

**AGENDA**  
**SUWANNEE RIVER WATER MANAGEMENT DISTRICT**  
**GOVERNING BOARD MEETING AND PUBLIC HEARING**

**OPEN TO THE PUBLIC**

March 13, 2012  
9:00 a.m.

District Headquarters  
9225 CR 49  
Live Oak, Florida

1. Call to Order
2. Swearing in of New Board Member and Roll Call
3. Chairman Introductions
4. Roll Call
5. Additions, Deletions, or Changes to the Agenda
6. Action Items  
Approval of Agenda
7. Items Recommended on Consent
  - MS Page 1 – Approval of January Financial Report
  - WSRM Page 21 - Denial of Individual Environmental Resource Permit Application Number ERP09-0070, Pine Plantation Subdivision, Bradford County
  - WSRM Page 27 - Extension of Temporary Water Use Permit Number 2-11-00040, Loncala Dairies, Gilchrist County
  - WSRM Page 37 – Extension of Temporary Water Use Permit Number 2-11-00041, Piedmont Farms, Inc., Gilchrist County
  - WSRM Page 46 - Extension of Temporary Water Use Permit Number 2-97-00005M2, William Douberly Farm, Gilchrist and Levy Counties
8. Approval of Recommended Consent Items
9. Approval of Minutes – February 14 Governing Board Meeting and Workshop Minutes

10. Items of General Interest for Information/Cooperating Agencies and Organizations
  - A. Presentation of Hydrologic Conditions by Megan Wetherington, Senior Professional Engineer
  - B. Cooperating Agencies and Organizations
  - C. Public Comment

**DEPARTMENT OF MISSION SUPPORT**  
**Melanie Roberts, Director**

Action Items

- |            |   |
|------------|---|
| MS Page 1  | 11. Approval of January Financial Report – <b>Recommended Consent</b>   |
| MS Page 5  | 12. Water Conservation Month Proclamation   |
| MS Page 7  | 13. Declaration of Surplus Lands – Cabbage Grove  |
| MS Page 14 | 14. Authorization to Conduct a Detailed Assessment and to Commence Negotiations for an Exchange of Lands – Ellaville and Mill Creek South |
| MS Page 27 | 15. Approval of Land Sale without Reservation of Mineral and Petroleum Interests  |

Informational Item

- |            |   |
|------------|---|
| MS Page 28 | 16. Information Concerning the Sale of the 68-acre ± Adams South Surplus Land Tract to Michael and Freda Shaw |
| MS Page 34 | 17. Selection of Contractors within the Boundaries of the District  |
| MS Page 35 | 18. Activity Report, Mission Support  |
| MS Page 36 | 19. Activity Report, Real Estate  |

**DEPARTMENT OF WATER SUPPLY AND RESOURCE MANAGEMENT**  
**Jon Dinges, Director**

Action Items

- |             |   |
|-------------|---|
| WSRM Page 1 | 20. Renewal of Contract with Bonnell & Sons Forestry Service, LLC for FY2013 Tree Planting Services |
|-------------|---|

- WSRM Page 2 21. Contract with Progressive Solutions, Inc. for Chemical Application Services for Pine Tree Seedling Establishment
- WSRM Page 4 22. Contract with ATS Partners, LLC for Upland Pine Forest Groundcover Restoration
- WSRM Page 7 23. Agreement with Friends of Suwannee Springs, Inc.
- WSRM Page 13 24. North Florida Southeast Georgia Regional Groundwater Model Services
- WSRM Page 19 25. Denial of Individual Environmental Resource Permit Application Number ERP09-0070, Pine Plantation Subdivision, Bradford County – **Recommended Consent**
- WSRM Page 25 26. Extension of Temporary Water Use Permit Number 2-11-00040, Loncala Dairies, Gilchrist County – **Recommended Consent**
- WSRM Page 35 27. Extension of Temporary Water Use Permit Number 2-11-00041, Piedmont Farms, Inc., Gilchrist County – **Recommended Consent**
- WSRM Page 44 28. Extension of Temporary Water Use Permit Number 2-97-00005M2, William Douberly Farm, Gilchrist and Levy Counties – **Recommended Consent**
- WSRM Page 53 29. Approval of Water Use Permit Application Number 2-03-00003M, Oak Grove Dairy, Inc., Lafayette and Dixie Counties

Informational Items

30. Water Supply and Resource Management Activity Reports
- WSRM Page 66 A. Water Supply
- WSRM Page 68 B. Water Resource Monitoring
- WSRM Page 69 C. Regulatory
- WSRM Page 73 D. Suwannee River Partnership
- WSRM Page 75 E. Land Management
- WSRM Page 79 F. Water Resource Projects Program
- WSRM Page 83 G. Compliance

**GOVERNING BOARD LEGAL COUNSEL**  
**Tom Reeves**

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Informational Items

31. Governing Board Counsel Monthly Report (to be provided prior to Governing Board meeting)

**EXECUTIVE OFFICE**  
**David Still, Executive Director**

Informational Items

32. Executive Director's Report

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33. Executive Office Activity Report

34. Announcements

Unless otherwise noted, all meetings are at District Headquarters in Live Oak, Florida

March 13, 2012	9:00 a.m.	Board Meeting Workshop
April 10, 2012	9:00 a.m.	Board Meeting Workshop
May 10, 2012	9:00 a.m.	Board Meeting Workshop
June 12, 2012	9:00 a.m.	Board Meeting Workshop

**\*\*Board Workshops immediately follow Board Meetings unless otherwise noted.**

35. Adjournment

The entire meeting of the Governing Board is a public hearing and will be governed accordingly. The Governing Board may take action on any item listed on the agenda. The Governing Board may make changes to the printed agenda only for good cause shown as determined by the Chairman and stated for the record. If any person decides to appeal any decision with respect to any action considered at the above referenced meeting and hearing, such person may need to ensure a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is made. Public attendance and participation at the District Governing Board Meetings are encouraged.

SUWANNEE RIVER WATER MANAGEMENT DISTRICT  
MINUTES OF  
GOVERNING BOARD MEETING AND PUBLIC HEARING

Note: A digital recording system has been used to record these proceedings and is on file in the permanent files of the District. A copy of the Governing Board materials and handouts are a part of the record as if set out in full herein, and are filed in the permanent files of the District.

9:00 a.m., Tuesday  
February 14, 2012

District Headquarters  
9225 CR 49  
Live Oak, Florida

Governing Board:

<b>Seat</b>	<b>Name</b>	<b>Office</b>	<b>Present</b>	<b>Not Present</b>
Aucilla Basin	George M. Cole, Ph.D.		X	
Coastal River Basin	Donald Ray Curtis, III	Secretary/ Treasurer	X*	
Lower Suwannee River Basin	Don Quincey, Jr.	Chairman	X	
Santa Fe & Waccasassa Basins	Kevin W. Brown		X	
Upper Suwannee River Basin	Alphonas Alexander	Vice Chairman	X	
At Large	Heath Davis		X	
At Large	Carl Meece		X	
At Large	Guy N. Williams		X	
At Large	VACANT			

\*Mr. Curtis left during the discussion about Executive Director David Still for a pre-scheduled appointment.

Governing Board General Counsel

<b>Name</b>	<b>Firm</b>	<b>Present</b>	<b>Not Present</b>
George T. Reeves	Davis, Schnitker, Reeves & Browning, P.A.	X	

Minutes of Governing Board Meeting  
 February 14, 2012  
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\*Staff:

<b>Position</b>	<b>Name</b>	<b>Present</b>	<b>Not Present</b>
Executive Director	David Still	X**	
Assistant Executive Director	Charlie Houder	X	
Governmental Affairs Director	Steve Minnis		X
Department Director, Mission Support	Melanie Roberts	X	
Department Director, Water Supply & Resource Management	Jon Dinges	X	
Senior Professional Engineer	Megan Wetherington	X	
GB Coordinator – Paralegal	Linda Welch	X	

\*There were no SRWMD staff (including the Executive Director) present during the discussion about Executive Director David Still.

\*\*David Still arrived during Agenda Item 34.

Guests:

- Tim Sagul, SRWMD
- Kevin Wright, SRWMD
- Hugh Thomas, SRWMD
- Vanessa Fultz, SRWMD
- Carlos Herd, SRWMD
- Terry Demott, SRWMD
- Brian Kauffman, SRWMD
- Bob Heeke, SRWMD
- Patrick Webster, SRWMD
- John Good, SRWMD
- Cindy Johnson, SRWMD
- Dan Buchanan, Florida Farm Bureau, Pinetta
- Greg Harden, Florida Farm Bureau, Lake City
- Kyle Edington, USF Senate Intern
- Ray Hodge, Southeast Milk
- Commissioner Gary Hardacre, Alachua City Commission, Alachua
- Commissioner Philip Oxendine, Suwannee County Commission, Live Oak
- Commissioner Rusty DePratter, Columbia County Commission, Lake City
- Renate and Barney Cannon, Chiefland
- Jeffrey Hill, El Rancho No Tengo, Lake City
- Craig Varn, Manson Law Group, Tampa
- Warren Zwanka, St. Johns River Water Management District, Palatka
- Merrilee Malwitz-Jipson, Our Santa Fe River, Fort White

Annette Long, Save Our Suwannee, Chiefland  
Bobbie Tomlinson, Friends of Suwannee Springs, Jennings  
Lori Harper, Friends of Suwannee Springs, Live Oak  
George Townsend, Friends of Suwannee Springs, Live Oak  
Paul Still, Bradford Soil & Water Conservation District, Starke  
Jim Lloyd, Branford  
Steve Gladin, Trenton  
Lee Chauncey

The meeting was called to order at 9:00 a.m.

The roll was called and a quorum noted.

Agenda Item No. 4 - Additions, Deletions, or Changes to the Agenda.

Water Supply and Resource Management

**Addition:**

- Extension of Temporary Water Use Permit Number 2-97-00005M2, William Douberly Farm, Gilchrist and Levy Counties

Agenda Item No. 5 – Approval of Agenda.

MR. DAVIS MADE A MOTION TO ACCEPT THE AGENDA AS READ. THE MOTION WAS SECONDED BY MR. ALEXANDER. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS ALEXANDER, BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 5 – Consent Agenda.

- Agenda Item 10 - Approval of the November Financial Report

Agenda Item No. 6 – Approval of Recommended Consent Items.

Agenda Item No. 7 and 8– Approval of Recommended Consent Items and January 10, 2012 Governing Board Meeting Minutes.

MR. DAVIS MADE A MOTION TO ACCEPT THE CONSENT AGENDA ITEMS AND THE JANUARY 10, 2012 GOVERNING BOARD MEETING MINUTES. THE MOTION WAS SECONDED BY MR. ALEXANDER. THE MOTION PASSED

UNANIMOUSLY WITH GOVERNING BOARD MEMBERS ALEXANDER, BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 9 - Items of General Interest for Information/Cooperating Agencies and Organizations.

- A. Chairman Introductions
- B. Megan Wetherington gave a presentation of hydrologic conditions of the District.
- C. Cooperating Agencies and Organizations
- D. Public Comment
  - 1. Ms. Bobbie Tomlinson from Friends of Suwannee Springs (FOSS) addressed the Governing Board regarding Suwannee Springs and a proposed agreement between the District and FOSS.

**DEPARTMENT OF MISSION SUPPORT**

Agenda Item No. 10 – Approval of December Financial Report. Approved on consent.

Agenda Item No. 11 – Consideration of Resolution No. 2012-04 Requesting Classification of the Preliminary Fiscal Year 2013 Reserves as Committed Funds. Melanie Roberts, Department Director, presented the staff recommendation for Governing Board consideration of Resolution No. 2012-04 requesting classification of the preliminary Fiscal Year 2013 reserves as committed funds, as shown in the Board materials.

MR. MEECE MADE A MOTION TO APPROVE AND EXECUTE RESOLUTION 2012-02 CLASSIFYING THE PRELIMINARY FISCAL YEAR 2013 RESERVES AS COMMITTED FUNDS. THE MOTION WAS SECONDED BY MR. MEECE. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS ALEXANDER, BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 12 – Resolution 2012-03, Authorizing Approval and Execution of Resolution 2012-03 Authorizing the Sale of the Withlacoochee Quail Farm Surplus Land Parcel to James D. Kauffman. Terry Demott, Program Leader, presented the staff recommendation for Governing Board approval and execution of Resolution 2012-03 authorizing approval and execution of Resolution 2012-03, authorizing the sale of the Withlacoochee Quail Farm surplus land parcel to James D. Kauffman, as shown in the Board materials.

MR. CURTIS MADE A MOTION TO APPROVE AND EXECUTE RESOLUTION 2012-03 AUTHORIZING THE SALE OF THE WITHLACOOCHEE QUAIL FARM SURPLUS LAND PARCEL TO JAMES D. KAUFFMAN. THE MOTION WAS SECONDED BY MR. DAVIS. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS ALEXANDER, BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 13 – Management Agreement with the Madison County Board of County Commissioners for the Mill Creek North Boat Ramp. Mr. Demott presented the staff recommendation for Governing Board approval and execution of a management agreement with the Madison County Board of County Commissioners to allow road and boat ramp improvements on the District's Mill Creek North tract, as shown in the Board materials.

MR. DAVIS MADE A MOTION TO APPROVE AND EXECUTE A MANAGEMENT AGREEMENT WITH THE MADISON COUNTY BOARD OF COUNTY COMMISSIONERS TO ALLOW ROAD AND BOAT RAMP IMPROVEMENTS ON THE DISTRICT'S MILL CREEK NORTH TRACT. THE MOTION WAS SECONDED BY MR. ALEXANDER. DR. COLE MADE A MOTION TO INSERT AN INDEMNITY CLAUSE INTO THE AGREEMENT. THE MOTION WAS SECONDED BY MR. DAVIS. BOTH MOTIONS PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS ALEXANDER, BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 14 – 2012 Florida Forever Work Plan and 2012 – 2021 Strategic Plan. Melanie Roberts presented the staff recommendation for Governing Board acceptance of the 2012 Florida Forever Work Plan and the 2012-2021 Strategic Plan, as shown in the Board materials.

DR. COLE MADE A MOTION TO ACCEPT THE 2012 FLORIDA FOREVER WORK PLAN AND THE 2012-2021 STRATEGIC PLAN. THE MOTION WAS SECONDED BY MR. ALEXANDER. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS ALEXANDER, BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 15 – Activity Report, Mission Support. The Activity Report for the Department of Mission Support was provided as an informational item in the Board materials.

Agenda Item No. 16 – Activity Report, Real Estate. The Activity Report for Real Estate was provided as an informational item in the Board materials.

## **DEPARTMENT OF WATER SUPPLY AND RESOURCE MANAGEMENT**

Agenda Item No. 17 – Approval of Ranking of Surveying Firms and Execution of Contract for Establishment of Minimum Flows and Levels on the Upper Suwannee River. Carlos Herd, Program Leader, presented the staff recommendation that the Governing Board approve the ranking of surveying firms listed and authorize the Executive Director to enter into competitive negotiations in order of ranking in accordance with section 287.055, Florida Statutes, to execute a contract for surveying for the Upper Suwannee River for an amount not to exceed \$100,000, as shown in the Board materials.

MR. DAVIS MADE A MOTION TO APPROVE THE RANKING OF SURVEYING FIRMS LISTED AND AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO COMPETITIVE NEGOTIATIONS IN ORDER OF RANKING IN ACCORDANCE WITH SECTION 287.055, FLORIDA STATUTES, TO EXECUTE A CONTRACT FOR SURVEYING FOR THE UPPER SUWANNEE RIVER FOR AN AMOUNT NOT TO EXCEED \$100,000. THE MOTION WAS SECONDED BY DR. COLE. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS ALEXANDER, BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 18 – Approval of Scope of Work and Authorization to Enter into an Agreement with the University of Florida. This item was withdrawn from the agenda.

Agenda Item No. 19 – Contract with Chaples Tractor and Agricultural Services, Inc., for Landscape Recreation Maintenance Services for Northeast - Region 1. Robert G. Heeke, Program Leader, presented the staff recommendation that the Governing Board approve the rankings developed by the Selection Committee as shown below and authorize the Executive Director to execute a contract with Chaples Tractor and Agricultural Services, Inc. If negotiations are unsuccessful with this firm, staff recommends authorization to negotiate and execute a contract with the firms in order of ranking. The cost of these services for Region 1 will not exceed \$48,900 in fiscal year 2012, as shown in the Board materials.

Agenda Item No. 20 - Contract with Keen Forest Management, Inc., for Landscape Recreation Maintenance Services for Northwest – Region 2. Mr. Heeke presented the staff recommendation that the Governing Board approve the rankings developed

by the Selection Committee as shown below and authorize the Executive Director to execute a contract with Keen Forest Management, Inc., as shown in the Board materials. If negotiations are unsuccessful with this firm, staff recommends authorization to negotiate and execute a contract with the firms in order of ranking. The cost of these services for Region 2 will not exceed \$20,300 in fiscal year 2012.

Agenda Item No. 21 – Contract with Suwannee Lawn & Garden, Inc., for Landscape Recreation Maintenance Services for Southeast Region – 3. Mr. Heeke presented the staff recommendation that the Governing Board approve the rankings developed by the Selection Committee as shown below and authorize the Executive Director to execute a contract with Suwannee Lawn & Garden, Inc., as shown in the Board materials. If negotiations are unsuccessful with this firm, staff recommends authorization to negotiate and execute a contract with the firms in order of ranking. The cost of these services for Region 3 will not exceed \$21,500 in fiscal year 2012.

Agenda Item No. 22 – Contract with Keen Forest Management, Inc., for Landscape Recreation Maintenance Services for Southwest – Region 4. Mr. Heeke presented the staff recommendation that the Governing Board approve the rankings developed by the Selection Committee as shown below and authorize the Executive Director to execute a contract with Keen Forest Management, Inc., as shown in the Board materials. If negotiations are unsuccessful with this firm, staff recommends authorization to negotiate and execute a contract with the firms in order of ranking. The cost of these services for Region 4 will not exceed \$21,900 in fiscal year 2012.

MR. DAVIS MADE MOTION TO APPROVE STAFF RECOMMENDATIONS FOR AGENDA ITEM NUMBERS 19 THROUGH 22 ABOVE. THE MOTION WAS SECONDED BY MR. MEECE. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS ALEXANDER, BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 23 – License to Cut Timber with Suwannee Lumber Company, Inc., for the Black Tract #3 Timber Sale. Mr. Heeke presented the staff recommendation that the Governing Board authorize the Executive Director to execute a license to cut timber with Suwannee Lumber Company, Inc., for the Black Tract #3 Timber Sale, as shown in the Board materials.

Mr. Curtis stated a conflict of interest and abstained from voting on Agenda Item 23 – recommendation that the Governing Board authorize the Executive Director to execute a license to cut timber with Suwannee Lumber Company, Inc., for the Black Tract #3 Timber Sale, and Mr. Curtis signed a conflict of interest form. This form is

hereby made a part of these minutes and is filed in the permanent files of the District.

MR. MEECE MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE A LICENSE TO CUT TIMBER WITH SUWANNEE LUMBER COMPANY, INC., FOR THE BLACK TRACT #3 TIMBER SALE. THE MOTION WAS SECONDED BY MR. DAVIS. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS ALEXANDER, BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 24 – License to Cut Timber with Williams Timber, Inc., for the Goose Pasture #1 Timber Sale. Mr. Heeke presented the staff recommendation that the Governing Board authorize the Executive Director to execute a license to cut timber with Williams Timber, Inc., for the Goose Pasture #1 Timber Sale, as shown in the Board materials.

Agenda Item No. 25 – License to Cut Timber with Greenville Timber Corporation for the Jerry Branch #1 Timber Sale. Mr. Heeke presented the staff recommendation that the Governing Board authorize the Executive Director to execute a license to cut timber with Greenville Timber Corporation for the Jerry Branch #1 Timber Sale, as shown in the Board materials.

Agenda Item No. 26 – License to Cut Timber with Greenville Timber Corporation for the Steinhatchee Springs #9 Timber Sale. Mr. Heeke presented the staff recommendation that the Governing Board authorize the Executive Director to execute a license to cut timber with Greenville Timber Corporation for the Steinhatchee Springs #9 Timber Sale, as shown in the Board materials.

MR. MEECE A MADE MOTION TO APPROVE STAFF RECOMMENDATIONS FOR AGENDA ITEM NUMBERS 24, 25, AND 26 ABOVE. THE MOTION WAS SECONDED BY MR. ALEXANDER. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS ALEXANDER, BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 27 – Adoption of Governing Board Directive Number GBD12-0001 Regarding Assisting Agricultural Water Users with Water Use Monitoring and Initiation of Rule Development to Require Automated Monitoring and Telemetry of Water Use Data. Tim Sagul, Program Leader, presented the staff recommendation that the Governing Board adopt directive number GBD12-0001 regarding assisting agricultural water users with water use monitoring and authorize staff to initiate rule

development to require automated monitoring and telemetry of water use data from wells with an inside diameter greater than six inches and on surfacewater withdrawals greater than 0.5 million gallons per day (MGD), as shown in the Board materials.

Ray Hodge, Southeast Milk, addressed the Board regarding this agenda item.

MR. MEECE MADE A MOTION TO ADOPT DIRECTIVE NUMBER GBD12-0001 REGARDING ASSISTING AGRICULTURAL WATER USERS WITH WATER USE MONITORING AND AUTHORIZE STAFF TO INITIATE RULE DEVELOPMENT TO REQUIRE AUTOMATED MONITORING AND TELEMETRY OF WATER USE DATA FROM WELLS WITH AN INSIDE DIAMETER GREATER THAN SIX INCHES AND ON SURFACEWATER WITHDRAWALS GREATER THAN 0.5 MILLION GALLONS PER DAY. THE MOTION WAS SECONDED BY MR. WILLIAMS.

THE ORIGINAL MOTION WAS AMENDED TO AUTHORIZE STAFF TO INITIATE RULE DEVELOPMENT TO REQUIRE AUTOMATED MONITORING AND TELEMETRY OF WATER USE DATA FROM WELLS WITH AN INSIDE DIAMETER GREATER THAN SIX INCHES AND ON SURFACEWATER WITHDRAWALS GREATER THAN 0.5 MILLION GALLONS PER DAY, AND . THE AMENDED MOTION PASSED WITH MR. ALEXANDER, MR. BROWN, DR. COLE, MR. DAVIS, MR. MEECE, AND MR. QUINCEY VOTING IN FAVOR, AND MR. CURTIS AND MR. WILLIAMS VOTING AGAINST. THE ORIGINAL MOTION PASSED WITH MR. ALEXANDER, MR. BROWN, MR. COLE, MR. DAVIS, MR. MEECE, MR. QUINCEY, AND MR. WILLIAMS VOTING IN FAVOR, AND MR. CURTIS VOTING AGAINST.

Agenda Item No. 28 – Denial of General Works of the District Permit Application Number 07-0542M, Jerry Barnes District Floodway Project Modification, Lafayette County. Mr. Sagul presented the staff recommendation that the Governing Board authorize denial, without prejudice, of General Works of the District Permit application number 07-0542M, to Jerry Barnes, for Jerry Barnes District Floodway Project Modification, Lafayette County, as shown in the Board materials.

MR. MEECE MADE A MOTION TO AUTHORIZE DENIAL, WITHOUT PREJUDICE, OF GENERAL WORKS OF THE DISTRICT PERMIT APPLICATION NUMBER 07-0542M, TO JERRY BARNES, FOR JERRY BARNES DISTRICT FLOODWAY PROJECT MODIFICATION, LAFAYETTE COUNTY. THE MOTION WAS SECONDED BY MR. DAVIS. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS ALEXANDER, BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 29 – Denial of General Environmental Resource Permit Application Number 10-0212, Tri-County Hospital – Chiefland, Levy County. This item was withdrawn from the agenda.

Agenda Item No. 30 – Approval of Florida Department of Transportation Mitigation Plan 2012-2016. Approved on consent.

Agenda Item No. 31 – Extension of Temporary Water Use Permit Number 2-11-00040, Loncala Dairies, Gilchrist County. Mr. Sagul presented the staff recommendation that the Governing Board extend Temporary Water Use Permit number 2-11-00040 until March 15, 2012, with seventeen standard conditions and eight special limiting conditions to Alliance Grazing Group in Gilchrist County, as shown in the Board materials.

Mr. Paul Still addressed the Governing Board regarding this agenda item, specifically requesting denial of this temporary water use. Mr. Steve Gladin also addressed the Governing Board regarding this agenda item.

MR. DAVIS MADE A MOTION TO EXTEND TEMPORARY WATER USE PERMIT NUMBER 2-11-00040 UNTIL MARCH 14, 2012, WITH SEVENTEEN STANDARD CONDITIONS AND EIGHT SPECIAL LIMITING CONDITIONS TO ALLIANCE GRAZING GROUP IN GILCHRIST COUNTY. THE MOTION WAS SECONDED BY MR. WILLIAMS. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS ALEXANDER, BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 32 – Extension of Temporary Water Use Permit Number 2-11-00041, Piedmont Farms, Inc., Gilchrist County. Mr. Sagul presented the staff recommendation that the Governing Board extend Temporary Water Use Permit number 2-11-00041 until March 15, 2012, with seventeen standard conditions and seven special limiting conditions to Piedmont Dairy, Inc., in Gilchrist County, as shown in the Board materials.

Mr. Paul Still addressed the Governing Board regarding this agenda item, specifically requesting denial of this temporary water use.

MR. DAVIS MADE A MOTION TO EXTEND TEMPORARY WATER USE PERMIT NUMBER 2-11-00040 UNTIL MARCH 14, 2012, WITH SEVENTEEN STANDARD CONDITIONS AND SEVEN SPECIAL LIMITING CONDITIONS TO PIEDMONT

DAIRY, INC., IN GILCHRIST COUNTY. DR. COLE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS ALEXANDER, BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 28 – Extension of Temporary Water Use Permit Number 2-97-00005M2, William Douberly Farm, Gilchrist and Levy Counties. Mr. Sagul presented the staff recommendation that the Governing Board extend Temporary Water Use Permit number 2-97-00005M2 until March 15, 2012, with seventeen standard conditions and seven special limiting conditions to William Douberly Farm, in Gilchrist and Levy Counties, as shown in the Board materials.

MR. DAVIS MADE A MOTION TO EXTEND TEMPORARY WATER USE PERMIT NUMBER 2-11-00040 UNTIL MARCH 14, 2012, WITH SEVENTEEN STANDARD CONDITIONS AND EIGHT SPECIAL LIMITING CONDITIONS TO WILLIAM DOUBERLY FARM IN GILCHRIST AND LEVY COUNTIES. THE MOTION WAS SECONDED BY MR. ALEXANDER. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS ALEXANDER, BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

MR. DAVIS MADE A MOTION FOR STAFF ON FUTURE AGENDAS TO INCLUDE THE ABOVE AGENDA ITEM NUMBERS 31 – EXTENSION OF TEMPORARY WATER USE PERMIT NUMBER 2-11-00040, LONCALA DAIRIES, GILCHRIST COUNTY; 32 – EXTENSION OF TEMPORARY WATER USE PERMIT NUMBER 2-11-00041, PIEDMONT FARMS, INC., GILCHRIST COUNTY; AND THE SUPPLEMENTAL ITEM – EXTENSION OF TEMPORARY WATER USE PERMIT APPLICATION NUMBER 2-97-00005M2, WILLIAM DOUBERLY FARM, GILCHRIST AND LEVY COUNTIES, ON THE CONSENT AGENDA. THE MOTION WAS SECONDED BY MR. ALEXANDER. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS ALEXANDER, BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 31 - Activity Reports. The Water Supply, Water Resource Monitoring, Regulatory, Suwannee River Partnership, Compliance Report, and Land Management Activity Reports were provided as informational items in the Board materials.

## **GOVERNING BOARD LEGAL COUNSEL**

Agenda Item No. 34 – Discussion of District’s Possible Withdrawal from the Case Regarding *Florida Wildlife Federation et al. v. Lisa P. Jackson et al* (Consolidated Case No. 4:08cv324-RH/WCS), where the District is an Amicus Curiae. George “Tom” Reeves discussed the District’s possible withdrawal from the case regarding *Florida Wildlife Federation et al. v. Lisa P. Jackson et al.* (Consolidated Case No. 4:08cv324-RH/WCS), where the District is an amicus curiae.

MR. MEECE MADE A MOTION TO WITHDRAW FROM THE CASE REGARDING *FLORIDA WILDLIFE FEDERATION ET AL. V. LISA P. JACKSON ET AL* (CONSOLIDATED CASE NO. 4:08CV324-RH/WCS), WHERE THE DISTRICT IS AN AMICUS CURIAE. THE MOTION WAS SECONDED BY MR. DAVIS. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS ALEXANDER, BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 35 – Governing Board Counsel Monthly Report. The Governing Board Counsel Monthly Report was provided as an informational item in the Board materials.

## **EXECUTIVE OFFICE**

Agenda Item No. 36 – Reappointment of Coleen Agner to the R.O. Ranch Board of Directors. Mr. Charlie Houser presented the staff recommendation that the Governing Board reappoint Coleen Agner to serve a four-year term on the R. O. Ranch Board of Directors ending in February 2016, as shown in the Board materials.

MR. DAVIS MADE A MOTION TO REAPPOINT COLEEN AGNER TO SERVE A FOUR-YEAR TERM ON THE R. O. RANCH BOARD OF DIRECTORS ENDING IN FEBRUARY 2016. THE MOTION WAS SECONDED BY MR. ALEXANDER. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS ALEXANDER, BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 37. - Appointment of Lyndal Odom to the R. O. Ranch Board of Directors. Mr. Houser presented the staff recommendation that the Governing Board appoint Lyndal Odom to serve a four-year term on the R. O. Ranch Board of Directors ending in February 2016, as shown in the Board materials.

MR. CURTIS MADE A MOTION TO APPOINT LYNDAL ODOM TO SERVE A FOUR-YEAR TERM ON THE R. O. RANCH BOARD OF DIRECTORS ENDING IN FEBRUARY 2016. THE MOTION WAS SECONDED BY MR. ALEXANDER. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS ALEXANDER, BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 38 - Executive Director's Report.  
None.

Agenda Item No. 39 - Executive Office Activity Report. The Executive Office Activity Report was provided as an informational item in the Board materials.

Mr. Barney Cannon addressed the Governing Board regarding reclaimed water legislation.

Mrs. Renate Cannon addressed the Governing Board regarding various issues.

Ms. Merrilee Malwitz-Jipson addressed the Governing Board regarding suggestions relating to Agenda Item No. 18.

At the request of Chairman Quincey, the workshop commenced in the Suwannee Room with no SRWMD staff present to discuss the evaluation of Executive Director David Still.

MR. MEECE MADE A MOTION TO RETAIN DAVID STILL AS EXECUTIVE DIRECTOR OF SUWANNEE RIVER WATER MANAGEMENT DISTRICT. THE MOTION WAS SECONDED BY MR. ALEXANDER. THE MOTION FAILED WITH MR. ALEXANDER AND MR. MEECE VOTING IN FAVOR, AND MR. BROWN, DR. COLE, MR. DAVIS, MR. QUINCEY, AND MR. WILLIAMS VOTING AGAINST.

The meeting adjourned at 1:54 p.m.

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Chairman

ATTEST:

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SUWANNEE RIVER WATER MANAGEMENT DISTRICT  
MINUTES OF  
GOVERNING BOARD WORKSHOP

Note: A digital recording system has been used to record these proceedings and is on file in the permanent files of the District. A copy of the Governing Board materials and handouts are a part of the record as if set out in full herein, and are filed in the permanent files of the District.

12:16 P.m., Tuesday  
February 14, 2012

District Headquarters  
9225 CR 49  
Live Oak, Florida

Governing Board:

<b>Seat</b>	<b>Name</b>	<b>Office</b>	<b>Present</b>	<b>Not Present</b>
Aucilla Basin	George M. Cole, Ph.D.		X	
Coastal River Basin	Donald Ray Curtis, III	Secretary/ Treasurer		X
Lower Suwannee River Basin	Don Quincey, Jr.	Chairman		X
Santa Fe & Waccasassa Basins	Kevin W. Brown		X	
Upper Suwannee River Basin	Alphonas Alexander	Vice Chairman	X	
At Large	Heath Davis			X
At Large	Carl Meece		X	
At Large	Guy N. Williams		X	
At Large	VACANT			

Governing Board General Counsel

<b>Name</b>	<b>Firm</b>	<b>Present</b>	<b>Not Present</b>
George T. Reeves	Davis, Schnitker, Reeves & Browning, P.A.	X	

Minutes of Governing Board Meeting  
 February 14, 2012  
 Page 2

Staff:

<b>Position</b>	<b>Name</b>	<b>Present</b>	<b>Not Present</b>
Executive Director	David Still	X	
Assistant Executive Director	Charlie Houder	X	
Governmental Affairs Director	Steve Minnis		X
Department Director, Mission Support	Melanie Roberts	X	
Department Director, Water Supply & Resource Management	Jon Dinges	X	
GB Coordinator – Paralegal	Linda Welch	X	

Guests:

- Tim Sagul, SRWMD
- Vanessa Fultz, SRWMD
- Carlos Herd, SRWMD
- Terry Demott, SRWMD
- Brian Kauffman, SRWMD
- Bob Heeke, SRWMD
- Patrick Webster, SRWMD
- John Good, SRWMD
- Cindy Johnson, SRWMD
- Robbie McKinney, SRWMD
- Clay Coarsey, SRWMD
- Megan Wetherington, SRWMD
- Bill Spencer, SRWMD
- Daniel Simpson, SRWMD
- Renate and Barney Cannon, Chiefland
- Craig Varn, Manson Law Group, Tampa
- Warren Zwanka, St. Johns River Water Management District, Palatka
- Merrilee Malwitz-Jipson, Our Santa Fe River, Fort White
- Annette Long, Save Our Suwannee, Chiefland
- Paul Still, Bradford Soil & Water Conservation District, Starke
- Mark Zivonovich, HydroMentia, Longwood
- Mark Sawyer, HydroMentia, Longwood
- Misty Ward, Suwannee Democrat, Live Oak

Mr. Mark Zivonovich, HydroMentia, addressed the Governing Board and gave a presentation about the history of the relationship between HydroMentia and the District.

John Good gave a presentation regarding minimum flows and levels.

Megan Wetherington gave a presentation regarding water shortage issues.

Mr. Meece discussed the Surplus Lands Committee with the Governing Board. The possibility of land exchanges was discussed with the Board by Terry Demott.

David Still led a general discussion with the Governing Board. Staffing concerns were specifically discussed.

The workshop adjourned at 3:35 p.m.

SUWANNEE RIVER WATER MANAGEMENT DISTRICT  
MINUTES OF  
INTERMEDIATE GOVERNING BOARD MEETING

Note: A digital recording system has been used to record these proceedings and is on file in the permanent files of the District. A copy of the Governing Board materials and handouts are a part of the record as if set out in full herein, and are filed in the permanent files of the District.

1:00 p.m., Monday  
February 27, 2012

District Headquarters  
Live Oak, Florida

Governing Board

<b>Seat</b>	<b>Name</b>	<b>Office</b>	<b>Present</b>	<b>Not Present</b>
Aucilla Basin	George M. Cole, Ph.D.		X*	
Coastal River Basin	Donald Ray Curtis, III	Secretary/ Treasurer	X*	
Lower Suwannee River Basin	Don Quincey, Jr.	Chairman	X	
Santa Fe & Waccasassa Basins	Kevin W. Brown		X*	
Upper Suwannee River Basin	Alphonas Alexander	Vice Chairman		X
At Large	Heath Davis		X*	
At Large	Carl Meece		X	
At Large	Guy N. Williams		X	
At Large	VACANT			

\*Present by telephone.

Governing Board General Counsel

<b>Name</b>	<b>Firm</b>	<b>Present</b>	<b>Not Present</b>
George T. Reeves	Davis, Schnitker, Reeves & Browning, P.A.	X	

Minutes of Intermediate Governing Board Meeting  
February 27, 2012  
Page 2

Staff:

<b>Position</b>	<b>Name</b>	<b>Present</b>	<b>Not Present</b>
Executive Director	David Still	X	
Assistant Executive Director	Charlie Houder	X	
Governmental Affairs Director	Steve Minnis		X
Department Director, Mission Support	Melanie Roberts	X	
Department Director, Water Supply & Resource Management	Jon Dinges	X	
GB Coordinator – Paralegal	Linda Welch	X	

Guests:

Vanessa Fultz, SRWMD  
Cindy Johnson, SRWMD  
Merrilee Malwitz-Jipson, Our Santa Fe River, Fort White  
Georgia Ackerman, Friends of the Wacissa, Tallahassee  
Rick Peffen, Friends of the Wacissa, Tallahassee  
Thomas and Jessie Skierski, Live Oak  
George Reynolds, Branford

Roll was called and the meeting was called to order and a quorum was noted at 1:00 p.m.

Agenda Item No. 3 – Approval of Agenda.

MR. BROWN MADE A MOTION TO ACCEPT THE AGENDA AS READ. THE MOTION WAS SECONDED BY MR. CURTIS. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 4 – Approval of Amendment to the SRWMD/SJRWMD/DEP Interagency Agreement. Jon Dinges, Department Director, presented the staff recommendation that the Governing Board authorize the Executive Director to execute the first amendment to the interagency agreement between Suwannee River Water Management District, St. Johns River Water Management District, and Florida Department of Environmental Protection, as shown in the Board materials.

MR. CURTIS MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE THE FIRST AMENDMENT TO THE INTERAGENCY AGREEMENT BETWEEN SUWANNEE RIVER WATER MANAGEMENT DISTRICT, ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, AND FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION. THE MOTION WAS SECONDED BY MR. DAVIS. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 5 – Contract with AMEC for Upper Suwannee River Minimum Flows and Levels Surveying. Brian Kauffman, Program Leader, presented the staff recommendation that the Governing Board authorize the Executive Director to execute a contract with AMEC for Upper Suwannee River minimum flows and levels surveying, as shown in the Board materials.

MR. MEECE MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH AMEC FOR UPPER SUWANNEE RIVER MINIMUM FLOWS AND LEVELS SURVEYING. THE MOTION WAS SECONDED BY MR. WILLIAMS. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Agenda Item No. 6 – North Florida Regional Water Supply Partnership Stakeholder Committee Charter. This item was presented as an informational item in the Board materials.

Agenda Item No. 7 – Executive Director Transition.

THE CHAIR INFORMED THE BOARD THAT HE AND MR. STILL HAD REACHED AN AGREEMENT, SUBJECT TO GOVERNING BOARD APPROVAL, CONCERNING MR. STILL'S TRANSITION FROM HIS POSITION AS EXECUTIVE DIRECTOR. THE CHAIR ANNOUNCED THAT THE TERMS OF THE PROPOSED AGREEMENT WERE (1) MR. STILL WOULD IMMEDIATELY RESIGN WITH THE LAST DATE OF MR. STILL'S EMPLOYMENT TO BE MAY 1, 2012, (2) MR. STILL WOULD BE PLACED ON ADMINISTRATIVE LEAVE WITH FULL PAY AND BENEFITS STARTING IMMEDIATELY AND WOULD STAY ON SUCH ADMINISTRATIVE LEAVE CONTINUOUSLY THROUGHOUT THE REMAINDER OF HIS EMPLOYMENT WITH THE DISTRICT, (3) MR CHARLES H. HOUDER, III, WOULD ACT AS EXECUTIVE DIRECTOR ON A TEMPORARY BASIS UNTIL A

NEW EXECUTIVE DIRECTOR WAS SELECTED OR UNTIL FURTHER ACTION BY THE BOARD, (4) DURING THE TIME HE WAS ON ADMINISTRATIVE LEAVE, MR STILL WOULD BE AVAILABLE TO MR. HOUDER, AS MAY BE REQUESTED BY MR. HOUDER, FOR CONSULTATION AND ADVICE. MR. STILL WAS PRESENT FOR THE ANNOUNCEMENT OF THE ABOVE AND ACKNOWLEDGED TO THE BOARD THAT THIS WAS THE PROPOSED AGREEMENT.

DR. COLE MADE A MOTION TO AMEND THE AGENDA TO MAKE THIS AN ACTION AGENDA ITEM. THE MOTION WAS SECONDED BY MR. DAVIS. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

AFTER CONSIDERABLE DISCUSSION, MR. DAVIS MADE A MOTION TO APPROVE THE ABOVE AGREEMENT PROPOSED BY THE CHAIR AND MR. STILL. THE MOTION WAS SECONDED BY MR. MEECE. THE MOTION PASSED UNANIMOUSLY WITH GOVERNING BOARD MEMBERS BROWN, COLE, CURTIS, DAVIS, MEECE, QUINCEY, AND WILLIAMS VOTING IN FAVOR.

Ms. Merrilee Malwitz-Jipson addressed the Governing Board regarding the amendment to the interagency agreement, agenda item number 4 above.

Mr. Thomas Skierski addressed the Governing Board regarding sink holes on private property. Jon Dinges responded to Mr. Skierski's concerns.

The meeting adjourned at 1:58 p.m.

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Chairman

ATTEST:

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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: February 23, 2012  
RE: Approval of January 2012 Financial Report

RECOMMENDATION

**Staff recommends that the Governing Board approve the January 2012 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.

<b>Non-Operating Budget</b>	
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
<b>Total</b>	<b>\$26,082,228</b>
<b>Operating Budget</b>	<b>\$21,307,361</b>
<b>Total FY 2012 Budget</b>	<b>\$47,389,589</b>
<b>Total FY 2012 Expenditures</b>	<b>\$3,462,248</b>
<b>Percent of Operating Budget</b>	<b>16%</b>

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 01/31/12

Water Supply & Resource Management

Description	Budgeted	Expenditures to		Balance
		Date	% Expenditures Used	
516 Salaries & Benefits	\$3,183,888	\$851,545	27%	\$2,332,343
540 Other Personal Services	148,000	22,422	15%	125,578
580 Legal Services	153,200	24,221	16%	128,979
586 Contractual Services	17,750,747	1,053,072	6%	16,697,675
590 Pmt. in Lieu of Taxes	365,000	0	0%	365,000
605 Printing & Binding	13,400	252	2%	13,148
606 Publication of Notices	16,600	739	4%	15,861
621 Meetings	4,700	0	0%	4,700
622 Registrations & Training	35,850	5,119	14%	30,731
626 Travel Expenses	32,500	1,749	5%	30,751
627 Utilities	10,000	685	7%	9,315
628 Communications	0	182	n/a	-182
631 Equipment Maintenance	9,400	314	3%	9,086
690 Other Contractual Services	8,400	0	0%	8,400
701 Field Supplies	714,900	197,461	28%	517,439
703 Computer Supplies	5,350	110	2%	5,240
705 Maps & Aerials	1,500	0	0%	1,500
706 Books & Documents	3,200	47	1%	3,153
715 Photographic Supplies	1,850	0	0%	1,850
740 Office Support Equipment	5,100	0	0%	5,100
790 Other Commodities	2,400	0	0%	2,400
801 Computer Software	8,700	25	0%	8,675
802 Equipment Rental	5,750	1,634	28%	4,116
809 Fees & Permits	16,000	123	1%	15,877
903 Office Equipment	3,000	0	0%	3,000
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	1,444,300	172,912	12%	1,271,388
960 Reserves	8,810,000	0	0%	8,810,000
<b>TOTAL</b>	<b>\$32,816,735</b>	<b>\$2,332,612</b>	<b>7%</b>	<b>\$30,484,123</b>

MONTHLY STATUS OF FY 2011/2012 BUDGET EXPENDITURES BY DEPARTMENT  
THROUGH 01/31/12

Executive Office

Description	Budgeted	Expenditures to		Balance
		Date	% Expenditures Used	
516 Salaries & Benefits	\$489,133	\$155,925	32%	\$333,208
580 Legal Services	55,000	13,186	24%	41,814
586 Contractual Services	28,000	7,362	26%	20,638
605 Printing & Binding	1,000	0	0%	1,000
621 Meetings	500	0	0%	500
622 Registrations & Training	6,525	855	13%	5,670
626 Travel Expenses	27,750	6,809	25%	20,941
650 Promotions	13,500	2,389	18%	11,111
706 Books & Documents	2,000	503	25%	1,497
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
<b>TOTAL</b>	<b>\$3,388,758</b>	<b>\$187,149</b>	<b>6%</b>	<b>\$3,201,609</b>

MONTHLY STATUS OF FY 2011/2012 BUDGET EXPENDITURES BY DEPARTMENT  
THROUGH 01/31/12

Mission Support

Description	Budgeted	Expenditures to		Balance
		Date	% Expenditures Used	
516 Salaries & Benefits	\$1,863,076	\$487,393	26%	\$1,375,683
564 Property Appraiser	210,000	75,831	36%	134,169
579 Tax Collector	125,000	59,689	48%	65,311
580 Legal Services	46,800	7,272	16%	39,528
585 Audit Services	35,000	28,604	82%	6,396
586 Contractual Services	605,500	55,529	9%	549,971
605 Printing & Binding	25,500	95	0%	25,405
606 Publication of Notices	15,000	329	2%	14,671
607 Postage	25,000	6,864	27%	18,136
621 Meetings	1,000	0	0%	1,000
622 Registrations & Training	38,000	7,359	19%	30,641
626 Travel Expenses	24,000	2,016	8%	21,984
627 Utilities	70,000	16,111	23%	53,889
628 Communications	150,000	39,188	26%	110,812
629 Facilities Maintenance	75,000	12,387	17%	62,613
630 Vehicle Maintenance	75,000	19,734	26%	55,266
631 Equipment Maintenance	27,000	2,884	11%	24,116
690 Other Contractual Services	2,500	22	1%	2,478
701 Field Supplies	10,000	864	9%	9,136
702 Office Supplies	41,000	8,733	21%	32,267
703 Computer Supplies	26,000	6,652	26%	19,348
704 Fuel & Lubricants	70,000	17,609	25%	52,391
705 Maps & Aerials	2,000	0	0%	2,000
706 Books & Documents	7,600	154	2%	7,446
740 Office Support Equipment	6,000	2,007	33%	3,993
790 Other Commodities	3,000	258	9%	2,742
801 Computer Software	86,800	1,799	2%	85,001
802 Equipment Rental	50,000	17,028	34%	32,972
804 Workers Comp. Insurance	25,000	11,116	44%	13,884
805 Property & Casualty Insurance	60,000	49,117	82%	10,883
809 Fees & Permits	500	175	35%	325
903 Office Equipment	17,000	0	0%	17,000
906 Computer Equipment	110,000	5,668	5%	104,332
907 Lab & Field Equipment	25,000	0	0%	25,000
920 Land Acquisition	7,207,820	0	0%	7,207,820
930 Interagency Expenditures	23,000	0	0%	23,000
<b>TOTAL</b>	<b>\$11,184,096</b>	<b>\$942,487</b>	<b>8%</b>	<b>\$10,241,609</b>
<b>DISTRICT TOTAL</b>	<b>\$47,389,589</b>	<b>\$3,462,248</b>	<b>7%</b>	<b>\$43,927,341</b>

## MEMORANDUM

TO: Governing Board

FROM: Cindy Johnson, Ichetucknee Partnership Coordinator

DATE: February 20, 2012

RE: Water Conservation Month Proclamation

### RECOMMENDATION

**Staff recommends the Governing Board declare April 2012 as Water Conservation Month.**

### BACKGROUND

For the past 13 years, the State of Florida has formally recognized April as Water Conservation Month. Many local governments, water management districts and other entities have demonstrated their support by adopting resolutions or proclamations designating Water Conservation Month in their communities.

This designation provides an opportunity to increase public awareness about the importance of water conservation and of following the District's year-round landscape irrigation rule. It also encourages citizens to develop life-long conservation habits that will help preserve and protect our state and local water resources now and in the future.

Therefore, staff recommends the Governing Board adopt a proclamation designating April 2012 as Water Conservation Month.

# Proclamation

## Suwannee River Water Management District Live Oak, Florida

**WHEREAS**, clean, safe and sustainable water resources are vital to North Florida's residents, visitors, economy, and environment; and

**WHEREAS**, droughts, development, and population growth serve as reminders that Florida's groundwater and surfacewater resources, including rivers and springs, are finite and fragile; and

**WHEREAS**, a permanent, year-round landscape irrigation rule is in effect throughout the Suwannee River Water Management District (District); and

**WHEREAS**, the District encourages and supports water conservation through public awareness efforts; and

**WHEREAS**, water conservation will continue to play a crucial role in the future protection and preservation of Florida's rivers and natural springs; and

**WHEREAS**, every business, industry, school, resident and visitor can help by conserving water and thus promote a healthy economy and community; and

**WHEREAS**, the State of Florida traditionally designates April as Water Conservation Month,

**NOW THEREFORE**, the Governing Board of the Suwannee River Water Management District hereby proclaims April 2012 as

### **Water Conservation Month**

The Suwannee River Water Management District is calling upon each resident, visitor and business to help protect our precious resource by practicing water conservation measures and becoming more aware of the need to conserve water.

**PASSED AND ADOPTED** this 13<sup>th</sup> day of March, A.D., 2012.

ATTEST:

\_\_\_\_\_

SUWANNEE RIVER WATER  
MANAGEMENT DISTRICT

By: \_\_\_\_\_  
(Printed) \_\_\_\_\_

Title: \_\_\_\_\_

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

MEMORANDUM

TO: Governing Board  
FROM: Terry E. Demott, Senior Land Resource Coordinator  
DATE: February 21, 2012  
RE: Declaration of Surplus Lands – Cabbage Grove

RECOMMENDATION:

**Staff recommends the Governing Board declare the Cabbage Grove parcel in Taylor County as surplus and no longer needed for conservation purposes. In addition, staff requests authorization to conduct an appraisal on the property, contract with a qualified real estate broker for marketing the property and to contract with a qualified surveyor if the need arises to prepare legal descriptions.**

BACKGROUND

As part of the District’s effort to dispose of property not needed for conservation purposes, one additional tract has been selected for surplus. The Cabbage Grove Tract has been thoroughly examined by the Governing Board Surplus Lands Committee made up of Carl Meece, Ray Curtis and Kevin Brown. The parent tract was purchased with Preservation 2000 Funds.

Tract Name	Acres +/-	County	Zoning	Tract Divisions	Appraisal Assignment
Cabbage Grove	30	Taylor	Conservation	None	Fee Simple

At the committee’s direction it is staff recommendation that this tract be prepared for sale. The tract was evaluated based on guidelines provided in Program Directive 2011-03, which was adopted by the Governing Board in June 2011. After successful negotiations, the Governing Board will have the opportunity to review and approve the sale as acceptable offers are received.

gal

## **SURPLUS PARCEL ASSESSMENT**

TRACT: Cabbage Grove

COUNTY: Taylor

ACREAGE: 30 acres ±

TRACT DESCRIPTION: The Cabbage Grove parcel is 100% planted slash pine on uplands.

PARENT TRACT: Bought in February 1996 from Foley Timber and Land Co., the 2,003-acre parent tract was acquired to provide protection to the Econfina River system. This proposal represents 1% of the parent tract.

ACCESS: The property has frontage along Goose Pasture Tram, a county graded road.

CURRENT ZONING: Conservation (1 unit/40 acres)

INTERESTS TO BE RETAINED: The tract is recommended for sale without reservation.

ESTIMATED TRANSACTION COSTS: Based on an estimate of \$2,000/acre for the underlying fee simple value, approximate costs of the transaction (including but not limited to documentary stamps, title insurance premium, survey, and brokerage fees) is \$4,395. This does not include any fees that may be charged for zoning changes.

### **RESOURCE REVIEW**

- (a) Water Resources:
  - Recharge: N/A
  - Springs Protection: N/A
  - Surface Water Protection: N/A
  - Floodplain: 1 acre (3%)
- (b) Management Efficiency: New fire lines would need to be constructed along north and west sides of the surplus parcel.
- (c) Public Use: The property is in the Aucilla Wildlife Management Area and is open for public hunting.
- (d) Archaeological, Historical: The entire tract is in a High Probability Archaeological Zone

Ecological Records: No Records

Protected Plants: No Records

Protected Animals: No Records

Exotic Plants: No Records

Natural Communities:

- Mesic Flatwoods: 1 acre
- Scrubby Flatwoods: 29 acres

- (e) Linkage: This parcel is on the southeast corner of the parent tract. No new acquisitions are planned in this area.
- (f) Adverse Impact to Future Management: Staff recommends specifically notifying potential buyers that the property is adjacent to public lands managed with prescribed fire. This notice should be placed on the deed to notify all future owners.
- (g) Marketability: The property is presumed to be marketable on the open real estate market.
- (h) Other Public Land Managers: Public managers will be notified if the Committee approves the parcel for second hearing.
- (i) Disposition Requirements: Disposition of these lands must comply with the requirements of Section 259.101(6), Florida Statutes.

ANALYSIS: The 30 acres of the Cabbage Grove parcel is in compliance with Program Directive 2011-03 for consideration as a surplus property.

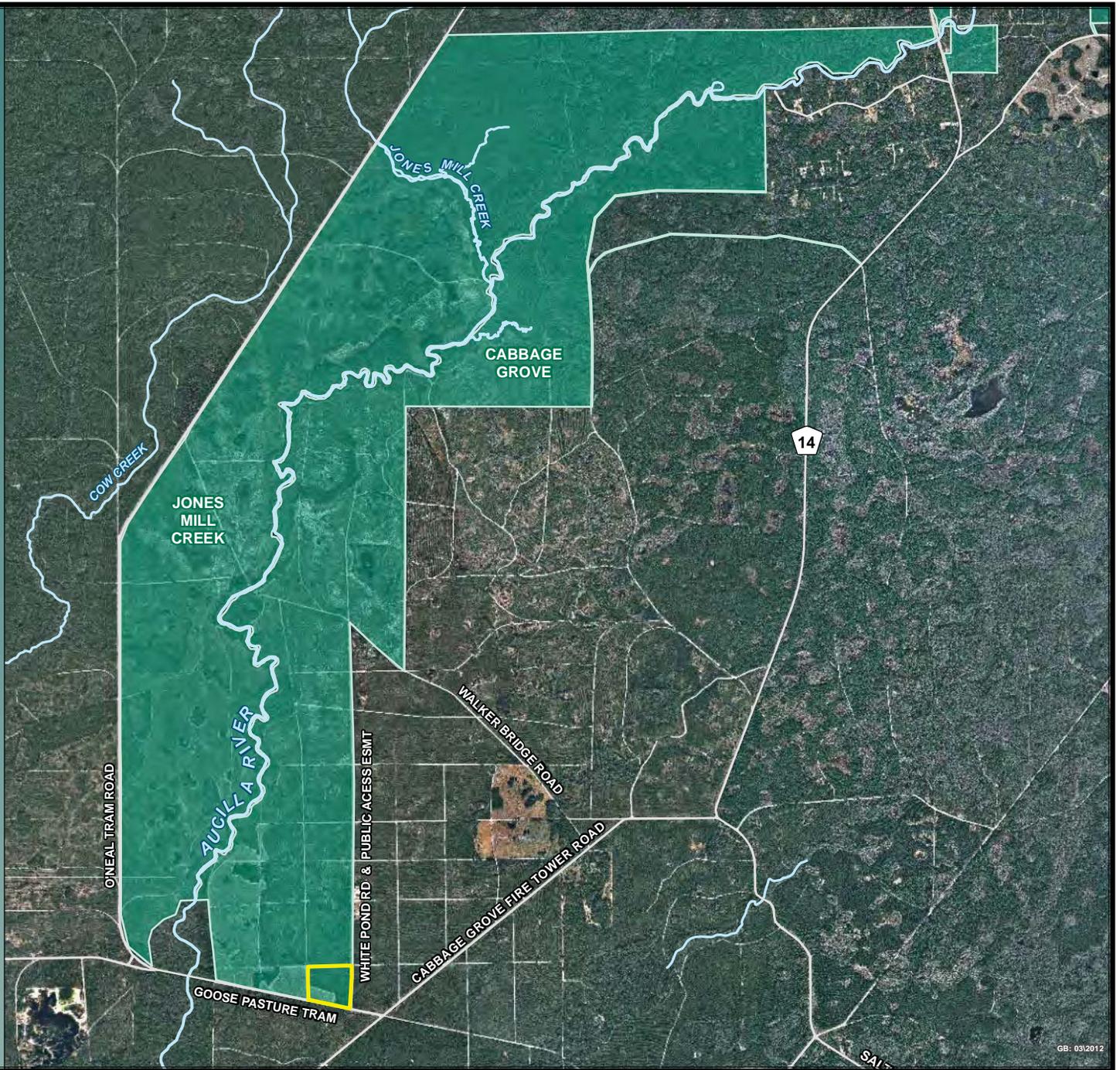


# Cabbage Grove Taylor County Florida

-  Potential Surplus Boundary
-  SRWMD Fee Land
-  Streams & Rivers



NOTE: This map was created by the Suwannee River Water Management District (SRWMD), Department of Land Acquisition and Management (L.A&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. Jefferson & Taylor 2010 NC IFT Imagery.

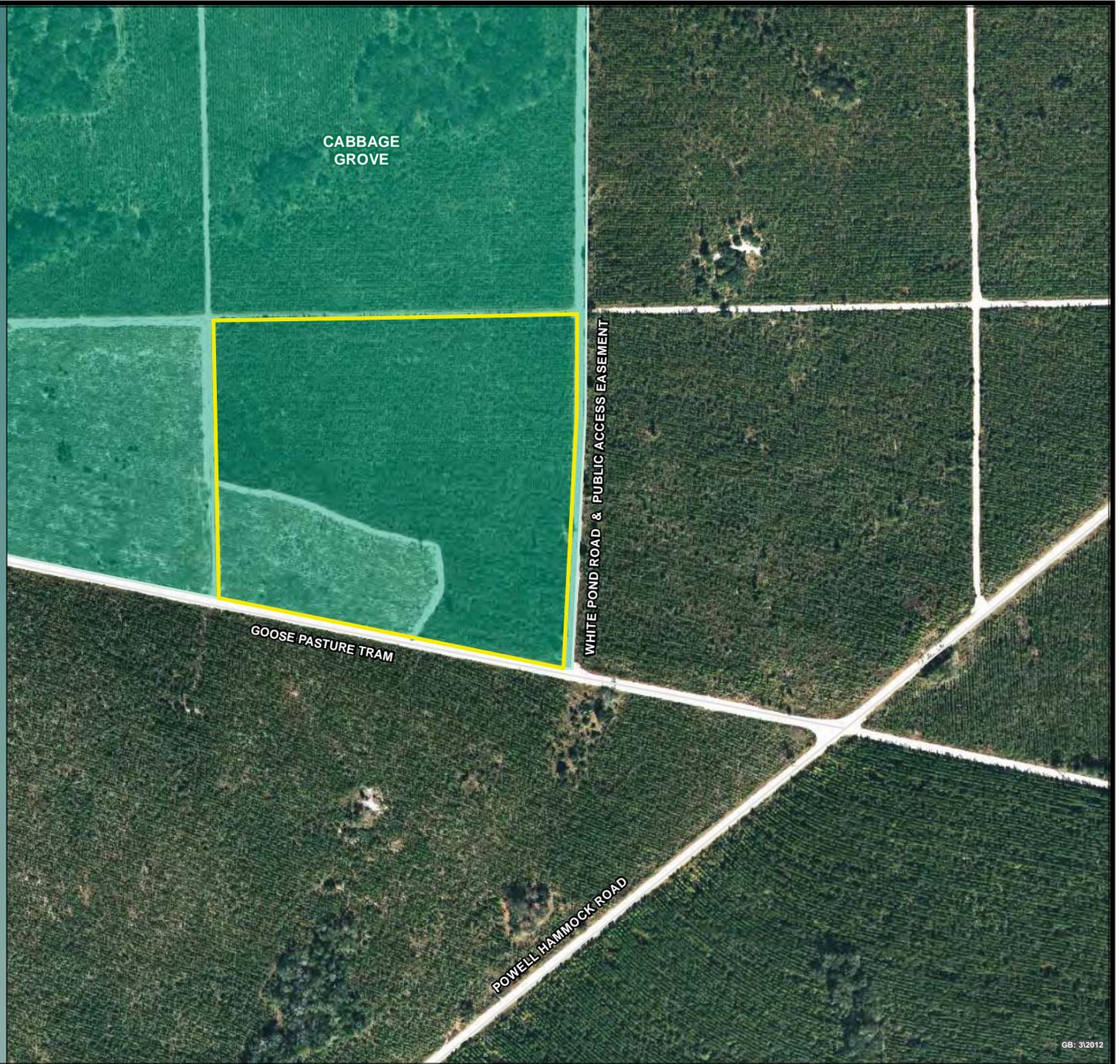


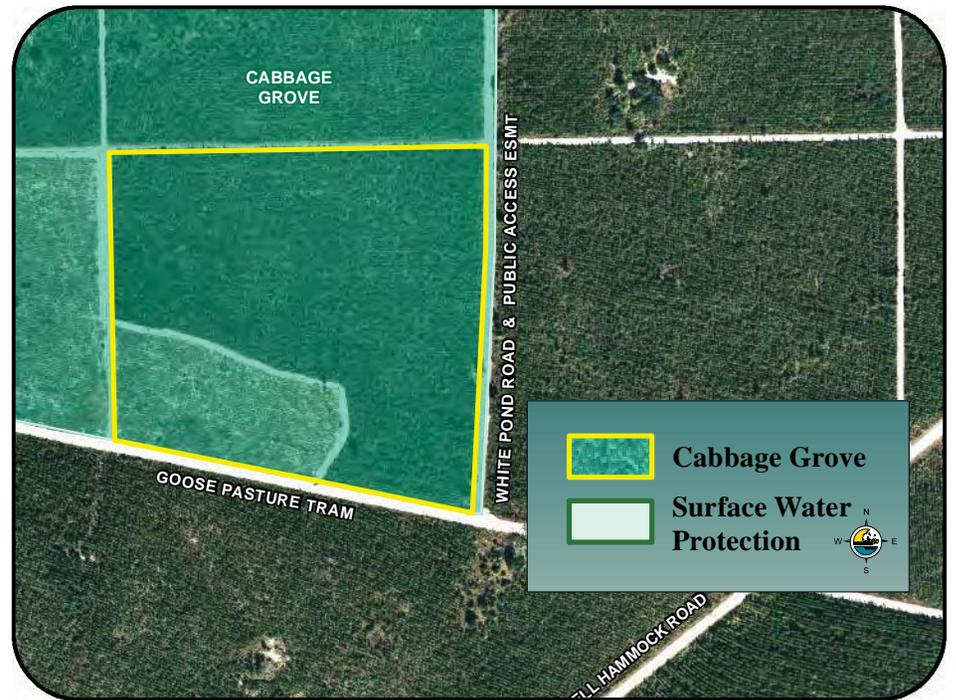
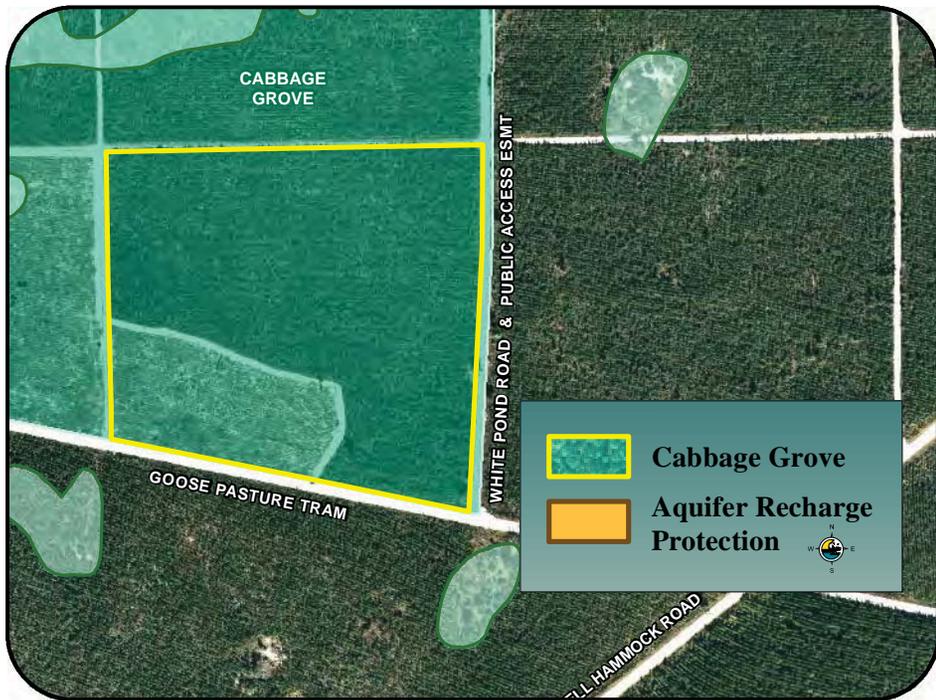
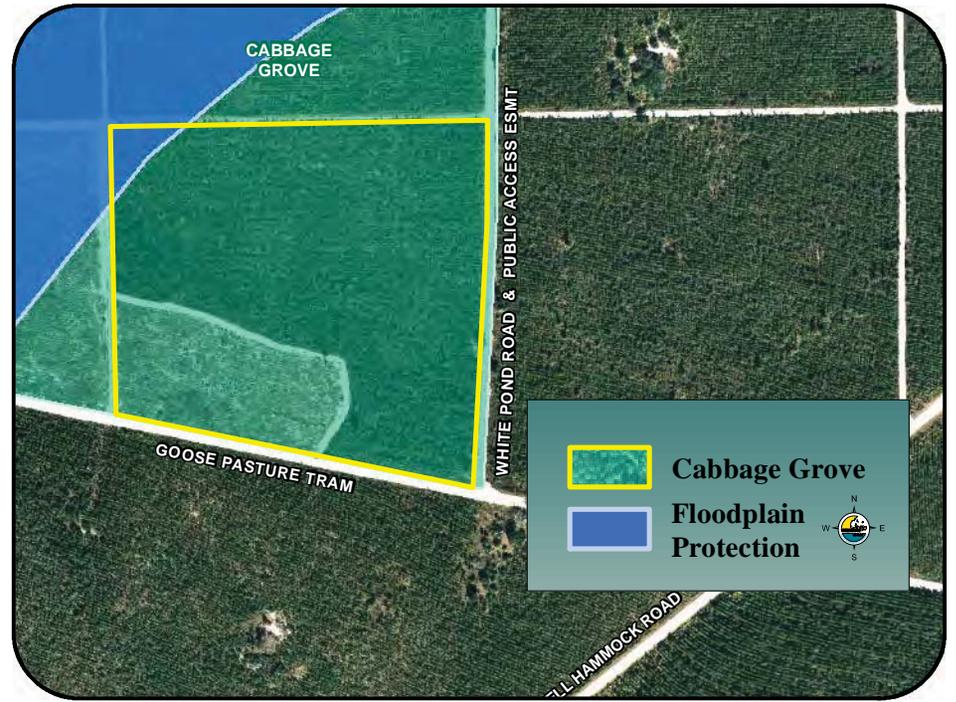
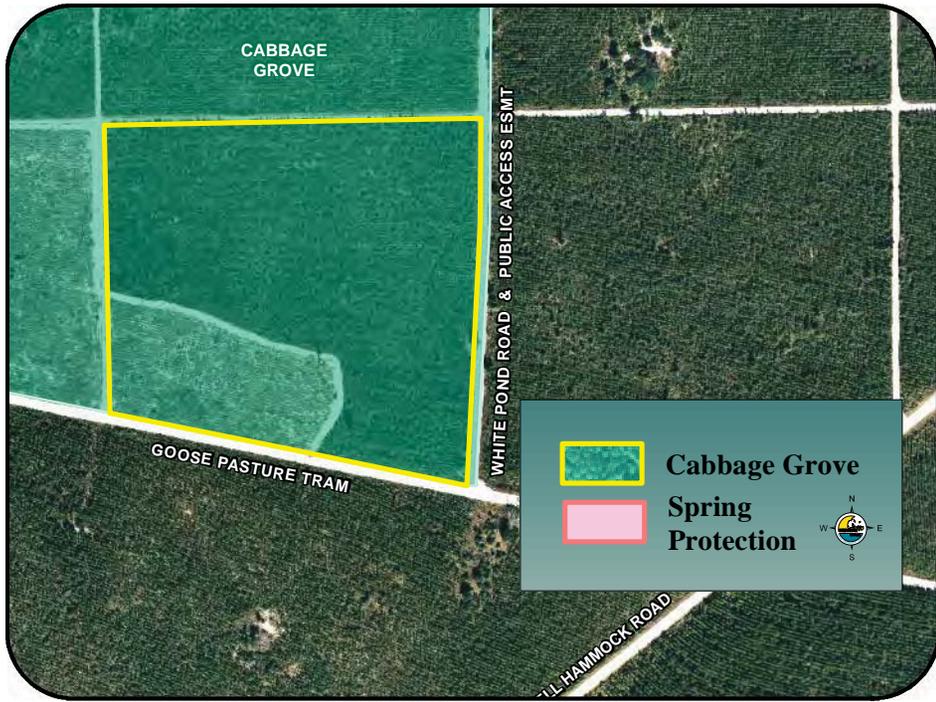
**Cabbage Grove  
Taylor County  
Florida**

-  Potential Surplus Boundary
-  SRWMD Fee Land



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MEMORANDUM

TO: Governing Board  
FROM: Terry E. Demott, Senior Land Resource Coordinator  
DATE: February 21, 2012  
RE: Authorization to Conduct a Detailed Assessment and to Commence Negotiations for an Exchange of Lands

RECOMMENDATION:

**Staff requests Governing Board authorization to commence detailed assessment and negotiations for an exchange of properties in Madison County.**

BACKGROUND

As part of the District’s effort to exchange property for property with greater water resource values, two tracts have been selected for the proposed exchange. The Ellaville and Mill Creek South tracts have been thoroughly examined by the Governing Board Surplus Land Committee which consists of Carl Meece, Ray Curtis and Kevin Brown. The parent tract was purchased with Water Management Lands Trust Funds, and both tracts are currently managed by the Florida Forest Service as part of Twin Rivers State Forest.

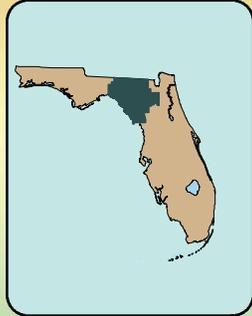
Tract Name	Acres +/-	County	Zoning	Tract Divisions	Appraisal Assignment
Ellaville	950	Madison	Conservation	None	Fee Simple
Mill Creek South	363	Madison	Conservation	None	Fee Simple

The property proposed for exchange includes frontage along the Suwannee River and is currently owned by the Georgia Tech Foundation (Foundation). The Surplus Land Committee understands the Foundation’s 585 acres ± will probably not be equal in value with District property but that appraisals are needed to begin negotiations. At the committee’s direction, it is staff recommendation that these tracts be prepared for exchange. The tracts were evaluated based on guidelines provided in Program Directive 2011-03, which was adopted by the Board in June 2011. After successful negotiations, the Governing Board will have the opportunity to review and approve the property exchange.

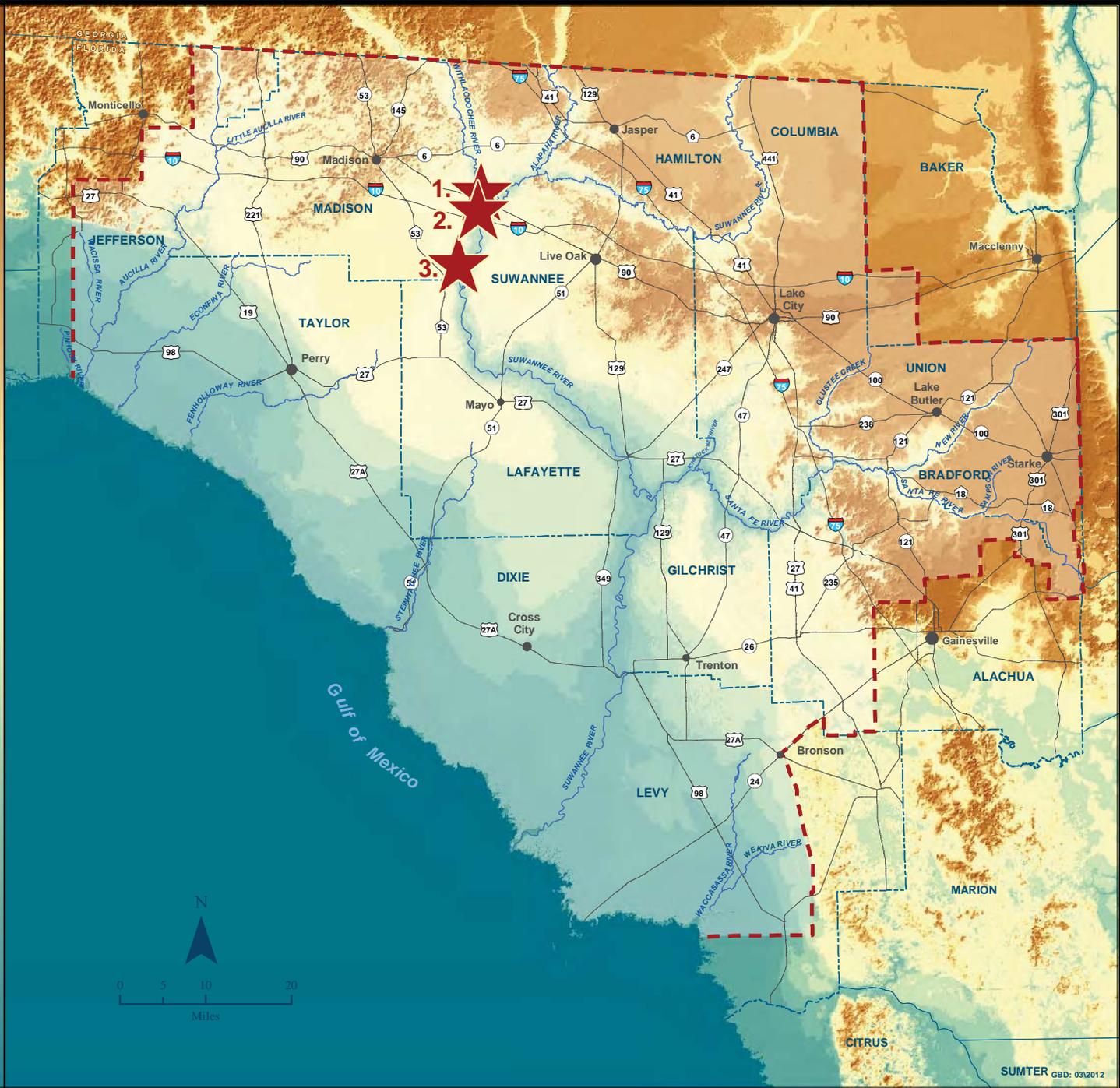
gal

1. Ellaville
2. Georgia Tech Foundation
3. Mill Creek South Madison County, FL

 SRWMD Boundary  
 Project Location



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**SRWMD  
SURPLUS PARCEL ASSESSMENT**

TRACT: Mill Creek South Exchange

COUNTY: Madison

ACREAGE: 363 acres ±

TRACT DESCRIPTION: The Mill Creek exchange parcel is predominately longleaf pine planted from 1976 to 2005.

PARENT TRACT: The 1,400-acre parent tract was purchased from Champion Realty in July 1997. This proposal represents 26% of the parent tract.

ACCESS: The property has frontage along County Line Road.

CURRENT ZONING: Conservation

INTERESTS TO BE RETAINED: Fee simple interest in the tract is proposed to be exchanged.

ESTIMATED TRANSACTION COSTS: Approximate costs of the transaction (including but not limited to documentary stamps, title insurance, survey, and brokerage fees) are \$70,000. This does not include any fees that may be charged for zoning changes, if requested.

**RESOURCE REVIEW**

(a) Water Resources:

Recharge: 85% (307 acres)

Springs Protection: N/A

Surface Water Protection: N/A

100-year Floodplain: 4% (17 acres)

(b) Management Efficiency: The proposal is to completely divest the District from ownership and management of this tract. The District owns other adjacent properties which are managed by the Florida Forest Service as part of Twin Rivers State Forest. This proposed area is currently managed as part of Twin Rivers State Forest and is within a Fish and Wildlife Conservation Commission Wildlife Management Area.

(c) Public Use:

This area is open for public use including hiking, biking and hunting.

(d) Archaeological, Historical, Ecological: This entire area is mapped as a high probability area for archaeological significance.

Ecological Records:

Protected Plants: None Noted

Protected Animals: None Noted

Exotic Plants: No Records

Natural Communities:

- Coniferous plantation: 481 acres
- Hardwood/pine mix: 4 acres

(e) Linkage: This area is part of the larger State Forest area, but no other acquisitions are planned.

(f) Adverse Impact to Future Management: The potential for impact to the remaining acres in the State Forest may be significant.

(g) Marketability: The property is presumed to be marketable on the open real estate market.

(h) Other Public Land Managers: Public managers will be notified if the Committee approves the parcel for second hearing.

(i) Original Funding: Water Management Lands Trust Funds were expended in this acquisition.

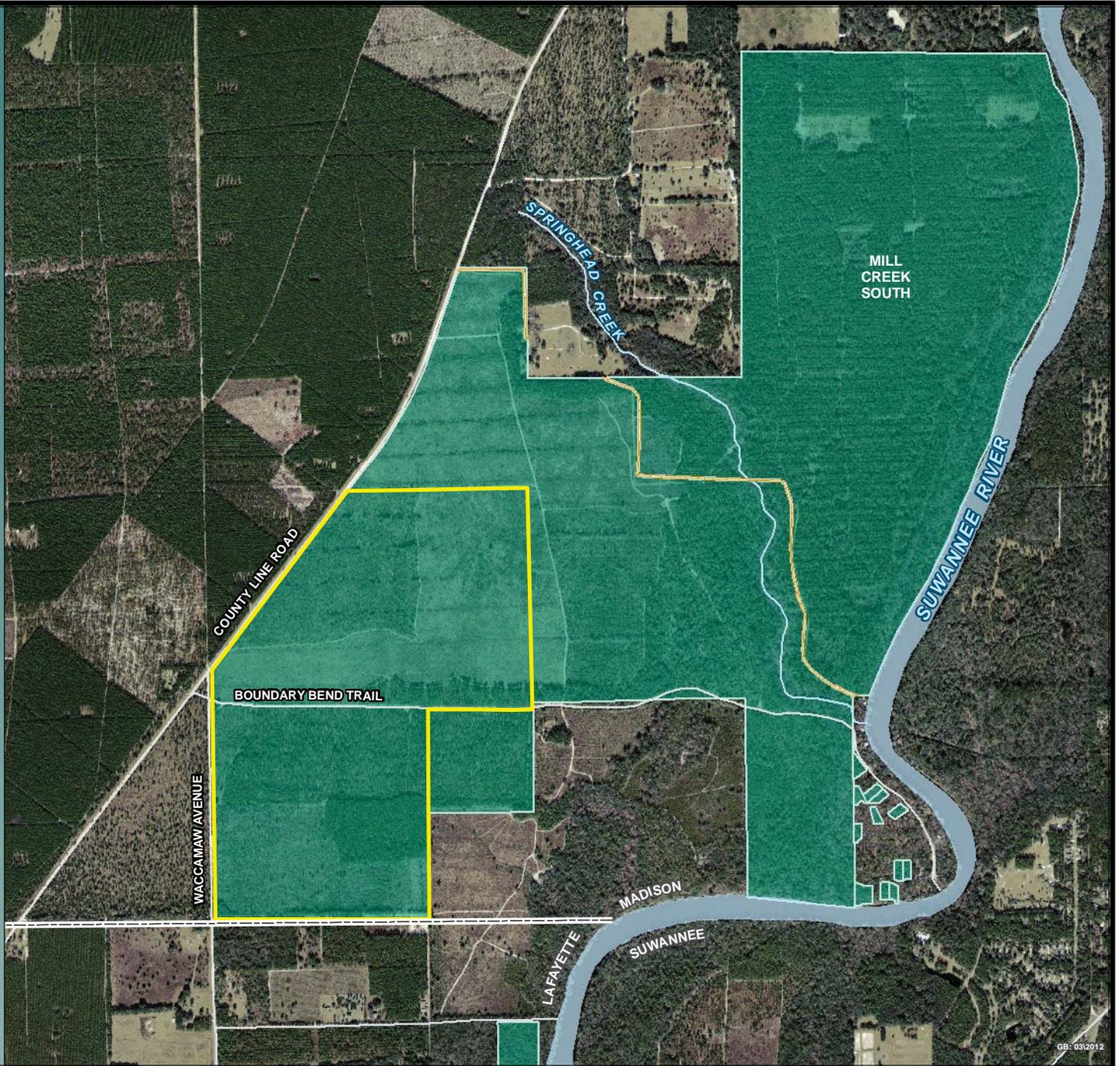
ANALYSIS: The 363 acres of the Mill Creek South parcel does not meet the less than 15% very high recharge criteria set within the guidelines for fee sale of surplus tracts in Program Directive 2011-003 LM. It also does not meet the zero percent criteria for 100-year floodplain for a fee sale. In addition, public use and management partnerships are factors in making the decision on declaring this parcel as surplus.

# Mill Creek South Madison County Florida

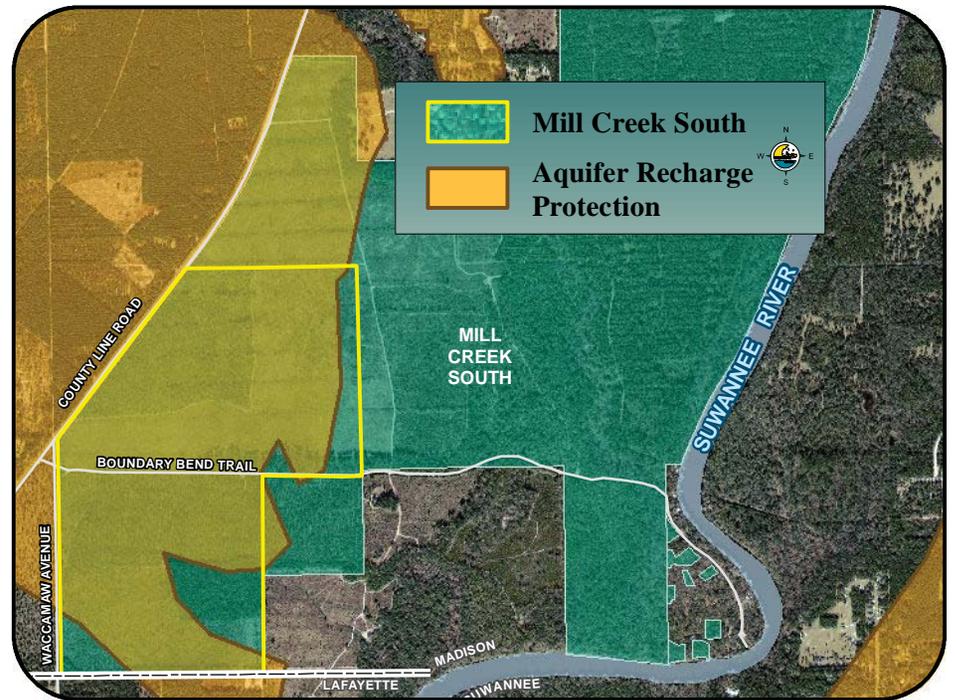
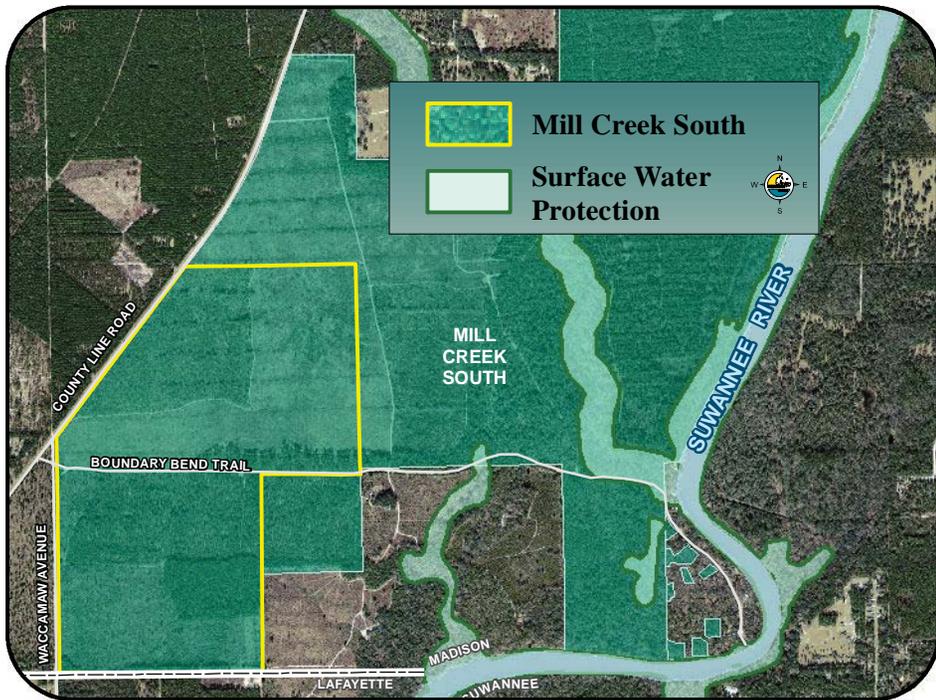
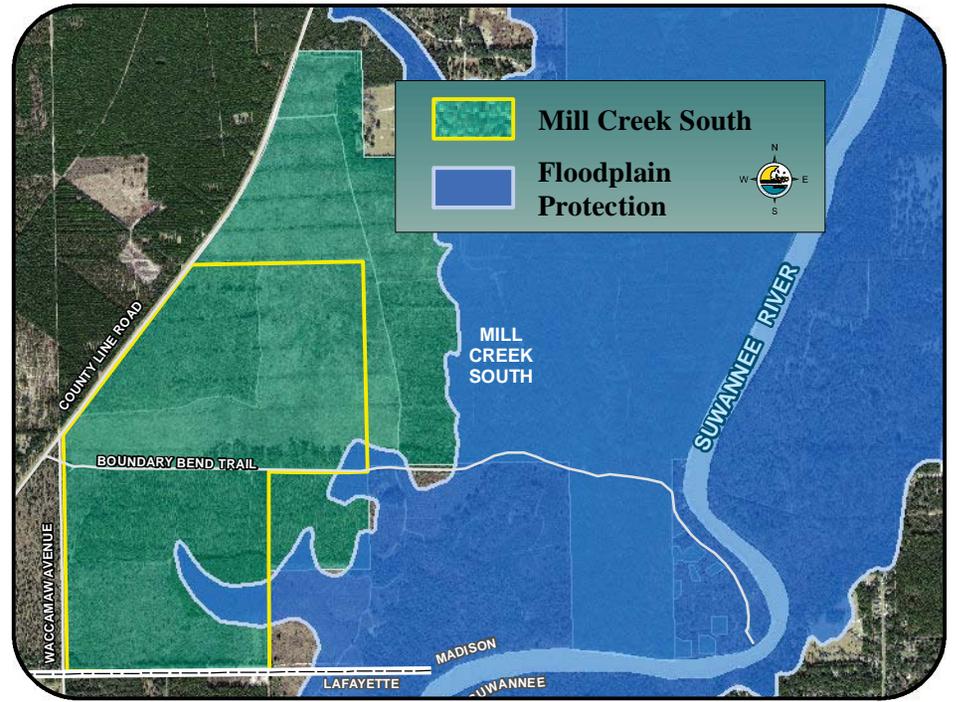
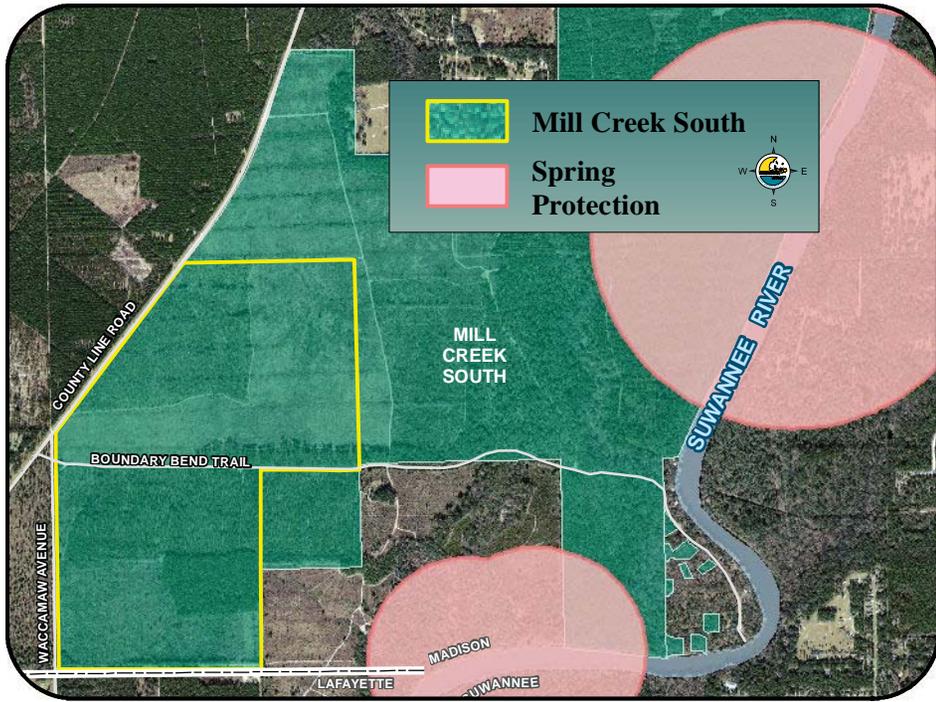
-  Potential Surplus  
Boundary = 363 Acres
-  SRWMD Fee  
Land
-  SRWMD Fee  
W/ Utility



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GB: 03/2012



**SRWMD  
SURPLUS PARCEL ASSESSMENT**

TRACT: Ellaville Exchange

COUNTY: Madison

ACREAGE: 950 acres ±

TRACT DESCRIPTION: The Ellaville exchange parcel contains a mix of pine species planted between 1972 and present.

PARENT TRACT: The 1,377-acre parent tract was purchased from Container Corporation in December 1988. This proposal represents 69% of the parent tract.

ACCESS: The property has frontage along US 90.

CURRENT ZONING: Conservation

INTERESTS TO BE RETAINED: Fee simple interest in the tract is proposed to be exchanged.

ESTIMATED TRANSACTION COSTS: Approximate costs of the transaction (including but not limited to documentary stamps, title insurance, survey, and brokerage fees) are \$130,000. This does not include any fees that may be charged for zoning changes, if requested.

**RESOURCE REVIEW**

(a) Water Resources:

Recharge: 96% (912 acres)

Springs Protection: N/A

Surface Water Protection: N/A

100-year Floodplain: 1% (5 acres)

(b) Management Efficiency: The proposal is to completely divest the District from ownership and management of this tract. The District owns other adjacent properties which are managed by the Florida Forest Service as part of Twin Rivers State Forest. This proposed area is currently managed as part of Twin Rivers State Forest and is within a Fish and Wildlife Conservation Commission Wildlife Management Area.

(c) Public Use: This area is open for public use including hiking, biking and hunting.

(d) Archaeological, Historical, Ecological:

Archaeological Records: This entire area is mapped as a high probability area for archaeological significance.

Ecological Records:

Protected Plants: Several occurrences of Florida mountainmint, lilies and milkvines

Protected Animals: Florida mouse  
Gopher tortoise  
Eastern Indigo snake

Exotic Plants: No Records

Natural Communities: Coniferous plantation: 862 acres  
Hardwood/pine mix: 15 acres  
Other (road, railroad): 5

- (e) Linkage: This area is part of the larger State Forest area, but no other acquisitions are planned.
- (f) Adverse Impact to Future Management: The potential for impact to the remaining acres in the State Forest may be significant.
- (g) Marketability: The property is presumed to be marketable on the open real estate market.
- (h) Other Public Land Managers: Public managers will be notified if the Committee approves the parcel for second hearing.
- (i) Original Funding: Water Management Lands Trust Funds were expended in this acquisition.

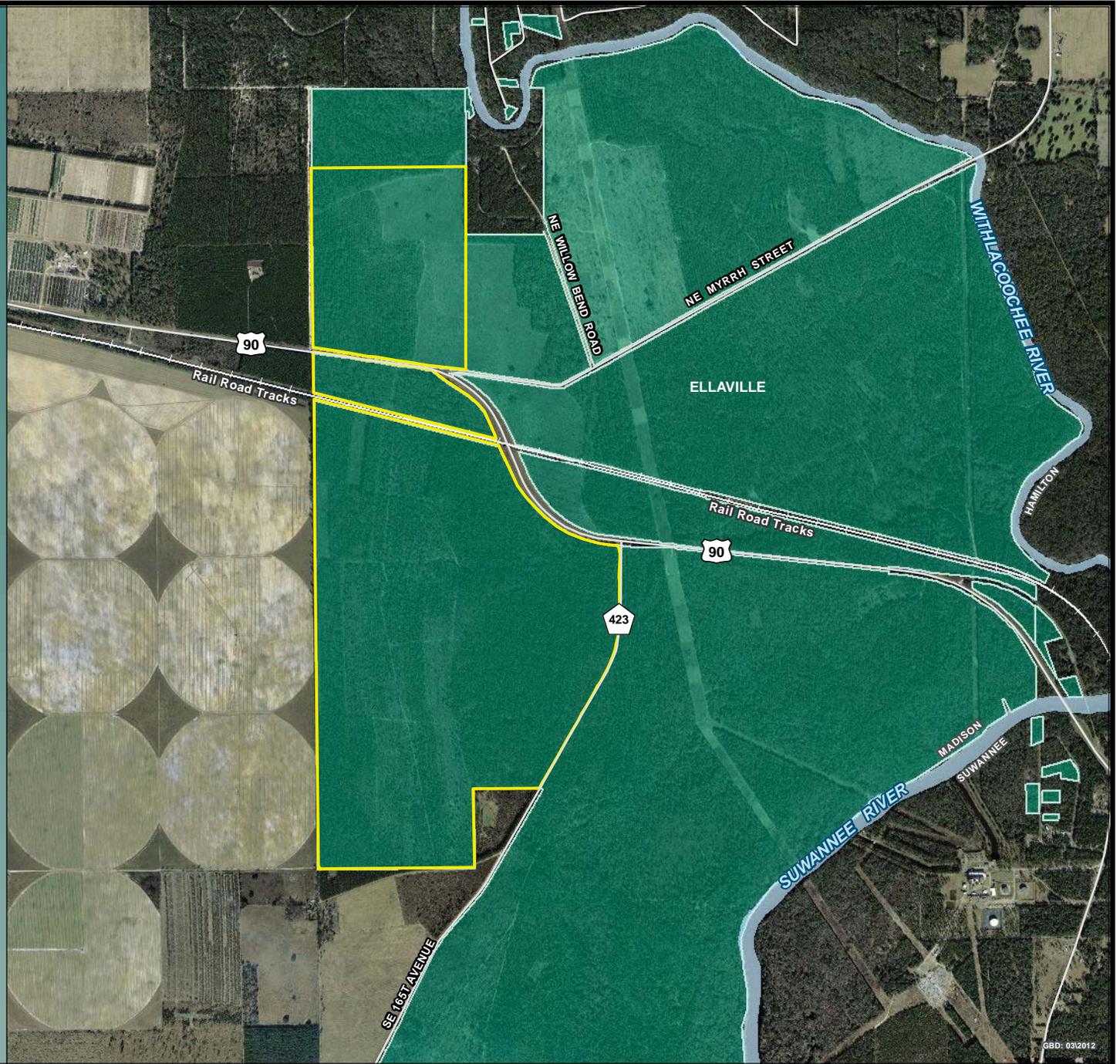
ANALYSIS: The 950 acres of the Ellaville parcel does not meet the less than 15% very high recharge guidelines for a fee sale as set forth in Program Directive 2011-03. In addition the parcel's public use, the management partnerships currently in place, and protected species on the parcel are factors in making the decision to surplus.

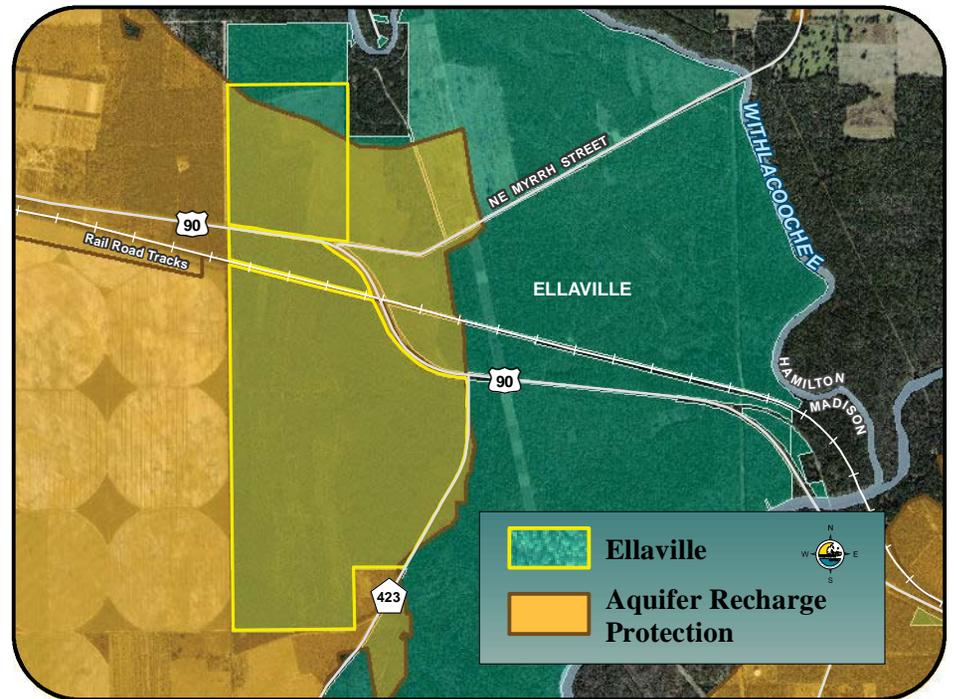
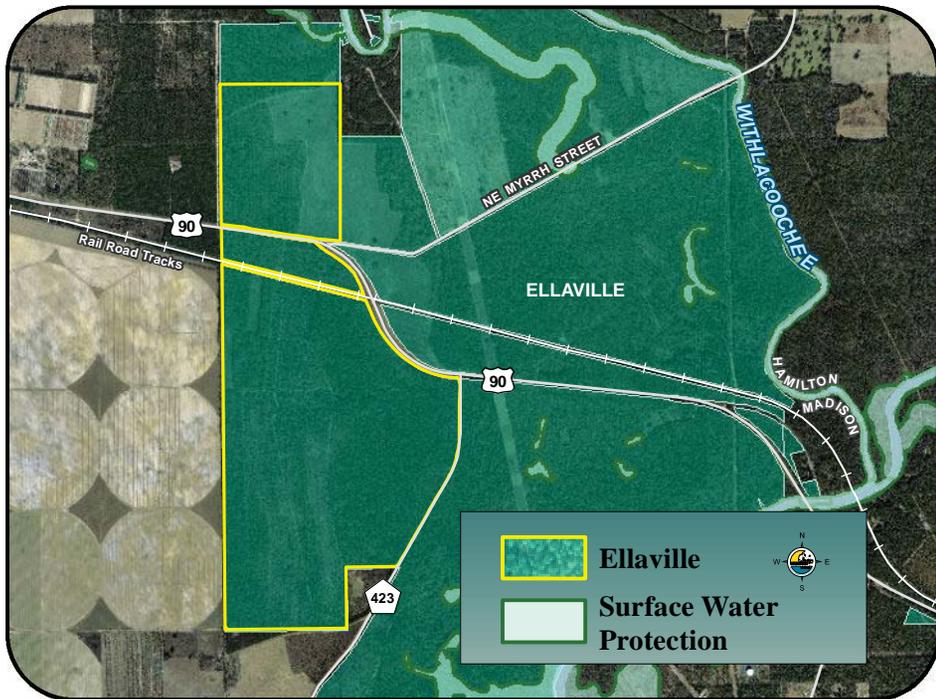
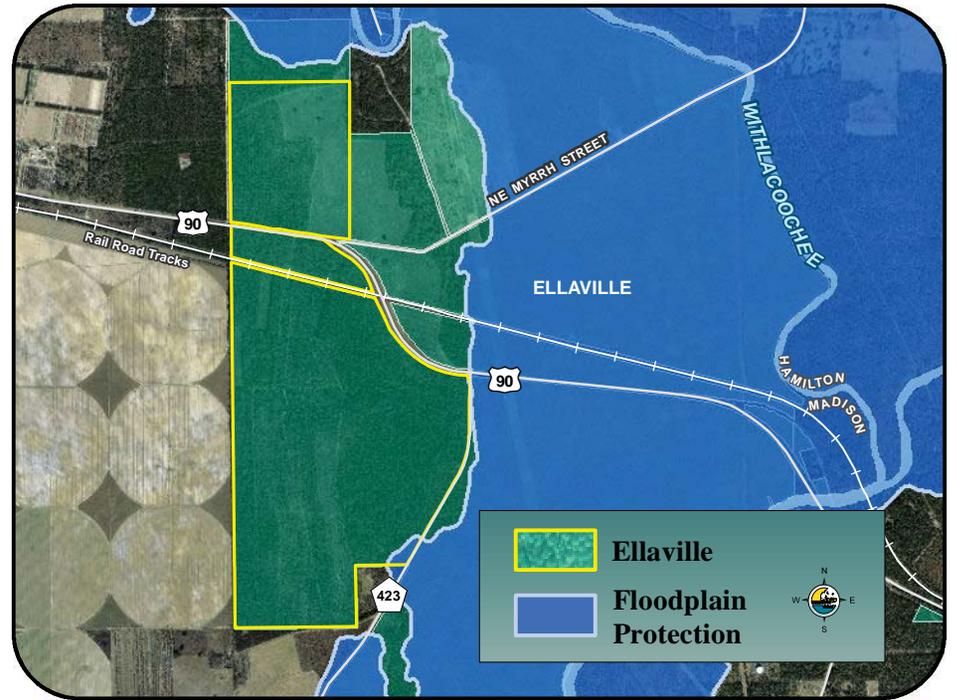
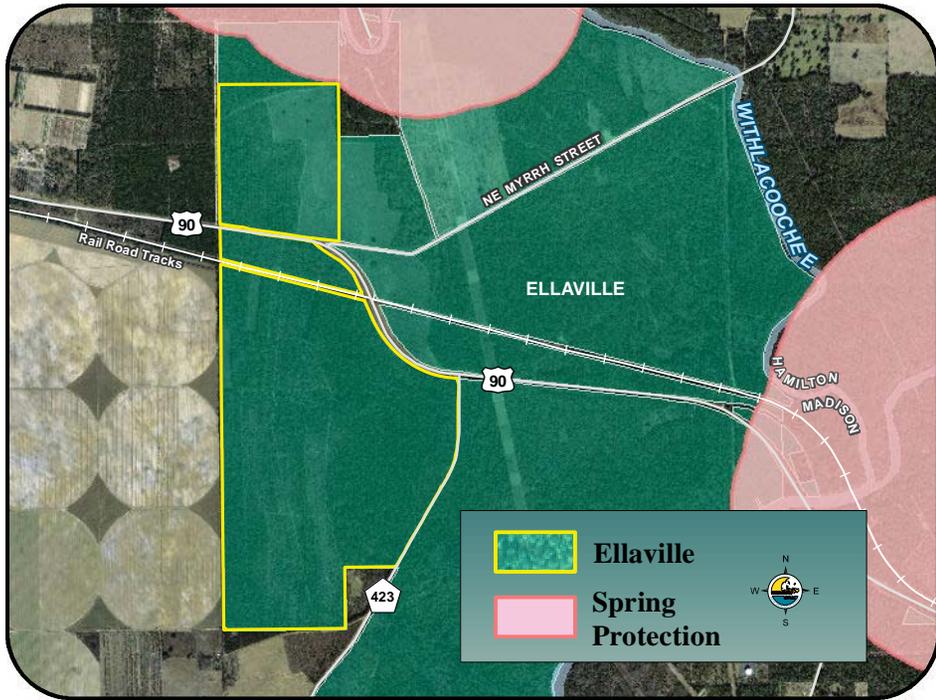
# Ellaville Madison County Florida

-  Potential Surplus Boundary = 950 Acres
-  SRWMD Fee Land



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## PARCEL ASSESSMENT SUMMARY

**TRACT:** Haselton

**SELLER:** Georgia Tech Foundation

**COUNTY:** Madison

**S-T-R:** Sections 33, 34, 35; Township 1S; Range 11E

**ACREAGE:** 585 acres +/-

**WATER RESOURCE PROTECTION:**

Floodplain: 97% (570 acres)

Surfacewater: 14% (87 acres)

Aquifer Recharge: None

Springs Protection: 18% (110 acres)

**TRACT DESCRIPTION:** The tract lies along the Suwannee River and is bordered on the north and south by District property. It is predominately natural, mixed pine and hardwood cover type with a few acres of wetlands at the river's edge. Aerial photography shows some cleared areas suspected to be deer hunting food plots.

**ACCESS:** This property is bordered on the west by Southeast 165<sup>th</sup> Avenue, a graded road maintained by Madison County.

**OUTSTANDING INTERESTS:** No information is currently available.

**MANAGEMENT ALTERNATIVES:** The primary management objective would be to add to the District's floodplain protection lands along the Suwannee River. It may or may not be an addition to Twin Rivers State Forest managed by the Florida Forest Service.

**CURRENT ASKING PRICE:** Owner's representative is seeking to exchange this property for other District holdings.

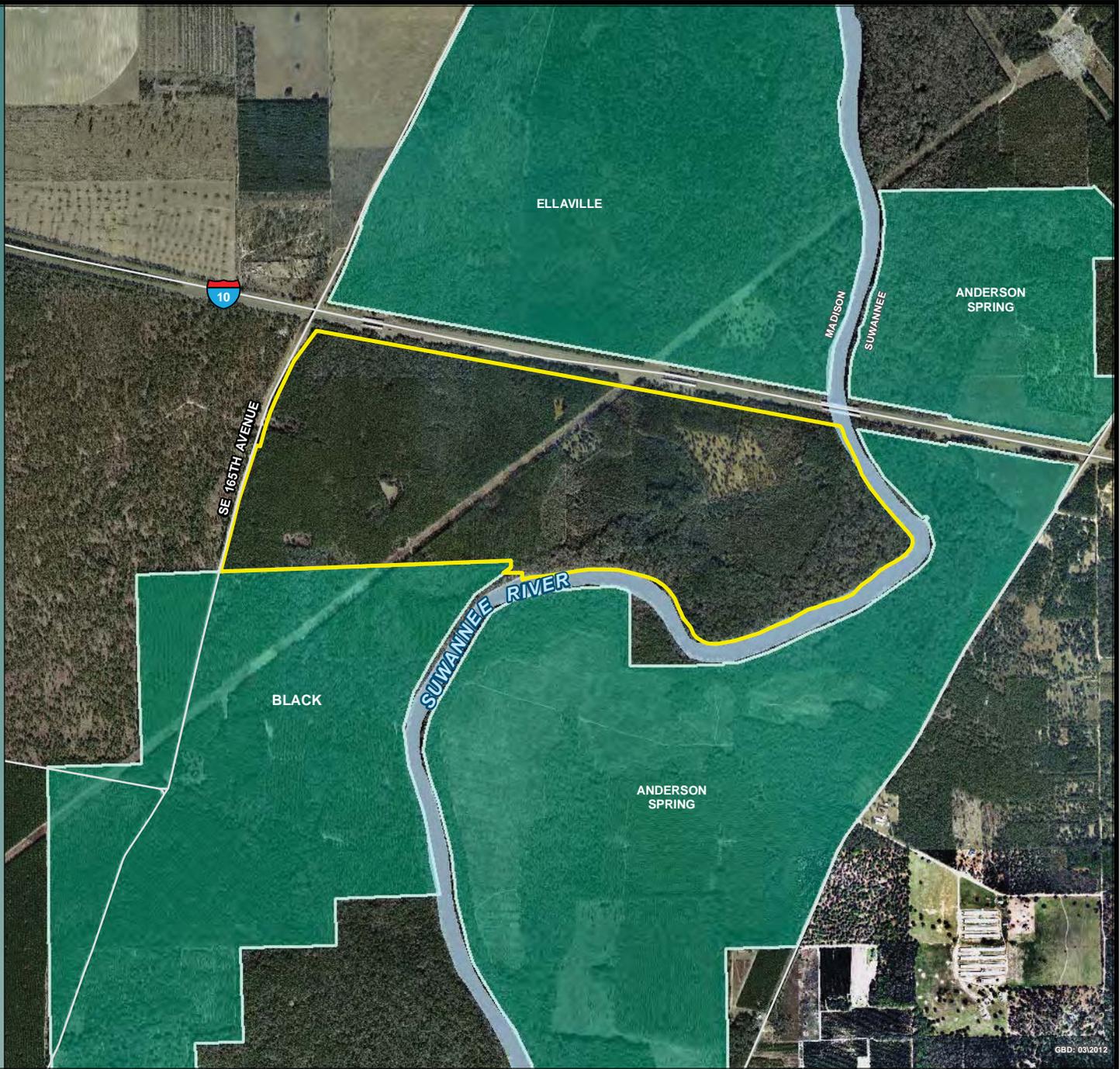
**Georgia Tech  
Foundation  
Madison County  
Florida**

 **Proposed Exchange  
Property Boundary  
585 Acres (+/-)**

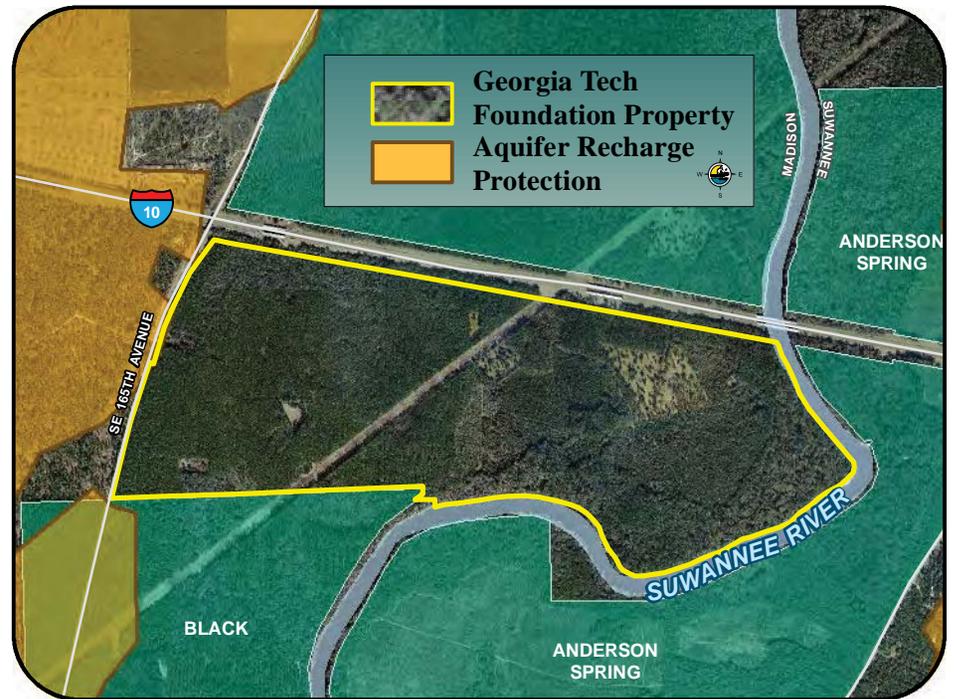
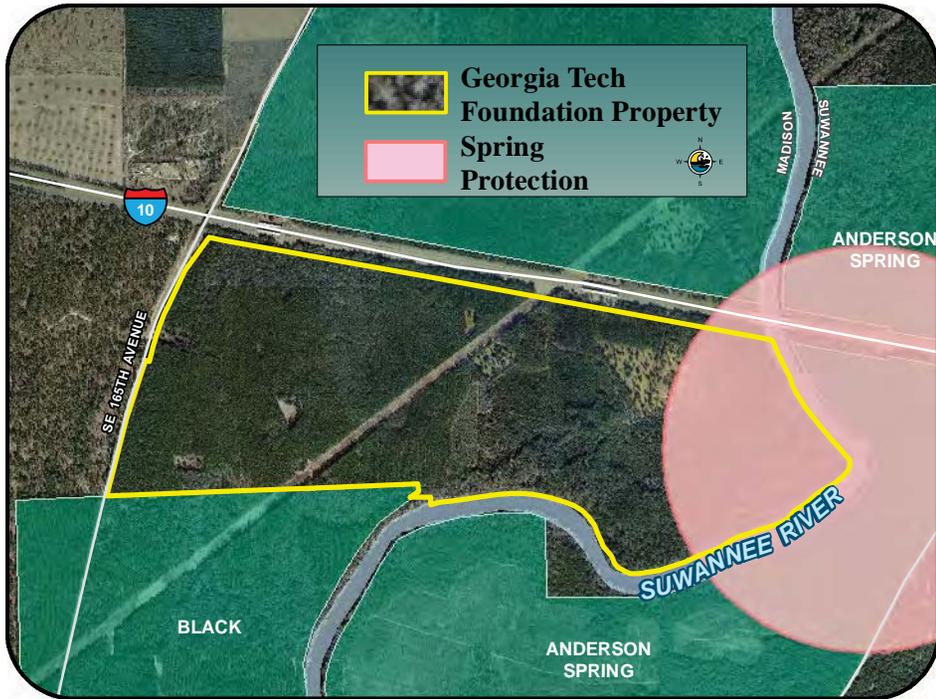
 **SRWMD  
Fee Land**



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GBD: 03/2012



## MEMORANDUM

TO: Governing Board

FROM: Terry E. Demott, Senior Land Resource Coordinator

DATE: March 1, 2012

RE: Approval of Land Sale without Reservation of Mineral and Petroleum Interests

### RECOMMENDATION

**Staff recommends approval of the sale of the 45-acre Bay Creek South surplus tract located in Columbia County to Phil and Ruby Eunice without reserving mineral and petroleum interests.**

### BACKGROUND

In December 2011 the Governing Board approved sale of the Bay Creek South surplus tract to Phil and Ruby Eunice. Mr. and Mrs. Eunice have agreed to all terms of the Contract for Sale of Real Property except the reservation of an undivided three-fourths interest in phosphate, minerals and other metals, and an undivided one-half interest in all petroleum. Their appeal was passed to staff and others through real estate broker Ronnie Poole. Chapter 270.11, Florida Statutes states that these interests are to be reserved "unless the applicable agency chooses not to reserve such interest."

This recommendation has been discussed with Surplus Land Committee Chairman Carl Meece and Board Counsel Tommy Reeves. Both gentlemen agree with staff recommendation and that full Governing Board approval is necessary.

gal  
008-00500

## MEMORANDUM

TO: Governing Board

FROM: Terry E. Demott, Senior Land Resource Coordinator

DATE: February 21, 2012

RE: Information Concerning the Sale of the 68-acre ± Adams South Surplus Land Tract to Michael and Freda Shaw

### BACKGROUND

In May of 2010, the Governing Board declared the 60-acre Adams South Tract as surplus property and subsequently directed staff to contract with Daniel Crapps Agency, Inc., to market the property.

Michael and Freda Shaw have offered the District \$1,400 per acre for an estimated total of \$95,200 on 68 acres (eight acres more than the original surplus parcel). The purchase price is equal to the current appraised value. An appraisal update was ordered by the buyer from Lawrence Saucer, an appraiser on the District's approved list. Florida Statute requires surplus lands to be sold for not less than appraised value.

On February 16, 2012, the Governing Board Surplus Land Committee recommended acceptance of the offer and the addition of 8 acres to the 60-acre Adams South surplus land tract. Upon Department of Environmental Protection's approval, staff expects to recommend at the April 10, 2012 Governing Board meeting (1) approval of the additional 8 acres as surplus and no longer needed for conservation purposes, and (2) approval to sell the 68-acre ± Adams South Surplus Land Tract to Michael and Freda Shaw.

gal  
attachments  
Adams South 008-00483

## SURPLUS PARCEL ASSESSMENT SUMMARY

TRACT: Adams South

COUNTY: Lafayette

ACREAGE: 68 acres ±

TRACT DESCRIPTION: The entire Adams South Tract is considered uplands, most of which has natural slash pine and upland hardwood tree species.

PARENT TRACT: The 557-acre parent tract was purchased in May 1990 and contains frontage on the Suwannee River and associated floodplain and wetlands. This proposal represents approximately 12% of the tract.

ACCESS: The current buyer will have sufficient adjoining legal access. The District will retain unrestricted access at its entrance on 410<sup>th</sup> Road to the Adams River Camp.

CURRENT ZONING: Conservation.

INTERESTS TO BE RETAINED: The tract may be sold as a whole with no interest retained by District.

### RESOURCE REVIEW

(a) Water Resources:

- Recharge: 0% (0 acres)
- Springs Protection: 0% (0 acres)
- Surface Water Protection: 0% (0 acres)
- 100-year Floodplain: <14% (9.7 acres)

(b) Management Efficiency:

Public and land management access will remain from 410<sup>th</sup> Road. No significant impacts to management operations are anticipated once a new fireline is installed between the tracts.

(c) Public Use: There are no public use sites on this proposed parcel.

(d) Archaeological, Historical: No records are available on the archaeological history, but the parcel lies within a high probability zone.

Ecological: No records

Protected Plants: No records

Protected Animals: Several gopher tortoise sightings

Exotic Plants: No records

Natural Communities: sand hill and scrub flatwoods - 66.32 acres

- (e) Linkage: This parcel is on the edge of the parent tract. Proposed new acquisitions along the Suwannee River would not be affected by this proposal.
- (f) Adverse Impact to Future Management: Staff recommends specifically notifying potential buyers that the property is adjacent to public lands managed with prescribed fire. This notice should be placed on the deed to notify all future owners.
- (g) Marketability: The property is marketable on the open real estate market evidenced by recent contract to purchase.
- (h) Other Public Land Managers: There are no other public managers on this tract.
- (i) Original Funding: This tract was purchased with Water Management Lands Trust Funds.

ANALYSIS: The 68 acres of the Adams South parcel is within the parameters for recharge, springs and surface water protection of Program Directive 2011-03 to be sold without restrictions. The tract exceeds the parameter for area within the 100-year floodplain.

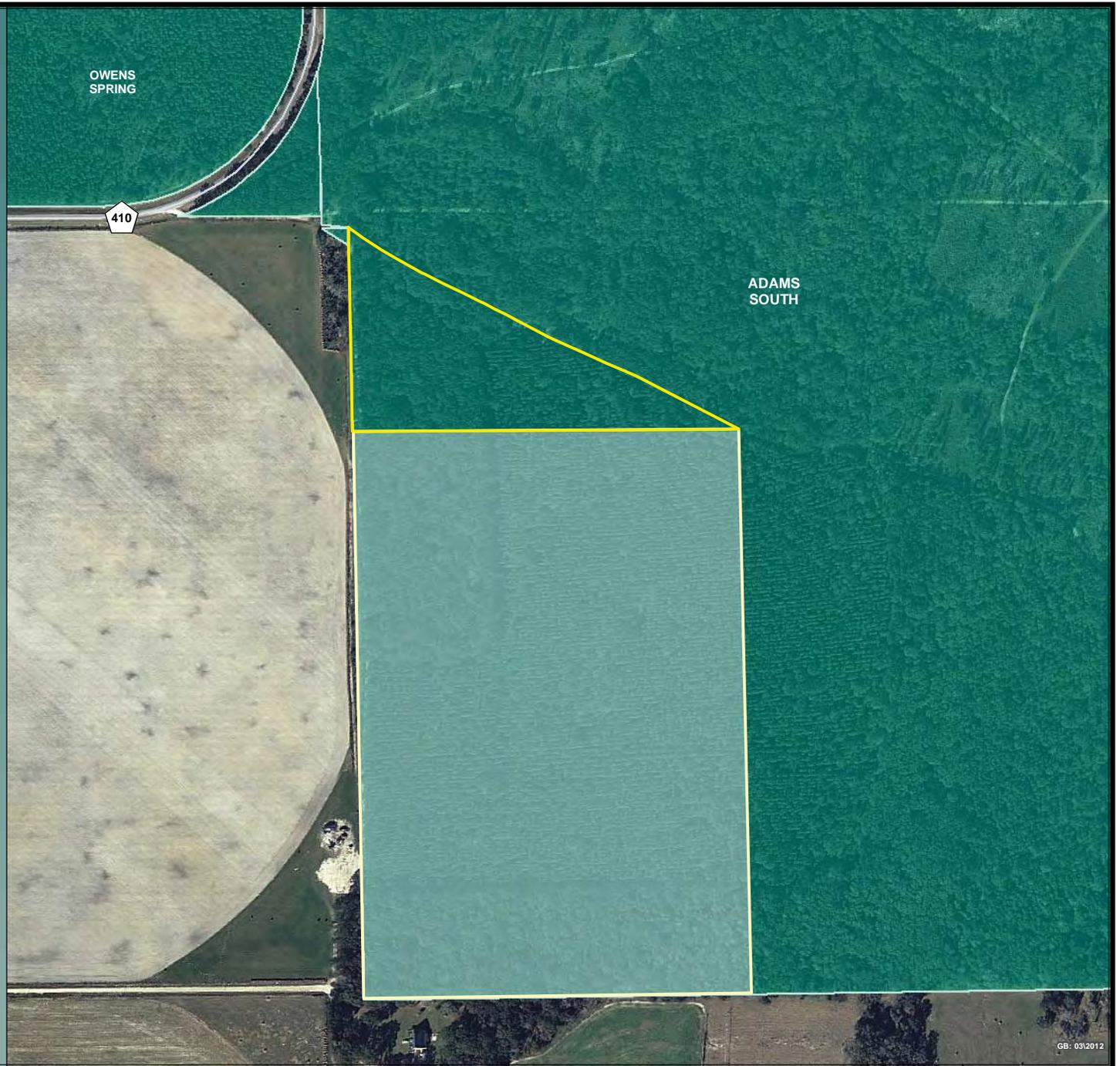


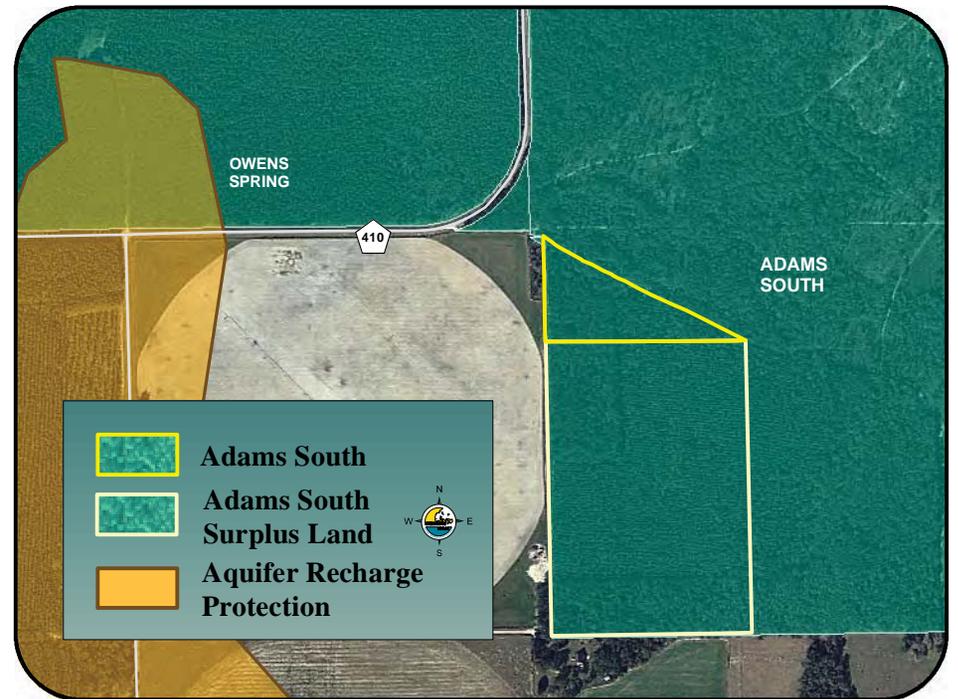
# Adams South Lafayette County Florida

-  Potential Surplus Boundary
-  SRWMD Surplus Lands
-  SRWMD Fee Lands
-  Land Management Administrative Roads



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MEMORANDUM

TO: Governing Board

FROM: Melanie Roberts,  
Director of Mission Support

DATE: March 1, 2012

RE: Selection of Contractors within the Boundaries of the District

This item is for informational purposes only to initiate discussion on selection of contractors within the District boundaries.

The District contracts with outside contractors and consultants to provide many different services to the District. To acquire these services, District staff usually conduct an Invitation to Bid (ITB), a Request for Proposal (RFP), or a Request for Qualifications (RFQ). These solicitations are advertised on the District’s website, in the Florida Administrative Weekly, in local newspapers, or a combination of the above.

An ITB or an RFP are usually the only methods that involve a price for services. On occasion, bids are received where the lowest bidder does not have an office within the District boundaries. Staff requests direction from the Governing Board with regards to establishing a preference for firms that are located within District boundaries. One possibility would be to reduce the quotations from such firms by a certain percentage for the purpose of calculating a low bid.

Other points of discussion may be to scale the percentage allowed over the lowest bid by ranges in project costs. Examples of variable percentages and project cost categories follow:

Total Project Cost	\$25,000	\$50,000	\$100,000
Percent Variable	5%	3%	2%
Allowed Amount over Low Bid	\$1,250	\$1,500	\$2,000

Total Project Cost	\$25,000	\$50,000	\$100,000
Percent Variable	10%	5%	3%
Allowed Amount over Low Bid	\$2,500	\$2,500	\$3,000

Staff appreciate your input into this process. Please feel free to call me if you have any questions or need more information.

## MEMORANDUM

TO: Governing Board

FROM: Melanie Roberts, Director of Mission Support

DATE: February 20, 2012

RE: Activity Report, Department of Mission Support

### DATA MANAGEMENT:

- The enterprise geodatabase upgrade and spatial data migration is complete. This effort included limited services to tie up projects that were in progress at the end of last fiscal year.
- Staff has developed a contract with a consultant to help with GIS services in Land Management and Real Estate. The tasks listed in this contract will be complete by April 15, 2012.
- Public records requests continue to be received requesting information related to the water use permits approved in December that have been petitioned for an Administrative Hearing.
- Staff continues to provide support to staff, other agencies, and the public through GIS requests, database needs, and records requests.

### INFORMATION TECHNOLOGY AND COMMUNICATIONS:

- IT staff continues to provide support to staff, other agencies and the public through ongoing resolution of Help Desk tickets, scheduled system backups, and programming and database development and maintenance.
- Communications staff continue to support the District's mission through timely website updates, press releases, water conservation outreach, and springs protection coordination.

### ADMINISTRATION:

- Staff continue to work with auditors concerning outstanding issues related to the Fiscal Year 2011 Audit Report.
- Staff has been working with the Department of Environmental Protection on consistency processes between the water management districts.

## MEMORANDUM

TO: Governing Board  
FROM: Terry Demott, Sr. Land Resource Coordinator  
DATE: February 24, 2012  
RE: Activity Report, Real Estate

Sale of the Bay Creek South surplus tract is scheduled to take place by March 15, 2012.

Several tracts of property that were originally acquired to support municipal services are being reviewed by the Surplus Land Committee. Further reports and possible recommendations will be brought to the full Governing Board.

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 March 13, 2012 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	45	Columbia	09/2002	P2000	6/14/2010	7/12/2010	Fee entire tract \$123,750	Approved on January 10, 2012 for sale
Bay Creek North	24	Columbia	02/1988	WMLTF	6/14/2010	7/12/2010	Fee entire tract \$60,720	
Owens Spring	77	Lafayette	03/1999	P2000	6/14/2010	7/12/2010	Fee entire tract \$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 entire tract \$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	Will be presented for sale at the March 2012 Governing Board Meeting.
Hunter Creek	120	Hamilton	09/2002	P2000		11/18/2010	Fee (3 parcels) \$343,200 Conservation Easement (3 parcels) \$243,100	
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

Tract Name	Acres	County	Acquired Date	Funding Source	Appraisal Date	Listing Date	Listing Price	Comments
Wolf Creek	30	Jefferson	05/2009	FF	8/10/2011	11/10/2011	Fee or Conservation Easement (same price) \$64,350	Offer was received and is being reviewed.
Withlacoochee Quail Farm	65	Madison	09/2006	FF	8/18/2011	11/10/2011	Fee entire tract \$153,780	Was approved for sale at the February 2012 Governing Board meeting.
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 are continuing with Taylor County.
Chitty Bend East	20	Hamilton	12/1988	WMLTF	11/2/11	11/29/11	Fee two 10-acre tracts for \$26,400 each	
Chitty Bend West	121	Madison	12/1988	WMLTF	11/2/11	11/29/11	Fee entire tract \$279,510	
Gainesville Recreation Site/Buck Bay	60	Alachua	12/15/1999	P2000	Approved in July			Appraisal is being reviewed.
Alligator Lake	43	Columbia	8/10/2001	P2000	Approved in July			Discussions are 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
Chinquapin Farm, L.L.C.	Chinquapin Farm	P-2000 Bonds	640	12/30/2009	Columbia	Recreation, Forestry	2/2012	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	2/2012	Preserved areas remain intact. No additional building has occurred this year. Some illegal dumping was found.
Champion, Roger and Donna	Mount Gilead	Florida Forever Bonds	180	8/19/2009	Madison	Forestry, Recreation	2/2012	Continues to be maintained primarily for hunting.
Loncala, Inc.	Monteocha Creek	Save Our Rivers	951	11/30/2001	Alachua	Forestry, Recreation	2/2012	Four ages of slash pine. Good management plan. No harvesting planned in the next 12 months.
The Campbell Group	California Swamp	Save Our Rivers and P-2000 Bonds	32,134	10/1/2001	Dixie	Forestry, Recreation	1/2012	Remains managed for pine timber and hunting with updated management plan. Wetlands undisturbed.
Feagle, Ronald and Dorothy	Bonnet Lake	Florida Forever Bonds	433	1/27/2010	Columbia	Recreation, Forestry	1/2012	Longleaf pine planted and preserved area remains as is with hunting only.
Layman, Chris & Kristine	Walker Springs	Florida Forever	167	12/30/2011	Jefferson	Forestry, Recreation	12/2011	Most recent CE purchase. No changes
Tisdale, Robert	Manatee Springs Addition	Florida Forever Bonds	83	11/16/2007	Levy	Recreation	12/2011	No change. Used for hunting only.
Bailey Brothers, Inc.	Bailey Brothers	P-2000 Bonds	16,522	8/24/2000	Dixie	Forestry, Recreation	12/2011	Used for forestry, hunting and cattle. Remains as agreed. Feral hog population is declining.
Ragans, Hoyt & Betty Jo	Ragans Jefferson	Florida Forever Bonds	169	12/28/2007	Jefferson	Forestry, Recreation	12/2011	Preserved areas remain as agreed in CE. Slash pine plantations remain well managed.
Ragans, Hoyt & Betty Jo	Ragans Madison	Florida Forever Bonds	585	12/28/2007	Madison	Forestry, Recreation	12/2011	No variations to agreement were noted. The property is well secured.

## CONSERVATION EASEMENT REVIEW

Owner	Project Name	Funding	Acres	Closing Date	County	Land Use	Last Inspection Date	Comments
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.
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.
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.
Hale, Martha and Carter, Russell	Russell Carter	Florida Forever Bonds	585	9/28/2007	Columbia	Forestry, Recreation	11/2011	362 acres of pre-merchantable slash pine still with PCA. Wetlands remain intact. No changes.
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 cogon grass.
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 Schlitzkus is new manager.
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 are well maintained for hunting.
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.
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.
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.

## CONSERVATION EASEMENT REVIEW

Owner	Project Name	Funding	Acres	Closing Date	County	Land Use	Last Inspection Date	Comments
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.
Red Hills Land Company	Foster	Florida Forever Bonds	163	3/25/2002	Jefferson	Forestry, Recreation	6/2011	No changes in easement since purchase.
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.
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.
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.
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.
Newberry, City of	Newberry Wellfield	P-2000 Bonds	40	2/21/2001	Alachua	Recreation	5/2011	Remains used for sports.
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.
Zellwin Farms, Inc.	Jennings Bluff	Save Our Rivers	362	2/1/1989	Hamilton	Recreation	4/2011	Maintained as originally agreed.
Moore, Madeline	Moore	Florida Forever Bonds	115	12/23/2002	Jefferson	Forestry, Recreation	4/2011	CE remains in compliance, with wetlands preserved.

## CONSERVATION EASEMENT REVIEW

Owner	Project Name	Funding	Acres	Closing Date	County	Land Use	Last Inspection Date	Comments
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. Boys Ranch personnel repainted the entire perimeter this year. Horseback riding by Ranch residents remains a major use.
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.
Platt, Cody and Carol	Aucilla Addition	P-2000 Bonds	274	12/29/1999	Jefferson	Forestry, Recreation	2/2011	New owners are well aware of CE terms. Have completed residence. Plan to mark boundaries and fire lines.
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.
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.
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.
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.
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.

PCA = Packaging Corporation of America, CE = Conservation Easement

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: Bob Heeke, Sr. Land Resources Manager

DATE: February 23, 2012

RE: Authorization to Amend Contract 10/11-135 with Bonnell & Sons Forestry Service, LLC for Tree Planting Services during Fiscal Year 2013

RECOMMENDATION

**Staff recommends the Governing Board authorize the Executive Director to execute an amendment to contract number 10/11-135 with Bonnell & Sons Forestry Service, LLC, for tree planting services for an amount not to exceed \$30,000.**

BACKGROUND

As part of the Fiscal Year 2013 work plan development, staff identified the need for reforestation on approximately 565 acres of cutover land. Of that, approximately 301 acres need V-Blade Dozer planting. Bonnell provided excellent V-Blade Dozer services during the 2011/2012 planting season. Staff recommends the contract with Bonnell be renewed for the 2012/2013 planting season.

District procedures allow for renewal of this type of contract for services if agreed upon by both District and Contractor and unit prices remain the same. Unit Prices shown below for V-Blade Dozer planting are the same as those currently in use.

Species and Medium	Trees/Acre	Cost/Acre
Longleaf Pine, Containerized	726	\$93
Longleaf Pine, Bare Root	726	\$92
Slash Pine, Bare Root	605	\$88

Using these rates, the anticipated fee will not exceed \$30,000 for the 2012/2013 tree planting season. Funds for this service are subject to final adoption of the Fiscal Year 2013 budget by the Governing Board.

Principals for Bonnell and Sons Forestry Service, LLC are Bryan R. Bonnell and Belinda L. Bonnell, and their headquarters are located in Trenton, Florida.

gal  
SRWMD Contract 10/11-135

## MEMORANDUM

TO: Governing Board  
FROM: Bob Heeke, Sr. Land Resource Manager  
DATE: February 24, 2012  
RE: Chemical Application Services for Pine Tree Seedling Establishment

### RECOMMENDATION

**Staff recommends the Governing Board authorize the Executive Director to execute a contract with Progressive Solutions, LLC, for banded application of chemical herbicides for an amount not to exceed \$48,700.**

### BACKGROUND

On January 3, 2012, staff released Request for Proposals (RFP) number 11/12-013 for chemical application services on District lands. Often referred to as band spraying, chemical application of a 3-foot wide strip of herbicide over recently planted longleaf pine seedlings benefits the establishment of those seedlings by reducing competition from surrounding vegetation. The District recently reforested 965 acres with longleaf pine. Band spraying over those seedlings will provide more favorable conditions for tree growth and survival than not applying herbicide.

Also prescribed during the 2012 fiscal year is band spraying over lands before planting. This reduces the total amount of herbicides applied on District lands as compared to a broadcast application. The band application will establish the planting rows.

Responses for the pine seedling establishment project were received from the following two firms: Facilities Supply & Service, Inc., of Keystone Heights and Progressive Solutions, LLC, of Jay.

The Selection Committee composed of Charlie Houser, Jon Dinges and Melanie Roberts met February 8, 2012, to review the proposals and develop the rankings. As noted in the RFP, the committee was to search for the best value to the District amongst the submitted proposals (see attached table). Proposals were compared on price, contractor experience in providing the service, and

satisfaction of the listed references to successfully meet specific land management objectives. Rankings were made to select the most qualified and cost-effective contractor in the opinion of the District Selection Committee. Progressive Solutions, LLC, was selected based on the projected project cost.

Principals for Progressive Solutions, LLC, are Michael Econopoulos, Reynolds L. Atkins, Jr., and Ronald Simpson. Funds for these services have been appropriated under budget code 132586631000209005 and 132586631000209003 in the current fiscal year.

Project estimates by firm for pine seedling establishment services (banded application of herbicide).

TRACT NAME	Acres	Progressive Solutions Anticipated \$	Facility Supply Anticipated \$	Progressive Solutions \$/acre	Facility Supply \$/acre
Pine Seedling Release					
Alapahoochee	24	\$1,047.60	\$2,520.00	\$43.65	\$105.00
Cuba Bay	60	\$2,619.00	\$6,300.00		
Goose Pasture	66	\$2,880.90	\$6,930.00		
Jones Mill Creek	128	\$5,587.20	\$13,440.00		
Steinhatchee Falls	119	\$5,194.35	\$12,495.00		
Steinhatchee Springs	568	\$24,793.20	\$59,640.00		
Total Pine Seedling Release Acres	965	\$42,122.25	\$101,325.00		
Banded Site Prep					
Shady Grove	67	\$6,499.00	\$14,338.00	\$97.00	\$214.00
TOTAL PROJECT AMOUNTS	1,032	\$48,621.25	\$115,663.00		

gal  
RFP 11/12-013

## MEMORANDUM

TO: Governing Board  
FROM: Bob Heeke, Sr. Land Resource Manager  
DATE: February 24, 2012  
RE: Contract with ATS Partners, LLC, for Upland Pine Forest Groundcover Restoration

### RECOMMENDATION

**Staff recommends the Governing Board authorize the Executive Director to execute a contract with ATS Partners, LLC, for upland pine forest groundcover restoration for an amount not to exceed \$73,010.**

### BACKGROUND

On August 29, 2011, the District entered into a cooperative agreement with the U.S. Fish and Wildlife Service (USFWS) for natural community restoration at the Withlacoochee Quail Farm Tract. The District paid for the land clearing and tree planting as matching funds and the USFWS grant will pay up to \$75,000 for the groundcover restoration.

Staff released Request for Proposals (RFP) number 11/12-014 for Upland Pine Forest Groundcover Restoration Services on January 9, 2012. Project cost estimates included all labor, materials, and equipment needed to seed 149 acres with an appropriate native seed mix at 10, 12, and 15 pounds of seed mix per acre. Responses were received from three firms as shown on the attached table.

The Selection Committee composed of Charlie Houder, Jon Dinges and Melanie Roberts met February 9, 2012, to review the proposals and develop the rankings shown on the attached table.

The selection criterion, as noted in the RFP, was to search for the best value to the District (greatest seed mix per acre rate below the \$75,000 grant allocation) amongst the submitted proposals. Proposals were compared on project costs, contractor experience in providing the service, and satisfaction of the listed references with the firms' previous work. Rankings were made to select the most

qualified and cost-effective contractor in the opinion of the District Selection Committee.

The principal for ATS Partners, LLC, is Charles W. Whittaker. Funds for this project are budgeted in account 132586631000209005 for the current fiscal year. The USFWS will reimburse District expenses up to \$75,000.

RFP 11/12-014

Request for Proposals 11/12-014 LM  
 Upland Pine Forest Groundcover Restoration  
 1:00 p.m. February 3, 2012

Responsive firms and project costs to sow 149 acres of native, upland groundcovers at the Withlacoochee Quail Farm Tract at 10, 12, and 15 pounds per acre

Firm	Selection Committee Ranking	City, State	Project costs at listed rates (lbs/acre)	
ATS Partners, LLC	1	Bainbridge, GA	10	\$59,600.00
			<b>12</b>	<b>\$73,010.00</b>
			15	\$89,400.00
Ecological Restoration Services, LLC	2	Eustis, FL	10	\$147,882.50
			12	\$150,005.75
			15	\$166,135.00
Southern Habitats, LLC	3	Greenville, FL	10	\$167,427.00
			12	\$194,586.00
			15	\$233,248.00

## MEMORANDUM

TO: Governing Board  
FROM: Bob Heeke, Sr. Land Resources Manager  
DATE: February 24, 2012  
RE: Memorandum of Understanding with Friends of Suwannee Springs, Inc.

### RECOMMENDATION

**Staff recommends the Governing Board authorize the Executive Director to execute a memorandum of understanding with Friends of Suwannee Springs, Inc.**

### BACKGROUND

Last year, representatives of Friends of Suwannee Springs, Inc., (FOSS) addressed the Governing Board requesting to work with the District to protect and interpret the historical resources present on the Suwannee Springs Tract. FOSS has since formed a not-for-profit corporation for this effort.

The proposed memorandum (attached) would allow FOSS to develop and propose projects related to the historic resources at Suwannee Springs. District staff would advise FOSS during the development of the proposal. Upon review and approval by District staff, FOSS would implement the project for the use and enjoyment by the general public. The District would assume long-term responsibility for any improvements made to the site. Tentative projects may range from interpretive trails and kiosks to the possible restoration of the cabins and spring house. Some projects may require permitting or approval from outside agencies.

FOSS would agree to hold the District harmless for any loss, damage or injury to their members while working on the land and provide public liability insurance to the District that lists the District as an additional insured.

This memorandum does not commit the District to any expenditure.

gal  
enclosure

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
SUWANNEE RIVER WATER MANAGEMENT DISTRICT  
AND  
FRIENDS OF SUWANNEE SPRINGS, INC.**

This agreement (Agreement) is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2012, by and between Suwannee River Water Management District, hereinafter referred to as SRWMD, and Friends of Suwannee Springs, Inc., hereinafter referred to as FOSS.

**WITNESSETH**

WHEREAS, SRWMD owns 125 acres, more or less, known as the Suwannee Springs Tract, as described in Exhibit A and hereinafter referred to as the PROPERTY; and

WHEREAS, the PROPERTY was purchased under the Save Our Rivers program for water management, water supply, and the conservation and protection of water resources; and

WHEREAS, SRWMD desires that these lands shall be used for public recreation to the consideration of their environmental sensitivity and suitability; and

WHEREAS, FOSS was organized to provide assistance in the development, maintenance, and preservation of recreation and historic resources on the PROPERTY;

NOW, THEREFORE, SRWMD and FOSS for and in consideration of the mutual covenants, obligations, and responsibilities cited herein, do covenant and agree as follows:

A. FOSS shall:

1. Coordinate its activities within the SRWMD multiple-use policy of water management, forest management, wildlife management, and public recreation;
2. Identify the general area of a proposed project and provide SRWMD Land Management staff with a written plan;
3. Work with SRWMD Land Management staff to obtain prior approval for any projects to be undertaken on the PROPERTY;

4. At its own expense, implement projects in such a way as to comply with all SRWMD rules, regulations, and policies;
5. Provide SRWMD with an annual report of volunteer service hours worked, including volunteer administrative support;
6. Coordinate its activities with other government agencies when appropriate; and
7. Defend, indemnify, and save SRWMD harmless from and against any loss, damage, and liability occasioned by, growing out of or arising, or resulting from any sanctioned FOSS activity permitted or default hereunder, or any tortious or negligent act on the part of FOSS, its agents, or employees, and provided, further, that during the full term of this Agreement, and at its own cost and expense, FOSS shall carry public liability insurance with a limit of not less than \$100,000 for any one person, not less than \$300,000 for any one accident, and not less than \$25,000 for damage to property. FOSS will file with SRWMD certificate(s) of insurance, acceptable to SRWMD, providing evidence that FOSS has in full force and effect the insurance required herein with insurers authorized to do business in the State of Florida. Such certificate shall be delivered to SRWMD within ten (10) days after execution of this Agreement. These certificate(s) shall contain provision(s) that provide, without limitation, the following:
  - a. Name SRWMD as a named or additional insured without waiving any defense of sovereign immunity or increasing the limits of SRWMD's liability in excess of the statutory cap provided under Section 768.28, Florida Statutes and shall contain no provisions whereby the insurer may raise any act or omission of FOSS (other than nonpayment of premiums or misrepresentation in the inception) as a defense to affording SRWMD coverage thereunder.
  - b. The coverage afforded under the policies will not be cancelled or materially changed until at least 30 days prior written notice has been given to the SRWMD.

B. SRWMD shall:

1. Permit FOSS access to lands under its jurisdiction for the purposes of development and maintenance of projects and facilities as approved by SRWMD;
2. Advise and assist FOSS in on-the-ground location and siting of projects;

3. Advise FOSS regarding any proposed or anticipated actions that may affect its activities;
  4. Make reasonable efforts to publicize any emergency closure and re-opening of the PROPERTY;
  5. Credit FOSS's volunteer participation in appropriate brochures, signs, and publicity articles;
  6. Inform FOSS of SRWMD's, rules, and regulations affecting volunteer service and related activities on the PROPERTY;
  7. Waive entrance and other recreation-related fees to FOSS members and other volunteers when conducting trail development and maintenance activities in accordance with this Agreement.
- C. SRWMD and FOSS mutually agree as follows:
1. The purpose of this Agreement is to provide additional recreational and educational opportunities for the public on the PROPERTY by cooperation between SRWMD and FOSS. SRWMD agrees to assume all responsibility for the projects receiving prior approval from and constructed in accordance with the standards and specifications of SRWMD and approved public uses thereon. It is not the intent of this Agreement to place long-term responsibility on the FOSS for general public use as a result of activities that occur under this Agreement. FOSS shall only have liability for FOSS-sanctioned events;
  2. Facilities constructed or maintained in accordance with this Agreement shall be open to the general public and FOSS will in no way control access to or use of the trails or improvements;
  3. SRWMD may close any or all of the PROPERTY when, in its sole opinion, conditions of weather, fire threat, logging activity, or any other hazard makes closure reasonably necessary for human safety or resource protection;
  4. This Agreement does not in any way convey to FOSS members employee status that would extend benefits required by law;
  5. FOSS shall not discriminate against any person because of race, creed, color, sex, age, or national origin;

6. This Agreement may be amended at any time, by mutual consent of SRWMD and FOSS;
7. This Agreement may be cancelled by either party for any or no cause upon thirty (30) days written notice to the other;
8. This Agreement will be administered by the Executive Director of SRWMD and all correspondence and notices will be addressed to the SRWMD at the following address:

Suwannee River Water Management District  
Bob Heeke, Land Resources Manager  
9225 CR 49  
Live Oak, Florida 32060

9. Correspondence and notices to FOSS will be addressed to:

Friends of Suwannee Springs  
c/o Bobbie Tomlinson  
3155 NW 40<sup>th</sup> Loop  
Jennings, FL 32053

10. This Agreement is executed by a duly authorized representative of each party and is effective as of the last date it is signed.
11. This Agreement shall not be construed to require SRWMD to expend any of SRWMD's funds in any particular way.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, as of the day and year first specified above.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2012 by FOSS.

**FRIENDS OF SUWANNEE SPRINGS, INC.**

By: \_\_\_\_\_  
Bobbie Tomlinson,  
President

Are you/your entity incorporated?  
 X  Yes \_\_\_ No

Federal Tax ID No. 453179754

\*\*\*\*\*

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2012 by SRWMD.

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT**

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

Approved as to Form and Legality

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

Reviewed and Approved

Approved as to Conformance to  
SRWMD Budgetary and Administrative  
Procedures

By: \_\_\_\_\_  
Robert G. Heeke,  
Land Resources Manager

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

## MEMORANDUM

TO: Governing Board

FROM: Carlos Herd, Senior Hydrogeologist

DATE: February 23, 2012

RE: North Florida Southeast Georgia Regional Groundwater Model Services

### RECOMMENDATION

**Staff recommends the Governing Board authorize the Executive Director to enter into a contract with INTERA, Inc., to assist the District with development of the North Florida Southeast Georgia Regional Groundwater Flow Model for an amount not to exceed \$35,000.**

### BACKGROUND

On September 13, 2011, the Suwannee River Water Management District (District), St. Johns River Water Management District (SJRWMD), and Florida Department of Environmental Protection (DEPARTMENT) entered into an Interagency Agreement (Agreement). Several specific elements were identified in the Agreement in order to meet the purpose. One element included the joint development of a regional groundwater flow model, specifically, the North Florida Southeast Georgia Regional Groundwater Flow Model (Model). The purpose of the Model is to develop consistency in planning and permitting decisions between the two water management districts.

To date, a Project Charter has been developed for the Model. Additionally, a Technical Team (to develop and calibrate the model) and Steering Committee (to provide guidance and oversight to the Technical Team) have been established. It is important to note that in addition to the two water management districts, the Technical Team and Steering Committee are comprised of stakeholders with interest in the Model development, including (but not limited to) public utilities, agricultural interests, industry (mining), environmental interest groups, and the State of Georgia Environmental Protection Division. Furthermore, a Project Work Plan (Attachment 1) has been finalized and the Technical Team is moving

forward with Model development. According to the Work Plan, the Model is scheduled for completion by June 2014.

Due to limitations on staff availability and expertise, INTERA, Inc., is currently providing technical assistance to the District in development of the Model. However, staff needs additional modeling assistance throughout the end of the project. INTERA's proposed scope of work and budget is attached for review (Attachment 2).

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

DJ/dd





# Attachment 2

## Proposed Scope of Work

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### Introduction

The Suwannee River Water Management District (District) is currently involved in a cooperative effort with the St. Johns River Water Management District (SJRWMD) to develop the next generation regional groundwater flow model, also known as the North Florida Southeast Georgia Regional Groundwater Flow Model (NFSEG). As part of the cooperative effort, the District will be required to provide technical input on the modeling strategy and actual model development. To support the District in this endeavor, INTERA, Inc., will provide technical support services which include attending the scheduled technical meetings and conference calls, remaining abreast of published literature and data, providing technical input to the model development process by generating technical memos, and communicating with District staff as necessary. This proposed work effort will continue services currently provided under an existing Purchase Order with INTERA, Inc.

### Scope

The scope for the proposed support is detailed below.

#### Task 1 Provide Technical Assistance

Meetings have been scheduled at regular intervals for the last six months and will continue throughout the NFSEG model development (scheduled into June of 2014). During these meetings the District has provided and will continue to provide input into the model conceptualization, construction, and calibration. INTERA will assist the District by providing technical input into this process. It is the District's responsibility to ensure that physical processes are properly represented in this model since it will be used to develop future water use plans as well as evaluate potential impacts of water use permits in both Districts.

#### Task 2 Literature Review

INTERA will be required to remain abreast with the progress of the NFSEG model development via the modeling meetings, keeping up to date with the published reports, collected data, and developed model documentation. The technical team members as well as stakeholders will present data and studies to the technical team. The data and the findings of the studies will be reviewed by the District (INTERA) for validity before including into the NFSEG modeling process.

### Task 3 Technical Memo Communications

During the NFSEG model development process, communication with the District to discuss the progress will be maintained by INTERA. Open communication between the District representative and INTERA, will be maintained through regular conference calls as well as the preparation of technical memos or power point presentations to be presented to the modeling Technical Team.

### Budget

A detailed project budget for the associated tasks is shown below.

Joint Groundwater Modeling Technical Support									
Personnel	Rate/hr	Task 1		Task 2		Task 3		Tot. Hrs	Total Cost
		Attend Meetings and Conference Calls		Literature Review		Technical Memo Response and Communications			
		Hrs	Cost	Hrs	Cost	Hrs	Cost		
Principal Staff Member	\$163.82	0	\$0	0	\$0	0	\$0	0	\$0
Sr. Engineer/Scientist I	\$152.75	90	\$13,748	40	\$6,110	40	\$6,110	170	\$25,968
Engineer/Scientist I	\$111.31	16	\$1,781	20	\$2,226	40	\$4,452	76	\$8,460
Engineer/Scientist I	\$111.31	0	\$0	0	\$0	0	\$0	0	\$0
Engineer/Scientist III	\$71.68	0	\$0	0	\$0	0	\$0	0	\$0
		<b>106</b>	<b>\$15,528</b>	<b>60</b>	<b>\$8,336</b>	<b>80</b>	<b>\$10,562</b>	<b>246</b>	<b>\$34,427</b>

MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Senior Professional Engineer

DATE: February 23, 2012

RE: Denial of Individual Environmental Resource Permit Application  
Number ERP09-0070, Pine Plantation Subdivision, Bradford County

RECOMMENDATION

**Staff recommends the Governing Board authorize denial, without prejudice, of Individual Environmental Resource Permit application number ERP09-0070, to Big River Developers, LLC, for the Pine Plantation Subdivision, Bradford County.**

BACKGROUND

The District received the application for a permit on May 13, 2009. Staff sent six requests for additional information (RAI) and approved six extensions. After meetings with the owner and engineer, in which the timeliness of application completion was discussed, the latest deadline to respond was February 5, 2012. Staff called the engineer concerning the status of the project. To date, the engineer has not contacted staff back.

Staff inspected the site on February 22, 2012, and no construction has started.

PW/rl

February 23, 2012

Rock Rhoden  
Big River Developers, LLC  
515 S. 6<sup>th</sup> St.  
Macclenny, FL 32063

Subject: Denial of ERP09-0070, Pine Plantation Subdivision,  
Bradford County

Dear Mr. Rhoden:

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

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on March 13, 2012, 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.  
Senior Professional Engineer

TS/rl

Enclosure

cc: Bradford County Board of Commissioners  
Hill, Boring & Associates, Inc.

Certified Mail Receipt Number: 7010 1060 0001 1350 2410

## NOTICE OF RIGHTS

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

## NOTICE OF RIGHTS

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

### CERTIFICATE OF SERVICE

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

**Rock Rhoden**  
**Big River Developers, LLC**  
**515 S. 6<sup>th</sup> St.**  
**Macclenny, FL 32063**

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

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

## STAFF REPORT

### ENVIRONMENTAL RESOURCE PERMIT APPLICATION

**DATE:** February 23, 2012

**PROJECT:** Pine Plantation Subdivision

**APPLICANT:**

Rock Rhoden  
Big River Developers, LLC  
515 South 6<sup>th</sup> Street, Suite 1600  
Macclenny, FL 32063

**PERMIT APPLICATION NO.:** ERP09-0070  
**DATE OF APPLICATION:** 03/16/09  
**APPLICATION COMPLETE:** N/A  
**DEFAULT DATE:** N/A

#### **Recommended Agency Action**

Staff recommends the denial of the individual Environmental Resource permit application because of failure to supply information necessary to complete the application.

#### **Project Location**

The project is located in Bradford County, Township 6 South, Range 22 East, Sections 17, 20, 21.

#### **Project Description**

The proposed project consists of the construction of a 112-acre subdivision.

#### **Site inspection to ensure project was not constructed**

Staff inspected the project site on February 22, 2012. Construction has not started.



## MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Senior Professional Engineer

DATE: February 23, 2012

RE: Extension of Temporary Water Use Permit Number  
2-11-00040, Loncala Dairies, Gilchrist County

### RECOMMENDATION

**Staff recommends the Governing Board extend Temporary Water Use Permit number 2-11-00040 until April 11, 2012, with seventeen standard conditions and eight special limiting conditions to Alliance Grazing Group in Gilchrist County.**

### BACKGROUND

The applicant requested a temporary permit on January 11, 2012, following the referral of the petition for administrative hearing to the Division of Administrative Hearings at the January 2012 Governing Board meeting. The Executive Director issued the first temporary permit on January 19, 2012, with an expiration date of February 15, 2012. At the February 14, 2012, Governing Board meeting, the Board reauthorized the temporary permit until March 14, 2012.

Section 373.244, Florida Statutes (F.S.), allows the District to issue temporary permits while the application is pending. It also notes that, if granted, temporary permits shall expire on the day following the next regular meeting of the Governing Board. Additionally, the Governing Board shall review temporary permits at each regular meeting and may terminate a temporary permit or refuse to extend it further upon a finding that the water use does not meet the criteria set forth in District rule 40B-2.441, Florida Administrative Code (F.A.C.) that adverse effects are occurring as a result of water use under the temporary permit, or that the water authorized to be used under such permit is no longer required by the permit holder. If the Governing Board extends the term of a temporary permit for subsequent periods, the expiration date shall be on or before the day following the next regular meeting of the Governing Board.

Staff has determined that the temporary application is complete and satisfies the conditions for issuance in Chapter 40B-2, F.A.C., and Chapter 373, F.S.

KW/tm

February 23, 2012

Alliance Grazing Group  
c/o Ron St. John  
4951 NW 171st Street  
Trenton, FL 32693

Subject: Approval of Temporary Water Use Permit Number  
2-11-00040, Loncala Dairies, Gilchrist County

Dear Mr. St. John:

Suwannee River Water Management District (District) staff proposes to recommend that the Governing Board extend the above-mentioned temporary permit until April 11, 2012.

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

Please call permitting staff at 386.362.1001 if you have any questions.

Sincerely,

Tim Sagul, P. E.  
Senior Professional Engineer

TS/tm

Enclosure

Certified Mail Receipt Number: 7010 1060 0001 1350 1895

**STAFF REPORT**

**TEMPORARY WATER USE PERMIT**

**DATE:** February 23, 2012

**PROJECT:** Loncala Dairies

**APPLICANT:** Alliance Grazing Group  
4951 NW 170<sup>th</sup> Street  
Trenton, FL 32693

**PERMIT APPLICATION NO.:** 2-11-00040  
**DATE OF APPLICATION:** September 15, 2011  
**APPLICATION COMPLETE:** September 15, 2011

**PARTNERS:**

<b>R &amp; M AG ENTERPRISES LLC</b> 4951 NW 170 <sup>th</sup> Street Trenton, FL 32693	<b>PIEDMONT DAIRIES, INC.</b> 569 Edgewood Avenue South Jacksonville, FL 32205
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**MANAGER/MEMBER DETAIL: R & M AG ENTERPRISES LLC**

Ronald St. John, Jr. 4951 NW 170 <sup>th</sup> Street Trenton, FL 32693	<b>MGR</b>
Marcia A St. John 4951 NW 170 <sup>th</sup> Street Trenton, FL 32693	<b>MGR</b>

**MANAGER/MEMBER DETAIL: PIEDMONT DAIRIES, INC.**

William A McArthur 569 Edgewood Avenue South Jacksonville, FL 32205	<b>MGR</b>
Charles N Hendrix 569 Edgewood Avenue South Jacksonville, FL 32205	<b>MGR</b>

	<b>Previous Quantities:</b>		<b>Proposed Quantities:</b>	
<b>Average Daily Rate (ADR)</b>	-	mgd	2.4541	mgd

### **Recommended Agency Action**

Staff recommends extension of Temporary Water Use Permit 2-11-00040 for the establishment of a row crop operation within Gilchrist County. The permit will include seventeen standard conditions and eight special limiting conditions. The temporary permit will expire on April 11, 2012.

### **Project Review Staff**

Kevin Wright, P.E.; Ronald Spencer; and Tim Sagul, P.E., have reviewed the application.

### **Project Location**

The withdrawal facilities are located in Township 09 South, Range 16 East, Sections 09, 10, and 22 in Gilchrist County. The project is located within the Santa Fe River basin according to the USGS National Hydrography Dataset, Hydrologic Unit Code-8 subbasins.

### **Project Description**

The project area consists of approximately 1,183 acres with approximately 976 acres being irrigated with 7 new center pivots supplied by groundwater. The applicant has applied to establish a row crop operation to support the other dairies associated with Alliance Grazing Group. The 7 pivots will have a crop rotation of spring corn, fall sorghum and winter cover crop.

The water use calculations are based upon the row crop irrigated acreage, crop rotation, and crop types provided by Alliance Grazing Group. All pivots will use the latest sprinkler packages. The Average Daily Rate (ADR) will be 2.4541 mgd. The ADR equates to 33.8 inches of supplemental irrigation annually. The temporary water use reflects a 1.3386 mgd reduction from the permit issued at the December 2011 Governing Board meeting. The reduction in permitted allocation is due to the dairy facilities not being constructed at this time.

The project will have 4 proposed irrigation wells. A list of wells can be found in the table on Attachment A.

### **Demonstration of Need**

The applicant has provided information that supports the requested allocation, based upon crop types, crop rotation and irrigated acres.

## **Water Conservation**

Alliance Grazing Group has completed the water conservation worksheets for the center pivot irrigation systems.

## **Harm Analysis**

Staff determined through the SRWMD North Florida Model, version 1.0 and the Intera Adaptation of USGS Peninsular Florida Groundwater Flow Model, January 2011, that the proposed water use would not violate minimum flows and levels (MFLs) at any downstream MFL points established along the Suwannee River or its tributaries. However, a special limiting condition has been included in the permit for the District to seek a modification to the permit to assist in the recovery and/or prevention strategy associated with an adopted MFL.

## **Application Timeline**

Staff recommended issuance of a 20-year permit at the December 13, 2011, Governing Board meeting. A petition requesting an Administrative Hearing was received on January 3, 2012. The Governing Board referred the petition to DOAH on January 10, 2012. The Executive Director issued the first temporary permit on January 19, 2012, with an expiration date of February 15, 2012. At the February 14, 2012 Governing Board meeting, the Board reauthorized the temporary permit until March 14, 2012.

## **Standard Conditions**

1. Nothing in this permit should be construed to limit the authority of the Suwannee River Water Management District to declare a water shortage and issue orders pursuant to Section 373.175, Florida Statutes, (F.S.) or to formulate a rule for implementation during times of water shortage pursuant to Section 373.246, Florida Statutes. In the event of water shortage as declared by the Board, the permittee shall adhere to any limitations on withdrawal or use ordered by the District.
2. This permit is classified as unconfined Floridan aquifer for overhead irrigation.
3. Permittee shall allow District personnel at reasonable times and at District expense or with District equipment to monitor withdrawal rates and volumes authorized by this permit.

4. Capping of Withdrawals Not In Use: Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500(4)(a)4., F.A.C.
5. The permittee may apply for a permit modification at any time in accordance with Section 40B-2.331, F.A.C.
6. In the event of a District-declared water shortage, the permittee must immediately comply with any restrictions or requirements ordered in accordance with the District's Water Shortage Plan, Chapter 40B-21, F.A.C.
7. Permittee must mitigate interference with existing legal uses caused in whole or in part by the permittee's withdrawals, consistent with a District-approved mitigation plan. As necessary to offset such interference, mitigation may include, but is not limited to, reducing pumpage, replacing the existing legal user's withdrawal equipment, relocating wells, changing withdrawal source, supplying water to existing legal user, or other means needed to mitigate the impacts.
8. Permittee must mitigate harm to existing off-site land uses caused by the permittee's withdrawals. When harm occurs, or is imminent, the permittee must modify withdrawal rates or mitigate the harm.
9. Permittee must mitigate harm to the natural resources caused by the permittee's withdrawals. When harm occurs or is imminent, the permittee must modify withdrawal rates or mitigate the harm.
10. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to Chapter 373, F.S.
11. Authorized representatives of the District, upon reasonable notice to the permittee, shall be permitted to enter and inspect the permitted water use to determine compliance with the permit conditions.
12. This permit does not relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
13. This permit does not convey to the permittee any property rights or privileges other than those specified herein.
14. Permittee shall notify the District in writing within 90 days of any sale, conveyance, or other transfer of ownership or control of the real property on which the permitted water use activities are located. All water use permit transfers are subject to the requirements of section 40B-2.301, F.A.C.

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

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

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

### **Special Limiting Conditions**

18. All correspondence sent to the District regarding this permit must include the permit number 2-11-00040.

19. Consistent with condition nine, the Permittee shall mitigate harm to Waters Lake following notice from the District. Mitigation may include, but is not limited to reduction of withdrawals and relocation of wells.

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

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

22. The issuance of this Temporary Water use Permit shall not in any way be construed as a commitment to issue a water use permit.

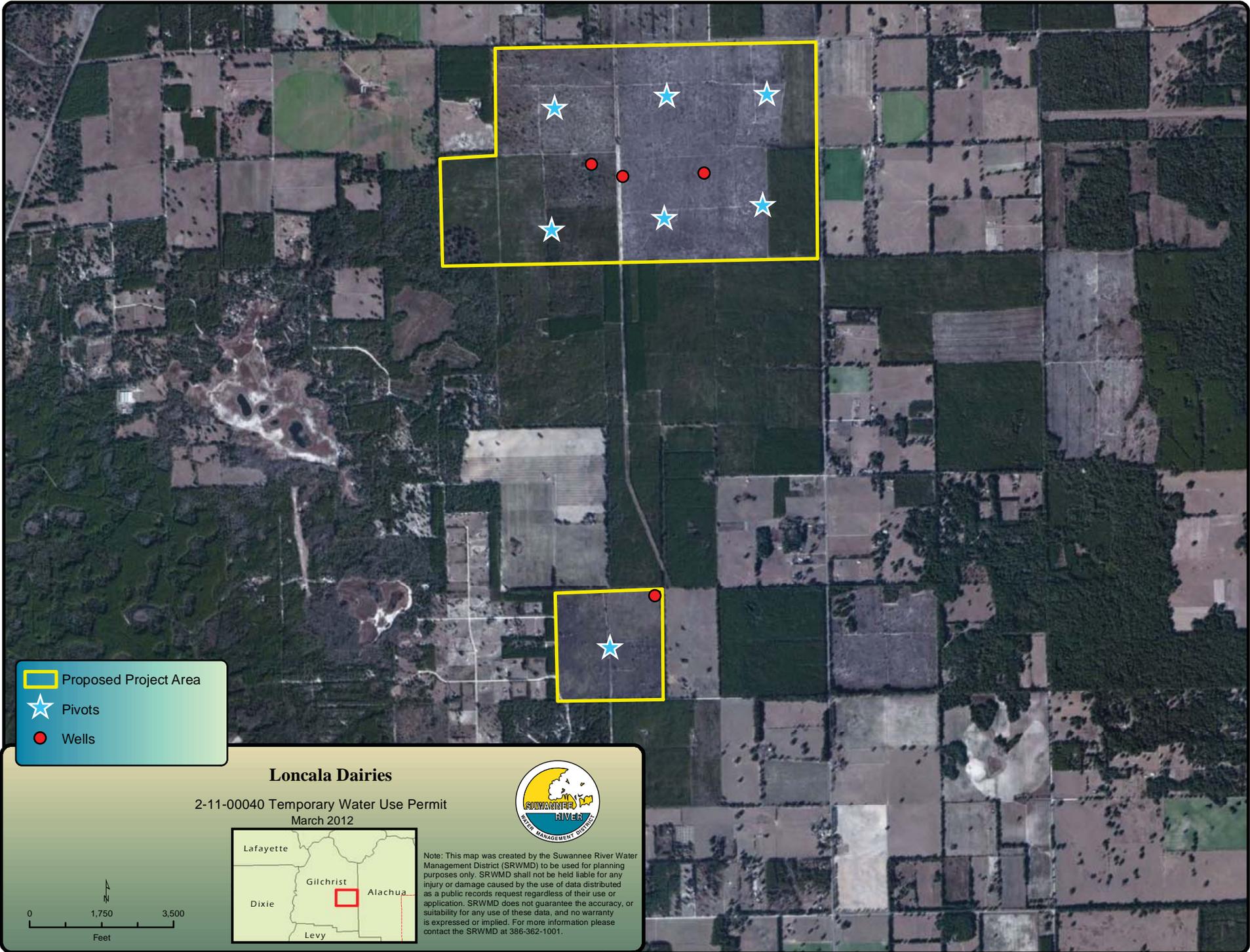
23. The permitted water withdrawal facilities are listed in the table on Attachment A.

24. This temporary permit shall expire on April 11, 2012.

25. The Permittee shall submit a plan for monitoring groundwater withdrawals, at the Permittee's expense, within one year of issuance. This plan shall be implemented within one year after District approval. Reporting shall take place every three months and provided to the District on or before the fifteenth day of the following month.

Attachment A  
2-11-00040  
Loncala Dairies

Name	Status	Diameter	Capacity (gpm)	Water Use
Well A	Proposed	12	1600	Irrigation
Well B	Proposed	12	1600	Irrigation
Well C	Proposed	12	2000	Irrigation
Well G	Proposed	8	800	Irrigation



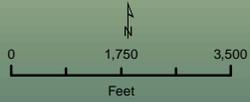
-  Proposed Project Area
-  Pivots
-  Wells

**Loncala Dairies**

2-11-00040 Temporary Water Use Permit  
March 2012



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: February 23, 2012

RE: Extension of Temporary Water Use Permit Number  
2-11-00041, Piedmont Dairy, Gilchrist County

### RECOMMENDATION

**Staff recommends the Governing Board extend Temporary Water Use Permit number 2-11-00041 until April 11, 2012, with seventeen standard conditions and seven special limiting conditions to Piedmont Dairy, Inc., in Gilchrist County.**

### BACKGROUND

The applicant requested a temporary permit on January 11, 2012, following the referral of the petition for administrative hearing to the Division of Administrative Hearings at the January 2012 Governing Board meeting. The Executive Director issued the first temporary permit on January 19, 2012, with an expiration date of February 15, 2012. At the February 14, 2012, Governing Board meeting, the Board reauthorized the temporary permit until March 14, 2012.

Section 373.244, Florida Statutes (F.S.) allows the District to issue temporary permits while the application is pending. It also notes that, if granted, temporary permits shall expire on the day following the next regular meeting of the Governing Board. Additionally, the Governing Board shall review temporary permits at each regular meeting and may terminate a temporary permit or refuse to extend it further upon a finding that the water use does not meet the criteria set forth in District rule 40B-2.441, Florida Administrative Code (F.A.C.) that adverse effects are occurring as a result of water use under the temporary permit, or that the water authorized to be used under such permit is no longer required by the permit holder. If the Governing Board extends the term of a temporary permit for subsequent periods, the expiration date shall be on or before the day following the next regular meeting of the Governing Board.

Staff has determined that the temporary application is complete and satisfies the conditions for issuance in Chapter 40B-2, F.A.C., and Chapter 373, F.S.

KW/tm

February 23, 2012

Piedmont Farms, Inc.  
569 Edgewood Avenue  
Jacksonville, FL 32205

Subject: Approval of Temporary Water Use Permit Number  
2-11-00041, Piedmont Dairy, Gilchrist County

Dear Mr. St. John:

Suwannee River Water Management District (District) staff proposes to recommend that the Governing Board extend the above-mentioned temporary permit until April 11, 2012.

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

Please call permitting staff at 386.362.1001 if you have any questions.

Sincerely,

Tim Sagul, P. E.  
Senior Professional Engineer

TS/tm

Enclosure

cc: Ron St. John (4951 NW 171<sup>st</sup> Street, Trenton, FL 32693)

Certified Mail Receipt Number: 7010 1060 0001 1350 1871

## STAFF REPORT

### TEMPORARY WATER USE PERMIT

**DATE:** February 23, 2012

**PROJECT:** Piedmont Dairy

**APPLICANT:** Piedmont Farms, Inc.  
569 Edgewood Avenue  
Jacksonville, FL 32205

**PERMIT APPLICATION NO.:** 2-11-00041  
**DATE OF APPLICATION:** September 15, 2011  
**APPLICATION COMPLETE:** September 15, 2011

#### MANAGER/MEMBER DETAIL:

William A McArthur 569 Edgewood Ave. South Jacksonville, FL 32205	<b>PD</b>
Charles N Hendrix 569 Edgewood Ave. South Jacksonville, FL 32205	<b>V</b>
Ron St. John 4951 NW 170 <sup>th</sup> St Trenton, FL 32693	<b>Agent</b>

	<b>Previous Quantities:</b>		<b>Proposed Quantities:</b>	
<b>Average Daily Rate (ADR)</b>	<b>1.7339*</b>	<b>mgd</b>	<b>2.6513</b>	<b>mgd</b>

\* Piedmont Farms, Inc., has elected to void its current permit (2-97-00077R\*)

#### Recommended Agency Action

Staff recommends extension of Temporary Water Use Permit 2-11-00041 for the establishment of one new grazing dairy in conjunction with an existing dairy and associated irrigated acreage within Gilchrist County. Piedmont Farms, Inc. has elected to void its current permit (2-97-00077R) in order to consolidate both operations. The permit will include seventeen standard conditions and seven special limiting conditions. The temporary permit will expire on April 11, 2012.

## **Project Review Staff**

Kevin Wright, P.E.; Ronald Spencer; and Tim Sagul, P.E., have reviewed the application.

## **Project Location**

The withdrawal facilities are located in Township 09 South, Range 15 East, Sections 32, 33, and Township 10 South, Range 15 East, Sections 04, and 05 in Gilchrist County. The project is located within the lower Suwannee River basin according to the USGS National Hydrography Dataset, Hydrologic Unit Code-8 subbasins..

## **Project Description**

The project area consists of approximately 1,967 acres with approximately 1,101 acres being irrigated with two existing center pivots and six new pivots supplied by groundwater and supplemented with wastewater. Piedmont Farms, Inc., will maintain the existing dairy and establish an additional grazing dairy within this property, milking approximately 2,880 cows with approximately 700 dry cows.

The water use calculations are based upon the provided irrigated acreage, crop rotation, crop types and livestock. All pivots will use the latest sprinkler packages. The Average Daily Rate (ADR) will be 2.6513 mgd. The ADR equates to 30.3 inches of supplemental irrigation annually (including cooling water) and an average of 46.8 gallons per day per head of cattle.

The project will have 6 existing wells and 4 proposed wells; seven wells for irrigation and three livestock wells. A list of wells can be found in the table on Attachment A.

## **Demonstration of Need**

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

## **Water Conservation**

Piedmont Dairy has completed the water conservation worksheets for center pivot irrigation and livestock.

## **Harm Analysis**

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

## **Application Timeline**

Staff recommended issuance of a 20-year permit at the December 13, 2011, Governing Board meeting. A petition requesting an Administrative Hearing was received on January 3, 2012. The Governing Board referred the petition to DOAH on January 10, 2012. The Executive Director issued the first temporary permit on January 19, 2012, with an expiration date of February 15, 2012. At the February 14, 2012 Governing Board meeting, the Board reauthorized the temporary permit until March 14, 2012.

## **Standard Conditions**

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

6. In the event of a District-declared water shortage, the permittee must immediately comply with any restrictions or requirements ordered in accordance with the District's Water Shortage Plan, Chapter 40B-21, F.A.C.
7. Permittee must mitigate interference with existing legal uses caused in whole or in part by the permittee's withdrawals, consistent with a District-approved mitigation plan. As necessary to offset such interference, mitigation may include, but is not limited to, reducing pumpage, replacing the existing legal user's withdrawal equipment, relocating wells, changing withdrawal source, supplying water to existing legal user, or other means needed to mitigate the impacts.
8. Permittee must mitigate harm to existing off-site land uses caused by the permittee's withdrawals. When harm occurs, or is imminent, the permittee must modify withdrawal rates or mitigate the harm.
9. Permittee must mitigate harm to the natural resources caused by the permittee's withdrawals. When harm occurs or is imminent, the permittee must modify withdrawal rates or mitigate the harm.
10. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to Chapter 373, F.S.
11. Authorized representatives of the District, upon reasonable notice to the permittee, shall be permitted to enter and inspect the permitted water use to determine compliance with the permit conditions.
12. This permit does not relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
13. This permit does not convey to the permittee any property rights or privileges other than those specified herein.
14. Permittee shall notify the District in writing within 90 days of any sale, conveyance, or other transfer of ownership or control of the real property on which the permitted water use activities are located. All water use permit transfers are subject to the requirements of section 40B-2.301, F.A.C.
15. Permittee must notify the District in writing prior to implementing any changes in the water use that may alter the permit allocations. Such changes include, but are not limited to, change in irrigated acreage, crop type, irrigation system, water treatment method, or entry into one or more large water use agreements. In the event a proposed change will alter the allocation, permittee must first obtain a permit modification.

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

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

### **Special Limiting Conditions**

18. All correspondence sent to the District regarding this permit must include the permit number 2-11-00041.

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

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

21. The issuance of this Temporary Water use Permit shall not in any way be construed as a commitment to issue a water use permit.

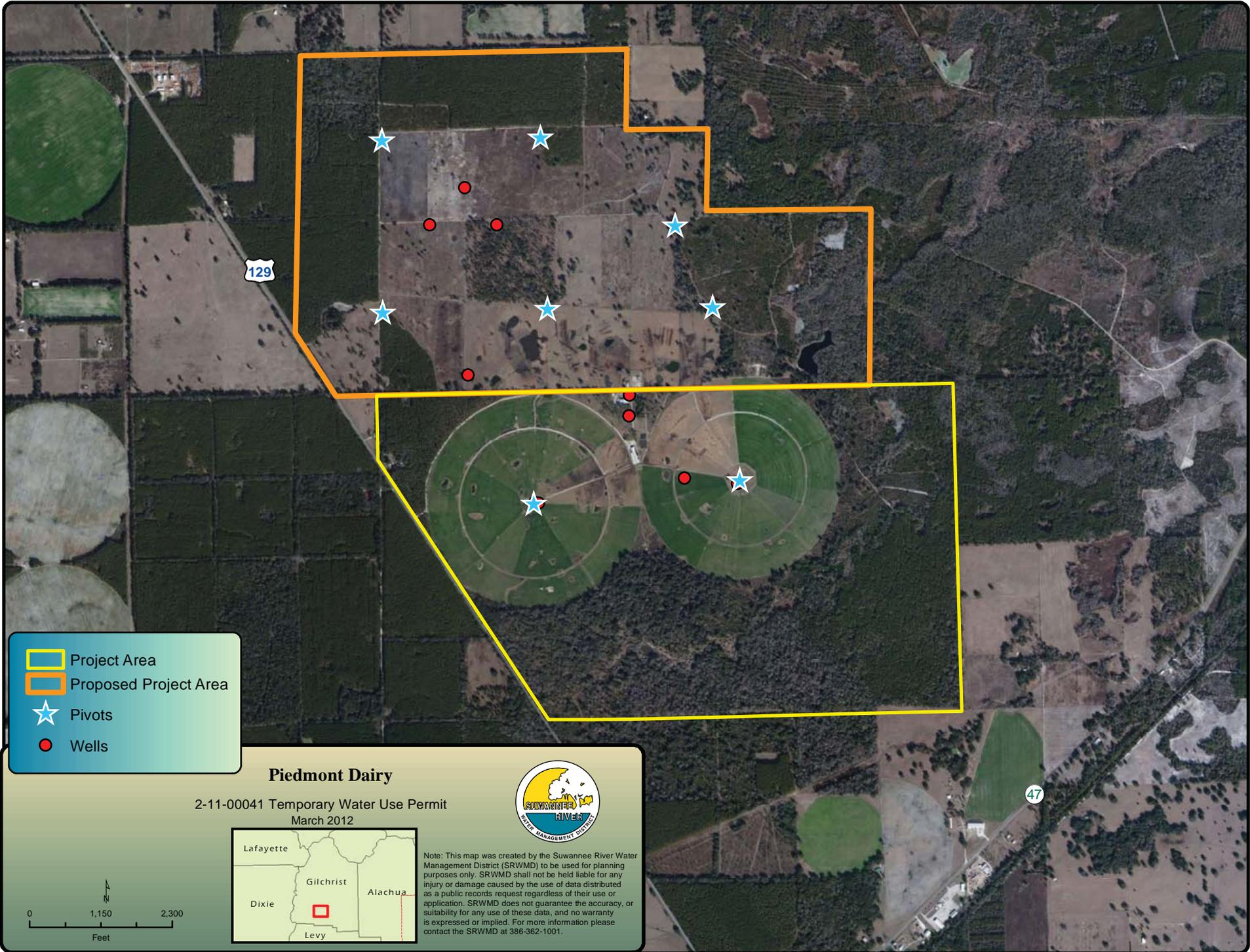
22. The permitted water withdrawal facilities are listed in the table on Attachment A.

23. This temporary permit shall expire on April 11, 2012.

24. The Permittee shall submit a plan for monitoring groundwater withdrawals, at the Permittee's expense, within one year of issuance. This plan shall be implemented within one year after District approval. Reporting shall take place every three months and provided to the District on or before the fifteenth day of the following month.

Attachment A  
2-11-00041  
Piedmont Dairy

Name	Status	Diameter	Capacity (gpm)	Water Use
No.1	Active	8	300	Livestock
No.3	Active	12	700	Irrigation
No.4	Active	8	400	Irrigation
No.5	Active	12	700	Irrigation
No.6	Active	8	400	Irrigation
Well A	Proposed	12	1600	Irrigation
Well B	Proposed	12	1600	Irrigation
Well C	Active	8	900	Irrigation
Well D	Proposed	8	400	Livestock
Well E	Proposed	8	400	Livestock



## MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Senior Professional Engineer

DATE: February 23, 2012

RE: Extension of Temporary Water Use Permit Number  
2-97-00005M2, William Douberly Farm, Gilchrist and Levy Counties

### RECOMMENDATION

**Staff recommends the Governing Board extend Temporary Water Use Permit number 2-97-00005M2 until April 11, 2012, with seventeen standard conditions and seven special limiting conditions to William Douberly Farm in Gilchrist and Levy Counties.**

### BACKGROUND

The applicant requested a temporary permit on February 1, 2012, following the referral of the petition for administrative hearing to the Division of Administrative Hearings at the January 2012 Governing Board meeting. The Executive Director issued the first temporary permit on February 2, 2012, with an expiration date of February 15, 2012. At the February 14, 2012, Governing Board meeting, the Board reauthorized the temporary permit until March 14, 2012.

Section 373.244, Florida Statutes (F.S.) allows the District to issue temporary permits while the application is pending. It also notes that, if granted, temporary permits shall expire on the day following the next regular meeting of the Governing Board. Additionally, the Governing Board shall review temporary permits at each regular meeting and may terminate a temporary permit or refuse to extend it further upon a finding that the water use does not meet the criteria set forth in District rule 40B-2.441, Florida Administrative Code (F.A.C.) that adverse effects are occurring as a result of water use under the temporary permit, or that the water authorized to be used under such permit is no longer required by the permit holder. If the Governing Board extends the term of a temporary permit for subsequent periods, the expiration date shall be on or before the day following the next regular meeting of the Governing Board.

Staff has determined that the temporary application is complete and satisfies the conditions for issuance in Chapter 40B-2, F.A.C., and Chapter 373, F.S.

KW/tm

February 23, 2012

William P. Douberly, Jr.  
13720 Southwest 4<sup>th</sup> Lane  
Newberry, FL 32669

Subject: Approval of Temporary Water Use Permit Number  
2-97-00005M2, William Douberly Farm, Gilchrist and Levy  
Counties

Dear Mr. Douberly:

Suwannee River Water Management District (District) staff proposes to recommend that the Governing Board extend the above-mentioned temporary permit until April 11, 2012.

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

Please call permitting staff at 386.362.1001 if you have any questions.

Sincerely,

Tim Sagul, P.E.  
Senior Professional Engineer

TS/tm

Enclosure

Certified Mail Receipt Number: 7010 1060 0001 1350 1888

## STAFF REPORT

### TEMPORARY WATER USE PERMIT

**DATE:** February 23, 2012

**PROJECT:** William Douberly Farm

**APPLICANT:** William Douberly Farm  
13720 SW 4<sup>th</sup> LN  
Newberry, FL 32066

**PERMIT APPLICATION NO.:** 2-97-00005M2  
**DATE OF APPLICATION:** January 8, 2007  
**APPLICATION COMPLETE:** October 3, 2011

	<b>Previous Quantities:</b>		<b>Proposed Quantities:</b>	
<b>Average Daily Rate (ADR)</b>	<b>0.6723*</b>	<b>mgd</b>	<b>1.1691</b>	<b>mgd</b>

\* This will void the Richard Beauchamp permit (2-93-00097\*)

#### **Recommended Agency Action**

Staff recommends extension of Temporary Water Use Permit 2-97-00005M2 for the continued use of an existing row crop and livestock operation within Gilchrist and Levy County. This will void the Richard Beauchamp permit (2-93-00097\*) in order to consolidate both operations. The permit will include seventeen standard conditions and seven special limiting conditions. The temporary permit will expire on April 11, 2012.

#### **Project Review Staff**

Kevin Wright, P.E.; Ronald Spencer; and Tim Sagul, P.E., have reviewed the application.

#### **Project Location**

The withdrawal facilities are located in Township 10 South, Range 15 East, and Section 35, Township 11 South, Range 16 East, and Sections 6 & 7 in Levy County, and Township 10 South, Range 16 East, and Sections 31 & 32 in Gilchrist County. The project is located within the lower Suwannee River and Wacassassa River basins according to the USGS National Hydrography Dataset, Hydrologic Unit Code-8 subbasins.

## **Project Description**

The project area consists of approximately 1695 acres (388 owned acres, 1307 leased acres) with approximately 505 acres being irrigated using groundwater. Irrigation of the applicants 505 wetted acreage is accomplished using six center pivots, two proposed pivots, and drip tape. The operation also includes approximately 400 beef cows.

The water use calculations are based upon the irrigated acreage, livestock and crop types provided by William P. Douberly Jr. Crops include corn, peanuts, watermelon, sorghum and winter rye. The Average Daily Rate (ADR) of withdrawal will be 1.1691 mgd. The ADR equates to 31.1 inches of supplemental irrigation annually and an average of 15 gallons per day per head of cattle.

The project area includes eight active wells and one inactive well. Use of the wells will be for irrigation and livestock. The well inventory includes the following: one 2-inch well, two 4-inch wells, and six 10-inch wells. A list of wells can be found in the table on Attachment A.

## **Demonstration of Need**

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

## **Water Conservation**

The applicant has completed the Water Conservation worksheets for Center Pivot Irrigation, Livestock Watering, and Drip Irrigation Systems.

## **Harm Analysis**

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

## **Application Timeline**

Staff recommended issuance of the modification at the December 13, 2011, Governing Board meeting. A petition requesting an Administrative Hearing was received on January 3, 2012. The Governing Board referred the petition to DOAH on January 10, 2012. The Executive Director issued the first temporary permit on February 2, 2012, with an expiration date of February 15, 2012. At the February 14, 2012 Governing Board meeting, the Board reauthorized the temporary permit until March 14, 2012.

## **Standard Conditions**

1. Nothing in this permit should be construed to limit the authority of the Suwannee River Water Management District to declare a water shortage and issue orders pursuant to Section 373.175, Florida Statutes, (F.S.) or to formulate a rule for implementation during times of water shortage pursuant to Section 373.246, Florida Statutes. In the event of water shortage as declared by the Board, the permittee shall adhere to any limitations on withdrawal or use ordered by the District.
2. This permit is classified as unconfined Floridan aquifer for overhead irrigation.
3. Permittee shall allow District personnel at reasonable times and at District expense or with District equipment to monitor withdrawal rates and volumes authorized by this permit.
4. Capping of Withdrawals Not In Use: Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500(4)(a)4., F.A.C.
5. The permittee may apply for a permit modification at any time in accordance with Section 40B-2.331, F.A.C.
6. In the event of a District-declared water shortage, the permittee must immediately comply with any restrictions or requirements ordered in accordance with the District's Water Shortage Plan, Chapter 40B-21, F.A.C.
7. Permittee must mitigate interference with existing legal uses caused in whole or in part by the permittee's withdrawals, consistent with a District-approved mitigation plan. As necessary to offset such interference, mitigation may include, but is not limited to, reducing pumpage, replacing the existing legal user's

withdrawal equipment, relocating wells, changing withdrawal source, supplying water to existing legal user, or other means needed to mitigate the impacts.

8. Permittee must mitigate harm to existing off-site land uses caused by the permittee's withdrawals. When harm occurs, or is imminent, the permittee must modify withdrawal rates or mitigate the harm.

9. Permittee must mitigate harm to the natural resources caused by the permittee's withdrawals. When harm occurs or is imminent, the permittee must modify withdrawal rates or mitigate the harm.

10. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to Chapter 373, F.S.

11. Authorized representatives of the District, upon reasonable notice to the permittee, shall be permitted to enter and inspect the permitted water use to determine compliance with the permit conditions.

12. This permit does not relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.

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

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

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

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

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

**Special Limiting Conditions**

18. All correspondence sent to the District regarding this permit must include the permit number 2-97-00005M2.

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

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

21. The Permittee shall submit a plan for monitoring groundwater withdrawals, at the Permittee's expense, within one year of issuance. This plan shall be implemented within one year after District approval. Reporting shall take place every three months and provided to the District on or before the fifteenth day of the following month.

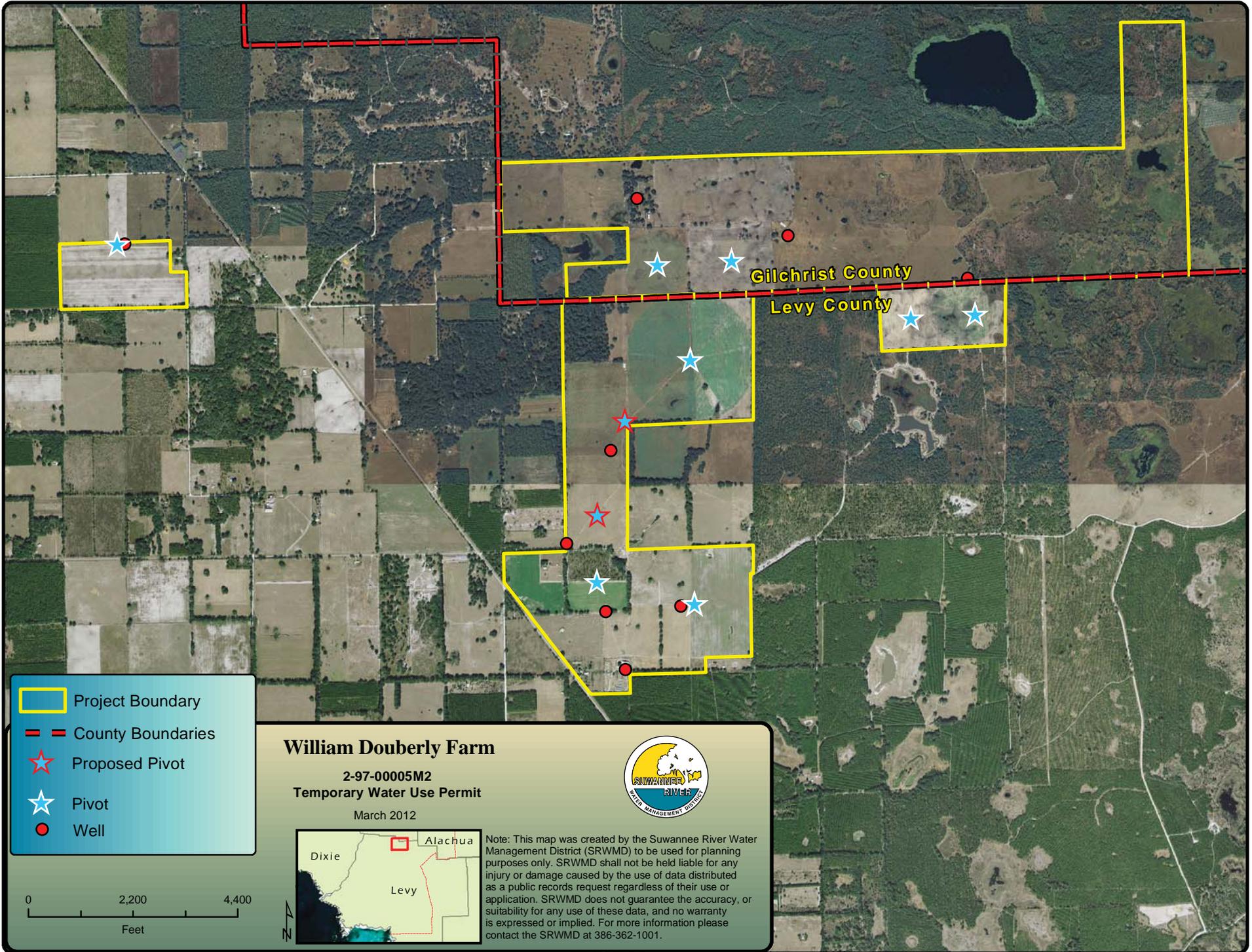
22. The issuance of this Temporary Water use Permit shall not in any way be construed as a commitment to issue a water use permit.

23. The permitted water withdrawal facilities are listed in the table on Attachment A.

24. This temporary permit shall expire on April 11, 2012.

Attachment A  
2-97-00005M2  
William Douberly Farm

Name	Status	Diameter	Capacity (gpm)	Water Use
Beauchamp Well	Active	10	600	Irrigation
Hay Barn Well	Active	10	1000	Irrigation
Cow Pen Well	Active	2	15	Livestock
Brock Well	Active	10	800	Irrigation
Money Pit Well	Inactive	10	400	Irrigation
Beasley Well	Active	10	1000	Irrigation
Johnson 120 Well	Active	10	1000	Irrigation
Campsite Well	Active	4	20	Livestock
Barn Well	Active	4	28	Livestock



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, P.E., Senior Professional Engineer

DATE: February 23, 2012

RE: Approval of Water Use Permit Application Number  
2-03-00003M, Oak Grove Dairy, Inc., Lafayette and Dixie Counties

RECOMMENDATION

**Staff recommends the Governing Board approve a modification to Water Use Permit number 2-03-00003M, with seventeen standard conditions and six special limiting conditions to Oak Grove Dairy, Inc., in Lafayette and Dixie Counties.**

BACKGROUND

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

/tm

February 24, 2012

Oak Grove Dairy, Inc.  
c/o Ronald Piechocki  
Post Office Box 40  
Old Town, FL 32680

Subject: Approval of Water Use Permit Application Number  
2-03-00003M, Oak Grove Dairy, Inc., Lafayette and Dixie  
Counties

Dear Mr. Piechocki:

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

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on March 13, 2012, 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.  
Senior Professional Engineer

TS/tm

Enclosure

Certified Mail Receipt Number: 7010 1060 0001 1350 1864

## 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:

Oak Grove Dairy, Inc.  
c/o Ronald Piechocki  
Post Office Box 40  
Old Town, FL 32680

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

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

## STAFF REPORT

### WATER USE PERMIT APPLICATION

**DATE:** February 23, 2012

**PROJECT:** Oak Grove Dairy

**APPLICANT:**

Oak Grove Dairy, Inc.  
c/o Ronald Piechocki  
Post Office Box 40  
Old Town, FL 32680

**PERMIT APPLICATION NO.:** 2-03-00003M

**DATE OF APPLICATION:** September 23, 2011

**APPLICATION COMPLETE:** January 27, 2012

**DEFAULT DATE:** April 26, 2012

	Previous Quantities:		Proposed Quantities:	
<b>Average Daily Rate (ADR)</b>	<b>0.8307</b>	<b>mgd</b>	<b>1.8075</b>	<b>mgd</b>

#### **Recommended Agency Action**

Staff recommends approval of a modification to an existing agricultural water use permit located within Lafayette and Dixie Counties. The modification includes consolidating two permits (2-84-00197 and 2-03-00003) previously issued to Oak Grove Dairy, Inc., and includes two new center pivots to serve an additional 240 acres. The permit includes seventeen standard conditions and six special limiting conditions. The permit will expire on February 11, 2023.

#### **Project Review Staff**

Ronnie Spencer, Kevin Wright, P.E., and Tim Sagul, P.E. have reviewed the application.

#### **Project Location**

The withdrawal facilities are located in Township 07 South, Range 13 East, Section 36 in Lafayette County and in Township 08, Range 14 East, Section 06 in Dixie County. The project is located within the lower Suwannee River basin according to the USGS National Hydrography Dataset, Hydrologic Unit Code-8 subbasins.

## **Project Description**

The project area consists of approximately 1,561 acres with approximately 714 acres being irrigated using groundwater and dairy wastewater. The operation includes approximately 1,200 dairy cows.

The water use calculations are based upon the irrigated acreage, livestock type and crop types provided by Oak Grove Dairy, Inc. Crops include corn and sorghum with winter rye each year. The applicant will use 10 center pivots for irrigation. Excess wastewater is applied by two center pivots. The Average Daily Rate (ADR) of withdrawal is calculated as 1.8075 mgd.

The project area includes nine active wells. Use of the wells will be for irrigation and livestock. The well inventory includes the following: three 4-inch diameter wells, one 6-inch diameter well, one 8-inch diameter well, three 10-inch diameter wells and one 12-inch diameter well. The combined pumping capacities for the wells are 8.3722 mgd. The well inventory can be found in the table on Attachment A.

## **Demonstration of Need**

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

## **Water Conservation**

The applicant has completed the Water Conservation Worksheets for Center Pivot Irrigation and Livestock Watering & Cleaning Systems. The applicant is also using approximately 0.1620 mgd of wastewater on crops to reduce their need for groundwater.

## **Minimum Flows and Levels Compliance**

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

## **Conditions of Issuance**

### **Is this a reasonable–beneficial use?**

[ref. 40B-2.301(1)(a)]

Yes, based on the evaluation of criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

### **Will this use interfere with any presently existing legal use of water?**

[ref. 40B-2.301(1)(b)]

No. Based on the SRWMD North Florida Model, version 1.0, the use will not interfere with any presently existing legal uses of water.

### **Will this use be consistent with the public interest?**

[ref. 40B-2.301(1)(c)]

Yes. Based on the provided information, the water will be used efficiently, will not be wasted, and is for an economically beneficial use. The use meets the criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

### **Will this use be in such a quantity and of such quality as is necessary for economic and efficient use?**

[ref. 40B-2.301(2)(a)]

Yes. Based on IFAS crop water needs table, the use is such a quantity and such quality as is necessary for economic and efficient use.

### **Is this use for a purpose that is both reasonable and consistent with the public interest?**

[ref. 40B-2.301(2)(b)]

Yes. Based on IFAS crop water needs this use is both reasonable and consistent with the public interest.

### **Will the source of the water be capable of producing the requested amounts and appropriate quality of water?**

[ref. 40B-2.301(2)(c)]

Yes. Based on the SRWMD North Florida Model, version 1.0, of the source will be capable of producing the requested amounts and appropriate quality of water.

### **Will the use degrade the source from which it is withdrawn?**

[ref. 40B-2.301(2)(d)]

No. Based on the SRWMD North Florida Model, version 1.0, the use will not degrade the source from which it is withdrawn.

### **Will the use cause or contribute to flooding?**

[ref. 40B-2.301(2)(e)]

No. Based on crop and livestock types and proposed farm practices, flooding is not a concern for this operation.

**Will the use harm offsite land uses?**

[ref. 40B-2.301(2)(f)]

No. Based on the existing land uses surrounding the operation, harm to offsite land uses is not a concern.

**Will the use cause harm to wetlands or other surface water? Harm to wetland or other surface waters must be mitigated after completion of reduction or elimination of harm in accordance with sections 3.1.8. through 3.1.10. of the Water Use Permitting Guide.**

[ref. 40B-2.301(2)(g)]

No. Based on the SRWMD North Florida Model, version 1.0, the use will not cause harm to wetlands or other surface waters.

**Will the use cause or contribute to a violation of either minimum flows or levels?**

[ref. 40B-2.301(2)(h)]

No. Based on the SRWMD North Florida Model, version 1.0, the use will not cause or contribute to a violation of either minimum flows or levels.

**Will the use cause or contribute to a violation of state water quality standard in waters of the state as set forth on Chapters 62-301, 62-302, 62-520, and 62-550, Florida Administrative Code (F.A.C.)?**

[ref. 40B-2.301(2)(i)]

No. Based on the SRWMD North Florida Model, version 1.0, the use will not cause or contribute to a violation of state water quality standards.

**Is this use otherwise a reasonable-beneficial use as defined in Section 373.019(2), Florida Statutes, (F.S.) with consideration given to the factors set forth on subsection 62-40.410(2), F.A.C.?**

[ref. 40B-2.301(2)(j)]

Yes, Staff has deemed the use a reasonable-beneficial use after considering the factors set forth in subsection 62-40.410(2), F.A.C.

**Has the permit applicant's proposed reasonable-beneficial use of an alternative water supply presumed to be in the public interest?**

[ref. 40B-2.301(2)(k)]

No, the applicant has not proposed to use an alternative water supply.

## **Standard Conditions**

1. Nothing in this permit should be construed to limit the authority of the Suwannee River Water Management District to declare a water shortage and issue orders pursuant to Section 373.175, Florida Statutes (F.S.) or to formulate a rule for implementation during times of water shortage pursuant to Section 373.246, Florida Statutes. In the event of water shortage as declared by the Board, the permittee shall adhere to any limitations on withdrawal or use ordered by the District.
2. This permit is classified as unconfined Floridan aquifer for overhead irrigation.
3. Permittee shall allow District personnel at reasonable times and at District expense or with District equipment to monitor withdrawal rates and volumes authorized by this permit.
4. Capping of Withdrawals Not In Use: Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500(4)(a)(4), F.A.C.
5. The permittee may apply for a permit modification at any time in accordance with Section 40B-2.331, F.A.C.
6. In the event of a District-declared water shortage, the permittee must immediately comply with any restrictions or requirements ordered in accordance with the District's Water Shortage Plan, Chapter 40B-21, F.A.C.
7. Permittee must mitigate interference with existing legal uses caused in whole or in part by the permittee's withdrawals, consistent with a District-approved mitigation plan. As necessary to offset such interference, mitigation may include, but is not limited to, reducing pumpage, replacing the existing legal user's withdrawal equipment, relocating wells, changing withdrawal source, supplying water to existing legal user, or other means needed to mitigate the impacts.
8. Permittee must mitigate harm to existing off-site land uses caused by the permittee's withdrawals. When harm occurs, or is imminent, the permittee must modify withdrawal rates or mitigate the harm.
9. Permittee must mitigate harm to the natural resources caused by the permittee's withdrawals. When harm occurs or is imminent, the permittee must modify withdrawal rates or mitigate the harm.

10. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to Chapter 373, F.S.

11. Authorized representatives of the District, upon reasonable notice to the permittee, shall be permitted to enter and inspect the permitted water use to determine compliance with the permit conditions.

12. This permit does not relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.

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

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

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

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

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

### **Special Limiting Conditions**

18. All correspondence sent to the District regarding this permit must include the permit number 2-03-00003M.

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

20. The Permittee shall submit a plan for monitoring groundwater withdrawals, at the Permittee's expense, within one year of issuance. This plan shall be implemented within one year after District approval. The plan shall include reporting of daily volume pumped by each well of inside diameter greater than six inches at land surface shall be delivered by 12:00 pm local time the following day with approved telemetry consistent with District data formats. The permittee may opt for a standardized SRWMD automated monitoring system to fulfill this requirement.

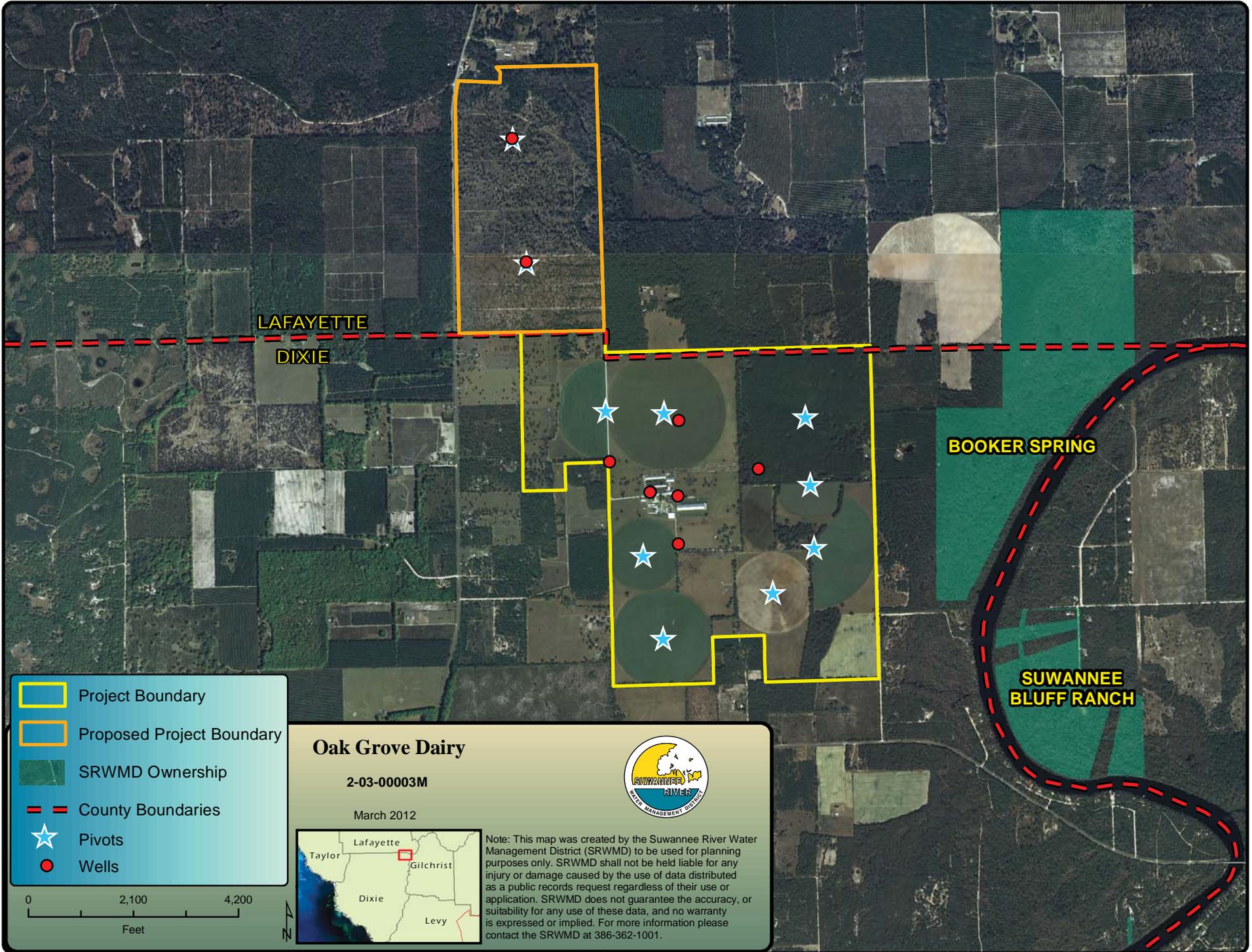
21. The permitted water withdrawal facilities are listed in Attachment A.

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

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

Attachment A  
2-03-00003M  
Oak Grove Dairy, Inc.

Name	Status	Diameter	Capacity (gpm)	Water Use
Well No.1	Active	4	24	Livestock
Well No.2	Active	4	70	Livestock
Well No.3	Active	4	70	Livestock
Well No.4	Active	6	250	Livestock
Well No.5	Active	8	800	Irrigation
Well No.6	Active	10	1200	Irrigation
Well No.7	Active	12	1200	Irrigation
Well No.8	Active	10	1000	Irrigation
Well No.9	Active	10	1200	Irrigation



-  Project Boundary
-  Proposed Project Boundary
-  SRWMD Ownership
-  County Boundaries
-  Pivots
-  Wells

**Oak Grove Dairy**

2-03-0003M

March 2012



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: February 23, 2012  
RE: Water Supply Program Activity Report

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

- Staff attended a meeting with SJRWMD staff to review the geologic framework being developed for the regional modeling efforts at the SJRWMD office located in Palatka.
- Staff has contacted the National Research Council (NRC) and started final negotiations for cost and schedule. Staff conducted a teleconference with the NRC on February 15, 2012.
- Staff attended a North Florida Utility Coordination Group Minimum Flows and Levels (MFLs) technical meeting on January 31 at the Gainesville Regional Utilities office.
- Staff attended the North Florida/South Georgia Regional Groundwater Modeling technical team meeting on February 1 at the SJRWMD office located in Palatka.
- Staff attended the North Florida/South Georgia Groundwater Modeling joint technical and steering team meeting on February 1 at the SJRWMD office located in Palatka.
- Staff attended an MFL prevention/recovery technical work group meeting on February 9 at the Trinity Baptist Church located in Keystone Heights.

### **Water supply planning:**

- St. Johns River Water Management District continues to maintain an indefinite postponement of their Water Supply Assessment and Water Supply Plan. However, proposed changes to the Interagency Agreement will provide for the completion of a joint regional water supply plan between the SRWMD and SJRWMD.
- Staff continues to meet regularly with SJRWMD via conference calls to coordinate activities in the water supply planning and permitting processes.
- Staff worked with DEP and SJRWMD to charter a stakeholder committee for the North Florida Regional Water Supply Partnership. The initial public meeting for the Partnership is scheduled for March 7, 2012.

## **Interstate coordination:**

- The next Florida/Georgia coordination meeting is scheduled for March 29, 2012, at the Wiregrass Technical College located in Valdosta, Georgia.

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

### Lower Santa Fe and Ichetucknee Rivers and Springs

- Revision and calibration of the HEC-RAS river model continues. Additional water level datums for calibration targets were identified and are being incorporated into the project database.
- Work orders for the data analysis and project report are under development.
- On February 2, staff performed reconnaissance on the lower Santa Fe River near O'leno State Park to evaluate Santa Fe spring and locate (GPS) "little suck" which was capturing the entirety of the river flow.

### Upper Suwannee River and Springs

- The two primary contractors for this work (river modeling and biology) have assembled their field observations into recommendations for study sites (biology) and hydraulic cross sections (modeling). These recommendations were compiled into a shapefile for delivery to the District and the selected surveying firm.
- A surveying firm has been identified; an initial meeting was held and scope and budget negotiations are underway.
- A scope of work is being developed for at White Sulphur Spring for sampling isotope chemistry in the spring (USGS).
- Multiple conference calls have ensued to review and revise as needed the scopes of work for the two primary contractors.
- On February 1, staff performed biological reconnaissance on the upper Suwannee near the state line.
- On February 7, staff surveyed elevations of gauges on the upper Suwannee.
- Synoptic water discharge measurements at gauges on the upper Suwannee for model calibration are scheduled for February 23 and 24.

### Lake Butler

- The initial field reconnaissance is scheduled for February 28.

Thank you for your attention to this summary of current activities. Please feel free to contact staff prior to the March 13, 2012, Governing Board meeting if you would like further information.

CH/dd

## MEMORANDUM

TO: Governing Board

FROM: Megan Wetherington, Senior Professional Engineer

DATE: February 23, 2012

RE: Water Resource Monitoring Program Activity Report

Staff collected water chemistry samples at 20 groundwater sites; recorded levels and maintained stations at 181 wells, 21 lakes, and 19 stream stations; and reported rainfall from 38 sites to the National Weather Service. Agricultural water use was monitored at 194 wells on 48 agricultural operations.

Staff participated in the Florida Water Resource Monitoring Council (FWRMC) quarterly meeting, and the FWRMC's subgroup Salinity Network meeting. Both groups formed under the direction of the Florida Department of Environmental Protection to facilitate data sharing and reduce redundancy in monitoring among Florida monitoring agencies.

Staff worked with St. Johns River Water Management District (SJRWMD) staff to choose potential new upper Floridan aquifer monitoring well sites to be drilled by SJRWMD on District property.

Staff participated in a discussion with SJRWMD concerning monitoring needs for the proposed North Florida Aquifer Replenishment Pilot Test.

Thank you for your attention to this summary of current activities. Please feel free to contact staff prior to the March 13, 2012, Governing Board meeting if you would like further information.

MW/dd

MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Senior Professional Engineer

DATE: February 23, 2012

RE: Regulatory Program Activity Report

**Environmental Resource Permitting (ERP) Activities**

The following table summarizes the environmental resource permitting activities during the month of January.

January 2012	Received				
Environmental Resource Permits	Noticed General	General	Individual	Exemption Requests	Extension Requests (SB 7207)
	11	6	2	2	3
	Issued				
	Noticed General	General	Individual	Exemptions Granted	Extensions Granted (SB 7207)
	6	7	0	1	1

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

File Number	Project Name	County	Issue Date
ERP11-0148	Doug Anderson Agricultural Pond	Dixie	2/6/2012

**Inspections and as-built certification**

- The total number of permits issued since January 1, 2009, is 926. There have been 378 general permits and 42 individual permits issued. Of the 378 general permits, 114 permits have been transferred to operation and maintenance. Of the 42 individual permits, 11 permits have been transferred to operation and maintenance. In January 2012, staff inspected 32 general and individual projects under construction and 14 general and individual projects for as-built compliance.

The total number of Works of the District permits issued from January 2009 through February 2011 is 103 with 41 completed and 62 in the construction process.

**Water Use Permitting and Water Well Construction**

The following table summarizes water use and water well construction permitting activities during the month of January.

<b>January 2012</b>	<b>Received</b>		<b>Issued</b>
Water Use Permits	26		15
Water Well Permits	130		130
Water well permits issued and received according to well use:			
Abandoned/destroyed	0	Livestock	1
Agricultural Irrigation	22	Monitor	14
Aquaculture	1	Nursery	0
Climate Control	0	Other	0
Fire Protection	0	Public Supply	0
Garden (Non Commercial)	1	Self-supplied Residential	86
Landscape Irrigation	5	Drainage or injection	0
Commercial or Industrial	0	Test	0

**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.

On November 16, 2011, staff answered supplemental questions for all 215 District rules as required by the Governor's Office of Fiscal Accountability and Regulatory Reform. The questions were targeted at rules that require collection of data and fees from permit applicants.

### **Staff Outreach**

- Staff is working on a charter to implement the E-permitting process in cooperation with St. Johns River Water Management District. The Water Well construction portion will be implemented first with ERP and Water Use to follow. Testing for the water well construction portion will begin in March.
- Staff continued to coordinate with FDEP and water management districts on reclaimed water policy.
- Staff continues to meet with representatives from PCS Phosphate concerning an upcoming permit consolidation.
- Staff continues to attend the Columbia County and Suwannee County Catalyst Working Groups to discuss regulatory issues.
- Staff has scheduled a meeting with Todd Stevens of Holly Factory to discuss permit modification which may be presented at the April Governing Board meeting.
- Staff attended the Water Symposium sponsored by the University of Florida's Water Institute.
- Staff continues to participate in discussions on water use permitting consistency with FDEP and the other water management districts.
- Staff has begun the process of locating all impoundments on the Dam Inventory List within the boundaries of the Suwannee River Water Management District.
- Two staff members participated as judges for the Alachua County MATH COUNTS program sponsored by the Florida Engineering Society.

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

**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.	3/13/12
Notice of Proposed Rule	
Send to OFARR	
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)	

**40B-9.1381**

GB Rule Dev. Auth.	11/10/11
Notice of Rule Dev.	12/9/11
GB Proposed Rule Auth.	11/10/11
Send to OFARR	12/1/11
Send to Senate and House	12/1/11
Notice of Proposed Rule	
Send to JAPC	12/1/11
Mail to DOS (tentative)	
Effective Date (tentative)	

## MEMORANDUM

TO: Governing Board

FROM: Hugh Thomas, Suwannee River Partnership Coordinator

DATE: February 23, 2012

RE: Suwannee River Partnership (SRP) Program Activity Report

Staff continues to meet with poultry producers to update poultry operation conservation plans under the Conservation Technical Assistance agreement with the United States Department of Agriculture - Natural Resources Conservation Service.

Partnership staff is working with Mace Bauer, University of Florida – Institute of Food and Agricultural Sciences (UF-IFAS) and Florida Department of Environmental Protection (FDEP) staff to coordinate field visits to farms selected for the Sod-Based Rotation Project.

Staff is working with the mobile irrigation lab (MIL) staff to coordinate producer evaluations. Over 50 evaluations have been conducted to date.

SRP staff attended local town hall meetings to gather input regarding consolidation of USDA Farm Service Agency offices.

Staff attended meeting with irrigation vendors to discuss benefits of variable rate irrigation systems in controlling irrigation water applications and scheduling.

SRP staff continues to work with the Levy Soil and Water Conservation District to develop contracts with producers for the Florida Department of Agricultural and Consumer Sciences center pivot retrofit program whereby new nozzles, regulators, end guns, and other equipment as recommended by the MIL will be installed.

Staff continues to work with regulatory staff in assisting with water use permit renewals, modifications, and new permits. Partnership staff is also working with SRWMD staff to develop a program for water use monitoring as part of the permitting process.

Partnership staff continues to conduct a survey, developed in conjunction with the University of Florida Public Issues Education Center for Agriculture and

Natural Resources, to determine producers' knowledge of water quality and water quantity issues. Survey results will be assessed later this year to better focus education outreach for agriculture producers.

SRP staff, along with FDEP staff, attended the Bradford County Board of County Commissioner's meeting to discuss the Basin Management Plan for the Santa Fe Basin.

SRP staff continues to meet with stakeholder groups to discuss the selection of Ginnie Springs as a restoration focus area (RFA) in the Santa Fe Basin Management Action Plan.

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

Staff met with Florida Fish and Wildlife Conservation Commission staff to conduct a farm tour regarding evaluation of the cow/calf BMPs and their impacts to wildlife habitat. BMPs were discussed regarding water quality protection and how agriculture operations provided benefits for wildlife.

Staff continues to visit farmers for enrollment in Best Management Practice programs and to assist with BMP implementation assurance, BMP follow-up, sampling assistance, record keeping assistance, and other education. To date, staff has enrolled approximately 328 farms with signed FDACS Notices of Intent to implement BMPs on 176,000 acres. Of the 328 farms, 252 have received cost share as part of the SRP BMP Tools Program.

Based on record checks and the SRP Progressive Farms Program, fertilizer savings are 50 to 80 lbs/acre. Using a 50 pounds savings, this equates to 8,800,000 pounds (4,400 tons) less fertilizer being applied in the basin because of BMP implementation and use of BMP tools. Currently there are 29 farms awaiting cost share for BMP tools representing approximately 9,000 acres.

Thank you for your attention to this summary of current activities. Please feel free to contact staff prior to the March 13, 2012, Governing Board meeting if you would like further information.

HT/dd

MEMORANDUM

TO: Governing Board  
FROM: Bob Heeke, Senior Land Resources Manager  
DATE: February 24, 2012  
SUBJECT: Land Management Activity Report

NATURAL RESOURCE MANAGEMENT

Reforestation

Contractors completed planting longleaf and slash pine seedlings on several District tracts. All District tracts were planted before January 29, 2012. A summary of longleaf and slash pine seedlings planted on lands owned and managed by the Suwannee River Water Management District during the fiscal year 2012 planting season is shown below.

<b>TRACT NAME</b>	<b>ACRES</b>
Jones Mill Creek	385
Mallory Swamp	71
Natural Well Branch	13
Steinhatchee Springs	194
<b>Total Acres Planted with Slash Pine Seedlings</b>	<b>663</b>
Alapahoochee	24
Cuba Bay	60
Goose Pasture	67
Jones Mill Creek	129
Steinhatchee Falls	119
Steinhatchee Springs	568
White Springs Well Field	44
<b>Total Acres Planted with Longleaf Pine Seedlings</b>	<b>1,011</b>

Chemical Application

As part of the Request for Proposal (RFP) 11/12-013, Chemical Application Services, District staff reviewed three tracts (Lake Rowell, Santa Fe Swamp, and Tyree) with prospective bidders to discuss project deliverables for the Non-native, Invasive Weed Control projects listed in the proposal. Recommendations regarding this RFP are provided elsewhere in the Board materials.

Groundcover Restoration

District staff opened responses from RFP 11/12-014, Upland Pine Forest Groundcover Restoration, at 1:00 p.m. February 3; a total of 3 proposals were received. District staff will review the responses from the proposals to select the best value to the District. This restoration project is made possible from the cost-share agreement the District entered with the US Fish and Wildlife Services, Partners for Fish and Wildlife Program.

Timber Sales

Status of timber sales currently underway is shown below:

Contract #	Timber Sale Name	Consultant	Estimated Pine Tons	Harvest Completion
10/11-117	Little River #3	NRPS	2,500	100%
10/11-116	Jones Mill Creek #1	TFC	29,690	31%
10/11-120	Ellaville #13	DOF/TRSF	7,905	90%

The Little River #3 Timber Sale was completed December 21, 2011. This timber was harvested by North Florida Timber Dealers under supervision of Natural Resource Planning Services. This was a combination 5<sup>th</sup> row thinning with selective harvest over 105 acres in Suwannee County. Cruised and actual harvest tons and incomes are shown below:

Product	Harvest (Tons)		Product Prices \$/Ton	Income (\$)	
	Originally	Actually		Originally	Actually
	Cruised	Harvested		Cruised	Harvested
Pine Pulpwood*	2,100	2,765	\$13.96	\$29,316	\$38,596.47
Pine CNS	400	195	\$16.05	\$6,420	\$3,121.24
Total	2,500	2,960		\$35,736	\$41,717.71
% Estimate		118.40%			116.74%

\* Topwood included with Pine Pulpwood

Revenue Range of High Bid*		
Low	Mean	High
\$24,478.86	\$29,316.00	\$34,153.14
\$5,360.70	\$6,420.00	\$7,479.30
\$29,839.56	\$35,736.00	\$41,632.44

\* The timber sale revenue is outside the estimated revenue range. The cruise indicated a variation of +/- 16.5% @ 95% CI. Actual revenue is 16.7% higher than the mean. However, the timber stand was thinned correctly and the proper income received.

## Prescribed Fire

Contractors conducting prescribed burns on Suwannee River Water Management District (District) lands this year include: Wildland Fire Services (WFS) and B&B Dugger Inc. (B&BD). Also included are the acres Florida Forest Service burns on Twin Rivers State Forest (FFS TRSF). Florida Forest Service (FFS COOP) will also provide a crew to burn additional acres on both District tracts and Twin Rivers State Forest.

District staff targeted 14,000 acres of District lands for prescribed burn activities during FY2012. Prescribed burns have been conducted by District contractors on 1,416 acres to date. Florida Forestry Service has conducted prescribed burns on 182 acres of the 2,000 acres targeted for FY2012 on Twin Rivers State Forest.

**2012 Activity Table (2/1 - 2/13)**

		WFS	B&BD	FFS COOP	FFS TRSF	Total Acres	Total Wildfir e Acres
TRACT	COUNT Y						
Withlacoochee Quail Farm	Madison	396	0	0	0	396	
<i>Sub-total for Period</i>		396	0	0	0	396	0
<i>Previous Acres Burned</i>		1,020	0	0	182	1,202	450
<b>Total Acres</b>		<b>1,416</b>	<b>0</b>	<b>0</b>	<b>182</b>	<b>1,598</b>	<b>450</b>

Dry weather conditions continue to hamper large-scale burning efforts. As we continue forward, contractors will be looking for windows of opportunity following significant precipitation events to conduct prescribed burns. Because of persistent drought conditions and the stress it causes to trees, this rain is essential to lower the potential for damage to timber resources from prescribed fires.

The Boggy Bennett and the L. A. Bennett wildfires in Mallory Swamp are still considered active by FFS, and they are conducting mop-up work and monitoring of these fires as needed. Organic (duff) soils continue to smolder in these areas and will have to be mopped-up and monitored to prevent the fires from re-igniting. When FFS officially declares these fires to be extinguished, fireline rehabilitation work can begin.

## FACILITY MANAGEMENT

Staff is working with a local task force interested in renovating Gilchrist County's Santa Fe River Park at SR 47 and the connections to the adjacent District 47 Bridge Tract.

District staff and contractors are working on road repairs on District lands. A damaged culvert and washout on the Sunnyvale Tract were replaced with a low water crossing. Approximately 0.43 miles of road were improved in Cuba Bay, and a section of public road was lowered to hydrologically connect two isolated wetlands. Approximately 2.4 miles of road in Devils Hammock were repaired with limestone provided by Levy County. Contractors are about 90% complete with repairs on 0.27 miles of roads at Gar Pond.

District contractors have painted approximately 76 miles of boundary lines in the Upper Steinhatchee and Lower Suwannee River Basins.

#### PUBLIC RECREATION SERVICES

Staff has been working with the USFWS and residents in Cedar Key regarding the use of the new Andrews acquisition, known as the Lukens Tract. A non-motorized boat launch and a system of backwater paddling trails are being discussed.

Staff attended the semi-annual meeting of the Big Shoals Public Lands land managers meeting. The group discussed each agency's goals for management of their section of Big Shoals and how to coordinate activities and share resources.

Staff met with Barbara Hines, an archeologist with the Florida Public Archaeology Network, on developing some interpretive opportunities at Suwannee Springs.

A total of 32 special use authorizations were issued during the last month, 29 for recreation and 3 for temporary ingress and egress. A commercial special use authorization was issued to Thomas Honey to place five bee yards on the Sandlin Bay Tract.

Suwannee Bicycle Association hosted the 19<sup>th</sup> annual IDIDARIDE 50-mile off-road challenge ride on January 28. The ride attracted 400 participants who rode on trails on the District's Stephen Foster, White Springs, Gar Pond, Little Shoals, Falling Creek and Big Shoals Tracts. The Suwannee Bicycle Association maintains over 50 miles of off-road bicycle trails, mostly on District lands in the White Springs area.

gal  
008-00025

## MEMORANDUM

TO: Governing Board  
FROM: Brian Kauffman, Senior Professional Engineer  
DATE: January 23, 2012  
RE: Resource Projects Program Activity Report

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

Draft agreements with FDOT and with the City of Starke are being reviewed. Meetings with FDOT to discuss project permitting were held on December 23, 2011, and January 18, 2012. The agreement with the City of Starke was discussed during the city commission meeting on February 7, 2011. The commission requested additional information which is being prepared by staff and District attorney.

In addition, the District has received approval to begin the appraisal process in order to obtain the back 14 acres of the KOA property. Staff and appraiser met to review the site on December 15, 2011. The District has received the appraisal and it is currently under review.

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

Levy County: The appeals and protests resolutions have been submitted to FEMA for review and will then be delivered to the communities.

Bradford County: The Letter of Final Determination was issued on November 2, 2011, to notify the communities in Bradford County of the final flood hazard determination in compliance with Title 44, Chapter I, Part 67, Code of Federal Regulations. Prior to May 2, 2012, communities are required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standards of Paragraph 60.3(c) of the NFIP regulations (44 CFR, etc.).

Fiscal Year 2009 projects: A Preliminary DFIRM Community Coordination meeting was held with Suwannee County and Live Oak officials on January 18, 2012, to review the maps that were issued in December 2011. From that meeting, a decision was made to hold an open house at the Live Oak City Hall on March 5, 2012, at 6:00 pm.

Fiscal Year 2010 projects: District staff is in the process of amending contracts with Atkins, AMEC, and AECOM to complete the Mapping Activity Statement that has been developed for the Lower Suwannee watershed.

Fiscal Year 2011 projects: District staff is in the process of amending contracts with Atkins and AMEC to begin the Upper Suwannee and Santa Fe Rivers' Risk Map Studies.

**Lake Sampson Water Control Structure:**

Staff is reviewing the modeling results submitted by URS to determine if the new structure will increase the base flood elevation. A scope of work is being prepared to contract with AMEC to design the structure to meet permitting and FEMA requirements. A communications plan has been drafted in order to have cooperation and approval of the project's stakeholders.

**Algal Turf Scrubber Pilot System at Boston Farm:**

IFAS is still working on their final report, so a contract extension was granted until March 1, 2012. The algal turf scrubber system on the Santa Fe River at Boston Farm is currently being demobilized. District staff conducted a final inspection at the Boston Farm site on February 8, 2012. District staff provided comments to Hydromentia which still need to be addressed. On December 5, 2011, Hydromentia submitted a Phase I proposal to the District, to build a full size algal turf scrubber project on the Suwannee River. The District is evaluating the proposal.

**Water Quality Compensatory Treatment:**

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. District staff has identified and implemented water quality improvements at two of the District's 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 were conducted at locations at the Mt. Gilead and Cabbage Grove Tracts within the Aucilla River basin during the month of November 2011. Construction and vegetative improvements at both sites are complete and will be monitored by staff.

**Bell Springs Restoration**

The Florida Fish & Wildlife Conservation Commission (FWC) has applied for grant money to restore the Bell Springs' spring run on District land in Columbia County. In March 2012, FWC will hear if the grant was approved for this project. FWC has requested project management assistance from the District. A meeting was held on February 8, 2012, with the original owner to discuss the history of the spring.

## **Home Depot/Cannon Creek Wetland Mitigation**

District staff has prepared a draft agreement with Columbia County to outline the responsibilities as it relates to the mitigation of wetlands at the Home Depot site in Lake City. A meeting was held with the Army Corps of Engineers (ACOE) to discuss the project on January 26, 2012. The ACOE agreed to provide their evaluation of the wetland impacts to the District by the end of February 2012. District staff is delineating potential mitigation sites within the Cannon Creek Basin.

## **Water Conservation Program:**

District staff hosted a meeting for all School Superintendents on February 2, 2012, to discuss a water conservation cost share program for area schools. Representatives from Columbia, Gilchrist, Hamilton, and Suwannee County schools attended. The Florida Rural Water Association (FWRA) and District staff outlined details of the program. The schools were asked to respond regarding their participation by February 29, 2012. Currently, Columbia and Suwannee counties have agreed to participate in the program. FWRA will be providing an audit of the school's water use and provide recommendations to conserve water. The schools will be responsible for implementing the conservation measures and the district will provide cost share funding for materials up to \$10,000. The audits are scheduled for March and April so the schools can implement the projects during the summer.

The District has also asked the FRWA to help evaluate water conservation opportunities with ten municipal water utilities. The utilities were selected based on total water used and the largest per capita consumption. A contract with FRWA is currently being developed by staff.

## **District Headquarters Reuse Program:**

The District is in the process of connecting to the City of Live Oak's reuse supply line. The reuse water will be integrated into the District's existing system, thereby removing the need of potable water for irrigation.

## **Lake City Stormwater:**

Staff toured stormwater problem areas with the Public Works Director of Lake City on December 6, 2011. This year the City wants to make improvement to several problem areas that were identified a few years ago during a previous city-wide study. However, with limited funds, the City needs help implementing the remediation plan. A draft of a new interlocal agreement with Lake City to provide cost share assistance for the stormwater improvements is being reviewed in house.

**City of Fanning Springs:**

The District has executed an Interlocal Agreement with the City to provide economic aid for the expansion of an existing water reuse line. The project is expected to be completed on or before December 31, 2013.

Please feel free to contact staff prior to the March 13, 2012, Governing Board meeting if you would like further information.

/bk

# Compliance

updated 2/23/2012 3:30:07 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	3/12/2012	Unpermitted construction.	Douglas McKoy	Permit denial was removed from May 2010 Governing Board agenda. Spoke with engineer 8/2/10; information received from Mr. McCoy. 11/1/10; engineer stated the response submittal was in the mail.1/3/11; RAI response received. 1/25/11; RAI sent. Response due 4/24/11. 4/21/11; received a 30 day extension request. Extension granted until 6/2/11. 6/8/11; received RAI information. Reviewed applicant's submittal and sent out another RAI with deadline of 8/10/11. 8/5/11; received RAI response. 9/2/11; RAI sent with 45 days to respond. Meeting 9/22/11; working on revising mitigation plan. As of 11/16/11, no response received. 12/6/11; emailed respondent for status update. January 2012 Board for denial & enforcement proceedings. 1/4/12; received additional information concerning the wetland mitigation plan. 1/9/12; received environmental audit. Governing Board granted Respondent 60 days to complete the application.	Webster, Patrick
CE10-0016	JEFFERSON	2/9/2010	3/6/2012	Unpermitted construction.	Judy Miller	11/29/10; Compliance Agreement mailed. 12/6/10; received signed agreement. 12/9/10; returned executed agreement, which requires fees for a settlement penalty and staff costs to be paid no later than 12/19/10. 1/14/11; RAI sent. 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. 11/8/11; Board put this item on hold until 12/31/11 to see if Respondent could complete work & resolve violation. Respondent informed District that the surveyors are scheduled to survey the site on 01/10/12, to determine if earthwork has been completed as planned/designed. Surveyor sent an e-mail on 01/31/12, informing the District that the as-built certification is pending an agreement regarding a minor modification to plans. 2/13/12; earthwork and stabilization are complete. Staff will have as-builts prior to 03/6/12.	Hastings, John

<i>CE #</i>	<i>County</i>	<i>Discovery Date</i>	<i>Date Action Required</i>	<i>Violation Summary</i>	<i>Respondent</i>	<i>Comments</i>	<i>Staff</i>
CE10-0026	COLUMBIA	4/20/2010		Unpermitted construction.	Sam Oosterhoudt-Lake City Developers, LLC.	4/20/10; SWO delivered. 4/26/10; NOV sent. 14 days to contact District. 5/21/10; file sent to legal. 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. 7/26/10; received ERP application. 8/11/10; sent RAI. 11/15/10; 18 day letter sent. Meeting scheduled with applicant. 1/11/11; extension letter sent. Staff met with applicant on 2/4/11. 2/25/11; Compliance Agreement sent to Mr. Oosterhoudt for signature. 3/14/11; executed Compliance Agreement sent to Respondent. 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. 11/8/11; Board deferred action until December 2011 meeting. 11/8/11; received Letter of Credit at Board Meeting for legal review. Presenting at January 2012 Board for revocation of permit & enforcement proceedings. 1/10/12; Mr. Oosterhoudt called and said that he would fix the issues. Enforcement action placed on hold. 2/1/12; staff coordinating with Respondent for on-site meeting.	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

<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>
CE11-0031	TAYLOR	6/6/2011	2/29/2012	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. 10/27/11; call from Phil Bishop (engineer) owners will not modify permit at present. Owners will submit corrected as-builts on or before 11/15/11. The delay is due to survey problems. 11/21/11; telephone conversation with Phil Bishop to discuss as-built drawings. Initial as-built review indicates detention ponds are not adequate. Suggested that Phil submit sealed as-builts along with a plan to bring project into compliance. Jennifer is out of town on a medical family emergency and will not return until mid December. At engineer and owners request extended deadline until 12/27/11. 01/05/12; telephone conversation with engineer and owner. As builts are completed and engineer is updating project drawings to bring permit into compliance. Final drawing to be submitted by 02/29/12.	Bowden, Jerry
CE12-0002	LAFAYETTE	1/4/2012	2/29/2012	Unpermitted fill in floodway.	Mrs. Chris Mahn	20 days to contact District. I spoke with Mrs. Mahn on 2/1/12 and she said she waiting on her survey. Mrs. Mahn called on 2/6/12 and stated she would try to have everthing in by 2/29/12.	Robinson, Vince
CE12-0003	MADISON	1/12/2012	3/1/2012	Unpermitted fill in floodway.	Kenneth Lee	20 days to contact District. I spoke with Mr. Lee on 2/6/12 and he stated that he would get prices to have the fill removed. I met Mr. Corky on site on 2/14/12 to discuss Mr. Lee's options. I explained that the fill dirt must be removed. He said he would take care of it right away. The dirt should be removed by 3/1/12.	Robinson, Vince
CE12-0006	HAMILTON	2/16/2012	3/14/2012	Unpermitted excavation & fill in wetlands.	Alfred J. Johnson	20 days to contact District.	Mantini, Louis
CE12-0007	BRADFORD	2/3/2012	3/14/2012	Unpermitted excavation & fill in wetlands.	Michael D. Van Zant	20 days to contact District.	Mantini, Louis
CE12-0004	ALACHUA	2/14/2012	3/12/2012	Unpermitted fill in wetlands.	Gary Yelvington/Yelvingt on Distribution Center	20 days to contact District.	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>
CE12-0005	HAMILTON	2/16/2012	3/14/2012	Unpermitted clearing & fill in wetlands.	Everal B. Allen	20 days to contact District.	Mantini, Louis
CE10-0042	UNION	10/10/2010	2/28/2012	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. 11/4/11; received ERP application. 11/30/11; RAI sent.	Mantini, Louis
CE11-0005	BRADFORD	2/24/2011	2/29/2012	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. Draft Compliance Agreement delivered 4/1/11. Meeting 4/8/11 to discuss agreement. 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. 10/24/11; received returned (refused) certified compliance agreements. Compliance Agreement re-sent on 10/31/11 by first class mail. Staff inspected on 11/25/11, and remedial actions have not been performed which consist of restoring a berm adjacent to the ditch that traverses the property and drains towards the west. Presented at January 2012 Board for approval of enforcement proceedings. Received signed CA agreement 1/19/12. Enforcement placed on hold. Staff to inspect by 2/29/12.	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>
CE11-0006	GILCHRIST	1/12/2011	3/1/2012	Unpermitted drege & 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. 11/29/11; received RAI information on 11/27/11. Extension granted until 02/01/12. Staff to inspect by 3/1/12.	Mantini, Louis
CE11-0007	GILCHRIST	2/9/2011	3/1/2012	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.10/28/11; sent email extending his execution of the compliance agreement to 11/30/11. Met with the Tenaglia's on 1/26/12. Will call Gilchrist County to see what they will require. She wants to apply for a variance. There should be a rough draft by 3/1/12.	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	4/1/2012	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. As of 1/17/12, Mr. Roberts has been given clearance to do some light work activity. He has been slowly working on removing the piles. Staff will keep monitoring his progress and reinspect by 4/1/12.	Webster, Patrick
CE11-0019	COLUMBIA	3/24/2011		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
CE11-0036	TAYLOR	8/24/2011	2/29/2012	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. 1/27/12; sent 18 day letter. 2/10/12; requested 15 additional days to send RAI response.	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>
CE11-0042	LEVY	9/30/2011	2/27/2012	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. Spoke to engineer, Charles Wunder, on 11/10/11 - application to be sent in next week. Received ERP application 11/15/11. 12/2/11; sent Compliance Agreement for signatures. 12/6/11; received sign Compliance Agreements. 12/7/11; issued ERP permit. Awaiting penalty. 2/9/12: 18 days to submit penalty or return to Board.	Webster, Patrick

## MEMORANDUM

TO: Governing Board  
FROM: George T. Reeves, Esq., Board Counsel  
DATE: March 9, 2012  
RE: Enforcement Status Report

### ADMINISTRATIVE MATTERS WITHIN THE DISTRICT

<b>Respondent</b>	<b>Justin M. Fitzhugh</b>
<b>Enforcement Number / County</b>	<b>CE05-0046 / Columbia</b>
<b>Violation</b>	<b>Non-Functioning Stormwater Management System &amp; Failure to Submit As-Builts</b>
<b>Legal Counsel</b>	<b>Brannon, Brown, Haley &amp; Bullock</b>
<b>Date Sent to Legal</b>	<b>July 1, 2010</b>
<b>Target Date</b>	<b>Ongoing</b>
<b>Legal Fees to date</b>	<b>\$2,111 (approximate)</b>

Counsel mailed a Notice of Violation to Justin Fitzhugh on July 22, 2010, regarding a non-functioning surface water management system and failure to submit as-built certification forms. After numerous contacts with Mr. Fitzhugh, a Compliance Agreement was executed by Mr. Fitzhugh and the District.

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

It has been discovered that the property at issue in this matter is in foreclosure. Columbia Bank now owns property. Staff and counsel have contacted the Bank regarding requirements to resolve violation. Staff was contacted by a general contractor working for the bank regarding resolution to this violation on October 6, 2011.

Counsel contacted Columbia Bank's attorney regarding the remedial work required. Columbia Bank's attorney will notify the bank that a contractor needs to be employed quickly, if not already done so, and the remedial work performed as soon as possible.

**An adjoining landowner has contacted the District regarding a possible purchase of the subject property and modification of his permit to include**

and remedy the current non-functioning system located on the subject property.

<b>Respondent</b>	<b>Derrick Freeman</b>
<b>Enforcement Number / County</b>	<b>CE08-0043 / Suwannee</b>
<b>Violation</b>	<b>Unpermitted Structure in Floodway</b>
<b>Legal Counsel</b>	<b>Brannon, Brown, Haley &amp; Bullock</b>
<b>Date sent to Legal</b>	<b>August 9, 2010</b>
<b>Target Date</b>	<b>Ongoing</b>
<b>Legal Fees to date</b>	<b>\$667 (approximate)</b>

Counsel has attempted to notify Mr. Freeman repeatedly of the violation. Counsel has discovered that Mr. Freeman has been unavoidably detained in South Florida due to health issues.

Counsel has not received a response from Mr. Freeman, but has been informed by Express Legal Support Services that Mr. Freeman is still located in South Florida due to health concerns. Staff is working with counsel to determine an alternate legal party on behalf of Mr. Freeman. A complaint will be filed in the Circuit Court on or before November 30, 2011, along with a motion to place the case in abeyance until such time that Mr. Freeman is able to be served and defend the lawsuit or appoints a person to represent him.

Counsel spoke with the mortgage company's attorney and notified the company of existing violations on the property. Counsel is preparing and will send a formal letter to the mortgage company detailing the existing violations and remedies.

Mortgage Company put on notice of the outstanding violations existing on the property. Counsel was notified that Freeman has filed a Suggestion of Bankruptcy. As such, the finalization of the foreclosure matter is on hold until either the bankruptcy is resolved or the mortgage company is given authorization to proceed with the foreclosure. **No change since last report.**

<b>Respondent</b>	<b>Richard Oldham</b>
<b>Enforcement Number / County</b>	<b>CE10-0024 / Bradford</b>
<b>Violation</b>	<b>Unpermitted Pond &amp; Deposition of Spoil Material</b>
<b>Legal Counsel</b>	<b>Brannon, Brown, Haley &amp; Bullock, P.A.</b>
<b>Date sent to legal</b>	<b>October 13, 2011</b>
<b>Target Date</b>	<b>March 30, 2012</b>
<b>Legal Budget / Legal Fees to date</b>	<b>\$5,000 / \$1,327</b>

A Notice of Violation was sent to Mr. Oldham on April 13, 2010. After numerous attempts to correct this violation, the file was sent to counsel. Counsel notified Mr. Oldham twice regarding the action needed to remedy the situation.

In order to resolve this enforcement action, either the site needs to be restored to pre-existing conditions or the pond must be permitted and the spoil material removed from the flood-hazard area. Mr. Oldham had commenced corrective work but has stopped. On May 1, 2011, staff sent Mr. Oldham a Compliance Agreement for signature. He has not returned the signed agreement.

At the September 2011 Governing Board meeting, the Board authorized Counsel to seek resolution for failure to comply with District rules.

**Counsel is preparing an Administrative Complaint to be served on Mr. Oldham on or before March 30, 2012.**

<b>Respondent</b>	<b>Scott McNulty</b>
<b>Enforcement Number / County</b>	<b>CE10-0045 / Levy County</b>
<b>Violation</b>	<b>Unpermitted Excavation &amp; Road Construction</b>
<b>Legal Counsel</b>	<b>Robinson, Kennon &amp; Kendron, P.A.</b>
<b>Date sent to legal</b>	<b>March 7, 2011</b>
<b>Target Date</b>	<b>Ongoing</b>
<b>Legal Budget / Legal Fees to date</b>	<b>\$5,500 / \$945</b>

District discovered that unpermitted excavation and road construction had occurred in the Cedar Key Heights Subdivision and may have occurred in jurisdictional wetlands within right-of-way. A violation letter was sent to Mr. McNulty via certified mail, which requires a response from him on or before April 10, 2011. Received letter April 8, 2011, from Respondent's counsel indicating that Mr. McNulty is not in violation of the District permitting process and does not intend to pay any fees or fines. At the May 2011 Governing Board meeting, the Board directed staff to hire counsel to develop a list of options for resolution and bring the options back to the Board for further consideration.

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

Staff met with Levy County on August 18, 2011, to discuss historic plats and how to work together to prevent situations like this. In addition, staff discussed a possible resolution to this matter that would involve the District and the County taking corrective action.

Staff met with Board Counsel and Legal Counsel on December 20, 2011, to discuss resolution options. It was the wishes of Board Counsel that we proceed with an Administrative Complaint.

**Administrative Complaint is being executed by staff to be returned to legal counsel for distribution.**

<b>Respondent</b>	<b>Larry R. Sigers</b>
<b>Enforcement Number / County</b>	<b>CE08-0072 / Columbia</b>
<b>Violation</b>	<b>Unpermitted Dredge &amp; Fill</b>
<b>Legal Counsel</b>	<b>Robinson, Kennon &amp; Kendron, P.A.</b>
<b>Date sent to legal</b>	<b>October 5, 2011</b>
<b>Target Date</b>	<b>March 12, 2012</b>
<b>Legal Budget / Legal Fees to date</b>	<b>\$5,000 / \$1,529</b>

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

As of August 15, 2011, Mr. Sigers has not fulfilled his obligations under the Final Order and the conditions of his ERP. This includes restoration, mitigation, land donation in lieu of penalty and payment of administrative costs and attorneys' fees currently totaling \$2,252.99.

At the September 2011 Governing Board meeting, the Board authorized Counsel to seek resolution. Enforcement file sent to staff legal counsel on October 5, 2011, to resolve violation for failure to comply with District rules.

**Defendant has been successfully served. On December 6, 2011, Defendant filed a Motion to Dismiss and a Motion for More Definite Statement. On December 8, 2011, Defendant filed an Amended Motion to Dismiss. The two motions have been set for hearing on March 12, 2012.**

<b>Respondent</b>	<b>Rodney O. Tompkins</b>
<b>Enforcement Number / County</b>	<b>CE11-0001 / Gilchrist</b>
<b>Violation</b>	<b>Unpermitted Water Use</b>
<b>Legal Counsel</b>	<b>Springfield Law, P.A.</b>
<b>Date sent to legal</b>	<b>October 3, 2011</b>
<b>Target Date</b>	<b>April 8, 2012</b>
<b>Legal Budget / Legal Fees to date</b>	<b>\$5,000 / \$4,249</b>

The District's initial certified letters were returned unclaimed. Local law enforcement served a second NOV on February 11, 2011. The NOV stated that Rodney O. Tompkins Trustee must contact the District to resolve the matter by March 2, 2011. Ms. Tompkins contacted the District on February 18, 2011 and has spoken to District staff several times. Staff sent a certified letter on May 16, 2011 stating that an application must be submitted by May 31, 2011. There has been no response.

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

At September 2011 Governing Board meeting, the Board instructed staff to prepare a Final Order ordering Mr. Tompkins to cease water use until he obtains a water use permit from the District. Enforcement file sent to staff legal counsel on October 3, 2011, to serve Cease and Desist order.

The Cease and Desist Order was served on Tompkins on October 28, 2011. Mr. Tompkins requested an extension of time to respond which was approved by the District. Attorney Terrence Kann sent counsel a written response to the Cease and Desist Order on November 27, 2011. Staff requested Governing Board authorization on December 13, 2011, to file an administrative complaint in this matter.

On January 11, 2012, this matter was transferred from Staff Counsel Lindsey Lander to Staff Counsel, Jennifer Springfield. Staff Counsel is preparing an administrative complaint, which will be completed by February 10, 2012 and will initiate formal enforcement proceedings against Respondent. In the meantime, the District has received a second public records request (dated January 27, 2012) from Respondent's attorney and a second response letter (dated January 30, 2012) to the District's "Cease and Desist Notice." Most recently, Respondent's attorney has requested an in-person, on-site meeting with the District's Executive Director and Staff Counsel.

**The requested on-site meeting occurred on March 8, 2012; Jon Dinges and Staff Counsel attended for the District; Rodney and Rhonda Tompkins and attorney, Terry Kann, attended on behalf of the property/dairy owner. An action plan was orally agreed to by all persons present, which includes the owner submitting a water use application demonstrating that the current water use is as efficient as possible. Counsel has also been assisting staff in responding to public records requests from the property owner and from Mr. Steve Gladin. Counsel intends to draft a letter to the owner's attorney setting forth in writing the terms discussed on March 8, 2012, which will include a deadline to submit the application.**

<b>Respondent</b>	<b>Cannon Creek Airpark</b>
<b>Enforcement Number / County</b>	<b>CE05-0031/ Columbia</b>
<b>Violation</b>	<b>Unpermitted Construction</b>
<b>Legal Counsel</b>	<b>Springfield Law, P.A.</b>
<b>Date sent to legal</b>	<b>February 2006</b>
<b>Target Date</b>	<b>In Permit Process</b>
<b>Legal Fees to date</b>	<b>\$7,048.50</b>

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

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

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

**District staff met with Columbia County on February 28, 2012, to discuss outstanding RAI items and expect to soon receive additional information from the County. Columbia County proposes to “bundle” the wetland mitigation required for this project with mitigation being provided for a Home Depot project. Staff plans to discuss this approach with the District’s Governing Board.**

**CIRCUIT COURT MATTERS**

<b>Respondent</b>	<b>Charlie Hicks, Jr.</b>
<b>Enforcement Number / County</b>	<b>CE07-0087 / Madison County</b>
<b>Violation</b>	<b>Unpermitted Construction in Floodway</b>
<b>Legal Counsel</b>	<b>Brannon, Brown, Haley &amp; Bullock, P.A</b>
<b>Date sent to legal</b>	<b>October 30, 2008</b>
<b>Target Date</b>	<b>April 3, 2012</b>
<b>Legal Fees to date</b>	<b>\$15, 726</b>

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

On March 1, 2011, the Court granted the District’s Motion for Appointment of the Madison County Sheriff or Other Neutral Party to Perform the Acts Required by the Court’s June 8, 2010, Order. The Sheriff of Madison County is unable to accept appointment to perform the acts required the Court’s June 8, 2010, Order due to a lack of finances, resources, equipment and personnel. Therefore, a neutral third party will be appointed by the Court to carry out the terms of the Court’s Order.

Due to the Judge's unavailability on the scheduled trial date of February 7, 2012, the trial has been rescheduled for March 12, 2012. **The Judge had to reschedule again due to his unavailability on March 12, 2012. Therefore, the trial has been set for April 3, 2012.**

<b>Respondent</b>	<b>Steven Midyette</b>
<b>Enforcement Number / County</b>	<b>CE07-0065 / Gilchrist County</b>
<b>Violation</b>	<b>Unpermitted Clearing &amp; Filling of Wetlands &amp; Unpermitted Construction</b>
<b>Legal Counsel</b>	<b>Brannon, Brown, Haley &amp; Bullock, P.A</b>
<b>Date sent to legal</b>	<b>September 9, 2008</b>
<b>Target Date</b>	<b>March 30, 2012</b>
<b>Legal Fees to date</b>	<b>\$9,174.50</b>

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

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

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

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

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

**Status conference conducted on December 30, 2011, where Midyette represented to the Court that remedial work was progressing. A follow-up status conference is scheduled in March 2012.**

<b>Respondent</b>	<b>Paul Moody</b>
<b>Enforcement Number / County</b>	<b>CE10-0009 / Bradford County</b>
<b>Violation</b>	<b>Unpermitted Construction of a Water Well by an Unlicensed Contractor</b>
<b>Legal Counsel</b>	<b>Brannon, Brown, Haley &amp; Bullock, P.A</b>
<b>Date sent to legal</b>	<b>February 18, 2010</b>
<b>Target Date</b>	<b>Ongoing</b>
<b>Legal Fees to date</b>	<b>\$3,205</b>

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

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

On May 26, 2011, the Court entered a Final Judgment on Liability against Mr. Moody. Counsel will now move for the entry of an Injunction against Mr. Moody to prevent him from conducting any further well drilling without the required license and permit and for collection of a civil penalty, attorneys' fees and costs.

Pursuant to the Final Judgment on Liability, Counsel will seek entry of an injunction against Mr. Moody and will assess the viability of seeking a money judgment against him. **No change since last report.**

<b>Respondent</b>	<b>Bill McCans / Sonic Drive-In</b>
<b>Enforcement Number / County</b>	<b>CE08-0037 / Bradford</b>
<b>Violation</b>	<b>Non-Function Pond with Off-Site Impacts</b>
<b>Legal Counsel</b>	<b>Brannon, Brown, Haley &amp; Bullock, P.A</b>
<b>Date sent to legal</b>	<b>July 1, 2010</b>
<b>Target Date</b>	<b>March 15, 2012</b>
<b>Legal Fees to date</b>	<b>\$3,051</b>

The violation consists of failure to fix a non-functioning surface water management system that poses off-site impacts to the water resources and it is a public safety concern. Also, Mr. McCans has failed to submit as-built certification forms. After numerous attempts to resolve this matter, a complaint was filed in the Circuit Court of Bradford County. Sonic Restaurants, Inc. was served on February 24, 2011, and Mr. McCans was served on February 22, 2011. An Answer to the Complaint was served by Mr. McCans on March 25, 2011. Sonic Restaurants, Inc. was served on February 24, 2011, and a Motion to Dismiss was served by Sonic on March 25, 2011. However, Mr. McCans has employed

the services of an engineering firm to either bring the pond into proper functioning condition under the terms of the original permit, or submit plans for a permit modification if necessary to bring the pond into proper functioning condition. By April 17, 2011, District counsel to contact Mr. McCans Counsel to discuss settlement agreement.

Counsel is drafting a proposed Settlement Agreement to resolve the outstanding violations. Once completed and agreed upon by the parties, the Settlement Agreement will be presented to the Board for approval or denial. McCans is reviewing the proposed settlement agreement.

Revisions made to proposed Settlement Agreement and sent to McCans attorney for review. **Status conference currently set for March 15, 2012.**

<b>Respondent</b>	<b>El Rancho No Tengo, Inc.</b>
<b>Enforcement Number / County</b>	<b>CE05-0017 / Columbia</b>
<b>Violation</b>	<b>Unpermitted Construction</b>
<b>Legal Counsel</b>	<b>Springfield Law, P.A.</b>
<b>Date sent to legal</b>	<b>January 2006</b>
<b>Target Date</b>	<b>None (stayed by bankruptcy court)</b>
<b>Legal Fees to date</b>	<b>\$244,625</b>

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

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

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

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

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

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

A chapter 12 confirmation hearing in federal bankruptcy court was held on September 12, 2011. This is an evidentiary hearing at which the District's motion to dismiss was heard, as well as Jeffrey Hill's Amended Motion for Sanctions against District counsel and co-counsel in the El Rancho No Tengo case. Mr. Still and Mr. Dinges, who were under subpoena, were briefly questioned by Mr. Hill. The District did not present any testimony, but offered a number of exhibits, which were admitted. The Court took the matter under advisement.

**Because six months have passed without a ruling from the Bankruptcy Court on the District's motion to dismiss, Staff Counsel suggested and the Executive Director agreed to request the District's bankruptcy attorney, Lance Cohen, to file a motion to have the automatic stay modified to allow the District to take action to perfect it's title in the real property. Mr. Cohen is preparing to file such a motion.**

<b>Plaintiff</b>	<b>Jeffrey L. Hill, Sr. and Linda P. Hill</b>
<b>Enforcement Number / County</b>	<b>CE11-0045 / Columbia</b>
<b>Violation</b>	<b>NA</b>
<b>Legal Counsel</b>	<b>Lindsey B. Lander, Attorney.</b>
<b>Date sent to legal</b>	<b>August 2011</b>
<b>Target Date</b>	<b>February 2012 (answer to 2<sup>nd</sup> amended complaint)</b>
<b>Legal Fees to date</b>	<b>\$9,552</b>

This is not a District enforcement matter, but appears to have been prompted by one. This matter concerns a circuit court complaint recently filed against the District by Jeffrey and Linda Hill arising out of the District's enforcement litigation against El Rancho No Tengo, Inc. In summary, the Complaint alleges that the

District has violated Plaintiffs' personal and property rights, acted with recklessness and malice, taken Plaintiffs' personal and property, forced Mr. Hill into bankruptcy, and caused Plaintiffs psychological and emotional harm, The request for relief includes returning all real and personal property taken, permanently enjoining the District from taking Plaintiffs' property, damages in the amount of \$1,000,000.00, renewal and reinstatement of a writ dated August 4, 1991, and costs and attorney's fees. District Counsel has responded by filing a motion to dismiss, strike and for more definite statement. Counsel is currently researching whether a judgment on the merits may also be available at this stage of the proceeding. In any event, Counsel will soon request a hearing on the District's motion(s).

On October 20, 2011, Plaintiffs served an Amended Complaint to which Counsel responded by serving an Amended Motion to Dismiss and Strike. Counsel also provided a draft Motion to Award [§57.105, F.S.] Attorney's Fees to Plaintiffs on November 17, 2011. Counsel attended a hearing on the District's amended motion to dismiss and strike the amended complaint on December 9, 2011. The Court dismissed three counts of Hills' amended complaint and struck three more, but also gave the Hills 30 days from the date the order is signed to file a second amended complaint.

Counsel drafted and delivered an order to the Hills for review and comment on December 19, 2011. Comments on the draft order are due from the Hills to Counsel on December 22, 2011, at which time Counsel will send a proposed order to Judge Parker. Once a second amended complaint is filed by the Hills, Counsel will prepare an answer with affirmative defenses.

**Rather than commenting to Staff Counsel on the District's draft proposed order, Plaintiff's filed their "Objection to Proposed Order," but not before Staff Counsel submitted the District's proposed order to Judge Parker on December 26, 2011. Thereafter, the District's proposed order was entered and Plaintiffs filed a timely motion for rehearing. On January 25, 2012, this case was transferred from Staff Counsel Jennifer Springfield to Staff Counsel Lindsey Lander.**

<b>Respondent</b>	<b>Linda Fennell</b>
<b>Enforcement Number / County</b>	<b>CE06-0107 / Lafayette</b>
<b>Violation</b>	<b>Unpermitted Construction in Floodway</b>
<b>Legal Counsel</b>	<b>Brannon, Brown, Haley &amp; Bullock, P.A</b>
<b>Date sent to legal</b>	<b>July 2009</b>
<b>Target Date</b>	<b>On-going</b>
<b>Legal Fees to date</b>	<b>\$13,610</b>

The Governing Board denied the permit application in June 2007 for lack of information. The Respondent filed a second application and variance request in January 2008. The Governing Board denied the second application in May 2008

for lack of information. Staff referred this matter to counsel after many attempts to resolve the violation and Counsel initiated litigation in July 2009. Service of process took quite some time as Respondent was difficult to locate.

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

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

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

Staff is sending a settlement proposal to Fennell's attorney to require removal of the dock, raising the home above the 100-year flood level, payment of the District's costs and attorneys' fees, and application of a deed restriction or similar instrument allowing the home to stay within the 75-foot setback for the duration of Fennell's ownership. The settlement proposal, if acceptable to Fennell, will be brought to the Governing Board for action. A hearing on Ms. Fennell's Motion to amend Answer and demand a jury trial was heard by the Court on December 1, 2011. The Court took the Motion under advisement and will issue a ruling within a few weeks.

Staff Counsel in discussion with Fennell's counsel, regarding settlement and mediation if necessary. **No change since last report.**

<b>Respondent</b>	<b>Jeffrey Hill / Haight Ashbury Subdivision</b>
<b>Enforcement Number / County</b>	<b>CE04-0003 / Columbia</b>
<b>Violation</b>	<b>Not Built in Accordance with Permitted Plans</b>
<b>Legal Counsel</b>	<b>Springfield Law, P.A.</b>
<b>Date sent to legal</b>	<b>May 2006</b>
<b>Target Date</b>	<b>None (stayed by bankruptcy court)</b>
<b>Legal Fees to date</b>	<b>\$12,196</b>

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

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

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

Judge Parker ordered the parties to appear at a second case management conference set for July 18, 2011, to confirm that the repairs to the pond have been made.

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

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

District counsel filed a motion for an order to show cause why Jeffrey Hill should not be held in contempt on August 8, 2011, and a hearing was set for October 12, 2011. Counsel immediately withdrew this motion and cancelled the hearing upon receipt of Mr. Hill's Amended Motion for Sanctions on August 12, 2011, which alleged that counsel's actions were in violation of the automatic stay that resulted from Mr. Hill's bankruptcy filing. Counsel intends to re-file the motion and reset the hearing immediately following a decision by the bankruptcy court

on September 12, 2011 (see above discussion under Suwannee River Water Management District v. El Rancho No Tengo, Inc.). Counsel will not charge any fees to the District for actions necessitated by the filing of this motion, which may have violated the automatic stay.

Once the bankruptcy Court rules on the District's motion to dismiss and Mr. Hill's motion for sanctions, Counsel intends to ask the Court to schedule another case management conference, as well as a hearing to determine the civil penalty amount and amount of the of the District's costs and attorney's fees, all of which have already awarded. Counsel and staff have been preparing the District's presentation concerning these amounts.

Staff Counsel and Governing Board Counsel met with Columbia County Attorney, Marlin Feagle, to discuss the possibility of the county performing the necessary corrective action and assuming the long-term operation and maintenance responsibility under the District's permit. Property access issues were also discussed. Thereafter, Mr. Feagle discussed staff's proposal with the County Engineer, Public Works Director, and County Manager. Discussions are ongoing between District staff and County staff.

**Staff Counsel is drafting an agreement between the District and the County setting forth the County's offer to obtain the necessary legal access and perform the correction action required on the stormwater management system. Thereafter, the District will transfer the permit to the County as the perpetual operation and maintenance entity. In exchange for the County's assistance, and other actions agreed to by the County to help the District resolve two other long-standing ERP violations, the District contemplates donating an approximate 42-acre parcel of land on Alligator Lake that adjoins County-owned property.**

<b>Respondent</b>	<b>Jeffrey Hill / Smithfield Estates-Phase 1</b>
<b>Enforcement Number / County</b>	<b>CE04-0025 / Columbia</b>
<b>Violation</b>	<b>Not Built in Accordance with Permitted Plans</b>
<b>Legal Counsel</b>	<b>Springfield Law, P.A.</b>
<b>Date sent to legal</b>	<b>May 2006</b>
<b>Target Date</b>	<b>None (stayed by bankruptcy court)</b>
<b>Legal Fees to date</b>	<b>\$12,196</b>

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

District staff met with a contractor, Sam Oosterhoudt, at the site on March 15, 2011, to review the corrective actions needed to bring the stormwater management system into compliance with the permit. Staff agreed with Mr. Oosterhoudt that there are physical obstacles. Therefore, staff also agreed to allow Mr. Oosterhoudt two weeks to explore with the Columbia County Engineer the possibility of modifying the permit.

Mr. Oosterhoudt failed to contact District staff as expected on or about March 29, 2011, to provide additional information concerning a possible permit modification. Neither Respondent nor Mr. Oosterhoudt contacted District staff after the site meeting on March 15, 2011. District staff inspected the property on April 21, 2011, and no work had been done. A case management conference with Judge Parker was held on April 25, 2011, at which both Respondent and Counsel for Columbia County stated that a meeting between Respondent and the County occurred within the two-week period. Respondent also stated that since that meeting, the County has performed survey work within the subdivision.

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

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

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

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

fees to the District for actions necessitated by the filing of this motion, which may have violated the automatic stay.

Once the bankruptcy Court rules on the District's motion to dismiss and Mr. Hill's motion for sanctions, Counsel intends to ask the Court to schedule another case management conference, as well as a hearing to determine the civil penalty amount and the amount of the District's costs and attorney's fees, all of which have already been awarded. Counsel and staff have been preparing the District's presentation concerning these amounts.

**Staff Counsel is drafting an agreement between the District and the County setting forth the County's offer to obtain the necessary legal access and perform the correction action required on the stormwater management system. Thereafter, the District will transfer the permit to the County as the perpetual operation and maintenance entity. In exchange for the County's assistance, and other actions agreed to by the County to help the District resolve two other long-standing ERP violations, the District contemplates donating an approximate 42-acre parcel of land on Alligator Lake that adjoins County-owned property.**

**PENDING COMPLIANCE MATTERS:**

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

Suwannee River Water Management District

Governing Board Materials

## Executive Office

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

Director of Governmental Affairs

Assistant Executive Director

Executive Director

## MEMORANDUM

TO: Governing Board

FROM: David Still, Executive Director  
Charlie Houder, Asst. Executive Director  
Steve Minnis, Governmental Affairs Director

DATE: February 24, 2012

RE: Activity Report, Executive Office

The following is a brief summary of activities by David Still, Charlie Houder, and Steve Minnis from January 26, 2012 until today.

### David and Charlie:

- Attended the Water Supply Presentation to the Madison County Commission.

### David:

- Attended a Florida Farm Bureau meeting in Tallahassee.
- Participated in the Natural Resources Conservation District (NRCS) State Technical Committee meeting.
- Participated in an Alachua Chamber of Commerce meeting.

### Charlie:

- Participated in the bi-weekly call with the Florida Department of Environmental Protection (DEP) and other water management districts (WMDs).
- Attended the meeting on land acquisition, surplus and exchange procedures with DEP and other WMDs.
- Participated in the R. O. Ranch monthly meeting with Governing Board Member Ray Curtis presiding.
- Attended the District's Surplus Lands Committee meeting with Mr. Meece, Mr. Curtis, and Mr. Brown.
- Presented the Water Supply Presentation to the Hamilton County Commission with Hans Tanzler and Anne Shortelle.
- Attended the quarterly Otter Springs coordination meeting with Gilchrist County officials.
- Participated in the Conserved Forest Ecosystems Outreach and Research Outreach Subcommittee.
- Attended the Southeastern Society of American Foresters annual meeting in Jekyll Island, Georgia.

### Steve:

- Participating in the 2012 Florida Legislative Session.