

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)	
			Rate (lbs/acre)	Cost
ATS Partners, LLC	1	Bainbridge, GA	10	\$59,600.00
			12	\$73,010.00
			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 40th 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

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
		106	\$15,528	60	\$8,336	80	\$10,562	246	\$34,427

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. 6th 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. 6th 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 6th 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.



Project Boundary

Pine Plantation Subdivision

ERP09-0070

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
2-11-00040, 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 170th Street
Trenton, FL 32693

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

PARTNERS:

R & M AG ENTERPRISES LLC 4951 NW 170 th Street Trenton, FL 32693	PIEDMONT DAIRIES, INC. 569 Edgewood Avenue South Jacksonville, FL 32205
--	--

MANAGER/MEMBER DETAIL: R & M AG ENTERPRISES LLC

Ronald St. John, Jr. 4951 NW 170 th Street Trenton, FL 32693	MGR
Marcia A St. John 4951 NW 170 th Street Trenton, FL 32693	MGR

MANAGER/MEMBER DETAIL: PIEDMONT DAIRIES, INC.

William A McArthur 569 Edgewood Avenue South Jacksonville, FL 32205	MGR
Charles N Hendrix 569 Edgewood Avenue South Jacksonville, FL 32205	MGR

	Previous Quantities:		Proposed Quantities:	
Average Daily Rate (ADR)	-	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.

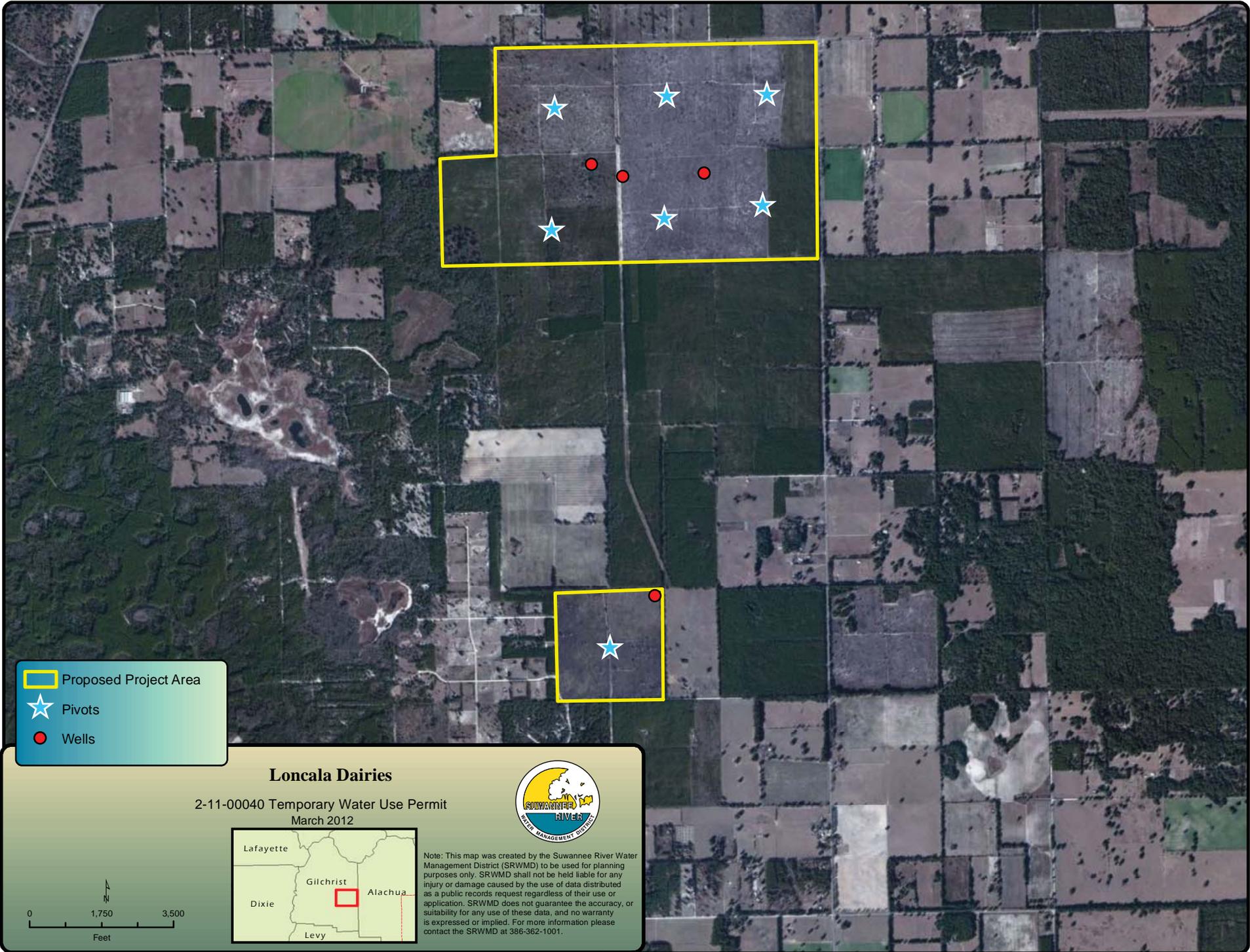
23. The permitted water withdrawal facilities are listed in the table on Attachment A.

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



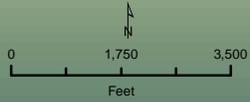
-  Proposed Project Area
-  Pivots
-  Wells

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 171st 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	PD
Charles N Hendrix 569 Edgewood Ave. South Jacksonville, FL 32205	V
Ron St. John 4951 NW 170 th St Trenton, FL 32693	Agent

	Previous Quantities:		Proposed Quantities:	
Average Daily Rate (ADR)	1.7339*	mgd	2.6513	mgd

* 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.

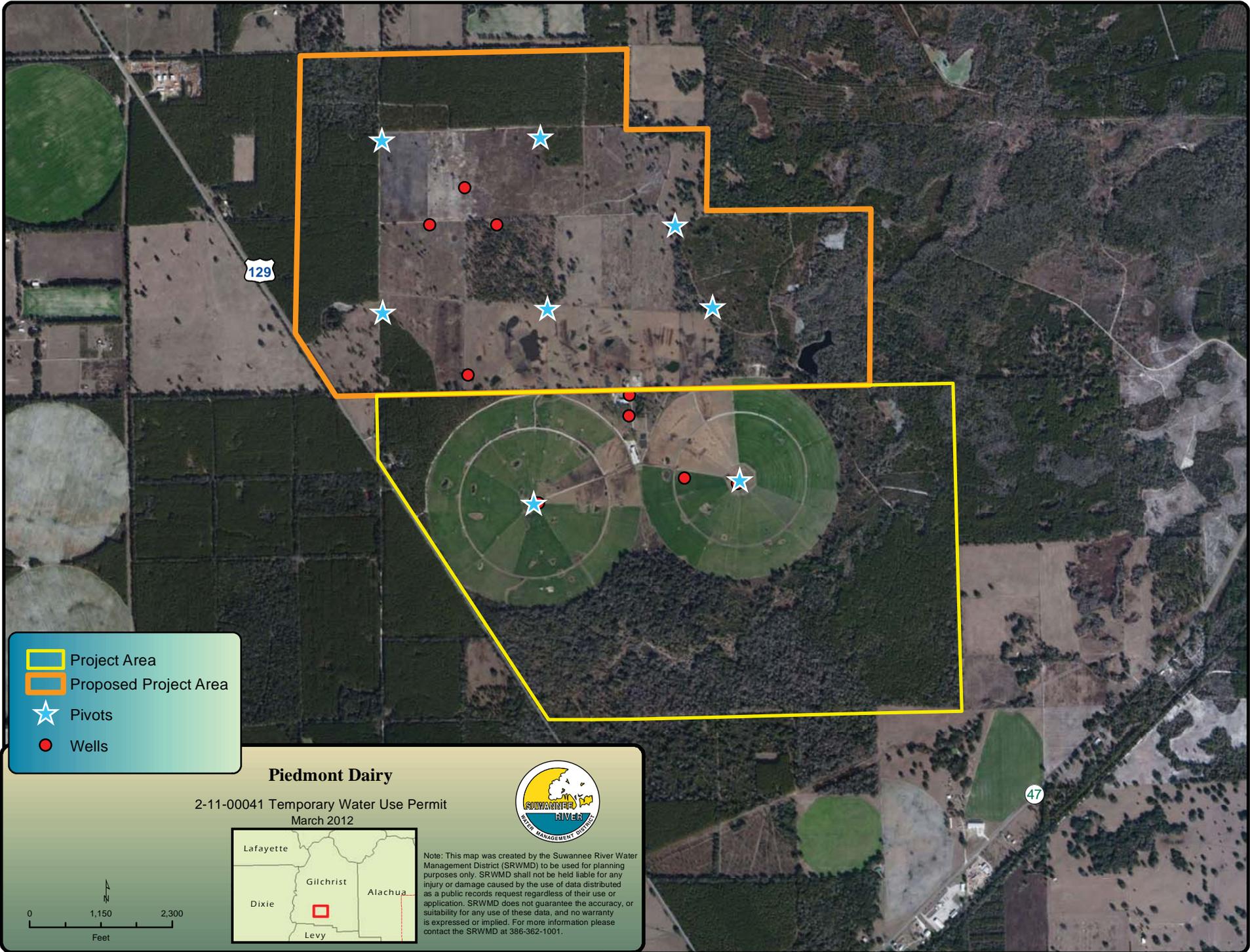
22. The permitted water withdrawal facilities are listed in the table on Attachment A.

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 4th 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 4th LN
Newberry, FL 32066

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

	Previous Quantities:		Proposed Quantities:	
Average Daily Rate (ADR)	0.6723*	mgd	1.1691	mgd

* 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.

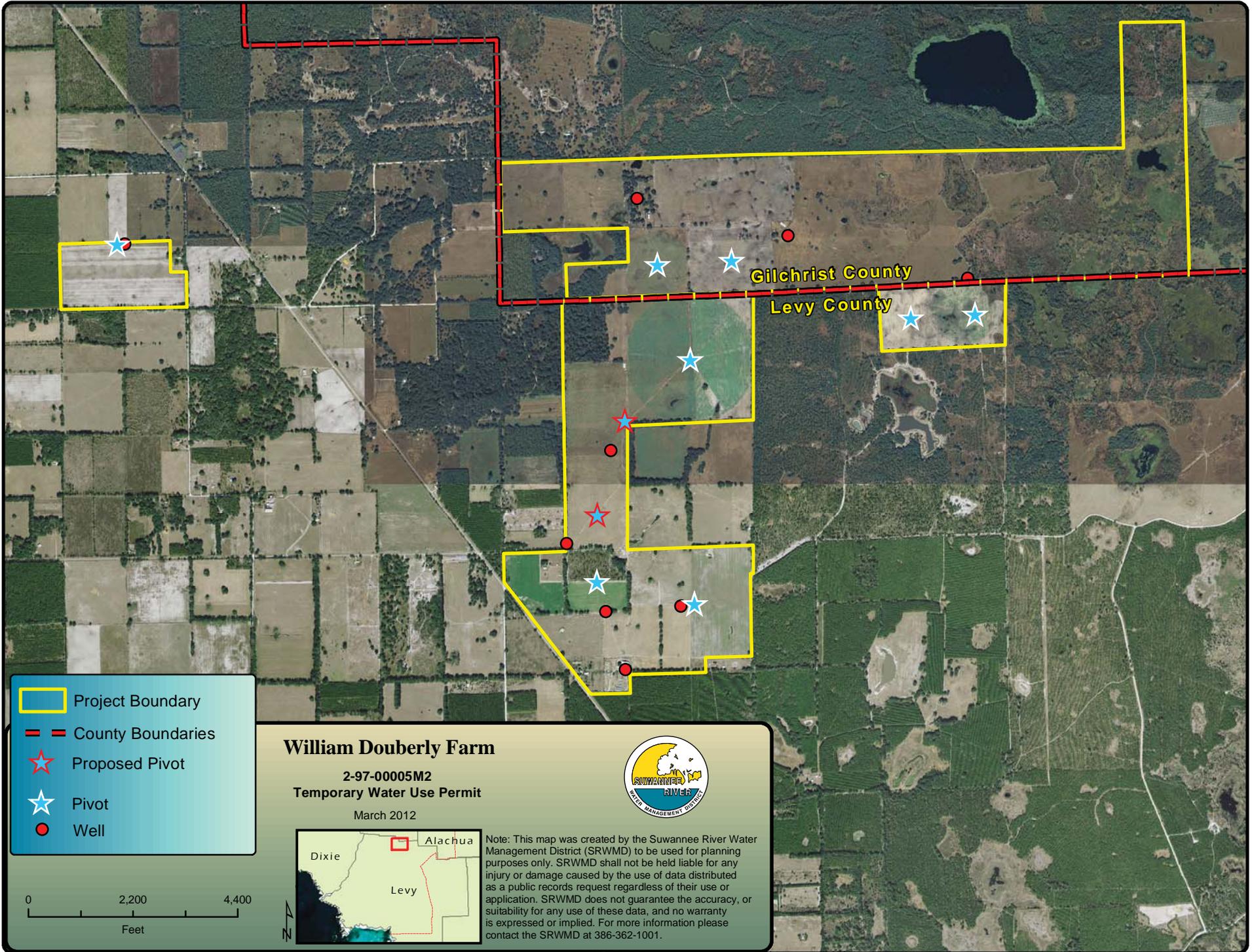
22. The issuance of this Temporary Water use Permit shall not in any way be construed as a commitment to issue a water use permit.

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



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:	
Average Daily Rate (ADR)	0.8307	mgd	1.8075	mgd

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.

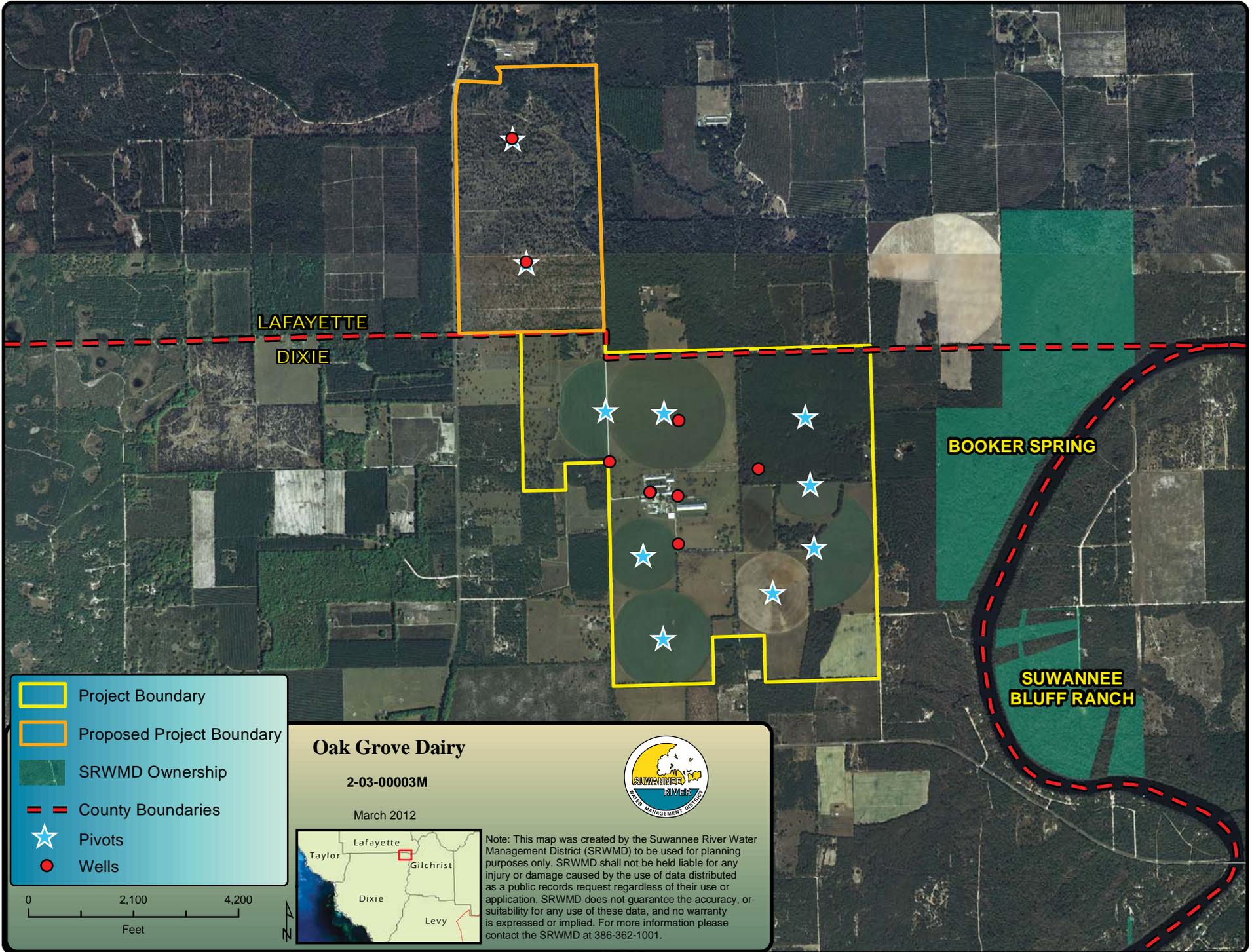
21. The permitted water withdrawal facilities are listed in Attachment A.

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.

January 2012	Received		Issued
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.

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

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 5th 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
Total Acres		1,416	0	0	182	1,598	450

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 19th 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

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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