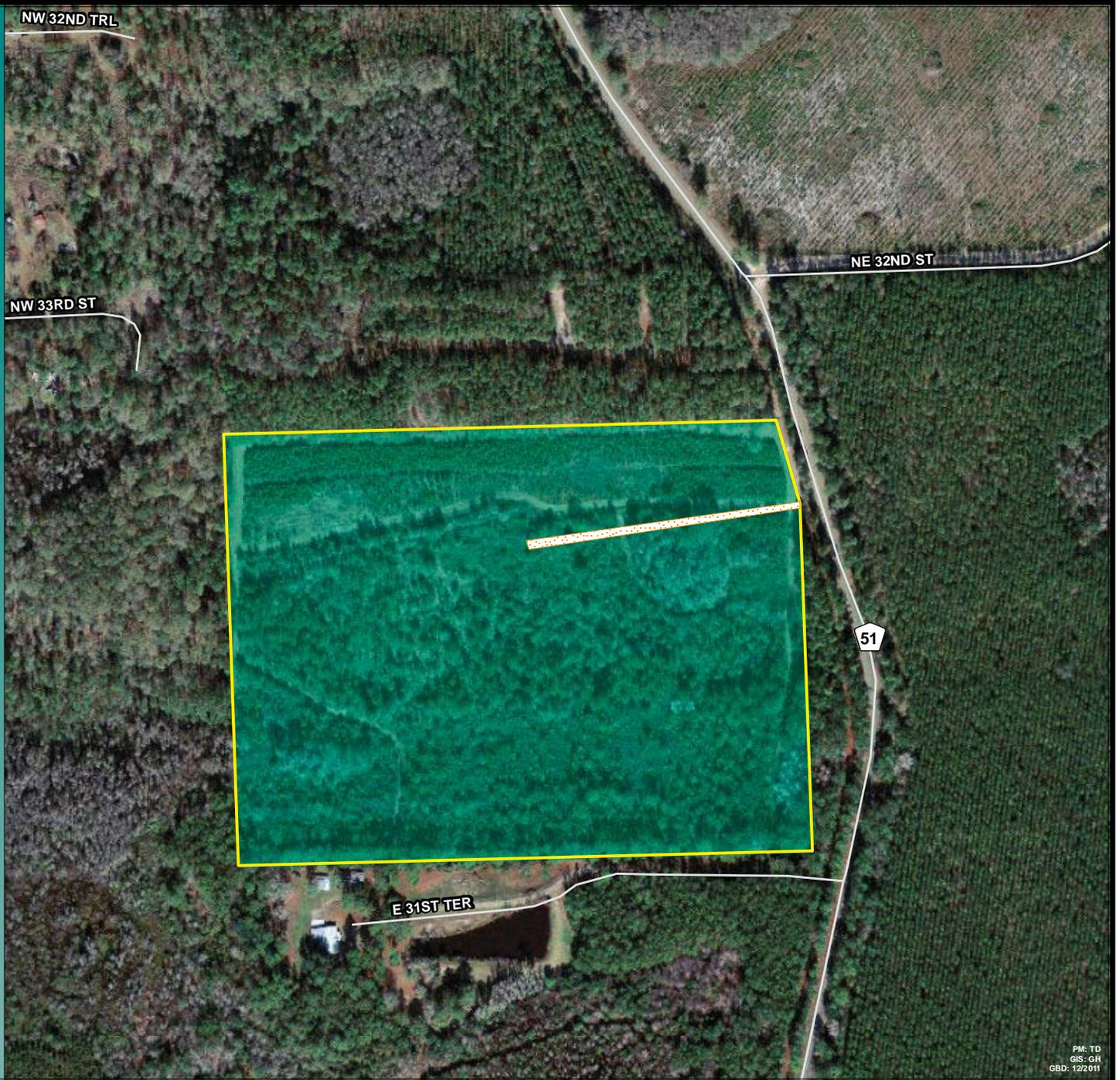
Hamilton County
Florida

 SRWMD Lands

 Approximate Area
of the Utility
Easement to
Progress Energy



NOTE: This map was created by the Suwannee River Water Management District (SRWMD), Department of Land Acquisition and Management (LA&M), 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 public records request regardless of the use or application. SRWMD does not guarantee the accuracy, or suitability for any use of this data, and no warranty is expressed or implied. In no event will the SRWMD, its staff, or the contributing agencies be liable for any direct, indirect, special, consequential or other damages, including loss of profit, arising from the use of this data, even if the District has been advised of the possibility of such damages. Users of this data should therefore do so at their own risk. For more information please contact the SRWMD at 1-386-362-1001. 2010NC 1FT Imagery Hamilton



FM: TD
GIS: GH
GBD: 12/2011



Progress Energy

ORIGINAL TO FILE _____
COPIES TO _____

RECEIVED
SRWMD

OCT 21 2011

DISTRIBUTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, their heirs, successors, lessees and assigns ("**GRANTOR**"), in consideration of the mutual benefits, covenants and conditions herein contained, does hereby grant and convey to **FLORIDA POWER CORPORATION** doing business as **PROGRESS ENERGY FLORIDA, INC.**, a Florida corporation ("**GRANTEE**"), Post Office Box 14042, St. Petersburg, Florida 33733, and to its successors, lessees, licensees, transferees, permittees, apportionees, and assigns, an easement to install, operate and maintain in perpetuity, such facilities as may be necessary or desirable for providing electric energy and service and communication systems, whether to or on behalf of telecommunication providers or other customers by **GRANTEE** or others, said facilities being located in the following described "Easement Area" within **GRANTOR'S** premises in Hamilton County, to wit:

A 10.00 foot wide Easement Area defined as lying 5.00 feet on each side of **GRANTEE's** facilities to be installed at mutually agreeable locations over, across and through the following described property to accommodate present and future development:

Part of the Southwest 1/4 of the Southeast 1/4, being more particularly described as follows: For POINT OF BEGINNING, commence at the Southwest corner of the Southeast 1/4 of said Section 29, thence run North 02° 00' 33" West along the West line of said Southeast 1/4, a distance of 994.32 feet to the South line of the North 330.00 feet of the Southwest 1/4 of the Southeast 1/4; thence run North 88° 33' 52" East along said South line, a distance of 1276.10 feet to the Westerly right of way line of County Road No. 51; thence run South 15° 45' 23" East along said Westerly right of way line, a distance of 197.29 feet to the East line of the Southwest 1/4 of the Southeast 1/4 of said Section 29; thence run South 02° 08' 14" East along said East line, a distance of 802.68 feet to the South line of said Section 29; thence run South 88° 32' 36" West along said South line, a distance of 1324.78 feet to the POINT OF BEGINNING.

Tax Parcel Number: 2418-000

The rights herein granted to **GRANTEE** by **GRANTOR** specifically include: (a) the right for **GRANTEE** to patrol, inspect, alter, improve, repair, rebuild, relocate, and remove said facilities; further **GRANTEE** hereby agrees to restore the Easement Area to as near as practicable the condition which existed prior to such construction, repairs, alteration, replacement, relocation or removal as a result of **GRANTEE's** safe and efficient installation, operation or maintenance of said facilities; (b) the reasonable right for **GRANTEE** to increase or decrease the voltage and to change the quantity and type of facilities; (c) the reasonable right for **GRANTEE** to clear the Easement Area of trees, limbs, undergrowth and other physical objects which, in the opinion of **GRANTEE**, endanger or interfere with the safe and efficient installation, operation or maintenance of said facilities; (d) the reasonable right for **GRANTEE** to trim or remove any timber adjacent to, but outside the Easement Area which, in the reasonable opinion of **GRANTEE**, endangers or interferes with the safe and efficient installation, operation or maintenance of said facilities; (e) the reasonable right for **GRANTEE** to enter upon land of the **GRANTOR** adjacent to said Easement Area for the purpose of exercising the rights herein granted; and (f) all other rights and privileges reasonably necessary or convenient for **GRANTEE's** safe and efficient installation, operation and maintenance of said facilities and for the enjoyment and use of said easement for the purposes described above. The rights and easement herein granted are non-exclusive as to entities not engaged in the provision of electric energy and service and **GRANTOR** reserves the right to grant rights to others affecting said easement area provided that such rights do not create an unsafe condition or unreasonably conflict with the rights granted to **GRANTEE** herein.

GRANTOR hereby covenants and agrees that no buildings, structures or obstacles (except fences) shall be located, constructed, excavated or created within the Easement Area. If the fences are installed, they shall be placed so as to allow ready access to **GRANTEE's** facilities and provide a working space of not less than ten (10) feet on the opening side, six (6) feet on the back for working space and three (3) feet on all other sides of any pad mounted transformer. If **GRANTOR's** future orderly development of the premises is in physical conflict with **GRANTEE's** facilities, **GRANTEE** shall, within 60 days after receipt of written request from **GRANTOR**, relocate said facilities to another mutually agreed upon Easement Area in **GRANTOR's** premises, provided that prior to the relocation of said facilities (a) **GRANTOR** shall pay to **GRANTEE** the full expected cost of the relocation as estimated by **GRANTEE**, and (b) **GRANTOR** shall execute and deliver to **GRANTEE**, at no cost, an acceptable and recordable easement to cover the relocated facilities. Upon the completion of the relocation, the easement herein shall be considered cancelled as to the portion vacated by such relocation. This legal description was provided by **GRANTOR**. In the event facilities are located outside of this legal description, **GRANTOR** shall pay for any relocation costs necessary or shall amend this legal description to cover the actual facilities.

SEC 29
TWP 02N
RGE 14E
COUNTY Hamilton

GRANTOR
Suwannee River Water Management District

PROJECT
MO-11-66255

MEMORANDUM

TO: Governing Board
FROM: Richard Rocco, Real Estate Coordinator
DATE: November 21, 2011
RE: Outstanding Oil, Gas and Mineral Rights on Layman Law Firm/Walker Spring Conservation Easement

RECOMMENDATION

Staff requests the Governing Board accept a 50% Oil, Gas and Mineral rights outstanding and proceed with purchase of the Walker Spring Conservation Easement from the Layman Law Firm, Christopher and Christine Layman.

BACKGROUND

In July 2011 the District entered into an option to purchase the 168-acre Walker Spring Conservation Easement in Jefferson County from the Layman Law Firm, Chris and Christine Layman. Closing on the property was scheduled for September 30, 2011 but was extended 120 days beyond that date to allow the Laymans an opportunity to clear title issues and deliver satisfactory evidence of title.

In addition to their efforts to clear title issues, the Laymans have been working to obtain consent to subordinate the mortgage on the property to the District conservation easement. Efforts are also being made to extinguish a 50% oil, gas, and mineral interest or reduce it to a royalty only interest. The Laymans own the remaining undivided 50% oil, gas and mineral interest

The property was scheduled to close on November 10, 2011. On November 9, the holder of the interest, BRP LLC in Houston, Texas, notified Mr. Layman of their intent to demand \$53,000 for the release of the interest from a prior agreed upon amount of \$25,000. On November 15, BRP reduced that amount to \$35,000. Mr. Layman has requested a waiver of this interest in the attached letter.

It is staff opinion that the property has a low likelihood of extraction of oil, gas or mining of minerals due to the environmental sensitive nature of the property (third

magnitude spring and Aucilla River floodplain and frontage) and the surrounding land use being zoned conservation by Jefferson County which prohibits mining.

The District's purchase price for the easement is 41% of the appraised value of the conservation easement. The Laymans would like to close the transaction in 2011 to accommodate benefits from federal tax deductions.

gal

enclosure

Walker Spring Conservation Easement – 09-010



A Professional Limited Company

CHRISTOPHER A. LAYMAN
JACK WHITELOCK, JR.

1928 SOUTH PATRICK DRIVE
INDIAN HARBOUR BEACH, FLORIDA 32937

TELEPHONE (321) 773-2111
TOLL FREE (800) 586-8767
FACSIMILE (321) 773-2288
www.layman-law.com

November 10, 2011

Mr. Don Quincy, Chairman
Suwannee River Water Management District
9225 CR 49
Live Oak, Florida 32060

RE: LAYMAN LAW FIRM, P.L. Conservation Easement
Walker Springs (Jefferson Co., Florida)

Dear Mr. Quincy:

As you know, the Suwannee River Water Management District (hereinafter "the District") and the undersigneds entered into an agreement that will impose a perpetual conservation easement (CE) on the entirety of our 167.28 acre property located in Jefferson County, Florida. This property contains over .6 miles of Aucilla River frontage as well as Walker Spring itself and the entire spring run (over 1/4 of a mile) to the Aucilla River. Walker Spring has been recently been measured as a 3rd magnitude spring. Our goal is to be stewards of the land and protect it for not only our use but also our children and grandchildren's use and enjoyment.

The District is paying Layman Law Firm, P.L. \$1,500.00 per acre for the imposition of the CE on the property. One of the conditions for the placement of the CE was for the 50% mineral interests to be cleared or alternatively, converted to royalty interest only. The 50% mineral interest is currently owned by a Houston, Texas subsidiary of International Paper called BRP, Inc.

Since I first learned that the mineral interest needed to be cleared in order for the CE to be placed on the property, I have been working diligently on getting the mineral interest cleared. I first made contact with BRP'S vice president of operations in December of 2010. After many months of discussions with this individual, he agreed to sell me BRP's mineral interests for \$300.00 per acre. As you might expect, I balked at this figure as I was in shock they would demand such an exorbitant amount for the mineral interest. After cooling off, I again contacted BRP and agreed to pay the \$300.00 asking price. The VP from BRP ask me to submit a proposed quit claim deed which I did within a matter of days.

At \$300.00 per mineral acre of which BRP owns 50%, the amount to clear the mineral acres would be \$25,092.00. For the last several months, I have been prepared to pay this outrageous amount to clear the mineral interest. The BRP Vice President then contacted me and said that his asking price was not \$300.00 per mineral acre but rather \$300.00 per fee acre or \$50,184.00.

For the past year, I have worked with BRP to no avail in an attempt

to clear the mineral interest. I took time to research the mineral potential on my Jefferson County, Florida property in the hopes that I could demonstrate to BRP that my small property did not have any future mining potential whatsoever due to lack of minerals on the property and the inability to mine due to Florida law.

To that end, I provided BRP with a copy of Florida Statute §689.20 which provides that use of the word "minerals" in any deed, lease or other contract in writing does not include topsoil, muck, peat, humus, sand or common clay. Florida Statute §689.20 is attached hereto for your ready reference. Secondly, I provided BRP with a copy of Noblin v. Harbor Hills Development, 896 So.2d 781 (Fla. 5th DCA 2005), a recent Fifth District Court of Appeals case which extended the statutory exclusion of "minerals" to include limestone. A copy of the Noblin case is also attached hereto for your ready reference. This information was provided to BRP to demonstrate how narrow "minerals" are construed in Florida.

In addition to trying to demonstrate the complete lack of any minerals on my Jefferson County, Florida property, I also wanted to demonstrate the complete inability to mine for minerals even if such minerals existed on my property. To that end, I provided BRP's Vice President the 64 page Jefferson County Future Land Use Plan.

I very politely pointed out section 1.5.4[c] of the Future Land Use Plan which provides "[t]he area proposed for mining activities must be designated for mining on the Future Land Use Map." As you may know, the entirety of my property is located in a "conservation" area and an "agricultural" area. There are no designated "mining" areas on my property. Additionally, according to the Future Land Use Plan, the only activities permitted in the 100 year flood plain of the Aucilla River are agricultural, forestry operations and residential. Mining is not permitted within the 100 year flood plain of the Aucilla River. According to my research, the entirety of my property lies within the 100 year flood plain of the Aucilla River. A copy of the Jefferson County Future Land Use Plan is attached hereto for your ready reference.

I followed up this email with specific step-by-step directions on how to view the Jefferson County Future Land Use Map overlaid on my property so that the "conservation" and "agricultural" areas referenced above, could be visualized and BRP could see that no mining activities can occur on this property.

Again, my attempt was to demonstrate to BRP that not only was there no minerals to harvest from my property but also that even if there was, BRP would not be able to mine in light of the Jefferson County Future Land Use Plan. Despite this, I was still willing to pay \$25,092.00 to clear the mineral interest.

For the next several weeks, I sent repeated emails to BRP's VP trying to close this deal once and for all as it had been going on for almost one year. Then, on Monday, November 7, 2011, I received an email from BRP's Vice President stating that he had learned through due diligence that the District was paying for a CE on my property and that this "changes our view of the situation significantly." I was then referred to BRP's Florida counsel, Matthew Smith, Esq. I have had at least two telephone conversations with Mr. Smith concerning my desire to clear the mineral interests on my Jefferson County, Florida property. Although Mr. Smith refused to go on record with a hard figure, he insinuated that BRP would agree to sell its

mineral rights or otherwise convert them to a royalty interest for \$53,000.00.

In my view, this is pure extortion on the part of BRP especially in light of the fact that there are no minerals on my Jefferson County, Florida property and any mining potential in the future has been completely eliminated due to the Jefferson County Florida Future Land Use Plan. This is especially true when you consider that I offered them a very generous amount of money for their 50% mineral rights over the last year and they continue to want more especially after they learned that the District was involved and paying for the CE.

I have contacted BRP's attorney again today, Thursday, November 10, 2011 and given them a "take it or leave it" offer of \$10,000.00 to clear the mineral interests. Should BRP not accept this offer (and I do not expect them to based on my prior experience with them) I am willing to concede this same \$10,000.00 to the District in exchange for the mineral interest requirement being waived so that this CE can be closed. This \$10,000.00 concession can be used for future management needs of the property if so desired.

As further proof that BRP's mineral interest is for all intents and purposes worthless, I would point out that this same 50% mineral interest that encumbers my property also encumbers eight (8) properties in Jefferson County, Florida all owned in fee by The District. I am confident that had the District thought there was a potential for mining on the properties it owns in fee, the District would have taken the necessary steps to clear those mining interests prior to taking title to these eight (8) properties.

At this point, we have exhausted our options when it comes to acquiring BRP's 50% mineral interests unless we capitulate to the unreasonable demands that we have been placed under. At this time and in light of the fact that there are no minerals on my 167.28 acre Jefferson County, Florida property and there is absolutely no ability to search for or mine minerals on this property by operation of the Jefferson County Future Land Use Plan, I would ask that the Board for the District agree to waive the condition that the mineral interests be cleared so that we can move forward with the placement of a perpetual conservation easement on this beautiful yet fragile property. I can make myself available to present this information to the Board at the December 13, 2011 meeting if needed.

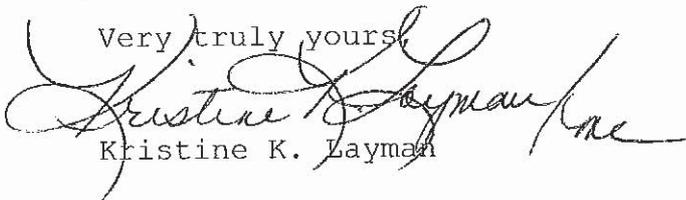
As always, please do not hesitate to contact me should you have any comments, questions or concerns regarding this matter.

Very truly yours,

Christopher A. Layman

CAL/mm
ENCL: As stated

Very truly yours,


Kristine K. Layman

cc: Mr. David Still, Executive Director

MEMORANDUM

TO: Governing Board

FROM: Glenn Horvath, Technical Program Manager

DATE: November 17, 2011

RE: Contract with the U.S. Geological Survey (USGS) for LiDAR Data and Quality Control Services

RECOMMENDATION

Staff recommends the Governing Board authorize the Executive Director to enter into a contract with the USGS to provide Light Detection and Ranging (LiDAR) data in Bradford County and other selected flood risk areas for a total not to exceed cost of \$225,000. Funding consists of \$175,000 from the Federal Emergency Management Agency (FEMA) and \$50,000 from the District.

BACKGROUND

Several years ago, the District started working with other agencies to secure LiDAR data for the District. LiDAR data is used by District staff in many areas including setting minimum flows and levels (MFL) through floodplain mapping, floodplain modeling, and water supply modeling.

We have partnered with the United States Geological Survey (USGS), the Federal Emergency Management Agency, the National Oceanic and Atmospheric Administration (NOAA), Northwest Florida Water Management District, the Florida Department of Emergency Management, and Alachua County to obtain a total of 4,785 square miles of data at a District cost of only \$335,000.

It is estimated that almost \$2 million has been spent to obtain LiDAR data in the District through the important partnerships listed above.

In October 2011, the District was awarded a matching grant through the USGS to capture 340 square miles of LiDAR data. The District will provide 53% of the costs while the USGS will provide the remaining 47%. Last year LiDAR data was collected along the Santa Fe River and New River in Bradford County. This new project would complete the LiDAR coverage of Bradford County. The flying to obtain the data will take place later this winter.

In addition, 385 square miles of LiDAR are proposed using FEMA funds in selected areas across the District to help fill in gaps that have not been collected. FEMA has agreed to provide \$175,000 through the District for this effort. No additional District funds will be needed.

The technical specifications for the LiDAR data will meet USGS, FEMA, and State of Florida standards and technical requirements. The USGS contractors working on the LiDAR data collection, processing, and quality control tasks have all been approved and selected by the USGS. This data will also be added to the USGS National Elevation Dataset (NED) for public use and distribution.

This LiDAR data will be used in developing MFLs for Sampson, Rowell, and Crosby lakes in Bradford County, which are scheduled to be completed in 2013. It will also be used to provide elevation data that can be used in the determinations of flood elevations for the FEMA flood maps. St. Johns River Water Management District has also shared an interest in having the Bradford County LiDAR data for MFL and Water Supply modeling efforts. Requests have also been received from the Florida Department of Transportation for LiDAR for the planned Starke bypass project, which was recently discussed at the Governing Board meeting. In addition, it will prove useful in wetland mitigation being planned for the bypass project.

The funding source for this LiDAR is \$175,000 from FEMA and \$50,000 from the District for a total of \$225,000. In addition, the USGS will contribute \$44,000 to this effort.

Please feel free to contact staff prior to the December 13 Governing Board meeting if you would like additional information.

Budget Codes

45-2-586-3-1300-12-02-010

01-2-586-2-6202-24-01-018

MEMORANDUM

TO: Governing Board

FROM: Melanie Roberts, Director of Mission Support

DATE: November 17, 2011

RE: Activity Report, Department of Mission Support

DATA MANAGEMENT:

- Staff sent out a Request for Proposal to solicit firms to provide geographic information services including application development, geospatial mapping, data management, and data analysis. The District received seven responses and selected four firms to make presentations to the staff on November 15, 2011. The firm's responses and presentations prompted staff to further evaluate what types of services are needed and the strategies we need to develop over the next few years. These strategies will involve looking at the processes used with spatial data, looking at how data is collected and processed, determining how it will be used in the future, and finding opportunities to be more efficient and reduce costs.
- Staff is currently reviewing the Light Detection and Ranging (LiDAR) data for which the District contracted with the United States Geological Survey (USGS) to provide in FY 2010. The 2010 contract provided the District with 1,983 square miles of LiDAR data at a District cost of \$35,000. It is estimated that \$660,000 was provided through partnerships with the USGS and the Federal Emergency Management Agency (FEMA) to collect and process the data.
- Staff loaded new ArcMap 10 software on approximately 50 staff computers during the month of October. Thirty-nine staff members participated in training of the new version of ArcMap 10. The hands on training identified the changes from the previous version and highlighted new features.
- Staff continues to provide support to staff, other agencies, and the public through GIS requests, database needs, and records requests.

INFORMATION TECHNOLOGY AND COMMUNICATIONS:

- Communications staff continue to support the District's mission through timely website updates, press releases, water conservation outreach, and springs protection coordination.
- Information Technology staff continues to support District staff through ongoing resolution of Help Desk tickets, scheduled system backups, and programming and database development and maintenance. Two new backup servers, one for backing up enterprise servers and one for desktop backups, have been put into production.

ADMINISTRATION:

- Staff worked with internal auditors for our end of year review.

MEMORANDUM

TO: Governing Board
FROM: Terry Demott, Sr. Land Resource Coordinator
DATE: November 21, 2011
RE: Activity Report, Real Estate

All land acquisition activities have been directed towards projects on which there were existing contracts. The Layman Law Firm/Walker Springs conservation easement in Jefferson County was scheduled to close on September 15, 2011. Clearing of title defects, mineral interests and payoff to creditors have delayed closing until November 30, 2011.

Discussions continue with Columbia County concerning the conveyance of the Alligator Lake property and with Alachua County regarding conveyance of the Buck Bay property.

The attached reports summarize the status of surplus activities and conservation easement reviews for the preceding month. Staff will be prepared to address any tracts of particular interest the Board may wish to discuss at the December 13, 2011 Governing Board meeting.

gal
007-0003

SURPLUS LANDS

Tract Name	Acres	County	Acquired Date	Funding Source	Appraisal Date	Listing Date	Listing Price	Comments
Bay Creek South	46	Columbia	02/1988	WMLTF	6/14/2010	7/12/2010	Fee \$123,750	Offer received and being reviewed.
Bay Creek North	24	Columbia	02/1988	WMLTF	6/14/2010	7/12/2010	Fee \$60,720	
Owens Spring	77	Lafayette	03/1999	P2000	6/14/2010	7/12/2010	Fee \$277,200	
Blue Sink	79	Suwannee	12/1988	WMLTF	6/14/2010	7/12/2010	Fee entire parcel \$281,600 40-acre parcels \$154,000	
Levings	69	Columbia	02/1998	WMLTF	6/14/2010	5/11/2011	Fee \$135,860	
Jennings Bluff	70	Hamilton	02/1989	WMLTF	7/30/2010	8/16/2010	Fee entire tract \$215,600	
Adams South	60	Lafayette	05/1990	WMLTF	7/30/2010	8/16/2010	Fee entire tract \$191,400	
Hunter Creek	120	Hamilton	09/2002	P2000		11/18/2010	Fee (3parcels) \$343,200 Conservation Easement (3parcels) \$243,100	Offer received and being reviewed.
Steinhatchee Rise	42	Dixie	02/1996	P2000	8/27/2010	11/18/2010	Fee entire tract \$126,940 conservation easement \$97,020	
Timber River	1	Madison	03/1998	WMLTF	8/27/2010	11/18/2010	Fee entire tract \$10,780	
Falmouth North (8 lots)	6	Suwannee	04/1998	WMLTF	8/27/2010	11/18/2010	Fee entire tract \$52,030	

SURPLUS LANDS

Wolf Creek	30	Jefferson	05/2009	FF	8/10/2011	11/10/2011	Fee or Conservation Easement (same price) \$64,350	
Withlacoochee Quail Farm	65	Madison	09/2006	FF	8/18/2011	11/10/2011	Fee entire tract \$153,780	
Woods Ferry	29	Suwannee	12/1988	WMLTF	8/18/2011	11/10/2011	Fee entire tract \$71,830	
Cuba Bay	22	Jefferson	02/1996	P2000	8/10/2011	11/10/2011	Fee or Conservation Easement (same price) \$42,350	
Perry Spray Field	248	Taylor	9/2001	WMLTF	Approved in July			Discussions continuing with Perry and Taylor County.
Chitty Bend East	20	Hamilton	12/1988	WMLTF	11/2/11			Appraisal being reviewed
Chitty Bend West	121	Madison	12/1988	WMLTF	11/2/11			Appraisal being reviewed
Gainesville Recreation Site/Buck Bay	60	Alachua	12/15/1999	P2000	Approved in July			Discussions continuing with City of Gainesville.
Alligator Lake	43	Columbia	8/10/2001	P2000	Approved in July			Discussions continuing with Columbia County.

WMLTF=Water Management Lands Trust Fund; P2000=Preservation 2000; FF= Florida Forever Trust Fund

CONSERVATION EASEMENT REVIEW

Owner	Project Name	Funding	Acres	Closing Date	County	Land Use	Last Inspection Date	Comments
Hinson's Broward Properties, Inc.	Hinson	Florida Forever	647	9/28/2007	Columbia	Forestry, Recreation	11/2011	314 acres of slash pine remain with PCA until 2022. New owners remain in full compliance with CE.
Loncala, Inc.	Loncala Hamilton	P-2000 Bonds	1,141	8/31/1999	Hamilton	Forestry, Recreation	11/2011	Forestry BMP survey was 100% in compliance. Remains in slash pine rotation. Wetlands preserved.
McEnany, Michael and Leanne	McEnany	Florida Forever Bonds	1,104	11/16/2007	Levy	Recreation, Forestry	11/2011	Property remains as agreed. Some culverts and water management recommended.
Usher Family Trust	Manatee Springs Addit.	Florida Forever Bonds	2,022	8/17/2004	Levy	Forestry, Recreation	10/2011	Upland slash pine plantations are being clearcut for another rotation. Small area of cogongrass.
Hale, Martha and Carter, Russell	Russell Carter	Florida Forever Bonds	585	9/28/2007	Columbia	Forestry, Recreation	11/2011	362 acres of pre-merch slash pine still with PCA. Wetlands remain intact. No changes.
Drummond, Graham Luther	Manatee Springs Addition	FDOT Mitigation and Florida Forever	543	5/29/2003	Levy	Recreation, Forestry	8/2011	Longleaf pine and sawtooth oak growing well. Roads well maintained for hunting.
Plum Creek Timberlands	Waccassa Gulf Hammock	P-2000 Bonds	21,300	12/15/2000	Levy	Forestry, Recreation	8/2011	Slash pine continues to be managed with wetlands untouched. Bill Schlitzcus is new manager.
Mann, Jack & Loy Ann	Manatee Springs Addition	FDOT Mitigation Escrow	590	5/29/2003	Levy	Recreation, Forestry	7/2011	Maintained primarily for hunting. Advised that slash pine plantations need thinning.
Meeks, David & Sarah	Manatee Springs Addition	FDOT Mitigation Escrow	370	5/29/2003	Levy	Recreation, Forestry	7/2011	Slash pine plantations have been thinned this year. In compliance with CE.
Ragans, Hoyt & Betty Jo	Ragans Jefferson	Florida Forever Bonds	169	12/28/2007	Jefferson	Forestry, Recreation	7/2011	Preserved areas remain as agreed in CE. Slash pine plantations remain well managed. No

CONSERVATION EASEMENT REVIEW

Owner	Project Name	Funding	Acres	Closing Date	County	Land Use	Last Inspection Date	Comments
Ragans, Hoyt & Betty Jo	Ragans Madison	Florida Forever Bonds	585	12/28/2007	Madison	Forestry, Recreation	7/2011	variations to agreement were noted. The property is well secured.
Strickland Field, L.P.	Strickland Field	P-2000 Bonds	3,822	7/7/2000	Dixie	Forestry	7/2011	Continues to be managed for forestry purposes. Wetlands intact as agreed.
Suwannee River Development, L.L.C.	Ace Ranch	Florida Forever Bonds	681	9/16/2010	Lafayette	Agriculture, Forestry	7/2011	Planted in peanuts with no irrigation used. Wetlands remain as is.
Chinquapin Farm, L.L.C.	Chinquapin Farm	P-2000 Bonds	640	12/30/2009	Columbia	Recreation, Forestry	6/2011	Continues to be used primarily for quail hunting. Only a few selected trees are harvested.
Chinquapin Farm, L.L.C.	Chinquapin Farm	P-2000 Bonds	5,710	12/30/2009	Suwannee	Recreation, Forestry	6/2011	Preserved areas remain intact. No additional building has occurred this year.
Davidson, Dr. C. Linden	Davidson	P-2000 Bonds	225	4/18/2002	Jefferson	Forestry, Recreation	6/2011	No changes this year. Food plots, fences and gates are well maintained.
Jackson, Kevin and Patrice	Jackson	Florida Forever Bonds	171	6/23/2010	Lafayette	Agriculture, Forestry	6/2011	Planted in peanuts this year. No irrigation used. Harvesting pine straw.
Plantations at Deep Creek, L.L.C.	Deep Creek Exchange	Save Our Rivers	1,038	5/12/2006	Columbia	Forestry, Recreation	6/2011	New owners are using the property as a wildlife refuge. Forests remain well maintained.
Plum Creek Timberlands	Manatee Springs Addit. Oak Hammock	Florida Forever Bonds	4,588	8/31/2002	Levy	Forestry, Recreation	6/2011	Continues to be managed for slash pine rotation. Preserved area remains as is.
Plum Creek Timberlands	Manatee Springs Addit. Suwannee Swamp	Florida Forever Bonds	12,797	3/28/2002	Levy	Forestry, Recreation	6/2011	Continues to be managed for slash pine. Preserved wetland areas remain.
Plum Creek Timberlands	Gainesville Wellfield	P-2000 Bonds	3,084	12/15/1999	Alachua	Forestry, Recreation	6/2011	This property is primarily used for forestry activities. GRU has wells and maintained roads. Wetlands intact.

CONSERVATION EASEMENT REVIEW

Owner	Project Name	Funding	Acres	Closing Date	County	Land Use	Last Inspection Date	Comments
Red Hills Land Company	Foster	Florida Forever Bonds	163	3/25/2002	Jefferson	Forestry, Recreation	6/2011	No changes in easement since purchase.
Geraldine Livingston Foundation	Dixie Plantation	P-2000 Bonds	8,902	2/18/1999	Jefferson	Forestry, Recreation	5/2011	Continues to be used for timber and hunting. Longleaf pine planted each year and prescribed fire used.
Newberry, City of	Newberry Wellfield	P-2000 Bonds	40	2/21/2001	Alachua	Recreation	5/2011	Remains used for sports.
Bailey, Donald and Margaret	Bailey/Cuba Bay Exchange	Save Our Rivers	164	2/12/2002	Jefferson	Agriculture, Forestry	4/2011	No variation in land use. Remains in full compliance.
Florida Sheriffs Youth Ranches, Inc.	Youth Ranches (I and II)	P-2000 Bonds	550	5/7/1997 and 1/2/1996	Suwannee	Recreation	4/2011	All areas are for recreation purposes only. Boy's Ranch personnel have repainted entire perimeter this year. Horseback riding by Ranch residents remains a major use.
Moore, Madeline	Moore	Florida Forever Bonds	115	12/23/2002	Jefferson	Forestry, Recreation	4/2011	Small CE remains in compliance with wetlands preserved.
Zellwin Farms, Inc.	Jennings Bluff	Save Our Rivers	362	2/1/1989	Hamilton	Recreation	4/2011	Maintained as originally agreed.
Champion, Roger and Donna	Mount Gilead	Florida Forever Bonds	180	8/19/2009	Madison	Forestry, Recreation	2/2011	Continues to be maintained primarily for hunting.
Platt, Cody and Carol	Aucilla Addition	P-2000 Bonds	274	12/29/1999	Jefferson	Forestry, Recreation	2/2011	New owners well aware of CE terms. Have completed residence. Plan to mark boundaries and fire lines.
Tisdale, Robert	Manatee Springs Addition	Florida Forever Bonds	83	11/16/2007	Levy	Recreation	2/2011	No change. Used for hunting only.

CONSERVATION EASEMENT REVIEW

Owner	Project Name	Funding	Acres	Closing Date	County	Land Use	Last Inspection Date	Comments
Feagle, Ronald and Dorothy	Bonnet Lake	Florida Forever Bonds	433	1/27/2010	Columbia	Recreation, Forestry	1/2011	First year inspected. Longleaf pine planted and preserved area remains as is with hunting only.
Harrell, Curtis and Matthew	Falmouth Addition	P-2000 Bonds	912	10/6/1999	Suwannee	Agriculture, Recreation	1/2011	Fields were fallow on date of inspection. Preserved areas remain as is. No encroachment. Cabins in place.
Loncala, Inc.	Monteocha Creek	Save Our Rivers	951	11/30/2001	Alachua	Forestry, Recreation	1/2011	Four ages of slash pine. Good management plan. No harvesting planned in next 12 months.
Loncala, Inc.	Loncala Gilchrist	P-2000 Bonds	913	8/31/1999	Gilchrist	Forestry, Recreation	1/2011	Property remains as agreed to in CE. Loncala intensely manages pine plantations with hunting leases.
Santa Fe River Hammock, L.L.C.	Santa Fe River Hammock	P2000 - Sandlin Bay VFI Resale	167	1/31/2011	Bradford	Forestry, Recreation	1/2011	This is a new CE this year with a management plan in place.
The Campbell Group	California Swamp	Save Our Rivers and P-2000 Bonds	32,134	10/1/2001	Dixie	Forestry, Recreation	1/2011	Remains managed for pine timber and hunting with updated management plan. Wetlands undisturbed.
Sanders, Thomas and Sylvia	Mill Creek	P-2000 Bonds	339	12/6/2000	Hamilton	Recreation, Agriculture	11/2010	Members of the Sanders family are primarily hunters, but keep the property well maintained. No cattle this year.
Sheppard, Derwood and Susan	Manatee Springs Addition	Florida Forever Bonds	120	2/8/2008	Levy	Recreation	11/2010	No change. Owner says it was used very little in the last year.
Bailey Brothers, Inc.	Bailey Brothers	P-2000 Bonds	16,522	8/24/2000	Dixie	Forestry, Recreation	12/2010	Used for forestry, hunting and cattle. Remains as agreed. Feral hog population is declining.