

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

OPEN TO THE PUBLIC

March 12, 2013
9:00 a.m.

District Headquarters
Live Oak, Florida

1. Call to Order
2. Roll Call
3. Additions, Deletions, or Changes to the Agenda
4. Approval of Agenda
5. Items Recommended on Consent
 - Agenda Item 7 - Approval of Minutes – February 12, 2013, Governing Board Meeting and Workshop
 - Agenda Item 10 - Approval of January 2013 Financial Report
6. Approval of Recommended Consent Items
7. Approval of Minutes – February 12, 2013, Governing Board Meeting and Workshop – **On Consent**
8. Items of General Interest for Information/Cooperating Agencies and Organizations
 - A. Presentation of Hydrologic Conditions by Megan Wetherington, Senior Professional Engineer
 - B. Cooperating Agencies and Organizations
 - Commissioner Gary Hardacre, City of Alachua, to give an update on reclaimed water distribution to biomass power plant.
 - C. Public Comment
9. Public Hearings
 - A. Agenda Item 18 - Public Hearing and Authorization to Publish Notice of Proposed Rules 40B-1, 40B-4, 40B-400, Florida Administrative Code (F.A.C.) and Applicant's Handbook Volume II, regarding Statewide Environmental Resource Permitting

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DIVISION OF ADMINISTRATIVE SERVICES
Joe Flanagan, Director

AS Page 1

10. Approval of January 2013 Financial Report – **On Consent**

DIVISION OF LAND RESOURCES

Charles H. Houder, III, Director

- LR Page 1 11. Authorization to Initiate Rule Development for Chapter 40B-9, Florida Administrative Code
- LR Page 2 12. Letter of Intent for Sublease Agreement to ForVets, Inc., by Gilchrist County for Otter Springs.
- LR Page 6 13. Damascus/Ellaville Land Exchange
- LR Page 11 14. Land Resources Activity Summary

DIVISION OF WATER SUPPLY

Carlos Herd, P.G., Director

- WS Page 1 15. Water Conservation Month Proclamation
- WS Page 3 16. Groundwater Awareness Week Proclamation

DIVISION OF WATER RESOURCES

Erich Marzolf, Ph.D., Director

- WR Page 1 17. Adoption of Resolution Number 2013-03 Returning Unexpended Funds Associated with Resolution 2008-10

DIVISION OF RESOURCE MANAGEMENT

Tim Sagul, P.E., Director

- RM Page 1 18. **Public Hearing** and Authorization to Publish Notice of Proposed Rules 40B-1, 40B-4, 40B-400, Florida Administrative Code (F.A.C.) and Applicant's Handbook Volume II, regarding Statewide Environmental Permitting – **Scheduled to be heard in the Public Hearings section of the meeting**
- RM Page 88 19. Authorization for the Executive Director to Enter into Contracts for the Fiscal Year 2013 Local Government Regional Initiative Valuing Environmental Resources (RIVER) Cost Share Program
- RM Page 92 20. Authorization for the Executive Director to Amend the Grant Contract for Santa Fe River Basin Management Action Plan (BMAP) Grant from Florida Department of Environmental Protection (FDEP)
- RM Page 93 21. Approval of Water Use Permit Application Number 2-12-00073.001, Absaroka, Hamilton County
- RM Page 105 22. Permitting Summary Report

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

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

9:00 a.m., Tuesday
February 12, 2013

District Headquarters
Live Oak, Florida

Governing Board:

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

Governing Board General Counsel

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

Staff:

Position	Name	Present	Not Present
Executive Director	Ann Shortelle	X	
Assistant Executive Director	Jon Dinges	X	
Governmental Affairs and Communications Director	Steve Minnis		X
Administrative Services Division Director	Joe Flanagan	X	
Land Resources Division Director	Charles H. Houder, III	X	
Water Supply Division Director	Carlos Herd	X	
Water Resources Division Director	Erich Marzolf	X	
Resource Management Division Director	Tim Sagul	X	
GB & HR Coordinator	Lisa Cheshire	X	

Guests:

Kevin Wright, SRWMD
Trey Grubbs, SRWMD
Megan Wetherington, SRWMD
Rhonda Scott, SRWMD
Warren Zwanka, SJRWMD
Steve Bailey, Seldom Rest, Donalsonville, GA
R. Steven Baker, Ft. White
D. Dale Bryant, Resource Con. Partners, Steinhatchee
Barney & Renate Cannon, Chiefland
Abbie Chasteen, Lake City – Columbia County Chamber of Commerce
Steven Gladden, Trenton
Wade Goolsby, Goolsby and Son's Farm, Jennings
Gary Hardacre, City of Alachua
Merrilee Malwitz-Jipson, Our Santa Fe River, Inc., Ft. White
John Kuykendall, Lake City
Lindsey Lander, Trenton
Annette Long, Save Our Suwannee, Inc., Chiefland
Scott McNulty, Cedar Key
Jennifer Sagan, AMEC, Newberry
Paul Still, Bradford Soil & Water Conservation District, Starke
Joel Love, DACS
John Wheeler, Lake City, FL
Todd Wilson, Chamber of Commerce, Lake City
Craig Varn, Manson Law Group, Tallahassee
James Cornett, Cornett's Spirit of the Suwannee, Live Oak

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

Agenda Item No.3 - Additions, Deletions, or Changes to the Agenda.

No changes.

Agenda Item No. 4 – Approval of Agenda.

DR. COLE MADE A MOTION TO ACCEPT THE AGENDA. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No.5 – Consent Agenda.

- Agenda Item 7– Approval of Minutes
- Agenda Item 10 - Approval of December 2012 Financial Report
- Agenda Item 21 – Denial Without Prejudice of Works of the District Permit Application Number ERP12-0083M, Robert Adams District Floodway Dock, Suwannee County

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

MR. ALEXANDER MADE A MOTION TO ACCEPT THE CONSENT AGENDA AS READ. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No.7– January 8, 2013 and January 23, 2013 Governing Board Meeting Minutes.
Approved on consent.

Agenda Item No.8 - Items of General Interest for Information/Cooperating Agencies and Organizations.

- Dr. Ann Shortelle recognized Leah Lamontagne for 30 years of service and Vern Roberts on his 30+ years of service and retirement.
- A presentation of the Hydrologic Conditions was given by Megan Wetherington, Senior Professional Engineer.
- Public Comments – (Notations provided as Written on Sign In Sheet)
The following citizens addressed the Governing Board:
 1. Paul Still
 2. Merrilee Malwitz-Jipson – Moratorium on CUPs until science can prove otherwise
 3. Lindsey Lander – Attorney Services
 4. Annette Long – Question re: Permitting Agenda Item RM 14-17
 5. Wade Goolsby – Complaint: neighbor's runoff on his land

Agenda Item No.9 – Public Hearings.

- Agenda Item 25 - **Public Hearing** and Adoption of Resolution Number 2013-01 and Amendment to 2013 Florida Forever Work Plan. Jon Dinges, Assistant Executive Director, presented the staff recommendation to adopt Resolution Number 2013-01, and to conduct a public hearing on the amendment to the 2013 Florida Forever Work Plan to include the Santa Fe River Basin Aquifer Recharge/Flood Mitigation project in Bradford County, and adopt the amended Work Plan, as shown in the Board materials.

Chairman Quincey opened the public hearing for comments. There were no public comments. The public hearing was closed.

Mr. Meece requested consistency corrections be made to terminology in the document.

MR. MEECE MADE A MOTION TO ADOPT RESOLUTION NUMBER 2013-01 AND ACCEPT THE AMENDMENT TO THE 2013 FLORIDA FOREVER WORK PLAN TO INCLUDE THE SANTA FE RIVER BASIN AQUIFER RECHARGE/FLOOD MITIGATION PROJECT IN BRADFORD COUNTY, AND ADOPT THE AMENDED WORK PLAN. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

DIVISION OF ADMINISTRATIVE SERVICES

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

DIVISION OF LAND RESOURCES

Agenda Item No. 11 – Authorization to Enter Into a Contract with Pardue Land Surveying for Boundary Painting Services. Charles Houder, Division Director, presented the staff recommendation to authorize the Executive Director to execute a contract with Pardue Land Surveying for boundary painting services, for an amount not to exceed \$18,500, as shown in the Board materials.

MR. JONES MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH PARDUE LAND SURVEYING FOR BOUNDARY PAINTING SERVICES, FOR AN AMOUNT NOT TO EXCEED \$18,500. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No. 12 – Approval of Resolution No. 2013-02 Fiscal Year 2012-2013 Legislative Appropriations from the Water Management Lands Trust Fund. Mr. Houder presented the staff recommendation for approval of Resolution No. 2013-02, requesting the release of \$2,439,572.75 in Legislative appropriations from the Secretary of the Department of Environmental Protection, as shown in the Board materials.

DR. COLE MADE A MOTION TO APPROVE RESOLUTION NO. 2013-02, REQUESTING THE RELEASE OF \$2,439,572.75 IN LEGISLATIVE APPROPRIATIONS FROM THE SECRETARY OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No. 13– Land Resources Activity Summary - The Land Resources Activity Summary was provided as an informational item in the Board materials.

DIVISION OF WATER SUPPLY

No Items.

DIVISION OF WATER RESOURCES

No Items.

DIVISION OF RESOURCE MANAGEMENT

Agenda Item No 14 -- Approval of Water Use Permit Application Number 2-83-00142.005, Suwannee Farms, Suwannee County. Kevin Wright, Agriculture Team Program Leader, presented the staff recommendation for approval of Water Use Permit number 2-83-00142.005, with eighteen standard conditions and four special limiting conditions to Suwannee Farms, LLC, in Suwannee County, as shown in the Board materials.

DR. COLE MADE A MOTION TO APPROVE WATER USE PERMIT NUMBER 2-83-00142.005, WITH EIGHTEEN STANDARD CONDITIONS AND FOUR SPECIAL LIMITING CONDITIONS TO SUWANNEE FARMS, LLC, IN SUWANNEE COUNTY. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No 15 -- Approval of Water Use Permit Application Number 2-12-00065.001, Seldom Rest Diversified, Suwannee County. Mr. Wright presented the staff recommendation for approval of Water Use Permit number 2-12-00065.001, with eighteen standard conditions and four special limiting conditions to Seldom Rest Diversified, Inc., in Suwannee County, as shown in the Board materials.

MR. CURTIS MADE A MOTION TO APPROVE WATER USE PERMIT NUMBER 2-12-00065.001, WITH EIGHTEEN STANDARD CONDITIONS AND FOUR SPECIAL LIMITING CONDITIONS TO SELDOM REST DIVERSIFIED, INC., IN SUWANNEE COUNTY. THE MOTION WAS SECONDED BY MR. JONES. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No 16 -- Approval of Water Use Permit Application Number 2-12-00064.001, Seldom Rest, Suwannee County. Mr. Wright presented the staff recommendation for approval of Water Use Permit number 2-12-00064.001, with eighteen standard conditions and four special limiting conditions to Seldom Rest, Inc., in Suwannee County, as shown in the Board materials.

MR. CURTIS MADE A MOTION TO APPROVE WATER USE PERMIT NUMBER 2-12-00064.001, WITH EIGHTEEN STANDARD CONDITIONS AND FOUR SPECIAL LIMITING CONDITIONS TO SELDOM REST, INC., IN SUWANNEE COUNTY. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No 17 -- Approval of Water Use Permit Application Number 2-12-00073.001, Absaroka Holdings, LLC, Hamilton County. Mr. Wright presented the staff recommendation for approval of Water Use Permit number 2-12-00073.001, with eighteen standard conditions and three

special limiting conditions to Absaroka Holdings, LLC, Hamilton County, as shown in the Board materials.

Public comments were made by:

Annette Long
Renatta Cannon
Steven Gladden
Merrilee Malwitz-Jipson
Paul Still

The Governing board requested a workshop on modeling and the permitting process.

MRS. JOHNS MADE A MOTION TO APPROVE WATER USE PERMIT NUMBER 2-12-00073.001, WITH EIGHTEEN STANDARD CONDITIONS AND THREE SPECIAL LIMITING CONDITIONS TO ABSAROKA HOLDINGS, LLC, IN HAMILTON COUNTY, CONTINGENT ON AN ADDITIONAL SPECIAL LIMITING CONDITION THAT A MONITORING WELL TO BE INSTALLED AT THE DISTRICT'S EXPENSE. THE MOTION WAS SECONDED BY DR. COLE. UPON VOTE OF THE GOVERNING BOARD, THE MOTION FAILED. (MEMBERS VOTING IN FAVOR: COLE, JOHNS, AND WILLIAMS; MEMBERS VOTING AGAINST: ALEXANDER, BROWN, CURTIS, JONES, MEECE.)

Kevin Wright was asked to contact the applicant regarding a waiver of the 90 day review timeframe as outlined in Chapter 120.60 F.S. Further action on Agenda Item 17 was deferred until later in the Board meeting.

Agenda Item No 20 -- Approval of Florida Department of Transportation Mitigation Plan 2013-2017. Tim Sagul, Division Director, presented the staff recommendation for approval of the Florida Department of Transportation (FDOT) Mitigation Plan 2013-2017, as shown in the Board materials.

MR. MEECE MADE A MOTION TO APPROVE THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) MITIGATION PLAN 2013-2017. THE MOTION WAS SECONDED BY DR. COLE. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No. 21- Denial Without Prejudice of Works of the District Permit Application Number ERP12-0083M, Robert Adams District Floodway Dock, Suwannee County. Approved on Consent.

Agenda Item No. 22- Authorization to Amend Final Order 12-0007 Regarding Scott McNulty, CE10-0045, Levy County. Mr. Sagul presented the staff recommendation to amend Final Order 12-007 to waive the penalty, administrative costs and attorney's fees regarding Scott McNulty, CE10-0045, Levy County, as shown in the Board materials.

MR. WILLIAMS MADE A MOTION TO AMEND FINAL ORDER 12-007 TO WAIVE THE PENALTY, ADMINISTRATIVE COSTS AND ATTORNEY'S FEES REGARDING SCOTT MCNULTY, CE10-0045, LEVY COUNTY. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF

THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No. 23- Authorization to Enter into Contract with the Florida Department of Environmental Protection for Administration of Delineated Areas Program. Mr. Sagul presented the staff recommendation to authorize the Executive Director to enter into an agreement with the Florida Department of Environmental Protection (FDEP) regarding administration of the Delineated Areas Water Well Permitting program, as shown in the Board materials.

MR. CURTIS MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) REGARDING ADMINISTRATION OF THE DELINEATED AREAS WATER WELL PERMITTING PROGRAM. THE MOTION WAS SECONDED BY MR. MEECE. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No. 24 – Permitting Summary Report. The Permitting Summary Report was provided as an informational item in the Board materials.

Agenda Item No.18- Approval to Enter Into Contracts for the 2nd Quarter Department of Environmental Protection Santa Fe River Basin Management Action Plan (BMAP) Agricultural Cost-Share Program. Mr. Sagul presented the staff recommendation to authorize the Executive Director to enter into contracts for the 2nd Quarter Department of Environmental Protection Santa Fe River BMAP Agriculture Cost-Share Program with six applicants, as shown in the Board materials.

DR. COLE MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACTS FOR THE 2ND QUARTER DEPARTMENT OF ENVIRONMENTAL PROTECTION SANTA FE RIVER BMAP AGRICULTURE COST-SHARE PROGRAM WITH SIX APPLICANTS. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No.19- Approval to Enter Into Contracts for the 2nd Quarter District Agricultural Cost-Share Program. Mr. Sagul presented the staff recommendation to authorize the Executive Director to enter into contracts for the 2nd Quarter District Agriculture Cost-Share Program with twenty applicants, as shown in the Board materials.

Mr. Quincey stated a conflict of interest.

MR. MEECE MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACTS FOR THE 2ND QUARTER DISTRICT AGRICULTURE COST-SHARE PROGRAM WITH TWENTY APPLICANTS. THE MOTION WAS SECONDED BY MR. JONES. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, and WILLIAMS)

GOVERNING BOARD LEGAL COUNSEL

Agenda Item No. 25 – Governing Board Counsel Monthly Report. The Governing Board Counsel Monthly Report was provided as an informational item in the Board materials.

EXECUTIVE OFFICE

Agenda Item No. 26 -- **Public Hearing** and Adoption of Resolution Number 2013-01 and Amendment to 2013 Florida Forever Work Plan - **Scheduled to be heard in the Public Hearings section of the meeting.** Approved in Public Hearing portion of the meeting (Agenda Item 9).

Agenda Item No.27- General Delegation of Authority to Executive Director Regarding Disposition of Motions and Petitions to the State of Florida Division of Administrative Hearings, Governing Board Directive GBD13-0001. Jon Dinges, Assistant Executive Director, presented the staff recommendation to approve Governing Board Directive 13-0001 to delegate authority to the Executive Director to dispose of certain motions and petitions to the State of Florida Division of Administrative Hearings (DOAH), as shown in the Board materials.

MR. CURTIS MADE A MOTION TO APPROVE GOVERNING BOARD DIRECTIVE 13-0001 TO DELEGATE AUTHORITY TO THE EXECUTIVE DIRECTOR TO DISPOSE OF CERTAIN MOTIONS AND PETITIONS TO THE STATE OF FLORIDA DIVISION OF ADMINISTRATIVE HEARINGS (DOAH). THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No.28- District's Weekly Activity Reports. The District's Weekly Activity Reports were provided as an informational item in the Board materials.

Agenda Item 17 - Kevin Wright announced that the applicant will waive the 90 day review timeframe to allow staff to further review the permit and bring back a recommendation at the March 2013 Governing Board meeting, therefore, Agenda Item 17 was continued until the March 2013 Governing Board meeting.

The meeting adjourned at 11:34 a.m.

Chairman

ATTEST:

`SUWANNEE RIVER WATER MANAGEMENT DISTRICT
MINUTES OF
GOVERNING BOARD WORKSHOP

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

1:00 p.m., Tuesday
February 12, 2013

District Headquarters
Live Oak, Florida

Governing Board:

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

Governing Board General Counsel

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

Staff:

Position	Name	Present	Not Present
Executive Director	Ann Shortelle	X	
Assistant Executive Director	Jon Dinges	X	
Governmental Affairs and Communications Director	Steve Minnis		X
Administrative Services Division Director	Joe Flanagan	X	
Land Resources Division Director	Charles H. Houder. III	X	
Water Supply Division Director	Carlos Herd	X	
Water Resources Division Director	Erich Marzolf	X	

Resource Management Division		
Director	Tim Sagul	X
GB & HR Coordinator	Lisa Cheshire	X

Guests:

Kevin Wright, SRWMD
 Rachel Morgan, SRWMD
 Vanessa Fultz, SRWMD
 Earl Keel, SRWMD
 John Good, SRWMD
 Megan Wetherington, SRWMD
 Rhonda Scott, SRWMD
 Warren Zwanka, SJRWMD
 Hugh Thomas, DACS
 R. Steven Baker, Ft. White
 Barney & Renate Cannon, Chiefland
 Steven Gladden, Trenton
 Merrilee Malwitz-Jipson, Our Santa Fe River, Inc., Ft. White
 Annette Long, Save Our Suwannee, Inc., Chiefland
 Paul Still, Bradford Soil & Water Conservation District, Starke
 Craig Varn, Manson Law Group, Tallahassee
 Tim Atkinson, OFBA
 Brett Goodman, Jones Edmunds
 Tony Cunningham, GRU
 Ed De la Parte

Update of Minimum Flows and Levels Program (MFL's)

John Good, Chief Professional Engineer, reviewed the background of the MFL program and discussed the current activity and the next steps required for the lower Santa Fe and Ichetucknee Rivers and associated priority springs.

Mr. Good also included a brief progress report on other active MFL work efforts including the upper and middle Suwannee Rivers and Lake Butler.

Agricultural Water Use Rule Update and Monitoring Strategy

Earl Keel, Engineer Specialist III, discussed Consumptive Use Permit (CUP) Modification incentives allowing the District to monitor permitted water use. The methods and cost of agricultural monitoring were also conveyed.

Five Year Capital Improvement Plan

Jon Dinges, Assistant Executive Director, gave a 2013 update on the Five-Year Capital Improvements plan that is required by 373.036, Florida Statutes. He presented the purpose of the plan and discussed how the plan identifies projected revenues and expenditures or capital improvements such as:

- Water resource development projects
- Surface water projects
- Facilities construction and major renovation
- Land Acquisition

A list of projected capital improvements were presented and discussed.

The meeting adjourned at 2:35 p.m.

Chairman

ATTEST:

MEMORANDUM

TO: Governing Board

FROM: Joe Flanagan, Director, Division of Administrative Services

DATE: February 25, 2013

RE: Approval of January 2013 Financial Report

RECOMMENDATION

Staff recommends the Governing Board approve the January 2013 Financial Report and confirm the expenditures of the District.

BACKGROUND

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

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

gal
enclosure

**Suwannee River Water Management District
Cash Report
January 2013**

ACCOUNT	Monthly Interest	Interest Rate %	Closing Balance
Bank of America Permit Fee	-	-	\$24,652.01
First Federal Permit Fee	\$1.42	0.30%	\$5,769.61
First Federal Depository	\$119.05	0.30%	\$338,447.82
SPIA	\$79,031.88	2.11%	\$44,360,213.39
SBA Fund A	\$9.67	0.25%	\$53,665.91
SBA Fund B	-	-	\$689,489.69
TOTAL	\$79,162.02		\$45,472,238.43

**Suwannee River Water Management District
Statement of Sources and Uses of Funds
For the Month ending January 31, 2013
(Unaudited)**

Sources	Current Budget	Actuals Through 1/31/2013	Variance (Under)/Over Budget	Actuals As A % of Budget
Ad Valorem Property Taxes	\$ 5,200,000	\$ 3,994,504	\$ (1,205,496)	77%
Intergovernmental Revenues	5,853,594	126,038	(5,727,556)	2%
Interest on Invested Funds	158,000	300,018	142,018	190%
License and Permit Fees	100,000	51,755	(48,245)	52%
Other	714,583	676,692	(37,891)	95%
Fund Balance	4,075,895	-	-	-
Total Sources	\$ 16,102,072	\$ 5,149,007	\$ (6,877,170)	32%

Uses	Current		Available		%	% Obligated
	Budget	Expenditures	Encumbrances ¹	Budget	Expended	²
Water Resources Planning and Monitoring	\$ 7,755,083	\$ 1,340,122	\$ 130,872	\$ 6,284,089	17%	19%
Acquisition, Restoration and Public Works	2,272,848	344,199	-	1,928,649	15%	15%
Operation and Maintenance of Lands and Works	2,701,117	618,135	-	2,082,982	23%	23%
Regulation	1,472,269	474,311	-	997,958	32%	32%
Outreach	75,000	61,494	-	13,506	82%	82%
Management and Administration	1,825,755	167,515	(5,632)	1,663,872	9%	9%
Total Uses	\$ 16,102,072	\$ 3,005,777	\$ 125,240	\$ 12,971,056	19%	19%

¹ Encumbrances represent unexpended balances of open purchase orders and contracts.

² Represents the sum of expenditures and encumbrances as a percentage of the available budget.

This unaudited financial statement is prepared as of January 31, 2013 and covers the interim period since the most recent audited financial statements.

MEMORANDUM

TO: Governing Board
FROM: Charles H. Houder, Division Director of Land Resources
DATE: February 25, 2013
RE: Authorization to Initiate Rule Development for Chapter 40B-9, Florida
Administrative Code

RECOMMENDATION

Staff recommends the Governing Board authorize the initiation of rule development for Chapter 40B-9, Florida Administrative Code.

BACKGROUND

Chapter 40B-9 of the Florida Administrative Code is the rule that regulates the Suwannee River Water Management District's land acquisition and land management activities. Major revisions were made in 2009 and 2010 to allow it to more accurately reflect our land acquisition and management procedures. Additional minor changes to the rule are now needed to assist in the management of the R.O. Ranch Equestrian Park and incorporate changes to the "Public Use Guide". Other changes may also be needed to the language due to title changes at the District.

Staff will seek public input throughout the rule development and adoption process. Staff will develop proposed rules and bring them before the Governing Board for approval.

CHH/pff

MEMORANDUM

TO: Governing Board

FROM: Charles H. Houder, Director, Division of Land Resources

DATE: February 25, 2013

RE: Letter of Intent for sublease Agreement to ForVets, Inc., by Gilchrist County for Otter Springs

RECOMMENDATION

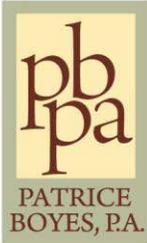
Staff recommends that the Governing Board approve and execute a letter of Intent for the use of Otter Springs by ForVets, Inc.

BACKGROUND

ForVets, Inc., a non-profit corporation engaged in the rehabilitation of wounded veterans, has been looking for a site to build a residential conference facility that would provide veterans with job training and a place to live during their recovery. Otter Springs has been proposed as a potential site for this facility and the organization has been in discussion with Gilchrist County for several months.

In order for ForVets, Inc. to proceed with site plans and grant applications, the organization needs some assurances from the District and Gilchrist County. Patrice Boyes, the attorney working with ForVets, Inc., drafted the attached letter to document the parties' willingness to proceed with the project. Under this letter, the District agrees in concept to grant certain lands outside the 100-year floodplain to the County and to amend its lease with the County to conform with the yet-to-be-defined terms of a sublease between the County and ForVets, Inc.

The Gilchrist County Commission approved an earlier version of this letter. The current version reflects changes suggested by Board Counsel, which have been reviewed and accepted by the attorneys for Gilchrist County and ForVets, Inc. If the Governing Board approves this letter, it will be taken back to the Gilchrist County Commission for final consideration.



Patrice Boyes, Esq.
414 SW 140th Terrace, Suite 100
Newberry, FL 32669
(352) 372-2684 • (352) 379-0385 (fax)

www.BoyesLaw.com

February 21, 2013

John K. McPherson
Gilchrist County Attorney
P.O. Box 921
Cedar Key, FL 32625

Ann Shortelle, Executive Director
Suwannee River Water Mgmt. Dist.
9225 CR 49
Live Oak, FL 32060

Re: Letter of Intent to enter into a Sublease Agreement relating to Otter Springs Park and Campground located in Gilchrist County, Florida

Dear Mr. McPherson and Ms. Shortelle:

Thank you for working with me on the potential sublease by Gilchrist County (“County”) and the Suwannee River Water Management District (“District”) of Otter Springs Park and Campgrounds (“Park”) in Gilchrist County, Florida, to ForVets, Inc., and the modification of the lease agreement, as described below. The purpose of the sublease is to accommodate ForVets’ project, “Camp Valor at Otter Springs, Florida.” ForVets, a Florida non-profit corporation, recently has presented its business plan to construct and operate residential and rehabilitative facilities for severely wounded, recent-war Veterans at the 636-acre Park.

The County and the District have indicated a willingness to review this site further as a home for Camp Valor, and ForVets is in the process of due diligence and fundraising for the project. To be effective in that effort, ForVets must show “proof of control” of the property, ultimately in the form of a lease agreement.

Based on a review of the ForVets business plan and the conversations that have occurred to date, the undersigned are willing to proceed based on the following terms and conditions for sublease to ForVets, Inc., by the County with approval by the Suwannee River Water Management District:

- LESSOR:** Suwannee River Water Management District, a special taxing district
- LESSEE:** Gilchrist County, Florida
- SUBLESSEE:** ForVets, Inc., a Florida non-profit corporation
- PROPERTY:** Approximately 636 acres +/- of agricultural land within the Otter Springs Park and Campground. See attached legal description.

**SUBLEASE
AGREEMENT:**

The parties will use their best efforts to negotiate and execute a Sublease Agreement within 90 days after the execution of this Letter of Intent, which may reflect the terms and conditions contained herein and such other terms, conditions, agreements, covenants, representations, warranties, and indemnities as are acceptable to the parties. The Sublease Agreement may provide as follows:

- ForVets will immediately assume responsibility for managing the park to allow for public access and use of the park in substantially the same manner as is currently taking place.
- Agreement by ForVets to assume all responsibilities, liabilities, and other obligations of the County under the County's lease agreement with District.
- Modification of current lease provisions to address the addition of a third and private party into the management and financial arrangements between the County and District.
- That during the first year of ForVets' management of the park, the parties will take steps necessary to allow ForVets to implement Phase I of the proposed Camp Valor development, with such steps including, but not limited to:
 - A determination as to whether management of the park by ForVets remains an acceptable arrangement for each party.
 - Surplusing by District of all lands not in the floodplain to the County to be made available for the ForVets Phase I development.
 - Obtaining all necessary financing and land use approvals by For Vets for the Phase I development.

STUDY PERIOD: ForVets shall have a period of sixty (60) days from the Effective Date of this Letter of Intent to conduct its own tests, inspections and studies of the Property as it deems necessary (collectively, the "Studies").

**STUDIES AND
MATERIALS:**

As soon as practical, following execution of the Letter of Intent, Lessor and Lessee shall provide to Sub-Lessee all studies, title reports, title policies, surveys, environmental reports, geotechnical reports, inspection reports, development orders and utility agreements pertaining to the Park.

**EXPRESSION
OF INTENT:**

This Letter of Intent is not intended to be a binding contract or an offer to enter into a contract, and will not create any right or obligation based on any legal or equitable theory including the right to continue any negotiations. The proposed terms of the sublease transaction set forth herein are also nonbinding and subject to change. Only a subsequent written contract executed and delivered by all contemplated parties will bind the Parties as to any matter discussed in this Letter.

If the terms and conditions set forth herein are acceptable to the County and to the District, please indicate agreement by having authorized representatives sign in the spaces provided below and return a fully executed copy of this Letter to the undersigned.

Sincerely,

Philip D. Cavanah, President, ForVets, Inc.

AGREED TO AND ACCEPTED BY:

GILCHRIST COUNTY

**SUWANNEE RIVER WATER
MANAGEMENT DISTRICT**

Chair, County Commission
Date: _____

Ann Shortelle, Executive Director
Date: _____

MEMORANDUM

TO: Governing Board
FROM: Charles H. Houder, Director, Division of Land Resources
DATE: February 25, 2013
RE: Damascus/Ellaville Exchange

RECOMMENDATION

Staff recommends that the Governing Board (1) subordinate the District's agreement with Rich Property and Investment Group, Inc. (Rich) to the purchase and sale agreement between Rich and the Trustees of the Internal Improvement Trust Fund (Trustees); (2) approve the exchange agreement with the Trustees; and (3) authorize the Chairman, Secretary and Executive Director to execute required documents.

BACKGROUND

The District's current agreement for the exchange of the 670-acre Ellaville Tract for the 599-acre Damascus Peanut Company (Damascus) property has a deadline for closing of May 1, 2013. In the meantime, staff of the Department of Environmental Protection (DEP) has engaged District staff, Board Counsel and the owners of the Damascus property in an alternative plan that would result in the District's ownership of the Damascus property and transfer of the Ellaville Tract to the Trustees. In essence, DEP proposes that the Trustees purchase the Damascus property for \$2.1 million and then convey the property to the District in exchange for acreage from the Ellaville Tract of equivalent value.

On February 15, 2013, the Acquisition and Restoration Council approved the addition of the Damascus property to the First Magnitude Springs Florida Forever project and endorsed the proposed exchange between the Trustees and the District. DEP is negotiating a final purchase and sale agreement with Damascus and exchange agreement with the District. In order to equalize the value in the exchange, the District is now being asked to convey additional acreage in the Ellaville Tract. DEP and the District have settled on the 986 acre proposed configuration which appropriates equal value exchange as shown on the attached maps. Section 373.056 allows the Governing Board to convey property to another Governmental entity.

With Governing Board approval, DEP expects to present the proposed purchase to the Trustees at their meeting on March 19, 2013. DEP legal staff has determined that in order to exchange lands acquired with Florida Forever funds, the Ellaville Tract will need to be added to an existing Florida Forever project. The next meeting of the Acquisition and Restoration Council is April 19, 2013. DEP staff plans to recommend that the Ellaville Tract be added to the Longleaf Pine Ecosystem project. It is anticipated that the exchange would then be placed on the agenda for a subsequent meeting of the Trustees.

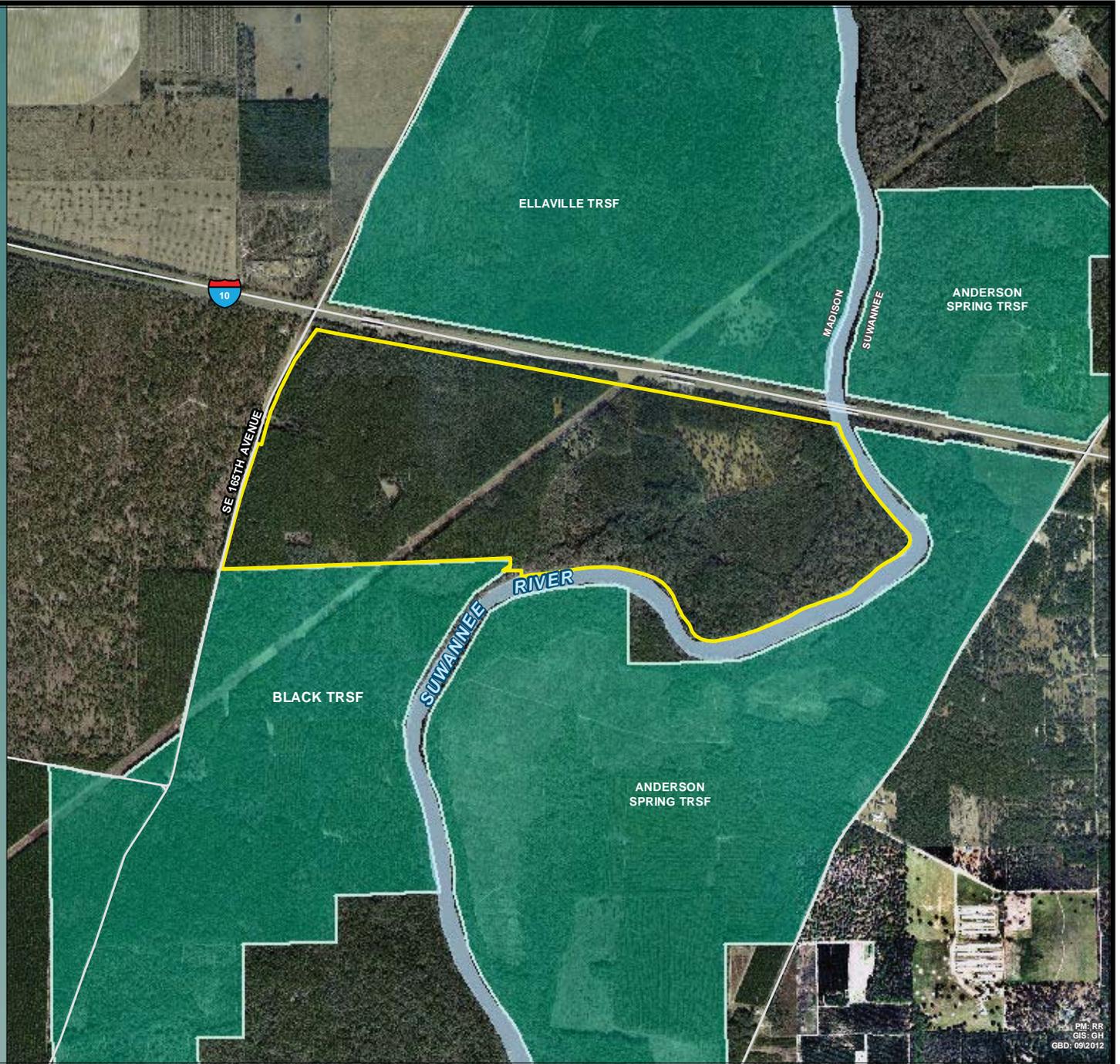
**Damascus Peanut
Company
Madison County
Florida**

**Proposed Exchange
Property Boundary
= 599 Acres**

**SRWMD
Fee Land**



NOTE: This map was created by the Suwannee River Water Management District (SRWMD), Real Estate Program (REP), of the Department of Mission Support (DMS), 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 the use or application. SRWMD does not guarantee the accuracy, or suitability for any use of this data, and no warranty is expressed or implied. In no event will the SRWMD, its staff, or the contributing agencies be liable for any direct, indirect, special, consequential or other damages, including loss of profit, arising from the use of this data, even if the District has been advised of the possibility of such damages. Users of this data should therefore do so at their own risk. For more information, please contact the SRWMD at 1-800-226-1066. Madison 2010 NC 1FT Imagery.



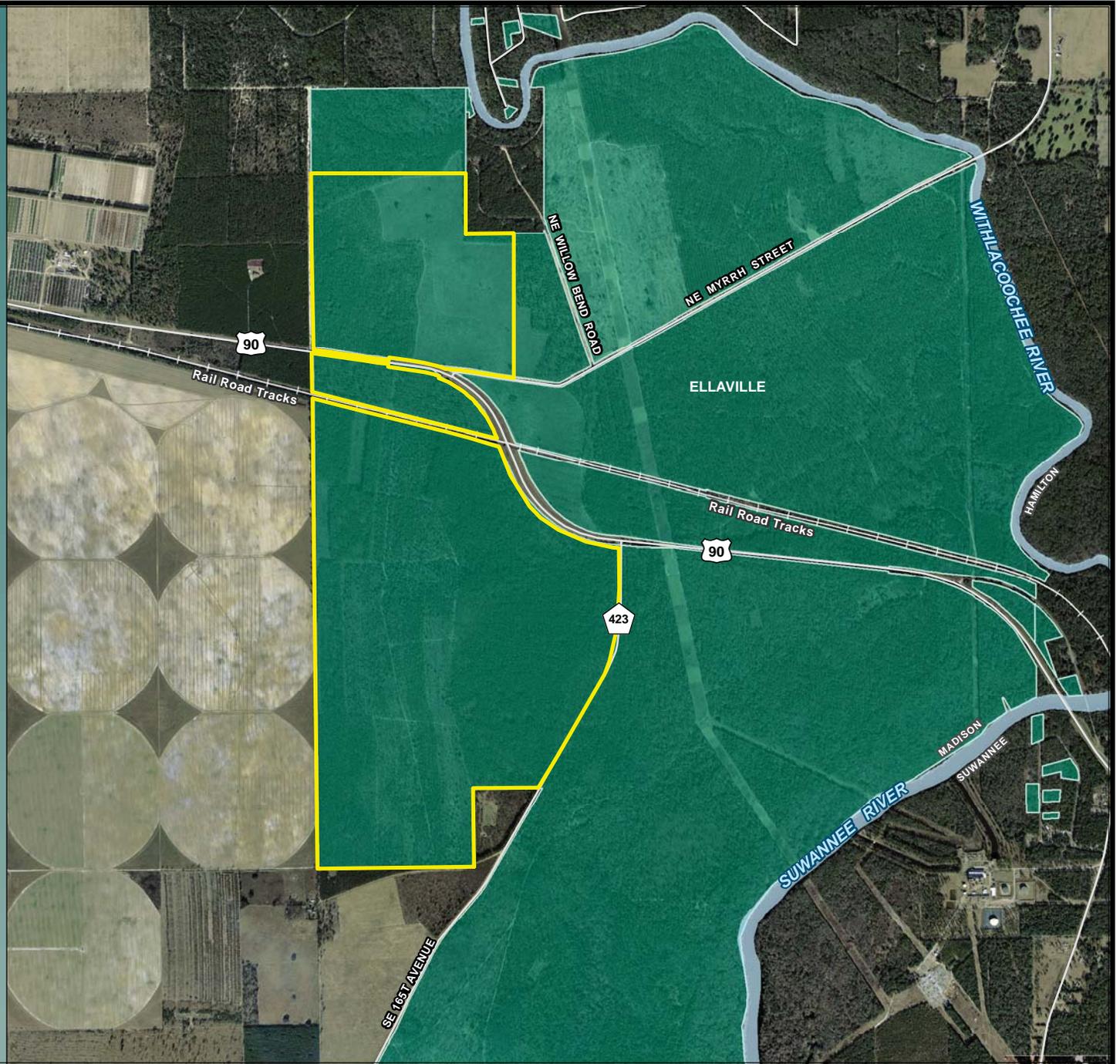
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GBD: 09/2012

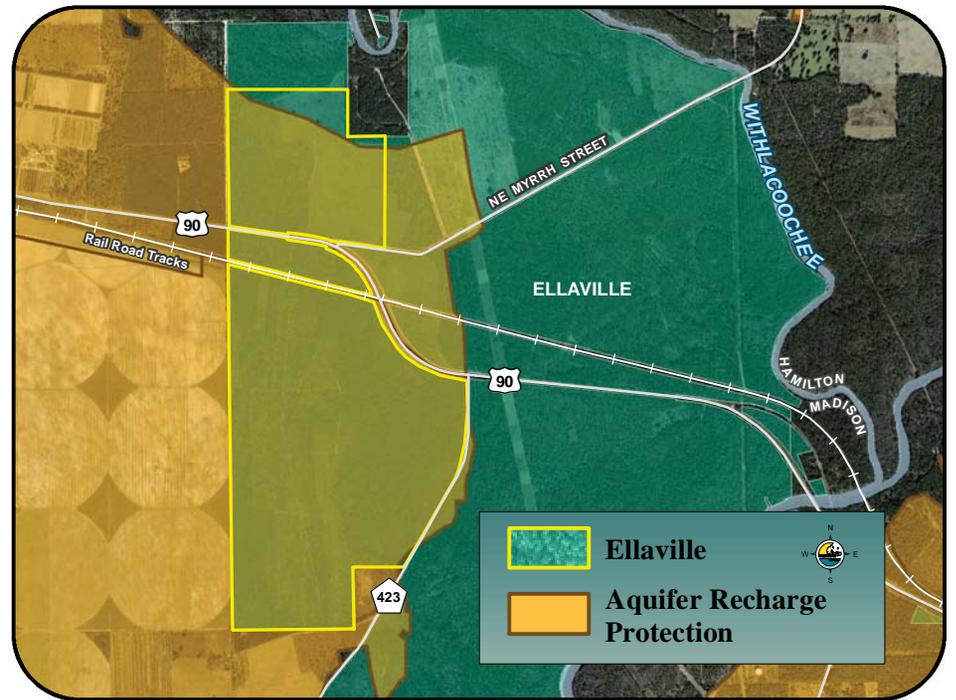
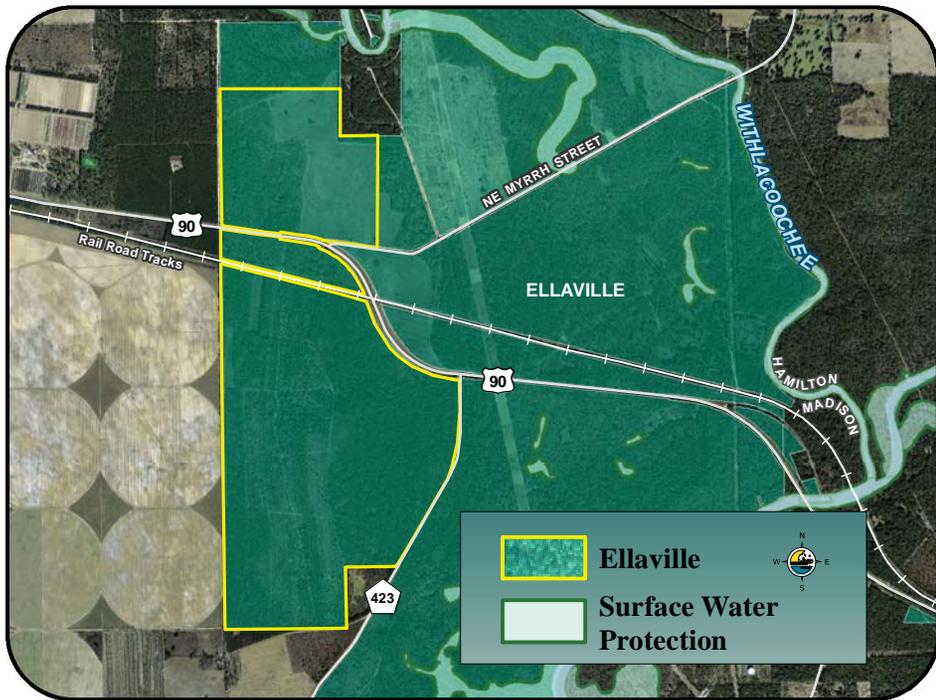
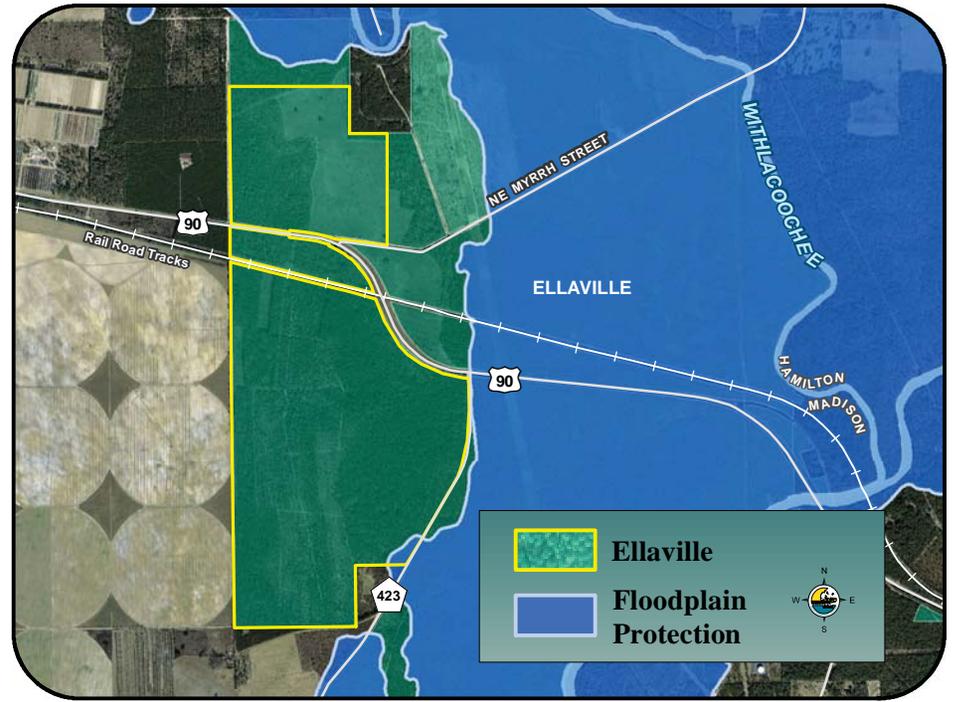
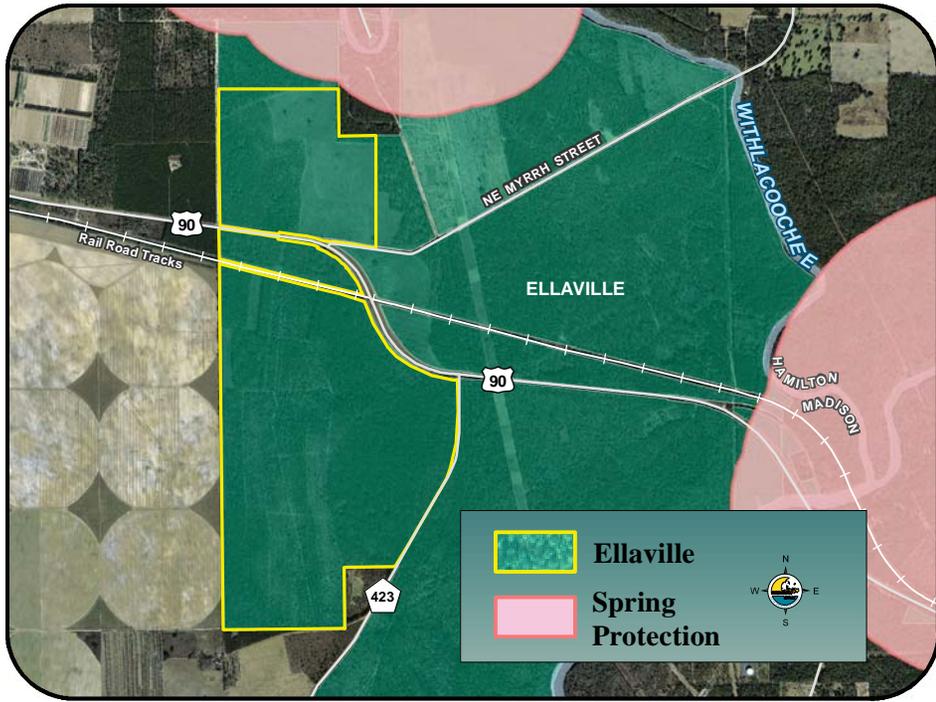
Ellaville Madison County Florida

-  Ellaville Sandhill Boundary = 986 Acres
-  SRWMD Fee Land



NOTE: This map was created by the Suwannee River Water Management District (SRWMD), Real Estate Program of the Division of Land Resources, 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 the use or application. SRWMD does not guarantee the accuracy, or suitability for any use of this data, and no warranty is expressed or implied. In no event will the SRWMD, its staff, or the contributing agencies be liable for any direct, indirect, special, consequential or other damages, including loss of profit, arising from the use of this data, even if the District has been advised of the possibility of such damages. Users of this data should therefore do so at their own risk. For more information, please contact the SRWMD at 1-800-226-1066. Madison 2010 NC 1 FT Imagery.





MEMORANDUM

TO: Governing Board
FROM: Charles H. Houder III, Director, Land Resources Division
DATE: February 25, 2013
SUBJECT: Land Resources Monthly Activity Summary Report

Two wildfires occurred on District land during the report period. The first occurred on the Woods Ferry tract and was approximately $\frac{1}{4}$ acre in size. It was started by an unauthorized campfire outside the designated camping area. Crews from the Suwannee County Fire Department and the Wellborn Volunteer Fire Department responded to control the fire. No firelines were installed and no damage to timber resources occurred. The second fire occurred on the Tyree tract and was 11 acres in size. It was started by a controlled burn being conducted on adjacent private land. The Florida Forest Service responded and installed firelines for containment purposes. Some minimal fireline rehabilitation work will be scheduled later in the fiscal year. No damage to timber resources occurred from this wildfire.

Although overall conditions have been trending to the drier side, Burn Managers have continued to take advantage of favorable burning weather and soil moisture conditions when available.

Cuba Bay Tract received repair on 496 feet of public roads and improvements was made on a portion of a public road. Cabbage Grove Tract received repair on 1,233 feet of public roads while Lake Alto Tract had 366 feet repaired on administrative roads and Little Shoals Tract: had 1,040 feet of public roads repaired.

The attached report summarizes the status of current surplus activities for the preceding month. Staff will be prepared to address any tracts of particular interest the Board may wish to discuss at the Governing Board meeting.

REAL ESTATE

Conservation Easement Review

Owner	Project Name	Acres	County	2012-2013 Monthly Inspection Date												
				O	N	D	J	F	M	A	M	J	J	A	S	
Bailey, Donald and Margaret	Bailey/Cuba Bay Exchange	164	Jefferson													
Bailey Brothers	Bailey Brothers Steinhatchee	16,522	Dixie													
Champion, Roger and Donna	Mount Gilead	180	Madison													
Chinquapin Farm, L.L.C.	Chinquapin Farm	6,350	Columbia, Suwannee													
City of Newberry	Newberry Wellfield	40	Alachua													
Davidson, Dr. C. Linden	Davidson	225	Jefferson													
Deep Creek Plantations	Upper Suwannee	160	Columbia													
Drummond, Graham	Lower Suwannee	543	Levy													
Feagle, Ronald and Dorothy	Bonnet Lake	433	Columbia				X									
Florida Sheriffs Youth Ranches, Inc.	Youth Ranches (I and II)	550	Suwannee													
Livingston Foundation	Dixie Plantation	8,902	Jefferson													
Hale and McDaniel	Carter	1,232	Columbia													
Harrell, Curtis and Matthew	Falmouth Addition	912	Suwannee				X									
Jackson, Kevin and Patrice	Jackson	171	Lafayette													
Layman Law Firm	Layman Aucilla	167	Jefferson				X									
Loncala Inc.	Loncala Alapaha	1,141	Hamilton													
Loncala, Inc.	Loncala Gilchrist	913	Gilchrist	X												
Loncala, Inc.	Monteocha Creek	951	Alachua			X										
Mann, Jack & Loy Ann	Manatee Springs Addition	590	Levy													
McEnany Michael and Leanne	Waccasassa	1,104	Levy													
Meeks, David & Sarah	Manatee Springs Addition	370	Levy													
Moore, Madeline	Moore	115	Jefferson													

Conservation Easement Review (continued)

Owner	Property Name	Acres	County	2012-2013 Inspections													
				O	N	D	J	F	M	A	M	J	J	A	S		
Plantations at Deep Creek, L.L.C.	Deep Creek Exchange	1,038	Columbia														
Platt, Cody and Carol	Aucilla Addition	274	Jefferson														
Plum Creek Timberlands	Gainesville Wellfield	3,084	Alachua														
Plum Creek Timberlands	Waccasassa Gulf Hammock	21,300	Levy														
Plum Creek Timberlands	Manatee Springs Addit. Oak Hammock	4,588	Levy														
Plum Creek Timberlands	Manatee Springs Addit. Suwannee Swamp	12,797	Levy														
Ragans Hoyt and Betty	Aucilla	755	Jefferson Madison														
Red Hills Land Company	Foster	163	Jefferson														
Sanders, Thomas and Sylvia	Mill Creek	339	Hamilton														
Santa Fe River Hammock, L.L.C.	Santa Fe River Hammock	167	Bradford						X								
Sheppard, Derwood and Susan	Manatee Springs Addition	120	Levy														
Strickland Field, L.P.	Strickland Field	3,822	Dixie														
Suwannee River Development LLC	Ace Ranch	260	Lafayette														
The Campbell Group	California Swamp	32,134	Dixie			X											
Tisdale Robert	Tisdale	83	Levy														
Usher family trust	Usher	2,023	Levy														
Zellwin Farms, Inc.	Jennings Bluff	362	Hamilton														

Shading denotes month inspection are scheduled to take place. An "X" denotes completed inspection.

Acquisition

OWNER	PROJECT NAME	ACRES	COUNTY	COMMENTS
J.T. Bridges Azure Properties	McAlpin Landing Addition	220	Hamilton	Discussion continue concerning timber lease
Nyman, George & Sharon	Suwannee River Oaks CE	312	Gilchrist	Title review completed by legal. Requesting bid for re-appraisal

Status of Exchange

Tract Name	Acres	County	Acquired Date	Funding Source	Proposal	Status
Ellaville Exchange for Damascus Peanut Company	670	Madison	5/1998	WMLTF	Proposed as Exchange	A.R.C. approved the Damascus tract as a first magnitude springs. A.R.C. approved the exchange between Ellaville and Damascus.
Lamont/Mt. Gilead for Aucilla Land Partners Conservation Easement	114	Madison and Jefferson	9/1998	WMLTF	Proposed as Conservation Easement Exchange	District has notified a web link for interested parties. Exchange request package has been formally sent to DEP for review.

Surplus Lands

Tract Name	Acres	County	Acquired Date	Funding Source	Appraisal Date	Listing Date	Listing Price	Comments
Alligator Lake	43	Columbia	8/10/2001	P2000	Approved in July			Discussion continuing with Columbia County
Bay Creek North	24	Columbia	02/1988	WMLTF	6/14/2010	7/12/2010	Fee entire tract \$60,720	Governing Board approved surplus sale to Craig and Teresa Hanger Closing March 2013
Blue Sink	79	Suwannee	12/1988	WMLTF	6/14/2010	7/12/2010	Fee entire parcel \$281,600 40-acre parcels \$154,000	

Surplus Lands (continued)

Tract Name	Acres	County	Acquired Date	Funding Source	Appraisal Date	Listing Date	Listing Price	Comments
Buck Bay	60	Alachua	12/15/1999	P2000	3/1/2012	3/15/2012		Governing Board approved surplus sale. Closing date schedule for March 2013 to City of Gainesville.
Cabbage Grove	30	Taylor	09/2001	WMLTF		10/5/2012	Fee entire tract \$57,750	
Chitty Bend East	20	Hamilton	12/1988	WMLTF	11/2/11	11/29/11	Fee two 10-acre tracts for \$26,400 each	
Chitty Bend West	121	Madison	12/1988	WMLTF	11/2/11	11/29/11	Fee entire tract \$279,510	
Cuba Bay	22	Jefferson	02/1996	P2000	8/10/2011	11/10/2011	Fee or Conservation Easement (same price) \$42,350	
Falmouth North (8 lots)	6	Suwannee	04/1998	WMLTF	8/27/2010	11/18/2010	Fee entire tract \$52,030	
Hunter Creek	120	Hamilton	09/2002	P2000		11/18/2010	Fee (3 parcels) \$343,200 CE (3 parcels) \$243,100	
Jennings Bluff	70	Hamilton	02/1989	WMLTF	7/30/2010	8/16/2010	Fee entire tract \$215,600	Pending negotiations with Hamilton County
Levings	69	Columbia	02/1998	WMLTF	6/14/2010	5/11/2011	Fee entire tract \$135,860	
Perry Spray Field	248	Taylor	9/2001	WMLTF	6/6/2012		CE \$225,000	
Steinhatchee Rise	42	Dixie	02/1996	P2000	8/27/2010	11/18/2010	Fee entire tract \$126,940 conservation easement \$97,020	
Timber River	1	Madison	03/1998	WMLTF	8/27/2010	11/18/2010	Fee entire tract \$10,780	

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

LAND MANAGEMENT

Prescribed Fire

Summary Table FY 2013	2013 Target Acres	Acres Complete
Suwannee River Water Management District	10,000	4,423
Florida Forest Service burns on Twin Rivers State Forest	2000	153
TOTAL	12,000	4,576

Prescribe Burn Activity

TRACT	COUNTY	WFS	FFS TRSF	TOTAL ACRES	TOTAL WILDFIRE ACRES
Sullivan	Madison		153		
Woods Ferry	Suwannee	418		418	
Holton Creek	Hamilton	412		412	
Steinhatchee Springs	Lafayette	365		365	
Santa Fe Springs	Bradford	256		256	
Chitty Bend East	Hamilton	110		110	
Chitty Bend West	Madison	153		153	
Withlacoochee	Hamilton	52		52	
Tyree	Hamilton				11
Woods Ferry					.22
<i>Sub-total for Period</i>		1,766	153	1,919	11.22
<i>Previous Acres Burned</i>		2,657	0	2,657	0.00
Total Acres		4,423	153	4,576	11.22

Timber

Timber Sales

Contract #	Fiscal Year	Timber Sale Name	Oversight	Contract Date	Estimated Start Date	Estimated Pine Tons	Harvest Completion
11/12-133	2012	Goose Pasture #2	SR	3/14/2012	12/1/2012	5,203	100%
11/12-054	2012	Steinhatchee Springs #9	SR	3/26/2012	10/26/2012	14,100	80%
11/12-094	2012	Steinhatchee Springs #10	SR	5/31/2012	6/12/2012	4,828	100%
11/12-051	2012	Black Tract #3	FFS/TRSF	3/14/2012	11/2/2012	6,924	100%
11/12-124	2012	Blue Sink #2	SR	8/23/2012	12/17/2012	2,644	100%
12/13-006	2013	Buck Bay #1	SR	11/8/2012	12/10/2012	1,575	90%
12/13-057	2013	Steinhatchee Rise #1	SR	Out for Signatures	TBA	13,647	0%

MEMORANDUM

TO: Governing Board
FROM: Carlos Herd, P.G., Division Director, Water Supply
DATE: February 25, 2013
RE: Water Conservation Month Proclamation

RECOMMENDATION

Staff recommends the Governing Board declare April 2013 as Water Conservation Month.

BACKGROUND

For the past 14 years, the State of Florida has formally recognized April as Water Conservation Month. Many local governments, water management districts and other entities have demonstrated their support by adopting resolutions or proclamations designating Water Conservation Month in their communities.

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

District staff will be initiating various water conservation awareness activities throughout the next couple of months. Activities will include such events as presentations, press releases, and outreach to local governments and school boards.

Therefore, staff recommends the Governing Board adopt a proclamation designating April 2013 as Water Conservation Month.

CH/dd

Proclamation

Suwannee River Water Management District Live Oak, Florida

WHEREAS, clean, safe and sustainable water resources are vital to Suwannee River Water Management District's (District) residents, visitors, economy, and environment; and

WHEREAS, droughts, development, and population growth serve as reminders that Florida's ground and surface water resources such as rivers, lakes and springs are finite and fragile; and

WHEREAS, permanent, year-round water conservation measures are in effect throughout the District; and

WHEREAS, water conservation is a District strategic priority; and

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

WHEREAS, water conservation will continue to play an important role in the future protection and preservation of ground and surface water resources; and

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

WHEREAS, local governments are essential in assisting in promoting water conservation awareness and implementing water conservation measures; and

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

NOW THEREFORE, the Governing Board of the Suwannee River Water Management District hereby proclaims April 2013 as Water Conservation Month. Additionally, the District respectfully calls upon each local government, resident, visitor and business to help protect our precious resource by practicing water conservation measures and becoming more aware of the need to conserve water.

PASSED AND ADOPTED THIS 12th DAY OF March, 2013 A.D.

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT
BY ITS GOVERNING BOARD**

MEMBERS OF THE BOARD:

DON QUINCEY, JR., CHAIRMAN

ALPHONAS ALEXANDER, VICE-CHAIRMAN

DONALD R. CURTIS, III, TREASURER

KEVIN BROWN

GEORGE COLE

GARY F. JONES

VIRGINIA JOHNS

CARL MEECE

GUY WILLIAMS, Jr.

ATTEST:

MEMORANDUM

TO: Governing Board
FROM: Carlos Herd, P.G., Division Director, Water Supply
DATE: February 25, 2013
RE: Groundwater Awareness Week Proclamation

RECOMMENDATION

Staff recommends the Governing Board declare March 10 - 16, 2013 as Groundwater Awareness Week.

BACKGROUND

For the past 14 years, the National Groundwater Association (NGWA) has celebrated National Groundwater Awareness Week. Groundwater awareness is growing into a national movement as more and more national, state and local promotional partners each year help to raise public awareness about groundwater and water well stewardship. NGWA applauds these and other organizations across the country and world that recognize the importance of groundwater in meeting human and environmental needs.

This designation provides an opportunity to increase public awareness about the importance of groundwater protection and conservation. It also encourages citizens to develop life-long habits that will help conserve and protect our aquifers now and in the future.

Therefore, staff recommends the Governing Board adopt a proclamation designating the week of March 10 – 16, 2013 as Groundwater Awareness Week.

CH/dd

Proclamation

Suwannee River Water Management District Live Oak, Florida

WHEREAS, greater than 95 percent of all available fresh water in the world is in the form of groundwater; and

WHEREAS, groundwater is essential to the health and well-being of humanity and the environment; and

WHEREAS, the United States uses 79.6 billion gallons per day of fresh groundwater for drinking water, irrigation, livestock, manufacturing, mining, thermoelectric power and other purposes; and

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

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

WHEREAS, sustainable water supply is a Suwannee River Water Management District strategic priority; and

WHEREAS, permanent, year-round water conservation measures are in effect throughout the District; and

WHEREAS, every business, industry, school, resident and visitor can help by protecting and conserving groundwater and thus promote a healthy economy and community,

NOW THEREFORE, the Governing Board of the Suwannee River Water Management District hereby proclaims March 10 - 16, 2013 as

Groundwater Awareness Week

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

PASSED AND ADOPTED THIS 12th DAY OF March, 2013 A.D.

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT
BY ITS GOVERNING BOARD**

MEMBERS OF THE BOARD:

DON QUINCEY, JR., CHAIRMAN

ALPHONAS ALEXANDER, VICE-CHAIRMAN

DONALD R. CURTIS, III, TREASURER

KEVIN BROWN

GEORGE COLE

GARY F. JONES

VIRGINIA JOHNS

CARL MEECE

GUY WILLIAMS, Jr.

ATTEST:

MEMORANDUM

TO: Governing Board

FROM: Erich Marzolf, Ph.D., Division Director, Water Resources

DATE: February 25, 2013

RE: Adoption of Resolution Number 2013-03 Returning Unexpended Funds Associated with Resolution 2008-10

RECOMMENDATION

Staff recommends the Governing Board adopt Resolution Number 2013-03 to rescind Resolution 2008-10 and return unexpended funds to the Florida Department of Environmental Protection.

BACKGROUND

The General Appropriations Act (GAA) Fiscal Year 2007-2008 appropriated specific funds for a biologically-based nutrient control technology project in the District (see Attachment 1). The GAA line item 1857 designated \$2,000,000 and line item 1859 designated \$500,000 for the District to implement a biologically-based nutrient removal technology system.

In October 2008, the Governing Board authorized staff to enter into a sole source contract with HydroMentia, Inc., for implementation of a pilot scale Algal Turf Scrubber (ATS) system for nitrogen and phosphorus removal from the Santa Fe River for an amount not to exceed \$438,000.

A one-year pilot project was initiated on the Santa Fe River on property owned and maintained by the University of Florida's Institute of Food and Agricultural Sciences. The pilot project was in operation from February 2010 to February 2011 (HydroMentia, Inc., 2011. Santa Fe Algal Turf Scrubber[®] Pilot Program Final Performance Report. Contract # 08/09-151) and was evaluated by the University of Florida (Clark, M., Inglett, P. and K. Dinkins. 2012. Algal Turf Scrubber[®] (ATS[™]): Assessment of Function and Testing of Processes to Enhance Efficiency based on Santa-Fe River Mobile Pilot Units.).

Although the results from the pilot project achieved nutrient and phosphorus reductions, large scale operations of an ATS system on the Suwannee River would require significant number of ATS systems along the corridor to obtain desired outcomes. Cost associated with operation and maintenance of these facilities would be substantial and future funding is undetermined. The remaining amount of unexpended funds is \$2,062,000. These funds can only be spent on an ATS system. Therefore, staff is recommending that the unexpended funds for this project be returned to the Florida Department of Environmental Protection.

EM/dd

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT
RESOLUTION NO. 2013-03**

TO RESCIND RESOLUTION 2008-10 AND RETURN ASSOCIATED UNEXPENDED FUNDS TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the Governing Board of the Suwannee River Water Management District (hereinafter "the District") recognizes the importance of protecting ground and surface water quality; and

WHEREAS, the proposed use of the General Appropriations Act Fiscal Year 2007-2008 line item 1857 and line item 1859 appropriations were provided to the District to implement a biologically-based nutrient control technology consisting of an Algal Turf Scrubber system; and

WHEREAS, the District implemented an Algal Turf Scrubber system pilot project to assess future feasibility of a large scale project in the Suwannee River Basin; and

WHEREAS, the District is has a restricted biological nutrient removal fund balance in the amount of \$2,000,000 and budgeted funds of \$62,000; and

WHEREAS, the District continues to fund water quality improvement projects; and

WHEREAS, the District does not foresee a timely implementation of an Algal Turf Scrubber system in the Suwannee River Basin; and:

WHEREAS, future funding is undetermined for a large scale implementation and operation and maintenance of an Algal Turf Scrubber system in the Suwannee River Basin.

NOW, THEREFORE, BE IT RESOLVED, that the District rescinds Resolution 2008-10 and will return to the Department of Environmental Protection the remaining unexpended funds associated with General Appropriations Act Fiscal Year 2007-2008 line item 1857 and line item 1859.

PASSED AND ADOPTED THIS 12th DAY OF March, 2013 A.D.

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT
BY ITS GOVERNING BOARD**

MEMBERS OF THE BOARD:

**DON QUINCEY, JR., CHAIRMAN
ALPHONAS ALEXANDER, VICE-CHAIRMAN
DONALD R. CURTIS, III, TREASURER
KEVIN BROWN
GEORGE COLE
GARY F. JONES
VIRGINIA JOHNS
CARL MEECE
GUY WILLIAMS, Jr.**

ATTEST:

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT
RESOLUTION NO. 2008-10**

**REQUEST TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR
THE RELEASE OF FUNDS TO IMPLEMENT AND MAINTAIN A
BIOLOGICALLY-BASED NUTRIENT CONTROL TECHNOLOGY**

WHEREAS, the District recognizes the need to reduce nutrients and protect the ground and surface waters from additional nutrients,

WHEREAS, the District has implemented projects through its Quality Communities Project and the Suwannee River Partnership to reduce nutrients in our ground and surface water,

WHEREAS, through the Conference Report on Senate Bill 2800, General Appropriations Act FY2007-2008, item 1857, the Florida Legislature appropriated a total of 2,000,000 dollars (\$2,000,000) to the Water Quality Assurance Trust Fund under the item titled "Total Maximum Daily Loads",

WHEREAS, through the Conference Report on Senate Bill 2800, General Appropriations Act FY2007-2008, item 1859, the Florida Legislature appropriated a total of 500,000 dollars (\$500,000) to the Ecosystems Management and Restoration Trust Fund under the item titled "Suwannee River Surface Water Improvement Initiative",

WHEREAS, these funds were appropriated for the Suwannee River Water Management District to implement and maintain a biologically-based nutrient removal technology,

WHEREAS, Section 373.501(2), Florida Statutes, includes a process for disbursing the funds to the water management districts upon receipt of a resolution adopted by the Governing Board.

NOW THEREFORE, be it resolved that the Governing Board of the Suwannee River Water Management District hereby requests that the Secretary of the Department release 2,000,000 dollars (\$2,000,000) from the Water Quality Assurance Trust Fund and 500,000 dollars (\$500,000) from the Ecosystem Management and Restoration Trust Fund for a total request of 2,500,000 dollars (\$2,500,000), for implementing and maintaining a biologically-based nutrient removal technology,

BE IT FURTHER RESOLVED, that these funds shall be subject to the

requirements of Section 215.97, the Florida Single Audit Act. The CSFA No. for each of the projects identified above is 37039 and the CSFA Title for these projects is "Statewide Surface Water Restoration and Wastewater Projects"; and

BE IT FURTHER RESOLVED that these funds shall be subject to the requirements of Section 216.347, F.S. (Grant and Aids Lobbying Restoration); and

BE IT FURTHER RESOLVED that this resolution be transmitted to the Secretary of the Department; and

BE IT FURTHER RESOLVED that the Chairman of the Governing Board is authorized to affix his signature to this resolution on behalf of the Board and attested by its Secretary.

PASSED AND ADOPTED THIS 8TH DAY OF MAY, 2008 A.D.

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT
BY ITS GOVERNING BOARD**

Louis Shiver

MEMBERS OF THE BOARD:

**LOUIS SHIVER, CHAIRMAN
J. P. MAULTSBY, VICE-CHAIRMAN
GEORGIA JONES, TREASURER
DR. C. LINDEN DAVIDSON
O.J. LAKE
N. DAVID FLAGG
DONALD R. CURTIS, JR.
HEATH M. DAVIS
DONALD J. QUINCEY, JR.**

ATTEST:

A. J. C. Fu



MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Division Director, Resource Management

DATE: February 25, 2013

RE: Public Hearing and Authorization to Publish Notice of Proposed Rules 40B-1, 40B-4, and 40B-400, Florida Administrative Code (F.A.C) and Applicant's Handbook Volume II, regarding Statewide Environmental Resource Permitting

RECOMMENDATION

Staff recommends the Governing Board:

- 1. Approve the Proposed Changes to 40B-1, F.A.C. and the Applicant's Handbook Volume II;**
- 2. Authorize staff to Publish Notice of Proposed Rule for Chapters 40B-1, 40B-4, and 40B-400, F.A.C.; and**
- 3. File 40B-1, 40B-4, and 40B-400, F.A.C., with the Department of State if no objections or comments are received.**

BACKGROUND

On November 15, 2012, the Governing Board approved proposed rule changes for Chapters 40B-1, 40B-4, 40B-400, F.A.C. and the Applicant's Handbook Volume II. At the time staff presented the proposed rule changes, due to the ongoing work of the state-wide committee, it was expected that additional changes to the Applicant's Handbook Volume II would be made. Staff did not publish the notice of proposed rule because of the expected changes.

Since the November 2012 Board meeting, changes to 62-330 F.A.C. and the Applicant's Handbook Volume I by the SWERP Workgroup have required us to make changes to 40-B 1 and Applicant's Handbook Volume II. These changes are minor to the overall direction of the previously approved rules. The changes to 40B-1, F.A.C. and the Applicant's Handbook Volume II have occurred in the following rules and sections:

40B-1
Fees

Applicant's Handbook Volume II

Table of Contents

Part I – Introduction, Thresholds; Exemptions

Part II - General Design and Performance Criteria; Professional Certification; Flexibility for State Transportation Projects and Facilities; Retrofits of Existing Surface Water Management Systems

Part V – Best Management Practices

Part VI - General; Entity Requirements; Operation Phase and Release of Bond; Inspections and Reporting; Compliance; and Enforcement.

In the documents, changes from November 2012 are shown in red as either strikethroughs or underlined text.

Staff proposes to follow the rule adoption schedule proposed by the state-wide committee. It is expected that the proposed changes will be effective July 1, 2013.

TS/tm

NOTICE OF PROPOSED RULE

NAME OF AGENCY:

Suwannee River Water Management District

RULE CHAPTER TITLE:

General and Procedure Rules

RULE CHAPTER NUMBER:

40B-1

RULE TITLES:

RULE NOS.:

Uniform Rules of Procedure and Statement of District Organization and Operation (Repealed)	40B-1.100
Definitions	40B-1.102
Interagency Agreements	40B-1.106
Delegations of Authority	40B-1.135
District Investigations and Probable Cause Determinations (Repealed)	40B-1.510
Permits Required (Repealed)	40B-1.702
Procedures for Consideration of Permit Applications	40B-1.703
Bond	40B-1.704
Complaints (Repealed)	40B-1.705
Fees	40B-1.706
Variances from Specific Rule Criteria for Works of the District Permits	40B-1.707
Point of Entry into Proceedings and Mediation	40B-1.708
Suspension, Revocation, and Modification of District Permits	40B-1.709
Emergency Action	40B-1.711
General (Repealed)	40B-1.801
Definitions (Repealed)	40B-1.802
Certification and Competitive Selection for Professional Services (Repealed)	40B-1.804
Competitive Negotiation (Repealed)	40B-1.805
Applicability (Repealed)	40B-1.808
Inconsistency with Section 287.055, Florida Statutes	40B-1.809
Procurement of Commodities or Contractual Services (Repealed)	40B-1.810
Prequalified Providers (Repealed)	40B-1.811
Contract Bidding – Reservation of Rights (Repealed)	40B-1.812
Contract Bidding – Resolution of Protests (Repealed)	40B-1.813
General	40B-1.901

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to amend rules of the Suwannee River Water Management District (District) consistent with section 373.4131, F.S., which requires the Florida Department of Environmental Protection (DEP) in coordination with the five water management districts (WMDs) to develop statewide environmental resource permit (ERP) rules. These rules are to rely primarily upon existing rules of DEP and the WMDs, but may be revised as necessary to achieve a more consistent, effective, and streamlined approach in the state's ERP program. To implement section 373.4131, F.S., DEP has initiated rulemaking to revise Chapter 62-330, F.A.C. DEP also intends to incorporate by reference documents that will be known as an Applicant's Handbook (AH). Two volumes of the AH will apply in each WMD: (1) one volume that will include general and environmental criteria and procedures and forms, which volume will apply statewide (AH Volume I); and (2) a second volume, specific to, and adopted by, the WMD that will set forth design and performance standards for stormwater quality and quantity, and include drainage basin designations and basin-specific rules within the WMD. DEP's proposed rulemaking for Chapter 62-330, F.A.C., will necessitate changes to the District's Chapter 40B-1, F.A.C.

SUBJECT AREAS TO BE ADDRESSED: This proposed rule will update the fees to be consistent with the other WMDs and DEP. In addition, the proposed rules will add a section which provides the procedures for applicants to apply for a variance for a work of the district and a section that will add the procedures for Point of Entry into Proceedings and Mediation. Lastly, some of the District's forms, such as the ERP application will be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS (SERC) AND LEGISLATIVE RATIFICATION: The Agency has determined that this will have an adverse economic impact on small business if ERP applicants choose to participate. This rule will not likely increase direct or indirect regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein:

Any person, who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 120.54(5), 373.044, 373.113, F.S.

LAW IMPLEMENTED: 120.54(5), 120.60, 369.316, 369.318, 373.016(2), 373.085, 373.106, 373.109, 373.118, 373.119, 373.171, 373.406, 373.413, 373.4131, 373.4135, 373.4136, 373.414, 373.4141, 373.415, 373.416, 373.418, 373.426, 373.439, 403.812, 403.813 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AMENDMENTS: Leroy Marshall II, Senior Professional Engineer, SRWMD, 9225 C.R. 49, Live Oak, Florida, 32060, (386)362-1001 or (800)226-1066 (FL only).

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-1.100 Uniform Rules of Procedure and Statement of District Organization and Operation.

Rulemaking Authority 120.54(5) FS. Law Implemented 120.54(5) FS. History—New 1-29-01, Repealed by Section 3, Chapter 2012-31, Laws of Florida, 5-27-12.

40B-1.102 Definitions.

When used in Chapter 40B, F.A.C.:

(1) “Act” means the Florida Water Resources Act of 1972, Chapter 373, Florida Statutes, and amendments to it.

(2) “Board” means the Governing Board of the District.

(3) “District” means the Suwannee River Water Management District, or its successor agency.

(4) “Executive Director” means the Executive Director of the District, who is the person employed by the Board to direct the District's operations, supervise the staff and administrative procedures, and execute policies adopted by the Board.

(5) “Presiding Officer” means the Board, or member thereof, who conducts a hearing on behalf of the District, a hearing officer assigned by the Division of Administrative Hearings, or any other person authorized to conduct administrative hearings.

(6) The terms defined in Chapters 120 and 373, Florida Statutes, shall have the same meanings in Chapter 40B, F.A.C.

Rulemaking Authority 120.54(10), 373.044, 373.113 FS. Law Implemented 120.53(1)(a), 373 Parts I, II, IV FS. History—New 9-15-81.

40B-1.106 Interagency Agreements.

(1) In order to eliminate duplicative permitting, to provide for consolidation of data collection, and to coordinate water-related programs, the District, as needed, enters into agreements with other agencies exercising powers that affect water resources of the State.

(2) The District has entered into the following agreements or memorandums of understanding which are on file with the District and which are hereby incorporated:

(a) By Agreement Number 82/83-1 dated September 16, 1982, the District and the Florida Department of Environmental Regulation entered into an agreement in regards to public drinking water applications, applications for projects involving the construction and operation of artificial recharge facilities, and applications for projects utilizing land disposal of treated wastewaters.

(b) By Agreement Number 90/91-94 dated June 27, 1991, Florida Water Management Districts and the Florida Public Service Commission entered into an agreement which establishes the policies and procedures to be followed regarding the separate and distinct responsibilities of each agency.

(c) By Agreement Number 91/92-84 dated June 18, 1992, the District, the Florida Department of Environmental Regulation, and the Florida Department of Health and Rehabilitative Services entered into an agreement regarding the implementation of permitting requirements for Chapter 62-524, F.A.C., New Potable Water Well Permitting in Delineated Areas.

(3) All District agreements are on file and available for inspection at District Headquarters, 9225 County Road 49, Live Oak, Florida 32060.

Rulemaking Authority 373.044, 373.046, 373.083, 373.113 FS. Law Implemented 373.016, 373.046, 373.083, 373.103 FS. History—New 9-15-81, Amended 3-14-83, 3-17-88, 12-21-88, 6-17-93, 3-13-94, 10-3-95, 12-3-98.

40B-1.135 Delegations of Authority.

(1) The District is delegated authority by the Department of Environmental Protection to assume certain responsibilities of Chapter 373, Florida Statutes. This delegation, general to the Water Management Districts, is pursuant to authority contained in Sections 373.016 and 373.103, Florida Statutes, and is described in Rule 62-113.200, Chapters 62-532 and 62-550, F.A.C.

(2) The exercise of delegated authority by the Board, or any person designated by the Board as its

agent, includes all the jurisdiction, powers, and authority conferred by law upon the District.

Rulemaking Authority 373.044 FS. Law Implemented 373.016, 373.103 FS., 62-113.200, 62-532, 62-550, F.A.C. History–New 9-15-81, Repromulgated 3-17-88, Amended 1-29-01.

40B-1.510 District Investigations and Probable Cause Determinations.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.569(2)(i), 120.57(4), 373.219(2) FS. History–New 9-15-81, Amended 1-29-01, Repealed by Section 3, Chapter 2012-31, Laws of Florida, 5-27-12.

40B-1.702 Permits Required.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 120.53(1), 120.57, 120.60, 373.085, 373.106, Ch. 373, Parts II, IV FS. History–New 9-15-81, Amended 3-17-88, 10-3-95, 1-29-01, Repealed by Section 3, Chapter 2012-31, Laws of Florida, 5-27-12.

40B-1.703 Procedures for Consideration of Permit Applications.

(1) General Permits.

(a) Section 373.118, F.S., authorizes the governing board to adopt rules establishing a general permit system for projects or categories of projects which have, either singly or cumulatively, a minimal adverse impact on water resources of the district. The governing board of the Suwannee River Water Management District has established a general permit system which authorizes the issuance of two categories of general permits – Noticed General Permits and (all other) General Permits. A specific reference to the procedures for issuance of these categories of general permits is included in each district rule which authorizes a Noticed General Permit or (any other) General Permit along with specific standards or conditions for issuance of such permits. When an activity does not qualify or conform to the conditions for issuance of general permits, an application for an individual permit or conceptual approval permit may be submitted to the district for consideration. No public notice by advertisement in a newspaper of general circulation in the affected area shall be required for general permits; however, public notice will be made by providing to any interested person a copy of any permit on file with the district and by posting at the district headquarters a current journal of all such permits issued.

(b) Noticed General Permits are a category of general permits for activities which have established standards and conditions for issuance of permits in district rules and which are considered by the governing board to have little or no potential for adverse impact to water resources of the district if those standards and conditions for issuance of permits are followed. Specific procedures for processing Noticed General Environmental Resource Permits are included in Rule 40B-400.211, F.A.C., and in each such permit enumerated in Chapter 40B-400, Part II, F.A.C.

(c) General permits are reviewed, and agency action is initiated within 30 days of receipt of a completed and properly executed application, including any permit fees. Following investigation and review by District staff to insure the proposed activity qualifies for the specific general permit authorized by District rule and conforms to all conditions for issuance of the specific general permit, the general permit is issued by rule. In lieu of issuance of the general permit, the District will issue a notice of proposed agency action to deny the application and follow the procedures in Section 120.57, F.S., and Chapter 28, F.A.C., when investigation and review of the application by District staff reveals that the proposed activity does not qualify or conform to the conditions for issuance of the specific general permit authorized by District rule. If an application is received in an incomplete state, not properly executed or if additional information is required, the applicant shall be notified pursuant to the procedures in Section 120.60, F.S., and Chapter 28, F.A.C.

(d) Minor use permits by rule, as defined in Rule 40B-2.041, F.A.C., are a category of general permits for activities which have established standards and conditions for issuance of permits in district rules. A permit application is not required for any use that meets the requirements of Rule 40B-4.041, F.A.C., and is thereby considered to be an existing legal user of water.

(2) Individual Permits.

(a) Individual permits are issued under the standard permitting and licensing procedures described in Section 120.60, F.S. Unless a general permit is specifically authorized by District rule or unless an applicant chooses to request a conceptual approval permit for an activity, the individual permit procedures described in this section and Chapter 120 govern all district permitting and licensing activities. Within 30 days of receipt of an application for an individual permit, the District will notify the applicant of any apparent errors or omissions and request any additional information that the District is authorized to request. A request for additional information shall include a reference to the specific rule or law which authorizes the District to make the request. If apparent errors or omissions are not corrected or additional information requested is not supplied within 90 days of the date of the District notice, the District shall issue a notice of proposed agency action to deny the application and follow the procedures in Section 120.57, F.S., and Chapter 28, F.A.C. The applicant may request an extension of time in writing necessary to correct apparent errors or omissions or supply additional information requested by the District.

(b) Upon receipt of an application for an individual permit, the District will cause to be published and distributed the notices of application required by Sections 373.116, 373.413(3), and 373.413(4), F.S. The notice of application shall specify a date not less than 14 days from the date of publication and distribution by which comments or objections to the application may be filed with the District. A notice of proposed agency action on an individual permit application will be prepared whenever possible. The notice of proposed agency action will be sent to the applicant or any other person requesting such notice. If no substantial objection to the application or notice of proposed agency action is received, the Governing Board may, at its discretion, consider the application at its next regularly scheduled meeting, which is at least 14 days after issuance of a notice of proposed agency action. If a substantial objection is received, the Board shall proceed under the procedures in Chapter 28, F.A.C., and, if appropriate, set a time for a hearing in accordance with the provisions of Chapter 120, F.S. When there is not a reasonable opportunity for the District to issue a notice of proposed agency action, the Governing Board may, at its discretion, consider the application and advise the applicant and all other persons requesting notice of the Governing Board's action and providing an opportunity to request an administrative hearing on the action pursuant to Section 120.60(3), F.S., and Chapter 28, F.A.C.

(c) The Governing Board hereby delegates authority to the Executive Director, Assistant Executive Director or Deputy Executive Director to issue individual environmental resource permits that require no special limiting conditions or that require only the following special limiting conditions pursuant to subsection 40B-4.1140(1), Florida Administrative Code (F.A.C.), under Chapters 40B-4 and 40B-400, F.A.C.:

1. Permits that identify non-profit associations as operation and maintenance entities under subsection 40B-4.2035(3), F.A.C.; or
2. Permits that require the following documents to be recorded in legal records:
 - a. Final plats; and
 - b. Deed restrictions; and
 - c. Drainage easements.

Unless objection to the permit application or the notice of proposed agency action is made according to statute and these rules by a substantially affected person, the Executive Director shall either issue the permit or place the application on the agenda of the next regularly scheduled meeting of the Governing Board.

(3) Conceptual Approval Permits. Any person may request conceptual approval of any activity that requires a permit from the governing board by making application for a conceptual approval permit. The procedure for review and consideration of such applications shall be the same as for an individual permit. A conceptual approval permit issued by the governing board cannot authorize construction or the beginning of the activity which is the subject of the conceptual approval.

Rulemaking Authority 373.044, 373.083, 373.113, 373.118, 373.171, 373.4141 FS. Law Implemented 120.57, 120.59, 120.60, 373.084, 373.085, 373.086, 373.106, 373.116, 373.118, 373.229, 373.313, 373.413, 373.416, 373.426 FS. History—New 6-16-88, Amended 12-22-92, 10-3-95, 1-29-01, 12-10-07,

10-25-09.

40B-1.704 Bond.

(1) The Board may require the applicant for a permit to furnish a bond or some other alternative form of security made payable to the District and its successors, with a reputable bonding company authorized to do business in this state as surety, conditioned upon full compliance with terms of the permit, including the proper construction, operation, and maintenance of the facility. The amount of the bond shall be determined by the Board.

(2) Applicants for environmental resource permits under Chapters 40B-4 and 40B-400, Florida Administrative Code (F.A.C.), shall furnish a bond or other form of surety for certification of completion of construction as required by paragraphs 40B-4.1140(2)(c) and 40B-400.115(1)(j), F.A.C. The forms of surety acceptable to the District include but are not limited to, cash deposit, letter of credit, and performance bond. Bonds and other forms of surety shall be in the following amounts: project area less than one acre, \$1,000; project area less than 10 acres, \$2,000; project area less than 40 acres, \$3,000; project area less than 100 acres, \$4,000; project area less than 200 acres, \$5,000; project area greater than or equal to 200 acres, \$10,000. The District shall release the bond or other form of surety, without interest, upon final acceptance of certification of completion of construction and transfer of operation and maintenance to an entity approved by the District as required by Rule 40B-4.2035, F.A.C.

(3) The Board may require liability insurance in such amount as the Board shall determine endorsed in favor of the District or a hold harmless agreement satisfactory to the Board.

(4) The Board may require that the bond or liability insurance be maintained as a condition of the continued validity of the permit.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.085, 373.103, 373.219, 373.413, 373.414, 373.416 FS. History—New 9-15-81, Amended 1-10-10.

40B-1.705 Complaints.

Rulemaking Authority 120.53(1), 120.54(10), 373.044, 373.113 FS. Law Implemented 373.219(2), 373.229(2), 373.429 FS. History—New 9-15-81, Repealed by Section 3, Chapter 2012-31, Laws of Florida, 5-27-12.

40B-1.706 Fees.

(1) Section 373.109, Florida Statutes, authorizes the governing board to establish a schedule of fees for filing applications for permits required by district rules. The schedule of fees is listed in TABLE 1.A. – B. SCHEDULE OF PERMIT FEES. Fees shall be due at the time of filing an application. Unless otherwise specified by district rule, the date of filing shall be considered to be the date received by the district. Fees are nonrefundable unless an application is filed for an activity that is determined by the district to be exempt from permitting requirements pursuant to Section 120.60(2), Florida Statutes. Failure of any person to pay the fees established herein is grounds for the denial of a permit application or revocation of a permit. Unless a fee is identified herein for a specific activity, no fee shall be required. There shall be no permit fee for projects proposed by governmental entities whose purpose is environmental restoration, enhancement, or public land management.

(2) Upon delegation of the administration of a permitting program from the department to the district, the fees for such permits established by department rule shall be collected by the district pursuant to Section 373.109, Florida Statutes.

(3) Any portion of the fees enumerated in this rule in excess of \$100 shall be waived for any city or county government upon receipt of a certification from such city or county of hardship required in Chapter 94-278, Laws of Florida. Any such certification shall be presumed to be valid for the entire fiscal year of the city or county during which certification is made unless the certification clearly indicates a duration to the contrary.

TABLE 1.A. SCHEDULE OF PERMIT FEES
WATER USE PERMITS

General Water Use Permits Less than 10,000 GPD-ADR per paragraph 40B-2.041(4), F.A.C.	\$100
Modification or Renewal	\$50
General Water Use Permits 10,000 GPD-ADR or more and less than 2,000,000 GPD-ADR as per paragraph 40B-2.041(4), F.A.C.	\$230
Modification or Renewal	\$115
Individual or Conceptual Approval Water Use Permits per subsection 40B-1.703(3) and paragraph 40B-2.041(5), F.A.C.	\$530
Modification or Renewal	\$265

TABLE 1.B. SCHEDULE OF FEES

ENVIRONMENTAL RESOURCE AND WORKS OF THE DISTRICT PERMITS

Use of the reviewing agency's electronic self-certification system	\$0
Verification of exemption under Section 373.406 or 403.813(1), F.S., or under 62-330.050 through .0515, F.A.C. (ERP & WOD)	\$100
Verification of qualification to use a Noticed General Permit (ERP & WOD)	\$250
Variance or Waiver under Section 120.542	\$0
All other Variances or Waivers	\$550
Works of the District General Permits	\$490
Works of the District Individual Permits	Follow (1)
All Individual or Conceptual Approval Permits, excluding Permits for a Mitigation Bank:	
(1) New applications – the processing fee for a new permit application shall be as determined from the categories below:	
(a) Total project area of less than 10 acres, with no works in, on, or over wetlands and other surface waters, and no boat slips	\$490
(b) Total project area of less than 10 acres that does not meet (1)(a), above, but that involves less than 1 acre of works (i.e. dredging, filling, construction, or alteration) in, on or over wetlands and other surface waters, AND less than 10 new boat slips	\$1190
(c) Project exceeds any of the thresholds in (1)(b), above, but involves a total project area of less than 40 acres, less than 3 acres of works in, on or over wetlands and other surface waters, AND less than 30 new boat slips	\$2110
(d) Project exceeds any of the thresholds in (1)(c), above, but involves a total project area of less than 100 acres, less than 10 acres of works in, on or over wetlands and other surface waters, AND less than 50 new boat slips	\$5610
(e) Project exceeds any of the thresholds in (1)(d), above, but involves a total project area of less than 640 acres, AND less than 50 acres of works in, on or over wetlands and other surface waters	\$9120
(f) Project exceeds any of the thresholds in (1)(e), above	\$11220
(g) Projects that are exclusively agricultural or silvicultural, and that involve a total project area of less than 10 acres AND less than 1 acre of works (i.e. dredging, filling, construction, or alteration) in, on or over wetlands and other surface waters	\$250
(h) Projects that are exclusively agricultural or silvicultural, and that exceed any of the thresholds in (1)(g), above, but involves a total project area of less than 40 acres AND less than 3 acres of works in, on or over wetlands and other surface waters	\$1055
(i) Projects that are exclusively agricultural or silvicultural, and that exceed any of the thresholds in (1)(h), above, but involve a total project area of less than 100 acres AND less than 10 acres of works in, on or over wetlands and other surface waters	\$2805
(j) Projects that are exclusively agricultural or silvicultural, and that exceed any of the thresholds in (1)(i), above, but involve a total project area of less than 640 acres AND less than 50 acres of works in, on or over wetlands and other surface waters	\$4590
(k) Projects that are exclusively agricultural or silvicultural, and that exceed any of the thresholds in (1)(j), above	\$5610

(l) Individual or Conceptual Permits solely for environmental restoration or enhancement activities, provided such activities are not associated with a mitigation bank and are not being implemented as mitigation for other activities that require a permit under Part IV of Chapter 373, F.S. For the purposes of this provision, the term “environmental restoration or enhancement” means an action or actions designed and implemented solely to convert degraded or altered uplands, wetlands, or other surface waters to intact communities typical of those historically present, or to improve the quality and condition of currently degraded wetlands or other surface waters to a more healthy, functional, and sustaining condition for fish, wildlife, and listed species	\$250
(m) Individual or Conceptual Permit solely to retrofit an existing stormwater management system or systems to add treatment to and reduce stormwater pollutant loadings from the system or systems	\$250
(2) Major Modifications that exceed any of the thresholds in 62-330.315(3), F.A.C.:	
(a) Major Modifications to an Individual Permit that are consistent with an existing Conceptual Approval Permit	50% of (1)
(b) All other Major Modifications	50% of (1)
(3) Minor Modifications that do not exceed any of the thresholds in 62-330.315(3), F.A.C.:	
(a) Transfers or Time Extensions of Permits, where not exempted from fees under Florida Statutes	\$0
(b) Minor Modifications to correct minor errors that do not involve technical review, or to incorporate changes requested by the reviewing agency	\$0
(4) All other Minor Modifications	25% of (1)
Resubmittal of an application that was previously withdrawn or administratively denied, in accordance with 62-330.090(1)(b), F.A.C. The Agency shall apply the processing fee paid when the previous application was submitted to the fee required for the new application. If the resubmitted application would require a greater fee, only the additional portion shall be required.	
New Determinations of the Landward Extent of Wetlands and Other Surface Waters	
(1) Informal Determinations, where:	
(a) Total area to be included in the determination is up to 1 acre	\$100
(b) Additional fee per acre (or portion thereof) beyond the first, total fee not to exceed \$500	\$50
(2) Formal Determinations, where:	
(a) Total area to be included in the determination is less than 10 acres	\$860
(b) Total area to be included in the determination is at least 10, but less than 40 acres	\$1180
(c) Total area to be included in the determination is at least 40, but less than 100 acres	\$2370
(d) Total area to be included in the determination is at least 100 or more	\$2370 + \$200 / 100 acres (or portion thereof)
Reissuance of Formal Determinations, in accordance with 62-330.201(5), F.A.C.	\$350

<u>Applications for any activity, when submitted by the U. S Department of Defense</u>	<u>\$0</u>
Any fee in excess of \$100, as determined by this section, shall be reduced to this amount, which shall not exceed \$100, for public projects when the applicant is a county or municipality (or under contract thereto) that qualifies under Section 218.075, F.S.	\$100

Rulemaking Authority 373.044, 373.109, 373.113, 373.118, 373.171 FS. Law Implemented 218.075, 373.109 FS. History—New 6-16-88, Amended 11-25-90, 12-22-92, 10-16-94, 11-8-94, 10-3-95, 1-3-96, 6-22-99, 5-6-12. [Date]

40B-1.707 Variances from Specific Rule Criteria for Works of the District Permits

(1) The Governing Board is authorized to grant a variance from the provisions of Section 373.414, F.S., and paragraph 40B-4.3030(2), F.A.C., pursuant to Section 403.201, F.S. The variance under this rule is provided in addition to the variance and waiver procedures set forth in Chapter 28-104, F.A.C., which implements Section 120.542, F.S.

(2) A person seeking a variance must demonstrate that any hardship asserted as a basis of the need for a variance is peculiar to the affected property and not self-imposed and that the grant of a variance will be consistent with the general intent and purpose of this chapter.

(3) Any person seeking a variance shall file a petition for a variance that contains the following information:

(a) The petitioner’s name and signature.

(b) The statute or rule from which the variance is sought.

(c) Facts showing that a variance should be granted for one of the reasons set forth in Section 403.201, F.S.

(d) The time period for which the variance is sought, not to exceed the time period permitted by law, including the reasons and facts supporting the time period.

(e) The requirements which the petitioner can meet including the date or time when the requirements will be met.

(f) The steps or measures the petitioner is taking to meet the requirement from which the variance is sought. The petitioner shall include a schedule when compliance will be achieved.

(g) The social, economic and environmental impacts on the applicant, residents of the area and of the state if the variance is granted.

(h) The social, economic and environmental impacts on the applicant, residents of the area and of the state if the variance is denied.

(4) The District shall review the application within a reasonable period of time after receipt to determine if the application is complete. If the application is determined to be incomplete, the applicant shall be afforded an opportunity to supply additional information before the District evaluates the merits of the request.

(5) The District shall grant or deny a petition for variance or waiver within 90 days after receipt of the original petition, the last item of timely requested additional material, or the petitioner’s written request to finish processing the petition.

(6) The District shall prepare a notice of proposed agency action regarding the petition for a variance. The District shall publish this notice one time in the Florida Administrative Weekly, and one time in a newspaper of general circulation, as defined in Section 50.031, F.S., in the county in which the property for which the variance is sought is located.

(7) Renewals of variances shall be applied for in the same manner as the initial variance.

Rulemaking Authority 373.044, 373.113, 373.171, 373.414(17) FS. Law Implemented 403.201 FS. History—New 9-2-98, Amended 6-12-00, 6-26-02 [Date].

40B-1.708 Point of Entry into Proceedings and Mediation

(1) Point of entry into proceedings determining substantial interests are governed by Rule 28-106.111, F.A.C., and this section.

(a) "Receipt of written notice of agency decision" as set forth in Rule 28-106.111, F.A.C., means receipt of either written notice through regular United States mail, or electronic mail, or posting that the District has or intends to take final agency action, or publication of notice that the District has or intends to take final agency action.

(b) If notice is published pursuant to this chapter, publication shall constitute constructive notice to all persons. Until notice is published, the point of entry to request a formal or informal administrative proceeding shall remain open unless actual notice is received.

(2) If the Board takes action which substantially differs from the notice of intended agency decision, the applicant or persons who may be substantially affected shall have an additional point of entry pursuant to Section 28-106.111, F.A.C., unless otherwise provided by law. The Board action is considered to substantially differ from the notice of intended agency decision when the potential impact on water resources has changed.

(3) Notwithstanding Rule 28-106.111, F.A.C., intended agency decisions or agency decisions regarding consolidated applications for Environmental Resource Permits and Use of Sovereign Submerged Lands pursuant to Section 373.427, F.S., shall provide a 14 day point of entry to file petitions for administrative hearing under Rule 28-106.111, F.A.C.

Rulemaking Authority 120.54(5), 373.044, 373.113, 668.003, 668.004, 668.50 FS. Law Implemented 120.54(5), 120.569, 120.57, 120.60, 373.146, 373.413, 373.427, 668.003, 668.004, 668.50 FS. History—New 7-2-98, Amended 6-12-00, 3-22-09, [Date].

40B-1.709 Suspension, Revocation, and Modification of District Permits.

(1) The Executive Director shall initiate proceedings to suspend, revoke, or modify a permit or other authorization by serving a written notice rights upon the permittee by certified mail or by service of process, or by newspaper publication as provided in Section 120.65(5), F.S. The administrative complaint shall include all of the information required by subsection 28-106.2015(4), F.A.C., of the Uniform Rules of Procedure.

(2) The permittee may request an administrative hearing pursuant to Sections 120.569 and 120.57, F.S., by filing a petition with the District within 14 days of receipt of the District's complaint. Petitions are deemed filed upon receipt by the District Clerk. The petition must contain all of the information required by subsection 28-106.2015(5), F.A.C., of the Uniform Rules of Procedure.

(3) Failure to comply with the provisions of subsection (2), shall constitute a waiver of the right to a Section 120.69 or 120.57, F.S., administrative hearing. In such event, the administrative complaint shall become a final order of the District and all findings of fact and conclusions of law contained therein shall be deemed uncontested and true in any further judicial or administrative proceedings.

(4) The Board shall consider any timely filed petition for a Sections 120.569 and 120.57, F.S., hearing at the next available regulatory meeting following expiration of the 14-day time period in subsection (2).

(5) In the case of an emergency, the District may take any action necessary to protect the public interest in accordance with Section 120.60(6), F.S. The permittee shall take immediate action to achieve compliance with the emergency order, but shall have the right to request an administrative hearing in accordance with the provisions of subsections (2) through (4) above.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 120.53(1)(b), (c), 120.60(2), 373.119, 373.429 FS. History—New 9-15-81, Repromulgated 3-17-88, Amended 12-21-88, 10-25-09.

40B-1.711 Emergency Action.

(1) An emergency exists when immediate action is necessary to protect public health, safety, or welfare; the health of animals, fish, or aquatic life; the works of the District; a public water supply; or recreational, commercial, industrial, agricultural, or other reasonable uses of land and water resources.

(2) Whenever an emergency exists, the Executive Director shall issue an emergency order, which shall describe the conditions which are causing the emergency, and the type of corrective action necessary to minimize or abate the emergency conditions. The order shall be delivered by service of process or by

personal delivery by an agent of the District to the person, or the agent of the person responsible for causing or contributing to the emergency conditions.

(3) The person or his agent shall take whatever action necessary to cause immediate compliance with the terms of the emergency order, but shall have the right to appeal the order in accordance with the provisions of Rule 40B-1.709, F.A.C., subsections (4) through (7).

(4) When an emergency condition exists pursuant to Section 373.439, Florida Statutes, the Executive Director may employ the resources of the District to take whatever remedial action is necessary to alleviate the emergency condition without the issuance of an emergency order, or in the event an emergency order has been issued, after the expiration of the requisite time for compliance with that order.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 120.53(1)(b),(c), 120.60(2), 373.119, 373.439 FS. History—New 9-15-81, Amended 12-21-88.

40B-1.801 General.

Rulemaking Authority 120.53(1) FS. Law Implemented 287.055 FS. History—New 9-15-81, Amended 8-19-92, Repealed by Section 3, Chapter 2012-31, Laws of Florida, 5-27-12.

40B-1.802 Definitions.

Rulemaking Authority 120.53(1) FS. Law Implemented 287.055 FS. History—New 9-15-81, Amended 8-19-92, Repealed by Section 3, Chapter 2012-31, Laws of Florida, 5-27-12.

40B-1.804 Certification and Competitive Selection for Professional Services.

Rulemaking Authority 120.53(1) FS. Law Implemented 287.055(4) FS. History—New 9-15-81, Repromulgated 3-17-88, Amended 12-21-88, 8-19-92, Repealed by Section 3, Chapter 2012-31, Laws of Florida, 5-27-12.

40B-1.805 Competitive Negotiation.

Rulemaking Authority 120.53(1) FS. Law Implemented 287.055(5) FS. History—New 9-15-81, Amended 8-19-92, Repealed by Section 3, Chapter 2012-31, Laws of Florida, 5-27-12.

40B-1.808 Applicability.

Rulemaking Authority 120.53(1) FS. Law Implemented 287.055 FS. History—New 9-15-81, Amended 8-19-92, Repealed by Section 3, Chapter 2012-31, Laws of Florida, 5-27-12.

40B-1.809 Inconsistency with Section 287.055, Florida Statutes.

To the extent that any inconsistency may exist between this chapter and Section 287.055, Florida Statutes, the provisions of Section 287.055, Florida Statutes, shall prevail.

Rulemaking Authority 120.53(1) FS. Law Implemented 287.055 FS. History—New 9-15-81, Repromulgated 8-19-92.

40B-1.810 Procurement of Commodities or Contractual Services.

Rulemaking Authority 287.055(3)(b), 120.53(1) FS. Law Implemented 287.055, 120.53(1) FS. History—New 9-15-81, Amended 3-17-88, 8-19-92, Repealed by Section 3, Chapter 2012-31, Laws of Florida, 5-27-12.

40B-1.811 Prequalified Providers.

Rulemaking Authority 120.53(1) FS. Law Implemented 287.055(5) FS. History—New 3-17-88, Amended 8-19-92, Repealed by Section 3, Chapter 2012-31, Laws of Florida, 5-27-12.

40B-1.812 Contract Bidding – Reservation of Rights.

Rulemaking Authority 373.044 FS. Law Implemented 120.53 FS. History–New 3-17-88, Amended 12-21-88, 8-19-92, Repealed by Section 3, Chapter 2012-31, Laws of Florida, 5-27-12.

40B-1.813 Contract Bidding – Resolution of Protests.

Rulemaking Authority 373.044 FS. Law Implemented 120.57(3) FS. History–New 3-17-88, Amended 8-19-92, 1-29-01, Repealed by Section 3, Chapter 2012-31, Laws of Florida, 5-27-12.

40B-1.901 General.

The District maintains a list of forms which is updated annually and is available upon request. All district forms and instructions may be obtained at the District headquarters or requested by mail or telephone and are hereby incorporated by reference as follows:

(1) Form number 40B-2.041A, Water Use Permit Status Form, incorporated by reference in Rule 40B-2.041, F.A.C.;

(2) Form number 40B-2.041B, Application for Water Use Permit Agricultural Use, incorporated by reference in Rule 40B-2.041, F.A.C.

(3) Form number 40B-2.041C, Application for Water Use Permit Augmentation/Other Use, incorporated by reference in Rule 40B-2.041, F.A.C.;

(4) Form number 40B-2.041D, Application for Water Use Permit Commercial Use, incorporated by reference in Rule 40B-2.041, F.A.C.;

(5) Form number 40B-2.041E, Application for Water Use Permit Potable Water Supply Use, incorporated by reference in Rule 40B-2.041, F.A.C.;

(6) Form number 40B-2.351A, Water Use Permit Transfer Form, incorporated by reference in Rule 40B-2.351, F.A.C.;

(7) Form number 40B-4.3020, Application for a Work of the District Permit for District Floodways, incorporated by reference in Rule 40B-4.3020, F.A.C.;

(8) Form number 40B-1.901(A), As-Built Certification by the Permittee, incorporated by refernec in Rule 40B-4.1140, F.A.C.

(9) Form number 40B-1.901(B), As-Built Certification by the Operation and Maintenance Entity, incorporated by reference in Rule 40B-4.1140, F.A.C.

(10) Form number 40B-1.901(C), As-Built Certification by a Registered Professional, incorporated by reference in Rule 40B-4.1140, F.A.C.

(11) Form number 40B-1.901(D), Transfer to Operation and Maintenance Entity

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 9-15-81, Amended 3-17-88, 12-21-88, 10-8-89, 6-17-93, 10-3-95, 1-3-96, 6-22-99, 1-29-01, 5-15-05, 7-7-08, 4-1-10.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tim Sagul, Director, Resource Management, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (386)362-1001.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Suwannee River Water Management District.

DATE PROPOSED RULE APPROVED:

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:

NOTICE OF PROPOSED RULE

NAME OF AGENCY:

Suwannee River Water Management District

RULE CHAPTER TITLE:

Environmental Resource Permits

RULE CHAPTER NUMBER:

40B-400

RULE TITLES:

RULE NOS.:

Definitions	40B-400.021
Formal Determinations	40B-400.046
Exemptions	40B-400.051
Publications and Agreements Incorporated by Reference	40B-400.091
Content and Processing of the Application, Amended 12-3-98	40B-400.101
Conditions for Issuance of Permits	40B-400.103
Additional Conditions for Issuance of Permits	40B-400.104
Limiting Conditions	40B-400.115
Policy and Purpose	40B-400.201
Processing Procedures for Noticed General Permits	40B-400.211
General Conditions for All Noticed General Permits	40B-400.215
General Permit for Construction, Alteration or Maintenance of Boat Ramps and Associated Accessory Docks	40B-400.417
General Permit for Certain Piers and Associated Structures	40B-400.427
General Permit for Installation of Riprap	40B-400.431
General Permit for the Installation of Fences	40B-400.437
General Permit for the Construction or Maintenance of Culverted Driveways, Road Crossings and Bridges of Artificial Waterways	40B-400.439
General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Bridge Alteration, Replacement, Maintenance and Operation	40B-400.443
General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Activities Within Existing Rights-of-Way or Easements	40B-400.447
General Permit for Installation, Maintenance, Repair and Removal of Underground Cable, Conduit, or Pipeline (Repealed)	40B-400.453
General Permit for the Construction of Aerial Pipeline, Cable, and Conduit Crossings of Certain Waters	40B-400.455
General Permit for Subaqueous Utility Crossing of Artificial Waterways	40B-400.457

General Permit for the Construction and Operation of Culverts and Associated Water Control Structures in Mosquito Control Impoundments by Governmental Mosquito Control Agencies	40B-400.463
General Permit for Breaching Mosquito Control Impoundments by Governmental Mosquito Control Agencies	40B-400.467
General Permit for Minor Activities	40B-400.475
General Permit to the Department to Conduct Minor Activities	40B-400.483
General Permit to the Department for Environmental Restoration or Enhancement	40B-400.485
General Permit to the Department to Change Operating Schedules for Department Water Control Structures (Repealed)	40B-400.487
General Permit to U.S. Forest Service for Minor Works within National Forests	40B-400.495
General Permit After Notice for Construction, Operation, Maintenance, Alteration, Abandonment or Removal of Minor Silvicultural Surface Water Management Systems	40B-400.500
Environmental Resource Permit Applicant's Handbook Volume II	

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to amend rules of the Suwannee River Water Management District (District) consistent with section 373.4131, F.S., which requires the Florida Department of Environmental Protection (DEP) in coordination with the five water management districts (WMDs) to develop statewide environmental resource permit (ERP) rules. These rules are to rely primarily upon existing rules of DEP and the WMDs, but may be revised as necessary to achieve a more consistent, effective, and streamlined approach in the state's ERP program. To implement section 373.4131, F.S., DEP has initiated rulemaking to revise Chapter 62-330, F.A.C. DEP also intends to incorporate by reference documents that will be known as an Applicant's Handbook (AH). Two volumes of the AH will apply in each WMD: (1) one volume that will include general and environmental criteria and procedures and forms, which volume will apply statewide (AH Volume I); and (2) a second volume, specific to, and adopted by, the WMD that will set forth design and performance standards for stormwater quality and quantity, and include drainage basin designations and basin-specific rules within the WMD. DEP's proposed rulemaking for Chapter 62-330, F.A.C., will necessitate changes to the District's Chapter 40B-400, F.A.C.

SUBJECT AREAS TO BE ADDRESSED: This proposed rule will repeal and remove all sections of this rule except 40B-400.091, F.A.C. This section will be changed to link this rule to 62-330, F.A.C., incorporate the Applicant Handbook Volume II and other important items needed to implement the ERP program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS (SERC) AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse economic impact on small business if ERP applicants choose to participate. This rule will not likely increase direct or indirect regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein:

Any person, who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 120.54(5), 373.044, 373.113, F.S.

LAW IMPLEMENTED: 120.54(5), 120.60, 369.316, 369.318, 373.016(2), 373.085, 373.106, 373.109, 373.118, 373.119, 373.171, 373.406, 373.413, 373.4131, 373.4135, 373.4136, 373.414, 373.4141, 373.415, 373.416, 373.418, 373.426, 373.439, 403.812, 403.813 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AMENDMENTS: Leroy Marshall II, Senior Professional Engineer, SRWMD, 9225 C.R. 49, Live Oak, Florida, 32060, (386)362-1001 or (800)226-1066 (FL only).

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-400.021 Definitions.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95 Repealed [DATE].

40B-400.046 Formal Determinations.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95, Amended 3-7-02, 4-1-10 Repealed [DATE].

40B-400.051 Exemptions.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95, Amended 3-7-02, 5-15-02, 10-6-09 Repealed [DATE].

40B-400.091 Publications and Agreements Incorporated by Reference.

(1) This rule is used in conjunction with Rule 62-330, F.A.C. to impliment the District’s responsibilty under part IV of Chapter 373, F.S.

(2) The Governing Board hereby adopts the Applicants’ Hanbook Volume II effective January 31, 2013. This document is available at District headquaters and on the District’s website.

(3) The Governing Board hereby adopts the Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., between the Suwannee River Water Management District and the Florida Department of Environmental Protection, effective July 1, 2007. This document is available at District headquesrtrs and on the District’s website.

(4) The Governing Board hereby adopts by reference the Final Survey – Review Report Suwannee River Georgia and Florida, July 1989, U.S. Army Corps of Engineers, Jacksonville District used to establish the floodway for the works of the district identified in Chapter 40B-4, F.A.C. This document is available at District headquesrtrs and on the District’s website.

(5) The Governing Board hereby adopts by reference the “Florida Stormwater, Erosion and Sedimentation Control Inspectors Manual”, effective July 2008. This document is available at District headquarters and on the District’s website.

(6) The Governing Board hereby adopts by reference the following Flood Insurance Studies for each county listed below. Each of the documents are available at the District headquarters and on the District’s website:

- (a) Alachua County, Florida and Incorporated Areas, Effective June 16, 2006;
- (b) Bradford County, Florida and Incorporated Areas, Effective May 2, 2012

- (c) Columbia County, Florida and Incorporated Areas, Effective February 4, 2009;
- (d) Dixie County, Florida and Incorporated Areas, Effective September 29, 2006;
- (e) Gilchrist County, Florida and Incorporated Areas, Revised September 29, 2006;
- (f) Hamilton County, Florida and Incorporated Areas, Effective June 4, 2010,
- (g) Jefferson County, Florida and Incorporated Areas, Effective July 16, 1991
- (h) Lafayette County, Florida and Incorporated Areas, Effective September 29, 2006;
- (i) Levy County, Florida and incorporated Areas, Effective November 2, 2012
- (j) Madison County, Florida and Incorporated Areas, Effective May 3, 2010;
- (k) Suwannee County, Florida and Incorporated Areas, Effective September 28, 2007;
- (l) Taylor County, Florida and Incorporated Areas, Effective May 4, 2009;
- (m) Union County, Florida and Incorporated Areas, Effective February 4, 2009.

Specific Authority 373.044, 373.046(4), 373.113, 373.118, 373.171, 373.415, 373.421(2), 373.461(3) FS. Law Implemented 373.046, 373.118, 373.413, 373.4135, 373.415, 373.416, 373.421(2)-(6), 373.426, 373.461(3) FS. History–New 10-3-95, Amended 12-3-98, 3-7-02, 5-15-02, 7-1-07 [DATE].

40B-400.101 Content and Processing of the Application, Amended 12-3-98.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95 Repealed [DATE].

40B-400.103 Conditions for Issuance of Permits.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95 Repealed [DATE].

40B-400.104 Additional Conditions for Issuance of Permits.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95 Repealed [DATE].

40B-400.115 Limiting Conditions.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95, Amended 3-7-02, 5-15-02, 6-7-09 Repealed [DATE].

40B-400.201 Policy and Purpose.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95 Repealed [DATE].

40B-400.211 Processing Procedures for Noticed General Permits.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.109, 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95 Repealed [DATE].

40B-400.215 General Conditions for All Noticed General Permits.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95, Amended 12-23-08 Repealed [DATE].

40B-400.417 General Permit for Construction, Alteration or Maintenance of Boat Ramps and Associated Accessory Docks.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95 Repealed [DATE].

40B-400.427 General Permit for Certain Piers and Associated Structures.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95 Repealed [DATE].

40B-400.431 General Permit for Installation of Riprap.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95 Repealed [DATE].

40B-400.437 General Permit for the Installation of Fences.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95 Repealed [DATE].

40B-400.439 General Permit for the Construction or Maintenance of Culverted Driveways, Road Crossings and Bridges of Artificial Waterways.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95 Repealed [DATE].

40B-400.443 General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Bridge Alteration, Replacement, Maintenance and Operation.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95, Amended 8-9-07 Repealed [DATE].

40B-400.447 General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Activities Within Existing Rights-of-Way or Easements.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95, Amended 8-9-07 Repealed [DATE].

40B-400.453 General Permit for Installation, Maintenance, Repair and Removal of Underground Cable, Conduit, or Pipeline.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95 Repealed [DATE].

40B-400.455 General Permit for the Construction of Aerial Pipeline, Cable, and Conduit Crossings of Certain Waters.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95 Repealed [DATE].

40B-400.457 General Permit for Subaqueous Utility Crossing of Artificial Waterways.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95 Repealed [DATE].

40B-400.463 General Permit for the Construction and Operation of Culverts and Associated Water Control Structures in Mosquito Control Impoundments by Governmental Mosquito Control Agencies.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95 Repealed [DATE].

40B-400.467 General Permit for Breaching Mosquito Control Impoundments by Governmental Mosquito Control Agencies.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New

10-3-95 Repealed [DATE]..

40B-400.475 General Permit for Minor Activities.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95, Amended 6-7-10 Repealed [DATE]..

40B-400.483 General Permit to the Department to Conduct Minor Activities.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95, Amended 3-7-02 Repealed [DATE]..

40B-400.485 General Permit to the Department for Environmental Restoration or Enhancement.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95, Amended 5-15-02 Repealed [DATE]..

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Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95 Repealed [DATE].

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

ENVIRONMENTAL RESOURCE PERMIT APPLICANT'S HANDBOOK VOLUME II

(DESIGN REQUIREMENTS FOR STORMWATER
TREATMENT AND MANAGEMENT SYSTEMS)

FOR USE WITHIN THE GEOGRAPHIC LIMITS OF THE
SUWANNEE RIVER WATER MANAGEMENT DISTRICT

Volume II is incorporated by reference in 62-330, F.A.C. and 40B-400, F.A.C.



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PART I – INTRODUCTION, ORGANIZATION, APPLICABILITY

1.1 Introduction, Criteria, Policy and Purpose

1.1.1 Introduction

This **Applicant’s Handbook Volume II** accompanies Chapter 62-330 F.A.C. and the **Applicant’s Handbook—Volume I** (General and Environmental).” **Applicant’s Handbook Volume I** is applicable to all environmental resource permit applications, and provides:

- Background information on the environmental resource permit (ERP) program, including points of contact;
- A summary of the statutes and rules that are used to authorize and implement the ERP program;
- A summary of the types of permits, permit thresholds, and exemptions; and
- A discussion of the environmental criteria used for ERP evaluations.

This Volume is designed to be applicable only to those ERP applications that involve the design of an **engineered surface** stormwater management system that requires a permit as provided in 62-330, F.A.C.,

The environmental resource permit program regulates all types of **storm surface** water management systems, including ~~stormwater management systems~~ dams, impoundments, reservoirs, appurtenant work, or works, and dredging or filling, as those terms are defined in Sections 373.403(13) and (14), F.S., or any combination thereof. These terms are defined in Sections 373.019, and 373.403, F.S., Chapter 62-346.030, F.A.C., and in Section 2.1 of this Volume. ~~As such, a stormwater management system is a type of surface water management system.~~ A stormwater management system is defined in Sections 373.403(10) and 403.031(16), F.S., as a system that is designed and constructed or implemented to control discharges which are necessitated by rainfall events, incorporating methods to collect, convey, store, absorb, inhibit, treat, use, or reuse water to prevent or reduce flooding, over drainage, environmental degradation, and water pollution or otherwise affect the quantity and quality of discharges from the system.

Therefore, this Volume generally is not applicable to activities that do not generate more than an incidental amount of stormwater runoff, such as:

- Dredging and filling to construct such things as most “stand-alone” seawalls and docks and “in water” types of activities, such as channel dredging. This would not include dredging and filling in wetlands or other surface waters to construct such things as bridges or culverted road crossings, parking areas, building sites, or land fill which may or may not contain structures;
- Semi-impervious piers (i.e., slatted decking) that do not convey vehicular traffic. This would not include such things as wharfs at a port facility;
- Construction of an individual, single family residences, duplex, triplex, or quadruplex that are not part of a larger plan of development;
- “Stand-alone” dredging, including maintenance dredging;
- Activities that do not add new impervious surfaces, such as the installation of overland and buried electric and communication transmission and distribution lines.

Only Applicant’s Handbook Volume I would apply to most of these activities because, unless specifically exempt, the above activities are still considered as types of **surface storm** water management activities, and therefore are subject to regulation under Chapter 62-330, F.A.C.

This Volume provides specific, detailed **engineering** information to meet the water quality and quantity design requirements of **engineered** stormwater management systems. Such systems are regulated by the Suwannee River Water Management District through the ERP program authorized under s. 373.4145,

F.S. This Volume explains, and provides more detail on, the rule criteria for stormwater quality and quantity contained in Chapter 62-330, F.A.C. In cases where conflicting or ambiguous interpretations of the information in this Volume results in uncertainty, the final determination of appropriate procedures to be followed will be made using Chapters 120 and 373, F.S., applicable F.A.C. rule chapters, and best professional judgment of staff.

Both Applicant's Handbook Volumes I and II are adopted by reference in Chapter 62-330, F.A.C., and, as such, are rules of the Department and the District. The Handbooks are written to provide more detail and clarity to the public in understanding the statutory and rule provisions that implement the ERP program. ~~We have attempted to write these Handbooks in an understandable, "user friendly" format.~~

1.1.2 Criteria Objectives

The criteria contained herein were established with the primary goal of meeting District water resource objectives as set forth in Chapter 373, F.S. Performance criteria are used where possible. Other methods of meeting overall objectives and which meet the conditions for issuance set forth in Rules 62-330.301 and 62-330.302, F.A.C., will be considered. Compliance with the criteria herein constitutes a presumption that the project proposal is in conformance with the conditions for issuance set forth in Rules 62-330.301 and 62-330.302, F.A.C. Pursuant to Section 373.4131, F.S., if a stormwater management system is designed in accordance with the criteria in this Handbook or if a system is constructed operated, and maintained for stormwater treatment in accordance with a valid Environmental Resource Permit or exemption under Part IV of Chapter 373, the discharges from the system are presumed not to violate applicable state water quality standards.

1.1.3 Policy and Purpose

This Volume is intended to:

Prevent increase in existing flood hazards or damages by requiring that new development of water and related land resources:

1. Not restrict floodway conveyance through the use of fill or other obstruction;
2. Maintain pre-development rates of stormwater runoff and/or total volume of stormwater runoff as may be appropriate to the project and hydrologic conditions of the developed land;
3. Not reduce net storage volumes (including wetland, depressional, and soil storage volumes) within a project area; and
4. That new development which occurs in floodprone areas is made flood resistant to the greatest extent practical, or that development which cannot be made flood resistant is not permitted in floodprone areas.

Prevent pollution of waters by requiring control of post-development runoff from such areas to the extent necessary to insure minimum state water quality standards are met.

Preserve fish and wildlife by insuring that new development preserves or mitigates the conversion of water related habitats.

Prevent excessive drainage which will have an adverse impact on aquifer recharge or which would result in permanent conversion of wetlands to a non-wetland area.

Prevent the adverse alterations of drainage areas, watershed boundaries, and the interbasin transfers of surface water.

Further, it is the policy of the district that non-structural flood control methods are preferable to structural methods; and, therefore, it is the intent of the district not to support, sponsor, build, or otherwise initiate a structural public works flood control or drainage project intended to support new development; nor to assume maintenance or operational responsibility of such projects.

1.2 Thresholds

There are no additional Thresholds for this District.

1.3 Exemptions

Connections or additions to existing stormwater systems owned, operated, and maintained by a unit of local (city or county), regional, or state government if the connection or addition is authorized by the local unit of government under a local ordinance or by the unit or regional or state government under a license issued pursuant to Section 120.60, F.S., if

1. The authorization or license requires control of post development runoff rates and/or volumes in a manner consistent with the requirements of Rule 62-330, F.A.C.
2. Such connections or additions do not require alteration of the existing systems; and
3. Such connections or additions do not cause the existing system to become a hazard to the public health, safety or general welfare.

Construction, operation and maintenance of excavated ponds for single family, agriculture, forestry, conservation, wildlife management or wildlife enhancement purposes that have less than 50 acre feet of storage capacity or are less than 5 acres in surface area if

1. The materials excavated remain on the property.
2. The excavated pond is not in wetlands or other surface waters
3. The excavated pond does not impound water above natural grade

PART II – GENERAL CRITERIA

2.1 Definitions and Acronyms

2.1.1 Definitions

Additional Definitions can also be found in Applicant’s Handbook Volume I. ~~and Chapter 62-330, F.A.C.~~

“100-Year Flood/One Percent Annual Chance of Flood” means that flood which has a one-percent probability of recurrence in any one year. The 100-year flood/one percent annual chance of flood elevation is the highest elevation of flood waters during the 100-year flood/one percent annual chance of flood and is calculated or estimated from the best available information. The 100-year flood/one percent annual chance of flood elevation shall not include coastal storm surge elevations unless such elevations have been developed in an approved Federal Emergency Management Agency Flood Insurance Study and such approved storm surge elevations have been accepted for implementation by the appropriate unit of local or state government.

“Base Flood Elevation” means the highest water surface elevation with a 1 percent chance of being equaled or exceeded in a given year.

“Closed Basin” means a watershed in which the runoff does not have a surface outfall up to and including the 100-year flood level.

“Closed System” means any reservoir or works located entirely within agricultural lands owned or controlled by the user and which requires water only for the filling, replenishing, and maintaining the water level thereof.

“Control Elevation” means the lowest elevation at which water can be released through the control device or withdrawn by a stormwater reuse system. This is sometimes referred to as the invert elevation.

“Control Structure (Control or Bleed-down Device)” means the element of a discharge structure which allows the gradual release of water under controlled conditions. Examples include orifices, notches, weirs, and effluent filtration systems.

“Critical Duration” means the length of the storm event that produces the largest difference between post development and pre development peak flow or volume without routing post-development hydrographs through a stormwater management system.

“Cut-off-Trench” means an excavation into the foundation material to accept an extension of the core.

“Detention Volume” means the volume of open surface storage behind the discharge structure measured between the overflow elevation and control elevation.

“Development” means any man-made change to improved or unimproved real estate within a work of the district including but not limited to, construction of surfacewater management systems, works, appurtenant works, structures, mining, dredging, filling, grading, paving, excavation, drilling operations, development of sewage disposal systems, or the alteration of the topography of a tract of land for purposes consistent with the occupation of agriculture, silviculture, floriculture, or horticulture including agricultural closed systems.

“Direct Hydrologic Connection” means a natural connection which occurs on an average of 30 or more consecutive days per year. In the absence of reliable hydrologic records, a continuum of naturally occurring wetlands may be used to establish a direct hydrologic connection.

“Discharge Structure” means a structural device, usually of concrete, metal, etc., through which water is discharged from a project to the receiving water.

“Earthen Dam” means a dam in which the principal barrier is an embankment of earth or rock fill or combination of earth and rock fill.

“Elevation” means the height in feet above mean sea level according to National Geodetic Vertical Datum or North American Vertical Datum.

“Emergency Spillway” means the spillway designed to convey excess water through, over, or around a dam.

“Emergency Spillway Hydrograph” means the hydrograph used to establish the dimensions of the emergency spillway.

“Floodway” or “Regulatory Floodway” means the channel of a river, stream, or other watercourse and adjacent land areas that must be reserved in order to discharge the 100-year flood/one percent annual change of flood without cumulatively increasing the 100-year flood/one percent annual chance of flood elevation more than a designated height. Unless otherwise noted, all regulatory floodways in the Suwannee River Water Management District provide for no more than one-foot rise in water surface elevations.

“Freeboard” means the height of the lowest point on the dam above the maximum design water level in the impoundment.

“Height of Dam” means the vertical distance as measured from the lowest elevation of the structure crest to the lowest point of natural ground, including any stream channel, along the downstream toe of the structure.

“Hydroperiod” means the duration of inundation in a wetland.

“Littoral Zone” means the portion of a wet detention or stormwater reuse pond which is designed to contain rooted aquatic plants.

“Minimum Rate of Flow” means the limit at which further withdrawals from a stream or other watercourse would be significantly harmful to water resources or ecology of the area.

“Normal Water Level” means the starting design water elevation used when determining stage/storage design computations in a retention or detention area. A retention or detention system may have two designated "normal water levels" associated with it if the system is designed for both water quality and water quantity.

“New Development” means any development as defined herein which:

1. Was not complete on the effective date of this chapter; or
- ~~2. Involves substantial improvement to any structure in a work of the district; or~~
- ~~3. Involves alteration of any work or development in a work of the district.~~

“Off-line Treatment System” means a system only for water quality treatment that collects project runoff and has no direct discharge capability other than percolation and evaporation. A system utilizing detention with effluent filtration is not an off-line treatment system.

“On-line Treatment System” means a dual purpose system that collects project runoff for both water quality and water quantity requirements. Water quality volumes are recovered through percolation and evaporation while water quantity volumes are recovered through a combination of percolation, evaporation, and surface discharge.

“Open Basin” means all watersheds not meeting the definition of a Closed Basin.

“Operation and Maintenance” means any activity or repair required to keep a stormwater management system functioning as permitted and designed.

“Overflow Elevation” means the design elevation of a discharge structure at or below which water is contained behind the structure, except for that which leaks or bleeds out, through a control device down to the control elevation.

“Permanent Pool” means the portion of a wet detention or stormwater reuse pond, which normally holds water, (e.g., between the normal water level and pond bottom), excluding any water volume claimed as wet detention treatment volume or stormwater reuse volume.

“Phreatic Surface” means the upper surface of the water table within the mass of the dam. It is the elevation of the water surface if an open hole were dug into the dam.

“Piping” means progressive erosion of soil within the dam, starting downstream and working upstream, creating a tunnel into the dam. Piping occurs when the velocity of the flow of seepage water is sufficient for the water to transport material from the embankment.

“Principal Spillway” means the lowest ungrated spillway designed to convey water from the reservoir at predetermined release rates.

“Regional Offsite Mitigation Areas” (ROMA) means environmental enhancement projects that serve as mitigation for multiple impact projects. Impact permit applicants pay money to the ROMA sponsor, and the collected funds are used toward the implementation of the larger mitigation project. ROMAs that serve as mitigation for more than 5 permits or 35 acres of impact are operated under a memorandum of agreement (MOA), similar to a mitigation bank permit.

“Rolled Dam” means a dam constructed of fill which is placed in layers which are mechanically compacted individually prior to placement of the next higher layer.

“Storage Capacity (of a dam)” means the volume of water impounded by the structure below the emergency spillway crest; or if no emergency spillway is used, the volume of water impounded below the top of the structure, less any freeboard.

“Substantial Improvement” means any repair, reconstruction, rehabilitation or improvement of a structure, the cost of which exceeds, over a five year period a cumulative total of 50 percent of the market value of the structure either:

1. Before the improvement or repair is started; or
2. If the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition, “substantial improvement” is considered to occur when the first

alteration of any wall, ceiling, floor, or other structural part of a building commences whether or not that alteration affects the external dimensions of the building. The term does not, however, include either any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are necessary to assure safe conditions or any alteration of a structure listed on the National Register of Historic Places.

“Tailwater Level (of a dam)” means the elevation of the water at the downstream toe of the dam.

“Toe (of a dam)” means the junction between the face of the dam and the adjacent terrain.

“Underdrain” means a drainage system installed beneath a stormwater holding area to improve the infiltration and percolation characteristics of the natural soil when permeability is restricted due to periodic high water table conditions or the presence of layers of fine textured soil below the bottom of the holding area. These systems usually consist of a system of interconnected below-ground conduits such as perforated pipe, which simultaneously limit the water table elevation and intercept, collect, and convey stormwater which has percolated through the soil.

“Uniform Mitigation Assessment Method” means the method to determine the amount of mitigation needed to offset adverse impacts to wetlands and other surface waters and to award and deduct mitigation bank credits.

“Wet Detention System” means a water quality treatment system that provides temporary storage of water in a permanently wet impoundment with subsequent gradual release of the stormwater. This system removes pollutants through settling, soil adsorption, and nutrient uptake by the vegetation.

“Works of the District” means those projects and works including, but not limited to, structures, impoundments, wells, streams, and other watercourses, together with the appurtenant facilities and accompanying lands, which have been officially adopted by the governing board as works of the district. Works of the District officially adopted by the board are adopted by rule in Rule 40B-4.3000, FAC.

2.1.2 Acronyms

List of Commonly Used Acronyms

Acronym	Definition
AMC	Antecedent Moisture Condition
BMP	Best Management Practice
CFR	Code of Federal Regulations
cfs	Cubic feet per second
District	Suwannee River Water Management District
ERP	Environmental Resource Permit
FAC	Florida Administrative Code
FDEP	Florida Department of Environmental Protection
FEMA	Federal Emergency Management Agency
FSE&SCIM	Florida Stormwater, Erosion & Sedimentation Control Inspector’s Manual

FWC	Florida Fish and Wildlife Conservation Commission
FS	Florida Statute
GPS	Global Positioning System
HSG	Hydrologic Soil Group
I/Ptotal	Intensity/Total Precipitation
MOA	Memorandum of Agreement
NA	Not applicable
NRCS	Natural Resources Conservation Service
NWL	Normal Water Line
OFW	Outstanding Florida Water
O&M	Operation and Maintenance
PMP	Probable Maximum Precipitation
P/Ptotal	Precipitation/Total Precipitation
ROMA	Regional Offsite Mitigation Areas
SHWL	Seasonal High Water Level
SRWMD	Suwannee River Water Management District
T	Time
UMAM	Uniform Mitigation Assessment Method
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
VNB	Vegetated Natural Buffer
WOD	Works of the District

2.2 Fees & Surety

2.2.1 Fees

A non-refundable permit processing fee as specified by section 40B-1.706, F.A.C., is required for the processing of each permit application or for a permit modification, and must be submitted concurrently with the filing of an application or the notice of intent. An application or notice submitted without the fee will not be considered complete.

2.2.2 Surety

Surety for certification of completion of construction shall be required as per Chapter 40B-1.704, F.A.C. for projects which propose new stormwater systems. Projects which propose to use existing systems or modify existing system will not require the surety. Projects which do not propose a stormwater system will not be required to provide the surety. Upon completion of the project in accordance with the permitted plans and specifications, ~~and~~ submittal of the required as-built certification package and transfer of the permit to the operation and maintenance phase the bond will be released.

2.3 General Design and Performance Criteria

All activities shall meet and comply with the applicable requirements in **Part II and Part VI of the Volume**. Activities that require an ~~engineered~~ stormwater management system under this Volume shall meet all the applicable requirements of **Parts II, III and IV of this Volume**. Design criteria can be found in **Part V of the volume**.

For the purposes of this District, the conditions in 62-330.301, F.A.C. are further explained as the following.

62-330.301(1)(a), F.A.C. The system or work will not cause excessive drainage of surface water or permanent dewatering of surficial aquifers.

62-330.301(1)(b), F.A.C. The system or work will not increase flood hazards outside the project area nor increase flood hazards which may affect the health, safety, and general welfare of persons residing within the project area.

62-330.301(1)(c), F.A.C. The system or work will not reduce surfacewater storage volumes within the project area.

62-330.301(1)(d), F.A.C. The system or work will have minimum adverse environmental impacts including impacts to fish, wildlife, wetlands, or other natural resources.

62-330.301(1)(e), F.A.C. Waters discharged or percolated from the system or work will receive a minimum level of stormwater treatment necessary to comply with appropriate state water quality standards.

62-330.301(1)(h), F.A.C. The new surfacewater management systems or individual works shall not facilitate development in a work of the district if such developments will have the potential of reducing floodway conveyance.

62-330.301(1)(j), F.A.C. The system or work will be maintained and operated in a manner consistent with the provisions in [Applicant's Handbook Volume I and](#) Part VI of this volume.

The district will not approve the issuance of permits for existing systems which are in violation of law or which have discharge to surface waters of the state that is in violation of a permit condition of any unit of local, state, or federal government or which presents an immediate danger to public health or safety.

The system or work will not cause erosion, and that any activities or land uses served by the system or work will not create erosion or sedimentation which may render the system unserviceable or degrade receiving waters;

The new surfacewater management systems or an individual work shall not utilize contiguous wetlands or dilution in waters of the state to achieve required stormwater treatment levels.

Finished floor elevations are required for all buildings. Buildings shall be elevated on piles such that the lowest structural member of the first floor is one foot above the 100-year flood elevation, or in the case of monolithic slab construction, the finished slab elevation shall be one foot above the 100-year flood elevation;

~~If the proposed system will serve a use which produces or stores hazardous or toxic substances, the~~

~~system shall be designed to have no stormwater discharge which contains such substances.~~

Roads with public access must be constructed and laid out in conformance with the minimum standards of local government. In the absence of local government standards for roads and associated surfacewater management systems, the following minimum standards shall apply:

1. Driving surface shall be stabilized soil, according to the latest edition of the Florida Standard Specification for Road and Bridge Construction.
2. Two driving lanes with a minimum driving surface of 16 feet.
3. Driving surface shall be sloped to drain at a minimum of 2 percent (2%).
4. Culverts shall be used to maintain pre-development drainage patterns up to the 10-year, 24-hour storm event.
5. Swales shall be used for water quality treatment with a maximum slope of three-to-one (3:1) and erosion shall be controlled with grass or other equivalent method.

All storage volumes in detention or retention systems shall be calculated so as not to include any volumes below the average seasonal high water table for the project area.

Surfacewater management systems must not alter contributing areas or watershed boundaries of any watershed or basin not wholly contained within the project area.

There must be no reduction of floodway conveyance within the project area.

Systems serving a use that produces or stores hazardous or toxic substances shall be designed to have no stormwater discharge that contains such substances.

Stagnant water conditions such as hydraulically dead end canals are to be avoided, regardless of the type of development.

~~Redevelopment and/or upgrading of existing surfacewater management systems or construction of new surfacewater management systems by units of local government in areas of existing intensive development may not be able to fully meet the standards above. In such circumstances, the District may issue surfacewater management permits utilizing alternate standards to those listed above provided the alternate standards provide, to the greatest extent practical, the reasonable assurance listed above. Applicants proposing to use alternative criteria are encouraged to have a pre-application conference with District staff.~~

Legal authorization, such as an easement, deed restrictions, or other instrument must be provided establishing a right-of-way or access for maintenance of the stormwater management system unless the operation and maintenance entity wholly owns or retains ownership of the property. The following are requirements for specific types of maintenance access easements:

1. Easements must cover at least the primary and high maintenance components of the system (i.e., inlets, outlets, littoral zones, filters, pumps, etc.), including provisions for equipment to enter and perform the necessary maintenance on the system. Applicants may propose site-specific easements that meet this requirement.
2. Easements for water bodies, open conveyance systems, stormwater basins, and storage areas that:
 - Include the area of the water surface measured at the top of the pond and at the control elevation;
 - Are traversable by maintenance equipment.
1. Access easements must be 20 feet wide from a public road or public right-of-way to the stormwater management system.

Applicants who propose to use offsite areas that are not under their ownership or control must obtain sufficient legal authorization prior to permit issuance to use the area in order to satisfy the requirements for issuance specified in 62-330, F.A.C. Applicant's Handbook Volume I or this Volume, section 40B-4.2030, FAC. Any alteration to stormwater discharges to adjacent properties resulting from permitted activities, such as increase of flow or change of discharge location, also requires appropriate legal authorization. A copy of the legal authorization must be submitted with the permit application.

As part of the determination as to whether a dam meets the criteria in Rule 62-330.301, F.A.C., and this section, a dam over five feet in height (as measured from the crest of the dam to the lowest elevation on the downstream toe) with the potential to store 50 acre feet or more of water, and any dam 10 feet or more in height must be designed, constructed, operated, and maintained consistent with generally accepted engineering practice as applied to local conditions, considering such factors as: the type of materials used to construct the dam, the type of soils and degree of compaction, hydrologic capacity, construction techniques, and hazard rating. A document that provides useful information for this purpose is *Design of Small Dams*, U.S Department of Interior, Bureau of Reclamation, Third Edition, 2006.

2.3.1 Pre-application Conference

Pre-application meetings are encouraged. The purpose of a pre-application meeting is to identify issues that need to be addressed in detail such as:

1. Application completion, processing, and evaluation procedures;
2. Information that will be required for evaluation of the application;
3. Information regarding surface water data that is known to be available at that time;
4. The criteria that will be used to evaluate the application; and
5. Other hydrologic, environmental, or water quality data that may be needed to evaluate the application.

Pre-application meetings assist the applicant to submit a complete application. Information provided during a pre-application meeting is considered preliminary and not part of the formal application process, thus are not binding on the District.

To receive the maximum benefit from the pre-application conference, the applicant should bring as much of the following information as they have to the meeting. It is not necessary to bring all of the following information, but the more specific the information at the start of the meeting, the more specific the results will be. Useful information includes:

- Geographic references such as section, township, range and parcel identification number;
- An overview map displaying the section, township, range and project location or parcel identification number and/or a detailed map (acceptable maps include tract maps, parcel maps, plats or similar ~~engineering~~ construction drawings, or aerial photography at the plat-tract map scale);
- Aerial photograph at scale suitable for photo-interpretation of wetlands or other surface waters with ownership and project area outlined;
- The total land area, project area and land survey;
- Existing and proposed topography (grading) showing the existing and proposed flow patterns;
- The location of any on site or adjacent wetlands and other surface waters;
- Wildlife survey, if appropriate;
- The location and details of the existing and proposed surface water management system;
- A brief narrative describing the proposed construction activity;
- Construction drawings to illustrate the proposed activities;
- The history behind any existing permits that directly relate to the project or may be affected by the project;

- Differentiate between contiguous ownership and property served by proposed activity, and if single activity or phased construction;
- Location of impervious surfaces (i.e. buildings, parking areas, etc.), the amount of proposed impervious area and the amount of impervious area to be removed;
- Location of activities that may increase pollutant loading and adversely affect water quality (both surface and ground):
- Information on proposed stormwater management system design concepts such as: wet detention, dry retention, on-line, off-line, culverts, etc;
- Soils information;
- FEMA flood hazard map, if in approximate area, how to establish an existing floodplain elevation;
- FEMA flood insurance study if a designated floodway is involved;
- Any existing or preliminary analyses (modeling);
- Erosion and sediment control plan;
- Operation and maintenance plan;
- Water and sewerage service for the project;
- Compliance or enforcement; and
- Bonding, letter of credit or other type of surety requirements for as-built certifications.

To schedule a pre-application conference, potential applicants should contact the District office.

2.4 Professional Certification

All construction plans and supporting calculations submitted to the District for surface stormwater management systems that require the services of the registered professional must be signed, sealed, and dated by a registered professional. “Registered Professional” means a professional registered or licensed by and in the State of Florida and who possesses the expertise and experience necessary for the competent preparation, submittal and certification of documents and materials, and performing other services required in support of permitting, constructing, altering, inspecting, and operating a proposed or existing activity regulated under Part IV of Chapter 373, F.S. Examples of registered professionals, authorized pursuant to Chapter 455, F.S., and the respective practice acts by which they are regulated, are professional engineers licensed under Chapter 471, F.S., ~~professional~~ registered landscape architects ~~licensed-registered~~ under Chapter 481, F.S., professional surveyors and mappers under Chapter 472, F.S., and professional geologists licensed under Chapter 492, F.S.

2.5 Surveys

All survey data to be submitted shall be signed and sealed by the appropriate registered professional. The survey shall include township, range and section, parcel information including parcel number and legal descriptions, temporary and permanent benchmarks, boundary information, topographic contours, all existing easements, setbacks, existing structures, FEMA flood zones with corresponding flood elevation information, location of water, sewer, reuse, gas and power lines, the location of all natural formations such as wetlands, sink holes, ponds, lakes, creeks, and streams.

2.6 Computer models

The district does not have a specified list of computer models that must be used. Any model used must be able to provide the reasonable assurance that is required for issuance. District staff will use common models or if available the model the design professional used in order to review the results. If the model

the design professional used is not available to the district reviewer, the results from available models must be similar.

2.7 Flexibility for State Transportation Projects and Facilities

Due to the unique limitations of state linear transportation projects and facilities, subsection 373.413(6), F.S. (2012), requires the Agency, during the review of such activities, to consider and balance the expenditure of public funds for stormwater treatment with the benefits to the public in providing the most cost-efficient and effective method of achieving the treatment objectives of stormwater management systems. To do so, alternatives to onsite treatment for water quality will be considered, which may include regional stormwater treatment systems. The resultant design must be capable of ensuring that the treatment of the stormwater from the roadway will be designed in accordance with the design and performance standards of Volume II, and, if that treatment area accepts off-site water, that the resultant discharges from stormwater treated from the roadway together with off-site water will provide, at a minimum, a net improvement for water quality.

2.8 Redevelopments and Retrofits of Existing Surface Water Management Systems

Redevelopment and/or upgrading of existing surfacewater management systems or construction of new surfacewater management systems by units of local government in areas of existing intensive development may not be able to fully meet the standards above. In such circumstances, the District may issue surfacewater management permits utilizing alternate standards to those listed above provided the alternate standards provide, to the greatest extent practical, the reasonable assurance listed above. Applicants proposing to use alternative criteria are encouraged to have a pre-application conference with District staff.

A stormwater retrofit is a project that adds treatment to an existing stormwater management system or systems and results in reduced stormwater pollutant loadings from the existing system of systems. For the purposes of this section, retrofit projects shall not serve new development or redevelopment. The applicant for a retrofit project must provide reasonable assurance that the retrofit project itself will not result in new adverse water quality and quantity impacts to receiving waters. If the applicant has conducted, and this agency has approved, an analysis that provides reasonable assurance that the proposed retrofit will provide the intended pollutant load and or water quantity reduction from the existing system or systems, the retrofit project will be presumed to comply with the requirements in Part 3 and Part 4 of this Volume.

PART III – STORMWATER QUANTITY / FLOOD CONTROL

3.1 General

This document refers, in common engineering language, to flood and drought frequency impacts interchangeably with rainfall frequency. Additional calculations may be required to identify other combinations of site conditions and rainfall frequencies which might result in impacts of the specified frequency. Examples include designs affected by spring tides, fluctuating tides and fluctuating receiving water stages.

An applicant for an ERP permit must provide mitigation for changes to water quantity such that these changes do not cause harm to individuals or water resources. The most widely used form of mitigation is the construction of stormwater management systems. Most systems are a combination of a retention and detention system. However, it is common practice to term a system exclusively retention or detention dependent upon its main function. Thus, a system whose volume is mostly in the form of retention would be called a retention system and likewise for a detention system.

These measures are not the only acceptable forms of mitigation. An applicant may wish to propose other alternatives, such as acquisition of flood rights or compensation for anticipated damages.

3.1.1 Factors Influencing Water Quantity

Water quantity can be measured in terms of volume and rate. The volume of runoff will be increased by any one of the following factors:

1. Vegetation removal;
2. Elimination of natural depressional storage;
3. Soil compaction;
4. Placement of impervious surfaces over pervious surfaces; or
5. Ditching.

The rate of runoff is a function of volume and time. The discharge rate increases if runoff volume is increased, by the factors listed above, and/or the time of concentration is decreased. The time of concentration decreases if a channelization effect is incurred, such as converting overland sheet flow to ditch flow or converting ditch flow to storm sewer flow. The net effect of these activities is to increase flow velocity, thereby decreasing time of concentration

3.1.2 Antecedent Moisture Condition

AMC refers to the amount of moisture and storage in the soil profile prior to a storm event. Antecedent soil moisture is an indicator of wetness and availability of soil to infiltrate water. The AMC can vary from dry to saturated depending on the amount of rainfall received prior to a given point in time. Therefore, “average AMC” means the soil is neither dry nor saturated, but at an average moisture condition at the beginning of a storm event when calculating recovery times.

The antecedent condition has a significant effect on runoff rate, runoff volume, infiltration rate, and infiltration volume. The infiltration volume is also known as the upper soil zone storage. Both the infiltration rate and upper soil zone storage are used to calculate the recovery time of retention systems and must be estimated using any generally accepted and well documented method with appropriate

parameters consistent with such generally accepted and well documented method to reflect drainage practices, SHWL, the AMC, and any underlying soil characteristics which would limit or prevent percolation of storm water into the soil column.

3.2 Design Storms

For projects which serve exclusively agricultural, forest, conservation, or recreational land uses, a design storm with a 10-year, 24-hour rainfall depth with SCS type II distribution falling on average antecedent moisture conditions shall be used.

For projects which serve all other land uses, a design storm with 100-year critical duration rainfall depth with SCS type II distribution falling on average antecedent moisture conditions shall be used.

The District requires specific storm events to be analyzed in order to determine the storm of critical duration. The storm frequency (return period) is the probability that a storm depth would be equaled or exceeded in a given period of time. The relationship between design storm frequency and duration and rainfall distribution data is provided in the Appendix. The applicant shall analyze the 100-year frequency (one percent annual chance) analysis of the 1-, 2-, 4-, 8-, 24-hour, and 3-, 7-, and 10 day durations.

3.3 Discharge rates and volumes

For projects which fall within a coastal, stream, or open-lake watershed, retention or detention systems may be utilized. For these systems, the post-developed peak discharge rate must not exceed the pre-developed peak discharge rate for any event. The discharge structure of the system shall be designed to provide for the release of water at rates similar to pre-development conditions for storm events up through and including the design storm.

For projects which fall within an internally drained, stream to sink or closed-lake watershed retention systems shall be utilized. For these systems, the post-developed peak discharge rate and volume must not exceed the pre-developed peak discharge rate and volume for any event. The discharge structure of the system shall be designed to provide for the release of water at rates similar to pre-development conditions for storm events up through and including the design storm. The required retention volume is the post-developed runoff volume less the pre-developed runoff volume for the 100-year critical event with a maximum duration of 10 days.

Where multiple off-site discharges are designed to occur and the combined discharges outfall to the same receiving water body, the District will not allow the total post-development peak discharge to exceed the pre-development peak discharge for the combined discharges.

3.3.1 Methodologies for Calculating Discharge

There are several equations available for calculating discharge including, but not limited to, the Rational Method, Natural Resources Conservation Service (NRCS) method, and USGS regression equations.

A peak discharge analysis typically consists of generating pre-development and post-development runoff hydrographs, routing the post-development hydrograph through a detention or retention basin, and sizing an overflow structure to control post-development discharges at or below pre-development discharge. Acceptable design techniques also include the use of grassed waterways, and any other storage capability that the particular system may have.

Peak discharge computations shall consider the duration, frequency, and intensity of rainfall, the antecedent moisture conditions, upper soil zone and surface storage, time of concentration, tailwater conditions, changes in land use or land cover, and any other changes in topographic and hydrologic characteristics. Large systems should be divided into sub-basins according to artificial or natural drainage divides to allow for more accurate hydrologic simulations.

The Peak Rate Factor reflects the effect of watershed storage on the hydrograph shape and directly and significantly impacts the peak discharge value. As such, K' must be based on the true watershed storage of runoff, and not on the slope of the landscape which is more accurately accounted for in the time of concentration. However, the average slope of natural watersheds is highly interrelated with the surface storage potential. Land development will generally result in a reduction of natural storage. As a result, the K' value should either increase or remain constant, but never decrease. In most cases, post-development conditions will include detention storage areas; this storage should be accounted for by routing the hydrograph based on a defined stage-storage-discharge relationship and should therefore not be considered in determining K' . The most conservative approach is to use a $K' = 484$ for post-development.

3.4 Recovery

Storage volumes designed into retention or detention systems must be available as follows:

1. One-half of the total volume within seven days following the end of the design storm event, and
2. The total volume within 30 days following the end of the design storm event.

For retention systems, only percolation and evapotranspiration may be used to reduce storage volumes in the system.

Since the stormwater must receive at least the minimum amount of water quality treatment before discharge, detention systems with a bleed down pipe at the bottom of the pond are not permissible. For detention systems with filtration, the design must accommodate a safety factor of two which can be accomplished by increasing storage volumes, or reducing the percolation rates. Further, filters and filtration systems must have pore spaces large enough to provide a minimum permeability equal to or greater than the soil surrounding the filter. The filter medium must be stable and not move. If sand or other fine textured medium is used, it must meet the following characteristics:

1. Have less than one percent silt, clay, or organic matter unless filter fabric which will retain the fines is also used;
2. Have a uniformity coefficient of 1.5 or greater; and
3. Have an effective grain size of 0.20 to 0.55 millimeters in diameter.

These criteria are not intended to preclude the use of multilayered filters nor the use of additives to increase ion exchange, precipitation, or pollutant adsorption capacities of the filter.

In the event that a stormwater pond cannot meet the requirements above, the design professional may route back to back storms through the system. The system must be able to provide for required discharge rates and volumes.

3.4.1 Percolation and Water Table

Percolation outflow is a function of site specific conditions such as soil density, particle size, degree of saturation, and water table. The recovery of the system depends on this information. Therefore, determining the percolation outflow is extremely important and can be very difficult. Percolation tests shall be performed or supervised by the appropriate registered professional. The location of soil borings and percolation test should be in the proposed location of the retention or detention pond. There shall be

at least one boring per acre of the retention or detention pond. Boring should be spread out within the proposed area in order to obtain a reliable sampling.

Water table elevations will affect percolation rates. The design professional must consider seasonal high ground water table (SHGWT) at the site to accurately determine percolation rates. Where the SHGWT is at different elevations within the proposed location of the detention or retention pond, the average of the highest and lowest SHGWT shall be used. SHGWT must be determined by on-site soil investigation by the appropriate registered professional.

Other information, such as, but not limited to, base of aquifer, fillable porosity, and horizontal conductivity shall also be provided by the appropriate registered professional. A soils report, which should include information from any documents about the soil such as the NRCS soil reports and any information found through testing of the specific soils, should be signed and sealed by the appropriate registered professional. soil report Soil borings supporting the determination are required.

3.4.2 Mounding

In addition to the water table, mounding will affect the percolation rate. For retention ponds, a computer model that incorporates a mounding analysis must be used. The mounding analysis is not required for detention ponds.

3.5 Compensating Stormwater Treatment

Applicants may find that it is impractical to construct a stormwater management system to capture the runoff from a portion of the project site as a result of on-site conditions such as extreme physical limitations, availability of right-of-way, or maintenance access. One method is to provide treatment for an off-site area which currently is not being treated (i.e., "off-site compensation"). Each method is designed to furnish the same level of treatment as if the runoff from the entire project site was captured and treated in accordance with the provisions of this Guide.

The applicant is strongly encouraged to schedule a pre-application conference with District staff to discuss the project if this alternative is being considered. Other rule criterion, such as peak discharge attenuation, will still have to be met if the applicant uses this method.

3.6 Floodplain Delineation

District requires that the applicant's engineer will determine and provide the one percent annual chance of flood elevation as part of the required information for any development in or around areas subject to flooding. These elevations should be determined using one of the following sources:

- Historical gaged data;
- Detailed flood study with a current, effective model;
- Federal Emergency Management Agency (FEMA) flood insurance rate maps and flood insurance studies that have an established base flood elevation; or
- Calculations that are based on an acceptable hydrologic and hydraulic methodology.

Floodplain areas occur as static or dynamic systems. Static floodplain areas consist of runoff entrapped and held in surface bodies such as ponds, swamps, lakes, and topographical depressions. Outflow from a static floodplain area occurs through natural percolation and/or evapotranspiration. Dynamic floodplain (or floodway) areas occur in riverine systems.

3.6.1 Static Systems

The floodplain elevation for a static system is determined using a flood routing calculation similar to the one used in design of a retention facility. If percolation is available, a critical duration analysis must be performed. The floodplain elevation will be the highest elevation calculated for the various durations. For some static systems such as large lakes and complex lake chain systems, it is extremely difficult if not impossible to perform an accurate analysis. For these situations, historical information should be sought from local residents or government officials.

3.6.2 Floodplain Storage and Conveyance

A project may not:

1. Reduce existing surfacewater storage and conveyance capabilities;
2. Cause adverse water quantity impacts to receiving waters and adjacent lands;
3. Increase flood hazards outside the project area; or
4. Increase flood hazards that may affect the health, safety, and general welfare of persons residing within the project area.

There must be no net decrease in storage volume below the one percent annual chance of flood elevation within the project area which may result in increased flood hazards. The District will consider reductions due to filling, soil compaction, or covering with impervious surface in determining loss of storage and any increase in flood hazard. Floodways and floodplains, and levels of flood flows or velocities of adjacent streams, impoundments, or other water courses must not be altered so as to adversely impact the off-site storage and conveyance capabilities of the water resource. Buildings must be elevated on piles such that the lowest structural member of the first floor is one foot above the 100-year flood elevation, or in the case of monolithic slab construction, the finished slab elevation shall be one foot above the 100-year flood elevation.

3.6.3 Importer/Exporter (Site Storage Capacity)

Project areas which import runoff before development must continue to do so after development. Project areas which export runoff prior to development may continue to do so. The post development export of runoff must meet the appropriate rate and or volume criteria as well as approximate the type of export (for example, pre-developed sheet flow exporting should be approximated in the post-developed condition).

3.6.4 Compensating Storage

Compensating storage maybe used in order to accomplish no net increase in flood elevations. Compensating volumes shall be above the seasonal high ground water table and shall, at a minimum, have a 1:1 ratio of volume provided to volume displaced. The volume below the maximum stage in the retention pond may not serve or contribute to the compensating volume.

3.6.5 Dynamic Systems

Floodplain elevations for dynamic systems (floodways) can be calculated using a generally accepted hydrologic and hydraulic modeling technique. This approach provides reliable data and is only superseded by historical gage information in accuracy.

3.6.6 “No-Rise” Requirements for Floodways

For any structure placed within a floodway, including a Work of the District, a Florida licensed engineer shall certify that such structure will not obstruct flows or increase the one percent annual chance of flood elevations by more than 0.01 feet. Certification shall include step-backwater calculations using the one percent annual chance of flood discharge rate.

A generalized method for determining “no-rise” for adopted Works of the District may include the steps below. All model runs shall be in the floodplain (“without floodway”) conditions.

1. Obtain the current effective District model.
2. Run the current effective model. Your results must match that of the current effective model.
3. Add the pre-development cross-sections of channel and overbank geometry (without proposed floodway encroachment). Run the model with pre-development cross-sections.
4. Run the model with the existing permitted and proposed floodway encroachments.
5. The water surface profile obtained in (d) should be no greater than the water surface profile obtained in (c) by no greater than 0.01 feet.

The engineer shall submit a report demonstrating a systematic analysis that provides evidence that the proposed project will produce no rise in flood profile or base flood elevations. The report should document an analytical process similar to the preceding method.

3.7 Determination of Tailwater Conditions

The applicant must determine the design discharge rate, 100-year discharge rate, and corresponding tailwater elevations prior to selecting a culvert configuration. The tailwater elevations are the water surface elevations in the receiving watercourse at the culvert outlet corresponding to the discharge rates.

The discharge rate is established using any acceptable hydrologic methodology. Typically, for small watersheds (i.e., less than 200 acres), the Rational Method is acceptable. For larger watersheds, a Regression Analysis as discussed above should be used. Generally, the NRCS methods should not be used since they may not produce a critical design situation. The District does not specify a design frequency to be used since the frequency may vary depending on specific site conditions and other constraints. However, the design frequency and corresponding hydraulic data must be provided in addition to analyzing the structure under 100-year frequency conditions.

The tailwater elevation for the design discharge rate can be obtained by computing the water profile corresponding to the design rate as discussed above. However, if a computer model is not employed, an approximation may be used by solving Manning’s equation using the design discharge rate and the friction slope corresponding to the 100-year profile and 10-year frequency.

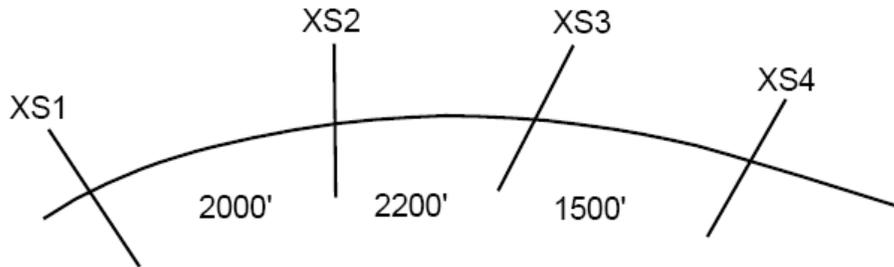
If the project is bounded by natural watercourses, a water surface profile analysis, as discussed above, will automatically provide the tailwater elevation for the 100-year discharge rate.

If the project area discharges to man-made ditches and channels with a uniform cross section and slope, the slope of the energy line is parallel to the water surface and channel bottom. Thus, the tailwater depth is determined using Manning’s equation and the physical slope of the channel bottom.

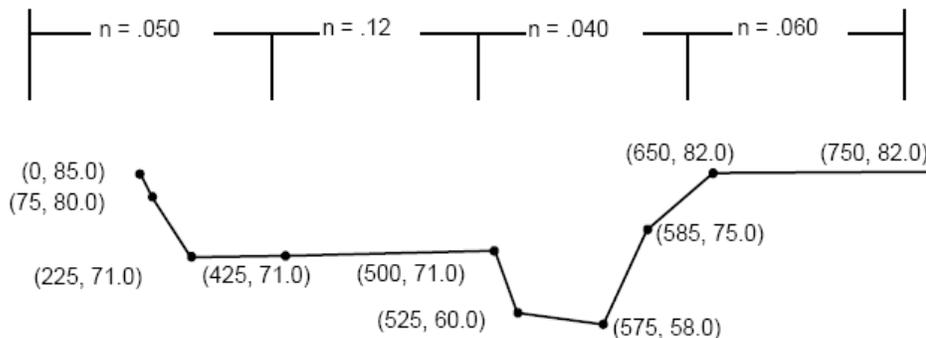
3.7.1 Topographical Information

Cross-section information is required for the reach of the system to be modeled. A minimum of four cross sections should be taken. In addition, all channel bends and constrictions should have cross sections. Cross sections should be taken perpendicular to the flow of the waterbody. The initial cross section

should be located some distance downstream of the area to be modeled. The distance between successive cross sections must also be determined as depicted below



Cross sections should be taken from left to right looking downstream and proceed upstream. Required information includes beginning station and elevation with successive elevations and stations being recorded at each break not to exceed intervals of 200 feet. Manning's "n" values should also be selected in the field and noted on the cross section. Manning's "n" values should change to reflect differences in resistance to flow such as trees, limbs, brush, meandering channel, etc. A typical cross section with required field information is depicted in below

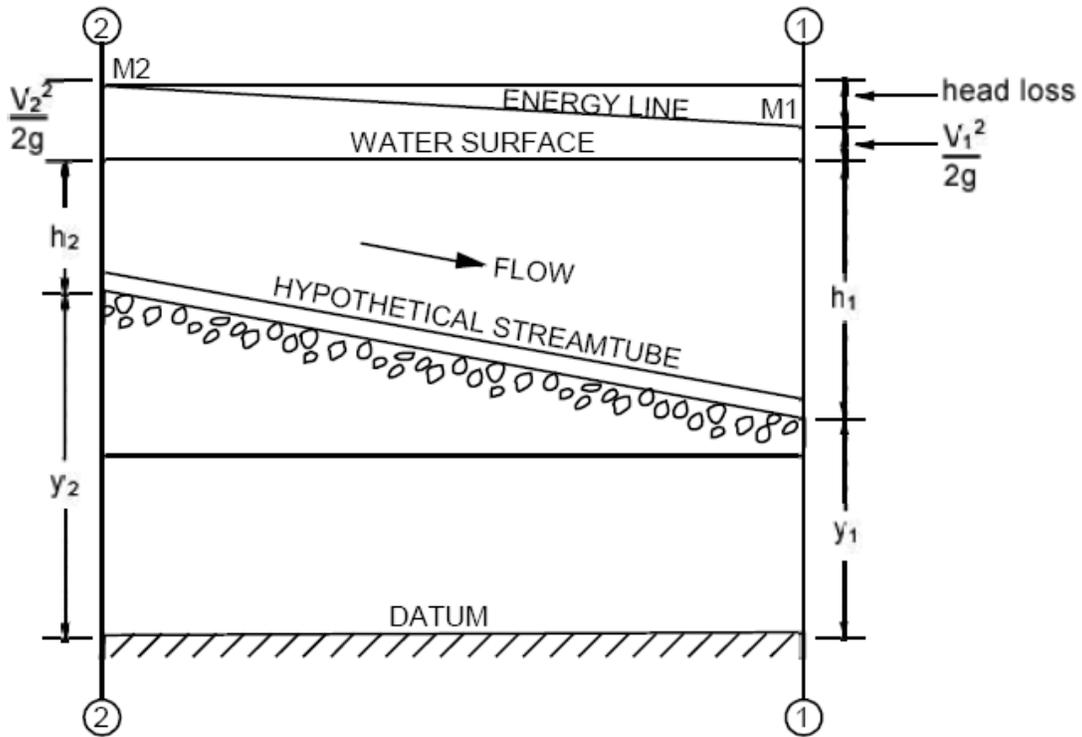


3.7.2 Surface Profile

Prior to calculating the water surface profile, the information outlined in the previous sections must be obtained.

The next step is to calculate the boundary properties for each cross section at various elevations. The elevation interval selected should be commensurate with the accuracy desired. A minimum accuracy of even one-foot elevations is required. Therefore, boundary properties should be determined at one-half foot increments. Required cross section properties include area, wetted perimeter, and hydraulic radius.

Once this data has been generated, the calculation of the water surface profile begins. The water surface elevation of successive cross sections is achieved by solving the one-dimensional energy equation as it applies to natural watercourses. The energy equation relationships are graphically depicted below.



3.8 Low flow and Base Flow Maintenance

Proposed systems shall not decrease the flows of adjacent streams, impoundments or other watercourses below any minimum level or flow established by a water management District Governing Board pursuant to Section 373.042, FS.

PART IV – STORMWATER QUALITY

4.1 General

An applicant for individual or general permit must provide mitigation for changes to water quality such that these changes do not cause harm to individuals or water resources. The most widely used form of mitigation is the construction of stormwater management systems. Most systems are a combination of a retention and detention system. However, it is common practice to term a system exclusively retention or detention dependent upon its main function. Thus, a system whose volume is mostly in the form of retention volume would be called a retention system and likewise for a detention system.

All new drainage projects will be evaluated based on the ability of the system to prevent degradation of receiving waters and the ability to conform to State water quality standards.

Water quality impacts are typically mitigated by providing treatment of initial runoff volume. This initial volume sometimes called “first-flush” carries a high percentage of the generated pollutants.

Alternate methodologies for water quality treatment shall be considered.

4.1.1 Factors Influencing Water Quality

Water quality degradation can be attributed to the following activities:

- Placing impervious surfaces that no longer allow surface water to percolate and filter through permeable soils;
- Eliminating natural water quality enhancement systems such as wetlands;
- Increasing erosion potential and thereby sedimentation, from either vegetation removal and/or increased flow velocity; and
- Creating point-source pollutant generators such as vehicles, service stations, and industrial processes

4.2 Dewatering

This District does not have a dewatering permit. If dewatering is required, it shall be address in the review and issuance of the ERP. Dewatering plans may be designed by a registered professional to be the minimum required to provide and meet water quality standards. During the pre-construction conference, or during the dewatering process, if the contactor, find that the plans in not sufficient to provide the required treatment, the contractor is required to upgrade the plan.

4.3 State water quality Standards -

All **Surface storm**water management systems must be designed to provide minimum state water quality treatment requirements. Stormwater can be treated by percolation, evapotranspiration, detention with filtration, or other means to conform with the post-development runoff volumes listed below, whichever is less:

1. If any part of the project area is in a stream-to-sink watershed and the stormwater can be reasonably expected to be free of hazardous or toxic substances, the minimum stormwater treatment volume shall be the runoff from the first 2.0 inches of rainfall from the design storm;
2. If the project area falls within a stream, coastal, or open-lake watershed and the discharge is to an Outstanding Florida Water, the minimum stormwater treatment volume shall be the runoff from the first 1.5 inches of rainfall from the design storm; or
3. If the project area falls within a stream, coastal, or open-lake watershed and the discharge is to any class of surface water other than an Outstanding Florida Water, the minimum stormwater

treatment volume shall be the runoff from the first 1.0 inch of rainfall from the design storm.

Only the minimum criteria apply within a zone of discharge. A zone of discharge is defined as a volume underlying or surrounding the site and extending to the base of a specifically designated aquifer or aquifers, within which an opportunity for the treatment, mixture or dispersion of wastes into receiving ground water is afforded. Generally, stormwater systems have a zone of discharge 100 feet from the system boundary or to the project's property boundary, whichever is less.

Stormwater retention and detention systems are classified as moderate sanitary hazards with respect to public and private drinking water wells. Stormwater treatment facilities shall not be constructed within 100 feet of a public drinking water well, and shall not be constructed within 75 feet of a private drinking water well.

4.4 Recovery

Detention and retention systems must be designed to provide treatment volumes specified above within 72 hours following the end of the design storm event. For retention systems, only percolation and evapotranspiration may be used to reduce storage and treatment volumes in the system. If detention with filtration is proposed, the design must accommodate a safety factor of two which can be accomplished by increasing storage volumes, providing specified treatment volumes within 36 hours, or other means.

It is recommended that the treatment volume is simulated as a slug load the computer model

4.5 Erosion Control and Stabilization

The potential for soil erosion is greatly increased when development occurs. This is attributed to stripping of vegetation, land clearing activities, increased runoff volumes and rates, and concentration of surface runoff. The District requires that measures be taken to minimize soil erosion and sediment transport. BMPs from the FSE&SCIM should be designed, constructed, and maintained consistent the FSE&SCIM such that at all times, erosion and sedimentation from the system, including the areas served by the system, do not cause violations of applicable state water quality standards in receiving waters. Further, because sedimentation of offsite lands can lead to public safety concerns, erosion and sediment controls shall be designed and implemented to retain sediment on-site. In particular, the erosion and sediment control requirements described in the **Applicant's Handbook Volume I** shall be followed during construction of the system.

4.5.1 Side Slopes

Side slopes shall be designed with a horizontal to vertical ratio no steeper than 4:1 to a depth at least two feet below the control elevation and must be stabilized with vegetation to prevent erosion and provide pollutant removal.

Side slopes may be designed with steeper than 4:1 side slopes provided the slopes have adequate temporary and permanent erosion and sediment control BMPs. Systems may be fenced if the slopes must be steeper than 4:1 due to space limitations or other constraints.

4.6 pollutant control

4.6.1 Pre Treatment

“Pre-treatment” is considered the treatment of a portion of the runoff prior to its entering the stormwater pond. Pre-treatment increases the pollutant removal efficiency of the overall stormwater system by reducing the pollutant loading to the stormwater pond. Pre-treatment may be used to enhance the

appearance of the stormwater pond or meet the additional treatment criteria for discharges to receiving water which are classified as OFWs.

For developments where the appearance of the lake is important, pre-treatment can reduce the chances of algal blooms and slow the eutrophication process. Some types of pre-treatment practices include utilizing vegetative swales for conveyance instead of curb and gutter, perimeter swales or berms around the lake, oil and grease skimmers on inlet structures, retention storage in swales with raised inlets, or shallow landscaped retention areas (when soils and water table conditions will allow for adequate percolation). The district shall accept any form of BMP if the design professional can demonstrate that the device or system will reduce oils and greases by 80%.

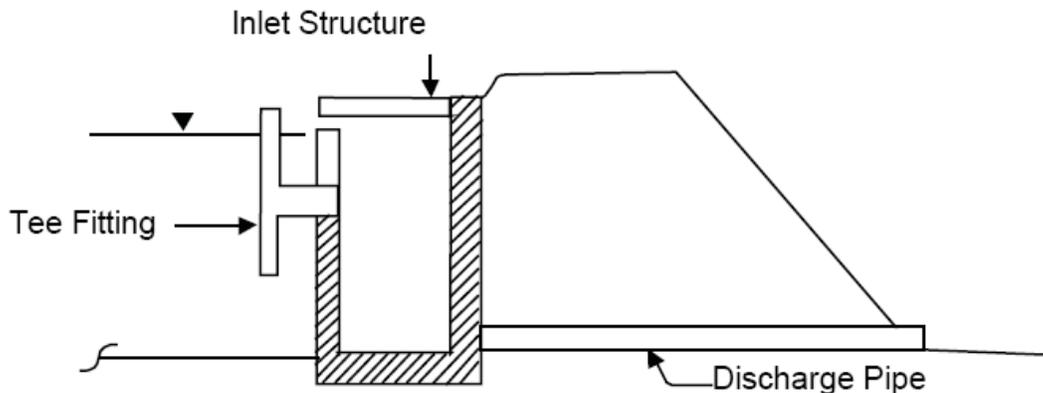
4.6.2 Oil and Grease Control

Oils, greases, and other floatables may exit through control structures when the retention volume is exceeded. Therefore, the District requires that design systems include preventative measures under the following circumstances:

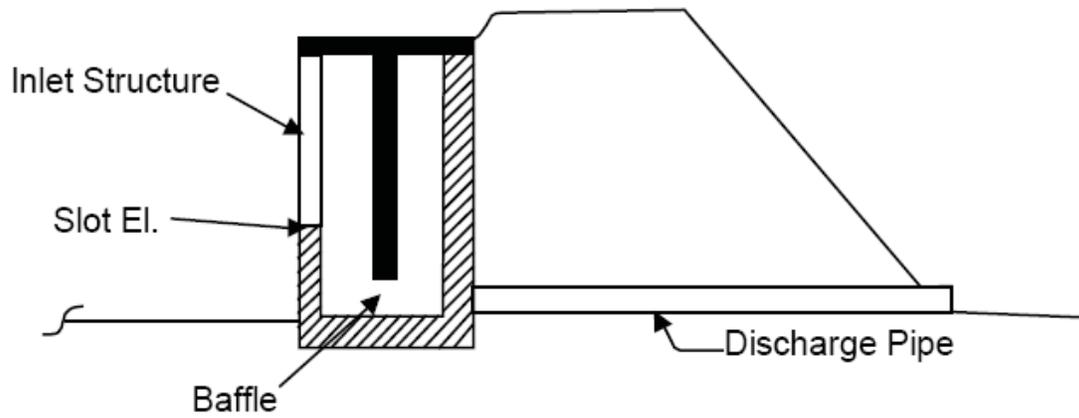
1. More than 50 percent of the project area is impervious surfaces;
2. More than two acres of the project area are impervious surfaces;
3. Runoff is discharged directly from paved areas; or if
4. The installation requires a baffle/skimmer/trap due to the nature of and frequency of oil or grease products used on the site, regardless of its size.

To prevent oil and grease from exiting the basin, skimmers or baffles shall be used. Other methods may be used if they can be proven to remove the oils and greases. Examples of a skimmer and baffle are below.

Skimmer



Baffle



4.7 Runoff coefficients and curve numbers for stormwater systems.

Stormwater management ponds, including dry retention ponds, detention ponds with filtration, dry detention ponds with underdrains, and wet detention ponds, shall be considered as 100% impervious. The area, calculated from the top of the pond, shall be directly connected impervious areas in calculating composite runoff coefficients (C), and composite curve numbers. Pervious pavement, pavers and other such surfaces shall use the runoff coefficient as the below ground. Compacted limerock or clay and millings shall be considered semi impervious.

PART V -- BEST MANAGEMENT PRACTICES

The BMPs below are the most frequently used BMPs in this district. The criteria listed below are those that, if followed, will result in reasonable assurance that the BMP will meet the conditions of issuance. ~~The design professional may use other BMPs or criteria if they can provide reasonable assurance that appropriate requirements in Part II, II and IV can be met. An applicant may propose alternative designs to those provided in this Volume for consideration by the Agency. However, reasonable assurance in the form of plans, test results, or other information must be provided by the applicant to demonstrate that the alternative design meets the conditions for issuance in Rule 62-330.301 and 62-330.302, F.A.C. and Part II of this Volume.~~ If a design professional wishes to use a BMP that is found in another WMD's Applicant's Handbook Volume II, the criteria found in their Applicant's Handbook Volume II may be used if converted to meet criteria for this District found in Parts II, III and IV of this Volume.

Retention Pond Design Criteria and Guidelines

5.1.1 Description

The term "retention system" is defined as a storage area designed to store a defined quantity of runoff, allowing it to percolate through permeable soils into the shallow ground water aquifer. Stormwater retention works best using a variety of retention systems throughout the project site.

Soil permeability and water table conditions must be such that the retention system can percolate the desired runoff volume within a specified time following a storm event. After drawdown has been completed, the basin does not hold any water, thus the system is normally "dry." Unlike detention basins, the treatment volume for retention systems is not discharged to surface waters. Retention systems provide excellent removal of stormwater pollutants. Substantial amounts of suspended solids, oxygen demanding materials, heavy metals, bacteria, some varieties of pesticides and nutrients such as phosphorus are removed as runoff percolates through the vegetation and soil profile. Besides pollution control, retention systems can be utilized to promote the recharge of ground water to prevent saltwater intrusion in coastal areas or to maintain groundwater levels in aquifer recharge areas. Retention systems can also be used to help meet the runoff volume criteria for systems that discharge to closed basins or land-locked lakes. There are several design and performance criteria specific to retention systems that are described below.

5.1.2 Criteria

Retention ponds shall comply with all applicable requirements of Part II, III, and IV of this volume. The bottom of retention ponds are not required to be flat. The lowest elevation of the bottom of retention ponds shall be no less than 1 foot above the SHGWT. The retention pond shall have a freeboard of 1 foot above the maximum stage for storms greater than the design storm. Retention ponds shall be equipped with an emergency discharge system designed to pass runoff resulting from storm events larger than the design storm. Overflow structures shall be designed such that the top of the structure is below the top of the pond. Overflow structures shall be designed such that the top of the structure is above the maximum stage. Retention ponds with berms greater than 5 feet from the top of the berm to the lowest natural ground elevation shall comply with Section 5.8 of this Volume. The retention basin shall be stabilized with pervious material or permanent vegetative cover. The system cannot cause adverse secondary impacts to adjacent wetlands or other surface waters. The flow path of water from the inlets to the outlet should be maximized ensure treatment. If short flow paths are unavoidable, the effective flow path can be increased by adding diversion barriers such as islands, peninsulas, or baffles to the pond. Inlet structures shall be designed to dissipate the energy of water entering the pond.

5.2 Dry Detention Ponds Design Criteria and Guidelines

5.2.1 Description

Since water discharged from the system must be treated, detention ponds cannot be designed to simply have a bleed down pipe at the pond bottom. The system must provide water quality treatment through underdrains, sidedrains, Vertical Volume Recovery Systems or other type systems. For the purposes of the section, water quality treatment system (WQTS) shall refer to underdrains, sidedrains, Vertical volume Recovery Systems and other such systems.

Detention ponds are an option for the applicant where high water table conditions dictate that recovery of the stormwater treatment volume cannot be achieved by natural percolation and suitable outfall conditions exist to convey flows from the detention pond to receiving waters. These systems are intended to provide for the drawdown of the treatment volume. WQTS are utilized to treat the stormwater through sand or other adequate media in order to meet state water quality standards. The sand or other adequate media shall provide removal of stormwater pollutants, suspended solids, oxygen demanding materials, heavy metals, bacteria, some varieties of pesticides and nutrients such as phosphorus through the vegetation and media

5.2.2 Criteria

Dry Detention ponds shall comply with all applicable requirements of Part II, III, and IV of this volume. The bottom of detention ponds are not required to be flat. The detention pond shall have a freeboard of 1 foot above the maximum stage for storms greater than the design storm. Dry detention ponds shall be equipped with an emergency discharge system designed to pass runoff resulting from storm events larger than the design storm. Overflow structures shall be designed such that the top of the structure is below the top of the pond. Overflow structures shall be designed such that the top of the structure is above the maximum stage. Dry Detention ponds with berms greater than 5 feet from the top of the berm to the lowest natural ground elevation shall comply with Section 5.8 of this Volume. Storage volumes in detention ponds shall be calculated so as not to include any volumes below the SHGWT. The system cannot cause adverse secondary impacts to adjacent wetlands or other surface waters. 48 hours prior to the construction of the WQTS, the district shall be notified and District staff shall be present during the installation. The flow path of water from the inlets to the outlet should be maximized ensure treatment. If short flow paths are unavoidable, the effective flow path can be increased by adding diversion barriers such as islands, peninsulas, or baffles to the pond. Inlet structures shall be designed to dissipate the energy of water entering the pond.

WQTS in a detention pond shall consist of a perforated drainage pipe which collects and conveys water following percolation from the basin through suitable soil media. The pipe system configuration (e.g., pipe size, depth, pipe spacing, and pipe inflow capacity) of the system must be designed to achieve the recovery time requirement. The WQTS shall utilize filter fabric or other means to prevent the soil from moving into the gravel envelope, if proposed. The WQTS shall provide capped and sealed inspection and cleanout ports which extend to the surface of the ground. The inspection and cleanout ports shall be located at the inlet and terminus of the system, and at a minimum, every 400 feet and every bend of 45 or more degrees. The perforated pipe shall be designed with a 12 inch minimum inside pipe diameter and a 3 foot minimum trench width. The perforated pipe shall be located within the trench section to minimize the accumulation of sediment in the aggregate void storage and maximize the preservation of this storage for stormwater treatment. It is recommended that the perforated pipe be located at or within 6 inches of the trench bottom.

5.3 Exfiltration Trench Systems Design Criteria and Guidelines

5.3.1 Description

An exfiltration trench is a subsurface system consisting of a conduit such as perforated pipe surrounded by natural or artificial aggregate which temporarily stores and infiltrates stormwater runoff. Stormwater passes through the perforated pipe and infiltrates through the trench walls and bottom into the ground. These types of system are commonly referred to as Underground vaults or underground storage units. Operation and maintenance is of great concern as sediment accumulation and clogging by fines can reduce the life of the system.

5.3.2 Criteria

Exfiltration Trench Systems shall comply with all applicable requirements of Part II, III, and IV of this volume. The bottom of pond is not required to be flat; however, the exfiltration trench does have to be flat. The pond shall have a freeboard of 1 foot above the maximum stage for storms greater than the design storm. The ponds shall be equipped with an emergency discharge system designed to pass runoff resulting from storm events larger than the design storm. Overflow structures shall be designed such that the top of the structure is below the top of the pond. Overflow structures shall be designed such that the top of the structure is above the maximum stage. Ponds with berms greater than 5 feet from the top of the berm to the lowest natural ground elevation shall comply with Section 5.8 of this Volume. The system cannot cause adverse secondary impacts to adjacent wetlands or other surface waters. The inspection and cleanout ports shall be located at the inlet and terminus of the system, and at a minimum, every 400 feet and every bend of 45 or more degrees. Standard precast concrete inlets and manholes may be used for inspection and cleanout access. Inlet structures shall include sediment sumps. 48 hours prior to the construction of the WQTS, the district shall be notified and District staff shall be present during the installation.

Exfiltration trench systems shall be designed so that aggregate in the trench is enclosed in filter fabric. Filter fabric may also be utilized directly surrounding the perforated pipe. The exfiltration trench system shall be designed so that the invert elevation of the trench is at or above the seasonal high ground water table elevation.

5.4 Wet Detention Design Criteria and Guidelines

5.4.1 Description

Wet detention systems are permanently wet ponds which are designed to slowly release collected stormwater runoff through an outlet structure. Wet detention systems are the recommended BMP for sites with moderate to high water table conditions. Wet detention treatment systems provide significant removal of both dissolved and suspended pollutants by taking advantage of physical, chemical, and biological processes within the pond. Wet detention ponds are less complex than other BMPs, such as exfiltration systems. Wet detention systems offer an effective alternative for the long term control of water levels in the pond, provide a predictable recovery of storage volumes within the pond, and are easily maintained by the maintenance entity. In addition to providing good removal of pollutants from runoff, wet detention systems also provide other benefits such as flood detention, passive recreation activities adjacent to ponds, storage of runoff for irrigation, and pleasing aesthetics. As stormwater treatment systems, these ponds should not be designed to promote in-water recreation (i.e., swimming, fishing, and boating).

5.4.2 Criteria

Wet detention ponds shall comply with all applicable requirements of Part II, III, and IV of this volume. The control elevation shall be set at or above the SHGWT and at or above the design tailwater elevation. The bottom of wet detention ponds are not required to be flat. The detention pond shall have a freeboard of 1 foot above the maximum stage for storms greater than the design storm. Wet detention ponds shall be equipped with an emergency discharge system designed to pass runoff resulting from storm events

larger than the design storm. Overflow structures shall be designed such that the top of the structure is below the top of the pond. Overflow structures shall be designed such that the top of the structure is above the maximum stage. Wet detention ponds with berms greater than 5 feet from the top of the berm to the lowest natural ground elevation shall comply with Section 5.8 of this Volume. Storage volumes in detention ponds shall be calculated so as not to include any volumes below the SHGWT. The system cannot cause adverse secondary impacts to adjacent wetlands or other surface waters. The pond must be designed so that the pond side slopes are no steeper than 4H:1V (horizontal:vertical). Drawdown devices with a width smaller than 3 inches shall include a device to eliminate clogging. The flow path of water from the inlets to the outlet should be maximized to ensure treatment. If short flow paths are unavoidable, the effective flow path can be increased by adding diversion barriers such as islands, peninsulas, or baffles to the pond. Inlet structures shall be designed to dissipate the energy of water entering the pond. A dewatering plan, if required, shall be the minimum plan required to provide reasonable assurance that water discharged for the site will meet state water quality standards. If the contractor discovers the plan is ineffective, he shall design and implement a plan that is effective.

5.4.3 Permanent Pool

The permanent pool shall be sized to provide at least a 14-day residence time based upon average wet season rainfall (rainfall occurring over the wettest four months of an average year).. Additional permanent pool volume is required for wet detention systems which directly discharge to OFWs. The maximum depth of the permanent pool shall be 12 feet. The minimum depth of the permanent pool shall be 2 feet. An aerobic environment should be maintained throughout the water column in wet detention ponds.

5.5 Design Criteria for Swale Systems

5.5.1 Description

Swales are a man-made or natural system shaped or graded to required dimensions and designed for the conveyance and rapid infiltration of stormwater runoff. Swales are designed to infiltrate a defined quantity of runoff through the permeable soils of the swale floor and side slopes into the shallow ground water aquifer. Turf is established to promote infiltration and stabilize the side slopes. The swale holds water only during and immediately after a storm event, thus the system is normally “dry.” Swales provide excellent removal of stormwater pollutants. Substantial amounts of suspended solids, oxygen demanding materials, heavy metals, bacteria, some varieties of pesticides and nutrients such as phosphorus are removed as runoff percolates through the vegetation and soil profile. Besides pollution control, swale systems can be utilized to promote the recharge of groundwater to prevent saltwater intrusion in coastal areas, and to maintain ground water levels in aquifer recharge areas. Swales can be incorporated into the design of a stormwater management system to help meet the runoff volume criteria. Swales can also be utilized to provide pre-treatment of runoff prior to its release to another treatment BMPs.

5.5.2 Criteria

Swale systems shall comply with all applicable requirements of Part II, III, and IV of this volume. Swales, must be designed to treat, through percolation or evapotranspiration, the required water quality volumes as found in Part IV of the volume or a volume of stormwater equal to at least 80 percent of the runoff resulting from a design storm with a three-year, one-hour rainfall depth and SCS type II distribution falling on average antecedent moisture conditions. Swale shall have side slopes no steeper than or equal to 3:1 (horizontal to vertical). Construction of swale systems must be in conformance with procedures that avoid degradation of swale infiltration capacity due to compaction and construction sedimentation. Swales shall be stabilized with vegetative cover suitable for soil stabilization, stormwater treatment, and nutrient uptake. The swale shall be designed to take into account the soil erodibility, soil percolation, slope, slope length, and drainage area so as to prevent erosion and reduce pollutant concentrations.

5.6 Design Criteria for Vegetated Natural Buffers

5.6.1 Description

Vegetated natural buffers (VNB) are defined as naturally vegetated areas that are set aside between developed areas and a receiving water or wetland for stormwater treatment purposes. Under certain conditions, VNBs are an effective best management practice for the control of nonpoint source pollutants in overland flow by providing opportunities for filtration, deposition, infiltration, absorption, adsorption, decomposition, and volatilization. VNBs are most commonly used as an alternative to swales or berms installed between back-lots and the receiving water. Buffers are intended for use to avoid the difficulties associated with the construction and maintenance of backyard swales controlled by individual homeowners. Potential impacts to adjacent wetlands and upland natural areas are reduced because fill is not required to establish grades that direct stormwater flow from the back of the lot towards the front for collection in the primary stormwater management system. In addition, impacts are potentially reduced since buffer strips can serve as wildlife corridors, reduce noise, and reduce the potential for siltation into receiving waters. Vegetative natural buffers are not intended to be the primary stormwater management system for residential developments. They are most commonly used only to treat those rear-lot portions of the development that cannot be feasibly routed to the system serving the roads and fronts of lots.

5.6.2 Criteria

Vegetated natural buffers shall comply with all applicable requirements of Part II, III, and IV of this volume. The use of a VNB for other types of development shall only be allowed if the applicant demonstrates that there are no practical alternatives for those portions of the project. The existing vegetation must not be disturbed during the development of the project. In all cases, a minimum buffer width of 25 feet is required to ensure the integrity of the treatment system. To promote overland flow, the maximum width (dimension parallel to the flow direction) of the contributing area is 300 feet. The contributing area must be stabilized with permanent vegetative cover that is consistent with the Florida Yards and Neighborhood program. No fertilizer shall be applied to the contributing area. Erosion control measures must be utilized during development of the contributing area so as to prevent siltation of the buffer area.

For systems that discharge to receiving water bodies other than OFWs, the VNB must be designed to provide at least 200 seconds of travel time by overland flow through the buffer for the 2-year, 24-hour storm event. Systems which directly discharge to OFWs must be designed to provide at least 300 seconds of travel time by overland flow through the buffer for the 2-year, 24-hour storm event. The maximum slope of VNB must not be greater than 15%. The length of the buffer (measured perpendicular to the runoff flow direction) must be at least as long as the length of the contributing runoff area. Runoff from the adjacent contributing area must be evenly distributed across the buffer strip to promote overland flow.

A legal reservation, in the form of an easement or other limitation of use, must be recorded which provides preservation of the existing undeveloped area in its natural state. The reservation must also include access for maintenance of the VNB unless the operation and maintenance entity wholly owns or retains ownership of the property. The legal reservation must include at least the entire area of the VNB. A minimum 25 foot buffer width must be specified.

5.7 Borrow Pits & Ponds

5.7.1 Description

Borrow pits are defined in Part II of Volume I. Borrow pits typically do not hold water for extended periods of time. Ponds may be defined as a body of standing water either natural or man-made, which is

usually smaller than a lake. Some ponds are created specifically for habitat restoration or water treatment. Others are designed for aesthetic ornamentation as landscape or architectural features. Ponds hold water for four months of the year or more.

5.7.2 Criteria

Borrow Pits and ponds shall comply with all applicable requirements of Part II, III, and IV of this volume. The materials to be excavated from borrow pits must be homogenous and that grading or sorting will not occur. Materials removed from borrow pits or ponds may be used on site or may be removed from the site. Borrow pits may be filled in after completion of construction with clean material which do not include oils, greases, construction debris, household trash, or hazardous materials or waste. Ponds may have natural liners such as compacted clay or limerock or man made material such as impermeable plaster liners. The bottom of borrow pits and ponds shall be above the static water elevation. Borrow pits and ponds with berms greater than 5 feet from the top of the berm to the lowest natural ground elevation shall comply with Section 5.9 of this volume.

The overflow structure of the pond shall be below the top of the pond. An overflow system shall be designed such that it can pass a storm greater than the design storm without damage. The pond shall have calculated normal water and flood elevation of the pond.

Borrow pits shall have at least one boring per two acres spatially arranged throughout the area of the proposed borrow pit. The underlying geology of the site and a subsurface cross section of the project site shall be determined and mapped. Documents shall provide reasonable assurance that the underlying aquifer will not be disturbed. Restoration plans should include detailed descriptions of all vegetative restoration efforts, stem densities of trees to be planted, species of grass to be sown, monitoring efforts and bank stabilization techniques. A survey shall be provided that determines the number and location of active gopher tortoise burrows or historical artifacts. The applicant shall provide an erosion and sediment control plan that provides reasonable assurance the borrow pit will not erode and encroach on adjacent landowners. Waters diverted around the pit shall be discharge in the same general direction and pre-construction rate. A dewatering plan, if required, shall be the minimum plan required to provide reasonable assurance that water discharged for the site will meet state water quality standards. If the contractor discovers the plan is ineffective, he shall design and implement a plan that is effective.

5.8 Dams and Impoundments

5.8.1 Description

Dams and Impoundments are both defined in Part II of Volume I. Dams and impoundments are classified as follows

- **Low Hazard Potential**
- Dams assigned the low hazard potential classification are those where failure or mis-operation results in no probable loss of human life and low economic and/or environmental losses. Losses are principally limited to the owner's property.
- **Significant Hazard Potential**
- Dams assigned the significant hazard potential classification are those dams where failure or mis-operation results in no probable loss of human life but can cause economic loss, environmental damage, disruption of lifeline facilities, or can impact other concerns. Significant hazard potential classification dams are often located in predominantly rural or agricultural areas but could be located in areas with population and significant infrastructure.
- **High Hazard Potential**
- Dams assigned the high hazard potential classification are those where failure or mis-operation will probably cause loss of human life.

5.8.2 Criteria

Dams and impoundments shall comply with all applicable requirements of Part II, III, and IV of this volume. The discharge capacity and/or storage capacity must be capable of safely handling the following spillway design floods. Low hazard dams, less than 25 feet in height, shall safely handle the 100-year critical duration rainfall event. All other dams shall safely handle the Probable Maximum Precipitation (PMP). The PMP for the District area is 31 inches for a period over a 200-square mile drainage area. This precipitation must be increased by a multiplier of 1.23 for 10-square mile drainage basins and 1.05 for 100-square mile drainage basins. The PMP in design serves to eliminate the possibility of the addition of sudden structural failure to already serious flood conditions. The design height of an earth embankment must be sufficient to contain or control the most restrictive of the following situations, acting singularly or in combination:

- (a) Peak water elevation in the reservoir or pond area;
- (b) Wave run-up above the peak water elevation;
- (c) Hydraulic head to achieve minimum, emergency spillway discharge;
- (d) Anticipated soil consolidation and settlement in the embankment soil mass and foundation zone; plus
- (e) An additional amount as a factor of safety based upon the accuracy and precision of the data and calculations used to determine any of these conditions.

The elevation difference between the maximum height of the earth embankment and the normal water level in the reservoir or pond is called freeboard. Freeboard shall be called out on the construction plans.

5.8.3 Embankment Slope Stability

The applicant shall analyze the stability of embankment slopes using generally accepted methods based on sound engineering principles and document all analyses or considerations in appropriate design reports and files. The design professional must design and provide documentation that the embankment has adequate factors of safety and will not fail due to the below general failure modes:

- **Overtopping**, where the quantity of floodwater entering the system is greater than its capacity, and water pours over the top of the embankment. Embankment failure results from erosion on the backside of the levee caused by water cascading over the crown and gradually washing soil away until the full cross section is breached. Embankments constructed of clay soil can withstand significantly more overtopping than levees constructed of silty or sandy soil.
- **Seepage and Piping**, where floodwater seeps through or under an embankment and carries the embankment or foundation material with it. Some seepage through an earthen embankment is relatively common, but when the seepage finds or creates a drainage path, or "pipe," through erodible material, such as a sand strata, material is gradually washed out through a "boil" on the landside of the embankment. If unchecked, sufficient material can exit the embankment through the boil to create a large void inside the embankment, resulting in a depression or "slump" in the crown of the levee. If the crown slumps below the water surface elevation, overtopping will occur through the depression and lead to failure.
- **Erosion**, where high water velocity or wave action removes material from the embankment or the streambank adjacent to the embankment, leading to slope instability and increased seepage.
- **Sliding (Rotational Slip)**, where seepage through the embankment, or even thorough saturation caused by extensive duration of high water, weakens the embankment and/or foundation material to the point where the weight of soil exceeds its internal strength. The embankment slope then slides. This type of sliding is a characteristic problem for embankments built of clay soil.
- **Sloughing**, where seepage through the embankment causes the outermost soil on the levee slope to slide down. Progressive sloughing shortens the seepage path through the embankment, causing increasingly heavy seepage until the embankment gives way. Sloughing is a characteristic problem of silty and sandy levees.

5.8.4 Construction Standards

Design

1. Site Investigation – The general area for use as a settling area shall be carefully inspected by the design engineer prior to selection of the exact location for a dam. Areas of uneven natural subsidence, sink-hole, pockets of organic matter, or other unstable soils shall be avoided, unless special provisions are made for their correction.
2. Soil Testing – A program of soil sampling and testing adequate to determine the characteristics of the foundation material which will support the proposed dam shall be performed. Sampling shall include borings and/or in-place samples from the exposed excavation face. All borings shall be logged using a recognized engineering soil classification system (such as Unified System) with location and depths of samples recorded on the log. Tests including but not limited to, the determination of in-placed densities, shear-strength, and permeabilities of the foundation and embankment soils shall be performed on either undisturbed samples or on the in-place soil. Tests on embankment soils shall be performed on samples remolded to the densities to be used in construction. All soil test data used for design shall be derived from tests performed in compliance with the American Society of Testing Materials, American Association of State Highway Officials, or U. S. Army Corps of Engineers soil testing specifications and procedures.
3. Cross-Section Design – The design height of an earth embankment should be sufficient to prevent overtopping during passage of the design storm event plus the freeboard required for wave action. The design height must also meet the requirements for minimum emergency spillway depth. The design shall provide positive seepage control features, such as, but not limited to:
 - a. Cut-off trench in natural soil foundations;
 - b. Clay core;
 - c. Blanket drain; and
 - d. Chimney drain and toe drain.
4. Stability Analysis – The embankment and foundation are to be analyzed for stability against failure from sliding, sloughing, or rotation along potential failure surfaces. The appraisal of stability is to be based on the comparative performance of similar embankments and a slope stability analysis using engineering judgment. Settlement, seepage, and cracking are to be considered and adequate measures included to control or safely compensate for their effects. Analyses are to be made for the conditions or periods during the design life which are the most critical or severe. These conditions will be for various moisture and loading conditions of the embankment and foundation. These are to include the following conditions:
 - a. Immediately after construction;
 - b. During full reservoir steady seepage; and
 - c. During partial or complete sudden drawdown.

In each case, the analysis shall be made using engineering property values determined by laboratory tests simulating the assume condition. Soil mechanics data used may be from specific testing for the site or by documented reference to data which can be correlated. The method of slope stability analysis used shall be appropriate for the loading condition and location and shape of potential failure surface. The embankment and foundation conditions shall be determined to a degree consistent with the complexity of the site and the potential for failure. The adequacy of the geologic and soil investigation, along with the significance of minor variations, shall be evaluated in the stability, seepage, and settlement analyses. Seepage control shall be added to all penetrations of the earth embankment as may be required to ensure containment and control of the impounded waters or stability of the soil mass.

5. Design Safety Factors – The designing engineer shall use generally accepted minimum safety factors

Site Preparation – Ground which will become the foundation of earth dams shall be stripped of all vegetation and organic detritus or residue, including muck, mud, slimes, or other material which would flow or undergo excessive consolidation under heavy loading. All earth foundation

surfaces on which fill is to be placed shall be scarified or moistened and compacted prior to spreading of first course fill material, and the dam base shall be well drained during construction, except when placing hydraulic fill.

Material to be Used – Material used for earthen dams shall be free of stumps, vegetation, trees, palmettos, muck, and other extraneous matter which could affect the compactability, density, permeability, or shear strength of the finished dam. Tailings may be used for dam fill. Please contact District staff to discuss this during a pre-application meeting.

Water Level Control – Sufficient water level control structures shall be installed in the impoundment area behind an earthen dam to maintain the minimum required freeboard and to accommodate the release of storm water resulting from heavy rainfall.

Methods of Construction

a. Each new dam shall be constructed to meet or exceed the minimum safety requirements of the specifications and design for that dam. Draglines, drag scrapers, tractor, or other appropriate earth moving equipment shall be used to place materials in dam construction. Materials used in rolled dams shall be blended prior to compaction. The soil shall be compacted and density tests shall be performed to ensure that the designed densities are obtained. A qualified representative of the design engineer shall be present on the site each working day during construction of a rolled dam to ensure that materials and construction methods meet all specifications of the design. The District engineer shall be advised of the date on which construction or shaping of a new dam will begin so that he can inspect the site.

b. Areas around any water level control structure pipe, any other conduit, or any surface of discontinuity between materials within the mass of the dam shall be carefully installed to avoid potential concentration of seepages. All conduits through dams shall have two or more seepage collars spaced in accordance with good engineering practices pertinent to the material used for the fill. Two collars will be installed within the core when there is core within a dam. All pipes and joints in pipes extending through a dam shall be made leak-proof and shall be constructed of material suitable for the fluids carried and load imposed. In order to avoid leaks associated with differential settlement, conduits through dams shall not be rigidly supported by piles or piers. Backfill around conduits shall be of a density that is equal to or greater than those of the surrounding embankment. Particular attention shall be devoted to the lower third of the conduit.

Documentation

1. The owner of an earthen dam should maintain in a permanent file the following construction records pertaining to said dam:
 - Aerial photo of construction site.
 - Design drawings and calculations.
 - Design specifications.
 - Results of all soil tests on foundations and fill materials.
 - Logs of borings and engineering geology reports.
 - Certified copies of construction progress inspections pertinent to core trench, toe drain, internal drains, and other significant phases of the structure. Photographs of various structural items may be included in the file.
 - Description of and justification for all deviations or variances from the design plans or specifications.

Inspections – Personnel or agents of the District may accompany inspectors on any routine inspection required by the District, or inspect settling areas at any other time which is reasonable under the circumstances involved. They may also examine any routine inspection reports and be furnished copies thereof upon request.

5.8.5 Principal Spillways

The structural design and detailing of principal spillways are to conform to the recommendations of National Engineering Handbook, Section 6, “Structural Design” and NRCS standard drawings. All component parts such as gates and trash racks are to be equally durable.

Capacity of Principal Spillway

The required capacity of the principal spillway depends on:

- The purpose of the dam;
- The amount of storage provided by the retarding pool;
- The kind of emergency spillway;
- Stream channel capacity and stability downstream;
- Potential damage from prolonged storage in the retarding pool;
- Potential damage downstream from prolonged high outflow rates;
- The possibility of substantial runoff from two or more storms in the time required to empty the retarding pool;
- Limitations imposed by water rights or other legal requirements;
- Environmental concerns;
- Planned or potential alterations of the channel downstream; and
- The necessity to pass base and flood flows during construction.

A controlled spillway must be provided which will essentially drain the impoundment unless express approval is secured from the District.

5.8.6 Emergency Spillways

Emergency spillways are provided to convey excess water through, over, or around a dam. They are usually open channels excavated in natural earth, earth fill, rock, or constructed of reinforced concrete. Emergency spillways are to be proportioned so they will pass the emergency spillway hydrograph at the safe velocity determined for the site. They are to have sufficient capacity to pass the freeboard hydrograph with the water surface in the reservoir at or below the elevation of the design top of the dam.

5.8.7 Reservoir Regulation

A reservoir regulation plan should be developed so that regulating the reservoir and discharges under normal and emergency conditions are designed to assure that they do not constitute a danger to the safety of the dam or the human life or property downstream. In the case of High (Class C) hazard dams, the reservoir regulation plan must also include an analysis of the probable consequences of a sudden or catastrophic failure of the dam and associated structures containment of the maximum contained water volume in the reservoir or pond. The analysis, sometimes called a “dam breach” analysis, shall include the development of a downstream evacuation map.

5.9 Special Basin Criteria: Sensitive Karst Areas

5.9.1 Background of the Sensitive Karst Area Design Criteria

Paragraph 62-346.301(1)(i), F.A.C., provides that a condition for issuance of a permit includes compliance with any applicable special basin or geographic area criteria rules. The only area within the geographical extent of the Suwannee River Water Management District for which additional geographic criteria have been developed is a Sensitive Karst Area (SKA).

The Floridan Aquifer System is the drinking water source for most of the population in the geographical extent of the District. In parts of the district, limestone (or dolostone) that makes up or comprise this aquifer system occurs at or near the land surface. Sediments overlying the limestone can be highly

permeable. The limestone, due to its chemical composition, is susceptible to dissolution when it interacts with slightly acidic water. “Karst” is a geologic term used to describe areas where landscapes have been affected by the dissolution of limestone or dolostone, including areas where the formation of sinkholes is relatively common. Sensitive Karst Areas reflect areas with hydrogeologic and geologic characteristics relatively more conducive to potential contamination of the Floridan Aquifer System from surface pollutant sources. The formation of karst-related features, such as sinkholes is also more likely to occur in SKAs.

5.9.2 Hydrogeology of the Sensitive Karst Areas

Throughout the majority of the geographical extent of the district the highly porous limestone that comprises the Floridan Aquifer System is generally overlain by tens to hundreds of feet of sands, clays, and other material. Where present, this material may act to protect, to varying degrees, the Floridan Aquifer System from surface pollutants. Surface water seeps through this material slowly, which allows for some degree of filtration, adsorption, and biological transformation or degradation of contaminants. In SKAs, however, the limestone that comprises the Floridan Aquifer System may occur at or near the land surface and sand overburden, confining clays, or other confining cover material is absent or discontinuous. As a result, there can be rapid movement of surface water and possibly entrained contaminants into the aquifer. The SKAs are areas of relatively high recharge to the Floridan Aquifer System. Floridan Aquifer System ground water levels vary from land surface to approximately 290 feet below land surface in the SKAs.

One factor that makes the SKAs particularly prone to stormwater contamination is the formation of solution pipe sinkholes within retention basins. Solution pipe sinkholes are common in these areas and form due to the collapse of surficial material into vertical cavities that have been dissolved in the upper part of the limestone. They are also formed by the movement of surface material into the underlying porous limestone. In most cases, the solution pipes are capped by a natural plug of sands and clays. If the cap is washed out (as may happen if a large volume of water is stored over the solution pipes), the resulting solution pipe sinkhole can act as a direct pathway for the movement of surface water into the Floridan Aquifer System. Solution pipe sinkholes and other types of sinkholes may open in the bottom of stormwater retention basins. The capping plug or sediment fill may be reduced by excavation of the basin. Stormwater in the basin may increase the hydraulic head on the remaining material in the pipe throat. Both of these factors can wash material down the solution pipe. Solution pipes act as natural drainage wells and can drain stormwater basins. The irregular weathering of the limestone surface in the SKAs contributes to uncertainty and errors in predicting the depth from land surface to limestone.

5.9.3 Additional Design Criteria for Sensitive Karst Areas

In addition to the design criteria for projects outside of the SKAs, projects located within the SKAs also must meet the additional design criteria

Stormwater management systems shall be designed and constructed to prevent direct discharge of untreated stormwater into the Floridan Aquifer System. Such stormwater management systems also shall be designed and constructed in a manner that avoids breaching an aquitard and such that construction excavation will not allow direct mixing of untreated water between surface waters and the Floridan Aquifer System. The system shall also be designed to prevent the formation of solution pipes or other types of karst features in the SKAs. Test borings located within the footprint of a proposed stormwater management pond must be plugged in a manner to prevent mixing of surface and ground waters.

A minimum of three feet of unconsolidated sediment or soil material between the surface of the limestone bedrock and the complete extent of the bottom and sides of the stormwater basin at final completion of the project. Excavation and backfill of unconsolidated sediment or soil material shall be conducted, if necessary to meet these criteria. As an alternative, an impermeable liner can be used to ensure that

stormwater is isolated from communication with groundwater (e.g., for wet detention). This provision is presumed to provide reasonable assurance of adequate treatment of stormwater before it enters the Floridan Aquifer System;

To reduce the potential for solution pipe sinkhole formation caused by newly created additional hydraulic head conditions, stormwater storage areas are limited to a maximum of 10 feet of vertical staging (shallower depths are encouraged), as measured for dry ponds from the bottom of the pond to the design high water level; and for wet ponds 10 feet of vertical staging as measured from the seasonal high ground water table to the design high water level, and shall have a horizontal bottom (no deep spots); and if during construction or operation of the stormwater management system, a structural failure is observed that has the potential to cause the direct discharge of surface water into the Floridan Aquifer System, corrective actions designed or approved by a registered professional shall be taken as soon as practical to correct the failure. A report prepared by a registered professional must be provided as soon as practical to the Department for review and approval that provides reasonable assurance that the breach will be permanently corrected.

PART VI – OPERATION AND MAINTENANCE

6.1 General

Applications to construct, alter, and maintain a stormwater management system also constitutes an application to operate and maintain the system. ~~An applicant must submit the information described above to specify the entity that will operate and maintain the system with the construction, alteration or maintenance permit.~~ A permit to operate a system is granted concurrently with the permit to construct, maintain or alter the system. The operation phase of all ERP permits lasts for the life of the system. After a permit has been issued, construction of the permit shall follow the conditions of the permit and the rules and requirements as found in Rule 62-330, F.A.C. and the Applicant's Handbook Volume I. Transfer of the permit to the operation and maintenance phase shall follow the conditions of the permit and the rules and requirements found in Rule 62-330, F.A.C., and the Applicant's Handbook Volume I. Operation and maintenance of the system shall follow the conditions in the permit and the rules and requirements as found in Rule 62-330, F.A.C., and the Applicant's Handbook Volume I

6.1.1 Subsequent Transfers

~~The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.~~

6.1.2 Recording of Easements, Deed Restrictions, and other Operation and Maintenance Documents

~~For those systems which will be operated or maintained by an entity requiring an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents must be submitted to the District for approval. Deed restrictions, easements and other operation and maintenance documents which require recordation either with the Secretary of State or Clerk of the Circuit Court must be so recorded prior to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.~~

6.1.3 Property Conveyance to Third Party

~~When the applicant intends to convey the property to multiple third parties, the applicant will be an approved operation and maintenance entity from the time construction begins until the system is dedicated to and accepted by an established legal entity.~~

~~In cases when the system is proposed to be transferred to entities that were not listed on the permit, or the entity listed on the permit does not accept the entire system, all involved entities shall modify the permit such that all involved entities are established as legal entities and all entities agree and are permitted to maintain the system or portions thereof.~~

6.1.4 Phased Projects

~~If an operation and maintenance entity is proposed for a project which will be constructed in phases, and subsequent phases will use the same stormwater management system as the initial phase or phases, the entity must have the ability to accept responsibility for the operation and routine custodial maintenance of the stormwater management system for future phases of the project.~~

~~If the development scheme contemplates independent operation and maintenance entities for different phases, and the system is integrated throughout the project, the entities, either separately or collectively, must have the responsibility and authority to operate and perform routine custodial maintenance of the system for the entire project area. That authority must include easements for surface water management and the ability to enter and maintain the various works, should any entity fail to maintain a portion of the system within the project area.~~

6.2 Entity Requirements

~~Responsibility for operation and maintenance of a surfacewater management system permitted under this chapter shall be a perpetual obligation of a single entity which wholly owns or controls the lands on which any component of the permitted system is located and which has the fiscal, legal, and logistical capability to perform operation and maintenance in accordance with district rules and permit conditions.~~

~~The following units of government are considered acceptable operation and maintenance entities provided the entity owns or has a valid perpetual easement, or other perpetual legal access to the property on which the system is located:~~

- ~~(a) Units of local government including counties, municipalities, municipal service taxing units, or special service districts;~~
- ~~(b) Active Chapter 298, F.S., drainage districts, drainage or water control districts created by an act of the Florida legislature, Chapter 190, F.S., Community Development Districts, or Chapter 170, F.S., Special Assessment Districts;~~
- ~~(c) Legally constituted public utilities; or~~
- ~~(d) Regional, state, or federal agencies.~~

~~Non-profit corporations including home owners associations, property owners associations, condominium owners associations, or master associations may be considered acceptable operation and maintenance entities provided:~~

- ~~(a) The corporation or association must comply with the applicable provisions of Chapters 617, 618, 718, 719, F.S., or other applicable statutes;~~
- ~~(b) The Articles of Incorporation, Declaration of Protective Covenants, Deed Restrictions, Declaration of Condominium, or By-Laws (as appropriate) must clearly demonstrate:
 - ~~1. The corporation has the authority to own and convey property;~~
 - ~~2. The corporation has the authority to operate and maintain common property (specifically the system permitted by the Suwannee River Water Management District);~~
 - ~~3. The corporation has the authority to establish rules and regulations governing membership or take any other actions necessary for the purposes for which the corporation or association was organized;~~
 - ~~4. The corporation has the authority to assess members and enforce said assessments;~~
 - ~~5. The corporation has the authority to sue and be sued;~~
 - ~~6. The corporation has the authority to contract for services to provide for operation and maintenance of the system;~~
 - ~~7. The corporation has the authority to require all owners of real property or units to be members of the corporation or association;~~
 - ~~8. The corporation must exist in perpetuity, and in the event of the dissolution or failure to perform required operation and maintenance by the corporation or association, there must be reasonable assurance that a unit of local, regional, state, or the federal government will accept operation and~~~~

~~maintenance responsibility through the permit modification process in district rules; and~~

~~9. The land on which the surfacewater management system is located is owned or otherwise controlled by the corporation or association to the extent necessary to operate and maintain the system or convey operation and maintenance to another entity.~~

~~(e) The corporation or association is limited to single owners of single units, lots, or residences and is not an association of multiple, interval, or time share owners.~~

~~A property owner or developer may be considered an acceptable operation and maintenance entity as follows:~~

~~(a) The property on which the system is located is wholly owned or otherwise controlled by the permittee and is intended to be maintained in the permittee's ownership in perpetuity (i.e., farm, corporate office, commercial, or industrial facility).~~

~~(b) The property on which the system is located is wholly owned or otherwise controlled by the permittee and is intended to be maintained in the permittee's ownership in perpetuity, but the premises are to be leased or rented to third parties (i.e., shopping centers, office parks, industrial parks, or mobile home parks).~~

~~(c) The property on which the system is located is wholly owned or otherwise controlled by the permittee and is intended to be maintained in the permittee's ownership until such time as the property and operation and maintenance of the system is transferred to another entity approved by the district.~~

~~(d) Upon issuance of a permit to operate and maintain a surfacewater management system, or upon transfer of a construction, alteration or abandonment permit to the operation and maintenance phase, the district shall record with the Clerk of the Circuit Court of the county in which the property is located a notice which states words to the effect:~~

~~1. The property includes a surfacewater management system permitted by the Suwannee River Water Management District;~~

~~2. The permit requires the perpetual operation and maintenance of the surfacewater management system in accordance with the terms and conditions of the permit and rules of the Suwannee River Water Management District;~~

~~3. In accordance with Section 373.416(2), F.S., rules of the Suwannee River Water Management District, and conditions of the permit, the perpetual operation and maintenance of the surfacewater management system is the responsibility of the owner or future owner(s) of the property; and~~

~~4. Within 30 days of any change of ownership, the Suwannee River Water Management District must be notified by the owner in whose name the permit was granted. Upon proper notification the permit for operation and maintenance of the system will transfer to the new owner.~~

In addition to the acceptable entities as found in Applicant's Handbook Volume I, this District will allow the following entity:

Unincorporated associations of owners who share a surfacewater management system or who have portions or individual components of a larger surfacewater management system on their property are generally not acceptable operation and maintenance entities. However, for surfacewater management systems composed entirely of swales which are permitted to serve a private road or drive providing access to no more than five parcels of land, each larger than one acre, the district will accept such unincorporated associations. The district shall place limiting conditions on such permits to insure owners or future owners of such lands understand that operation and maintenance of the surfacewater management system is the undivided responsibility of the owners.

6.3 Operation Phase and Release of Bond

~~The operation phase of noticed general permits automatically commences upon completion of construction performed in compliance with all terms and conditions of the applicable noticed general~~

~~permit. Some operation and maintenance may occur during the construction phase prior to transfer to operation phase. At such times, the system must be temporarily operated and maintained without conversion to operation phase, provided such temporary activities do not violate the conditions for issuance of the permit.~~

~~The operation phase of an individual permit does not become effective until the District receives an as-built certification package and determines the system or independent portion of a system has been constructed in compliance with the permit, and an approved entity has accepted responsibility for operation and maintenance of the system or independent portion of a system. Upon receipt of an as built certification package and transfer to operation and maintenance phase, the performance bond or surety will be released.~~

~~6.4 Operation and Maintenance Responsibilities~~

~~Responsibility for operation and maintenance of a surface water management system permit issued under Part IV of Chapter 373, FS, shall be a perpetual obligation for the life of the system for a single entity that wholly owns or controls the lands on which any component of the permitted system is located and which has the fiscal, legal, and logistical capability to perform operation and maintenance in accordance with District rules and permit conditions.~~

~~6.5 Minimum Standards~~

~~Surfacewater management systems shall be operated and maintained in accordance with the designs, plans, calculations, and other specifications that are submitted with an application, approved, and incorporated by reference into any permit issued.~~

~~Surfacewater management systems shall be kept free of debris, trash, garbage, oils and greases, and other refuse through regular inspection and maintenance by the permittee.~~

~~Oil and grease separators, skimmers, or collection devices shall be inspected and maintained on a regular basis by the permittee to insure that they are working properly and do not allow the discharge of oils or greases. Oils and greases or other materials removed from such a device during routine maintenance shall be disposed of by lawful means.~~

~~The system shall be regularly inspected and maintained by the permittee to insure that all erosion is controlled and soil is stabilized to prevent sediment discharge to waters in the state.~~

~~All structures within the system shall be regularly inspected and maintained by the permittee to insure that they remain in an operable condition, free of obstruction and sediment, and, where appropriate, secure from vandalism or unauthorized operation.~~

~~Swales, ditches, canals, and other similar works shall be inspected and maintained on a regular basis by the permittee to insure that they do not become clogged or choked with vegetative or aquatic growth to such an extent as to render them inoperable.~~

~~Vegetative Natural Buffers must be inspected to determine if there has been any encroachment or violation of the terms and condition of the VNB. Buffers must be examined for damage by foot or vehicular traffic, encroachment, gully erosion, density of vegetation, and evidence of concentrated flow through or around the buffer. Repairs to the buffer must be made as soon as practical in order to prevent additional damage to the buffer. Repaired areas must be re-established with native vegetation. Invasive plant species such as cattail and primrose willow must be prevented from becoming the dominant species.~~

~~For Dams and impoundments, the following are examples of items which must be corrected by the owner on a routine basis:~~

- ~~(a) Remove trees, bushes, and other vegetation that may be harmful to the structural integrity of the dam;~~
- ~~(b) Fill any animal burrows;~~
- ~~(c) Check and correct settlement of the embankment and downstream toe areas;~~
- ~~(d) Check and correct uncontrolled or excessive seepage;~~
- ~~(e) Check drainage system to assure that the systems can freely discharge and that the discharge water is not carrying any foundation material;~~
- ~~(f) Check emergency spillways for any condition that may cause operational constraints on the functioning of the spillway;~~
- ~~(g) Check that principal spillways are clear of debris or any other constraint that reduces the spillway's ability to function;~~
- ~~(h) Protect slopes from erosion formed gullies and wave formed notches that reduce the embankment cross section; and~~
- ~~(i) Examine unlined spillways for erosion and any hazard that may interfere with the safety of the dam.~~
- ~~(j) If serious seepage or problems with operational controls are found during routine maintenance, the owner must take positive steps to reduce the probability of a sudden or catastrophic failure such as using a controlled release of water to reduce the water pressure on the dam.~~

6.46 Inspections and Reporting

Inspections and reporting shall be in accordance with Section 373.423, F.S., ~~and~~ Chapter 62-330, F.A.C., and Applicant's Handbook Volume I. The permittee and/or operation and Maintenance entity, after receiving prior or reasonable notice, shall give permission and allow district personnel with proper identification, access to the project. District personnel shall inspect, sample, test and review the project as necessary to ensure compliance with the specifications of the application and permit.

6.57 Compliance

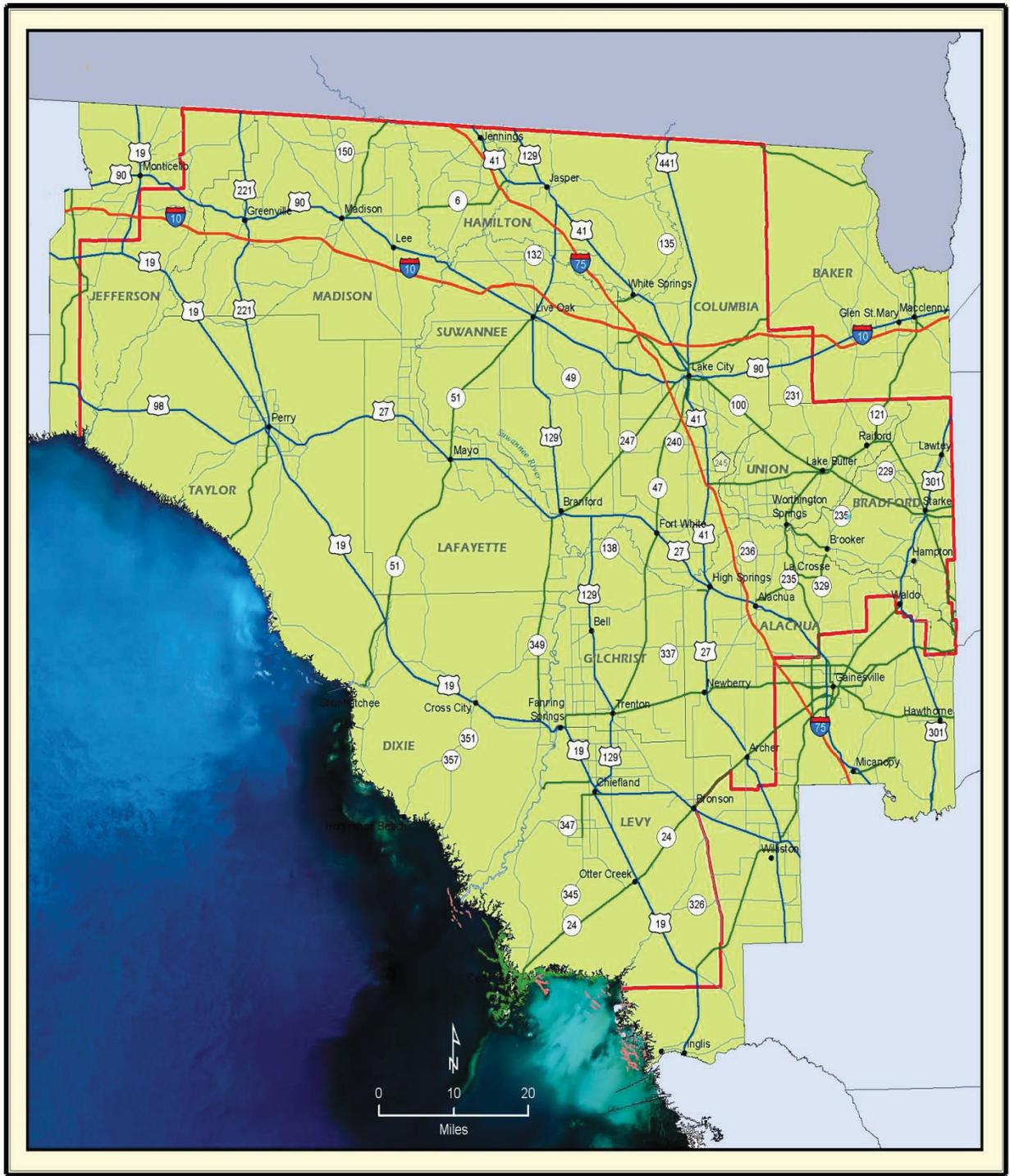
Complaints shall be submitted in compliance with the criteria in Chapter 40B-1.705, F.A.C. and shall proceed as per the criteria in 40B-1.510, F.A.C and the governing Board Policy on compliance and enforcement..

6.68 Enforcement

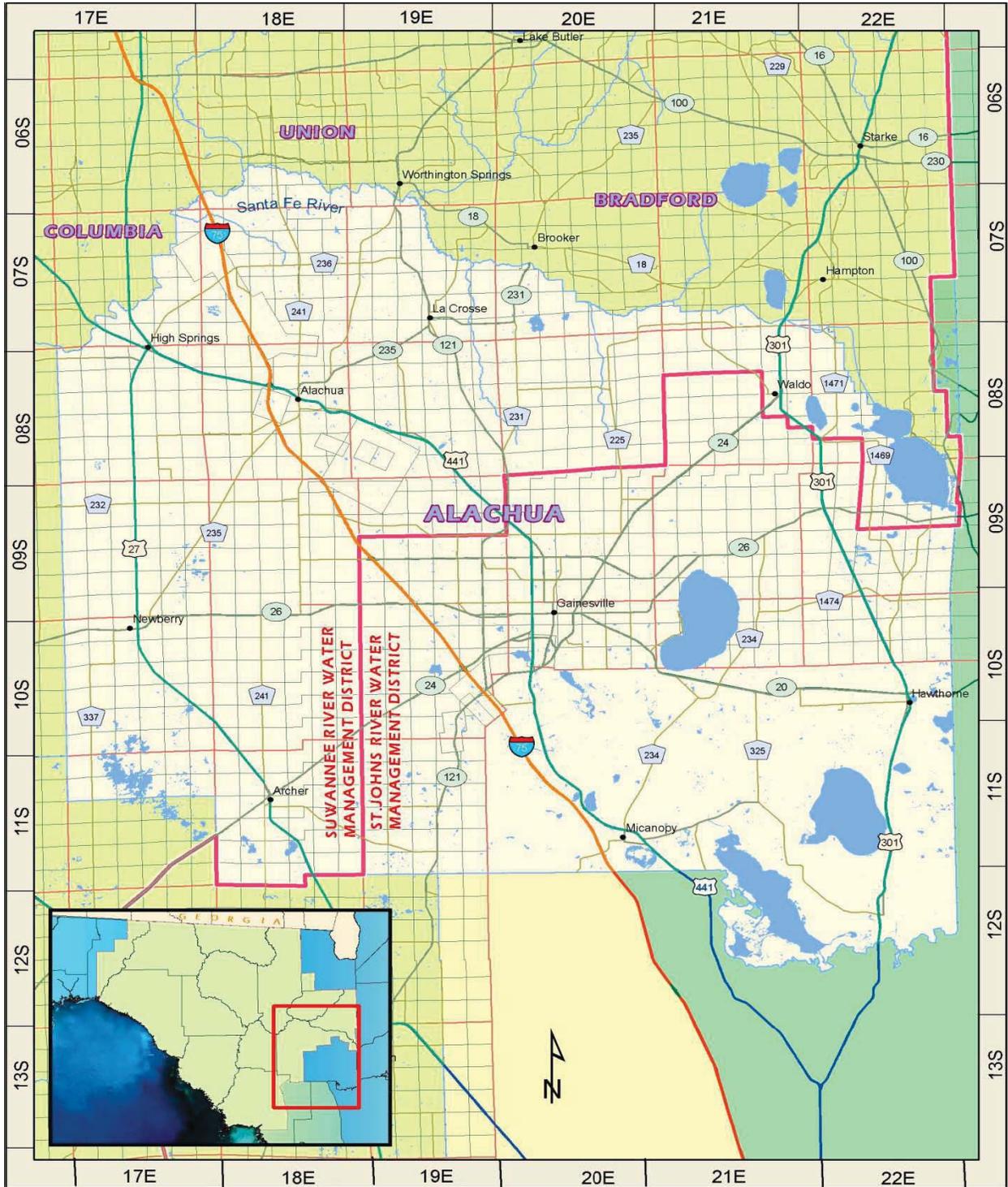
Parts I and IV of Chapter 373, FS, provide for the enforcement of District rules by administrative and civil complaint. The District also has the authority to obtain the assistance of county and city officials in the enforcement of the rules (see Sections 373.603 and 373.609, FS). Any person, who violates any provisions of Chapter 373 or 403, FS, the rules adopted thereunder, or orders of the District, is subject to civil fines or criminal penalties as provided in Section 373.430, FS.

Enforcement shall be in accordance with Chapter 373, F.S. Enforcement shall proceed following the Governing Board Policy on compliance and enforcement

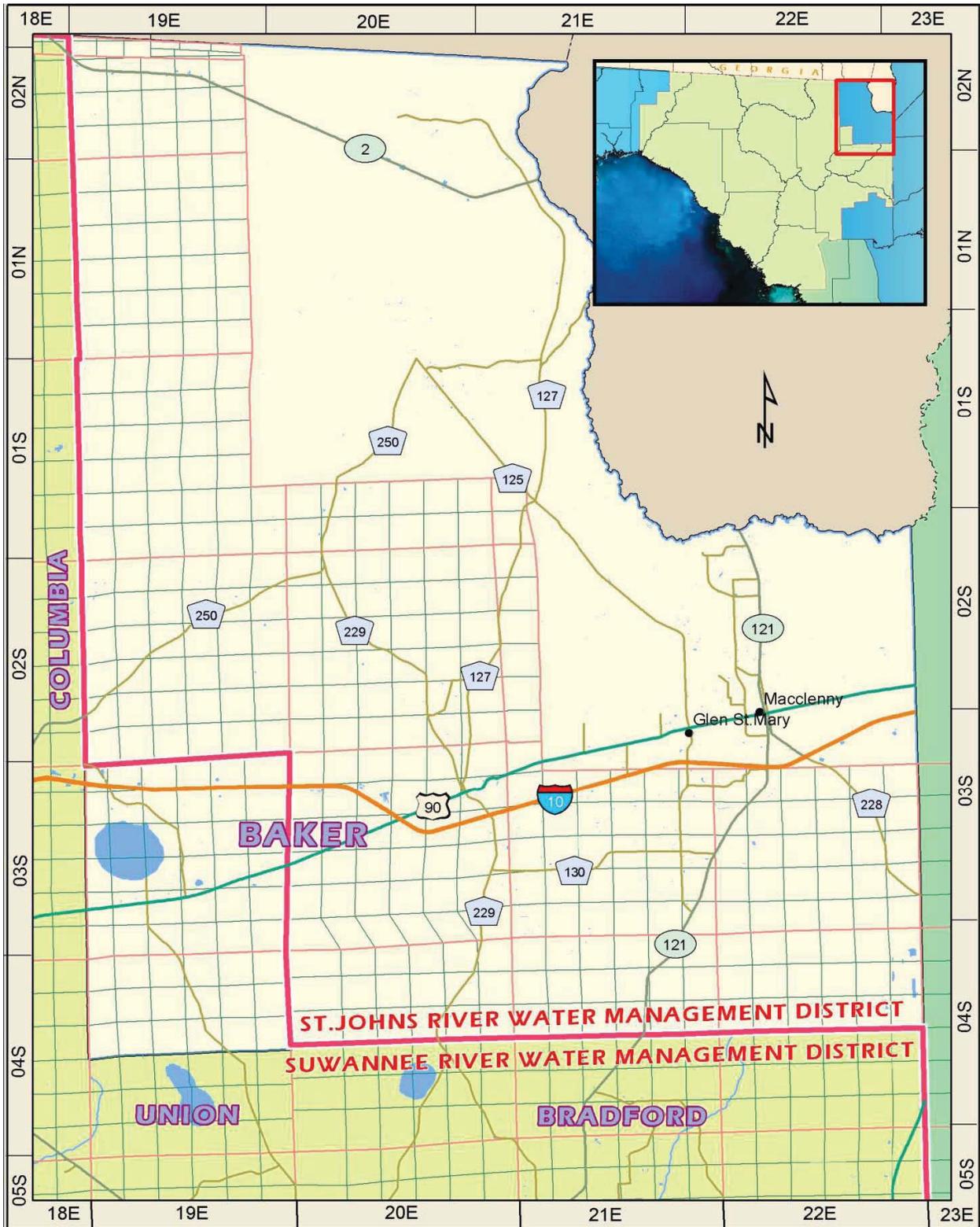
District Boundary



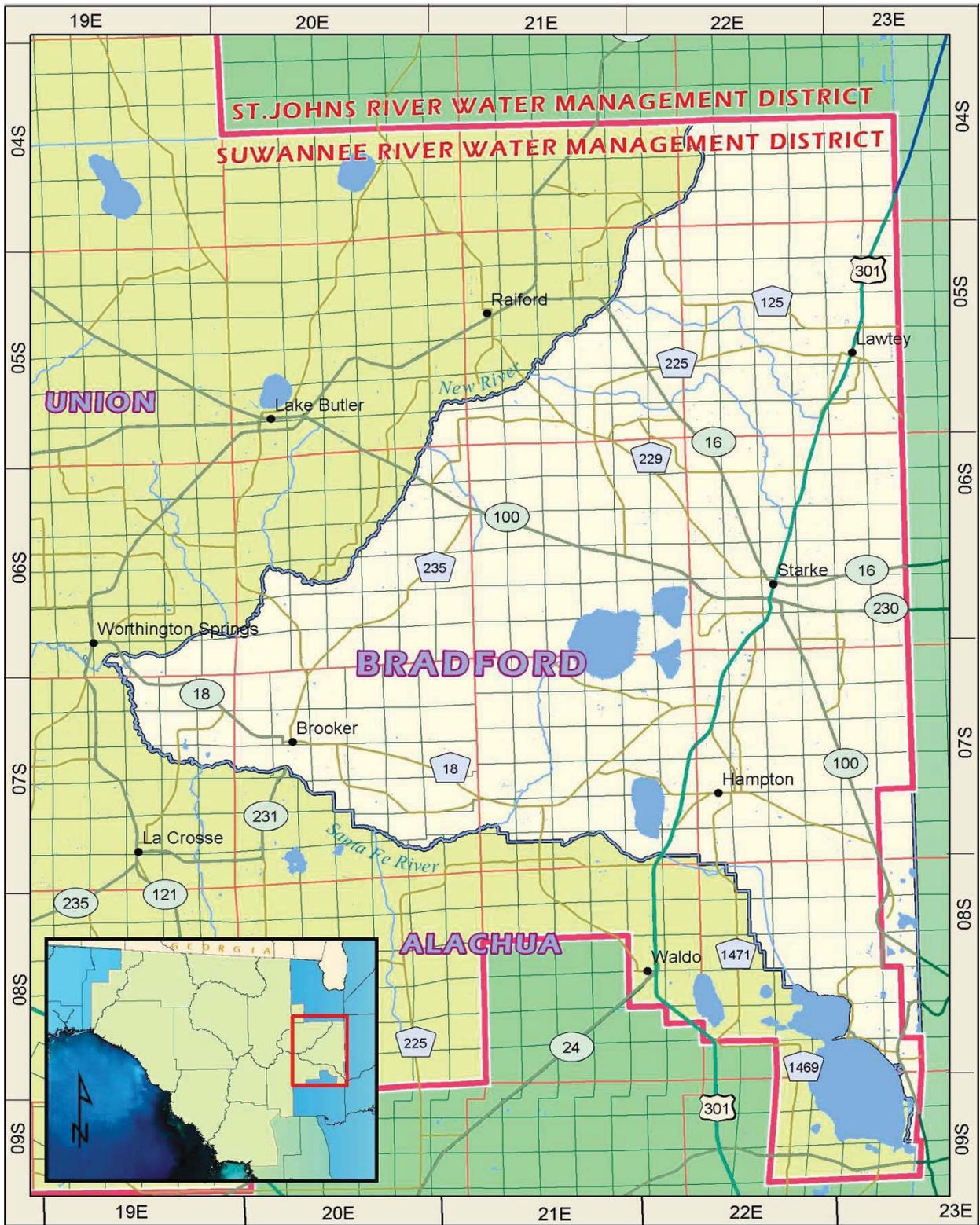
Alachua County Boundary



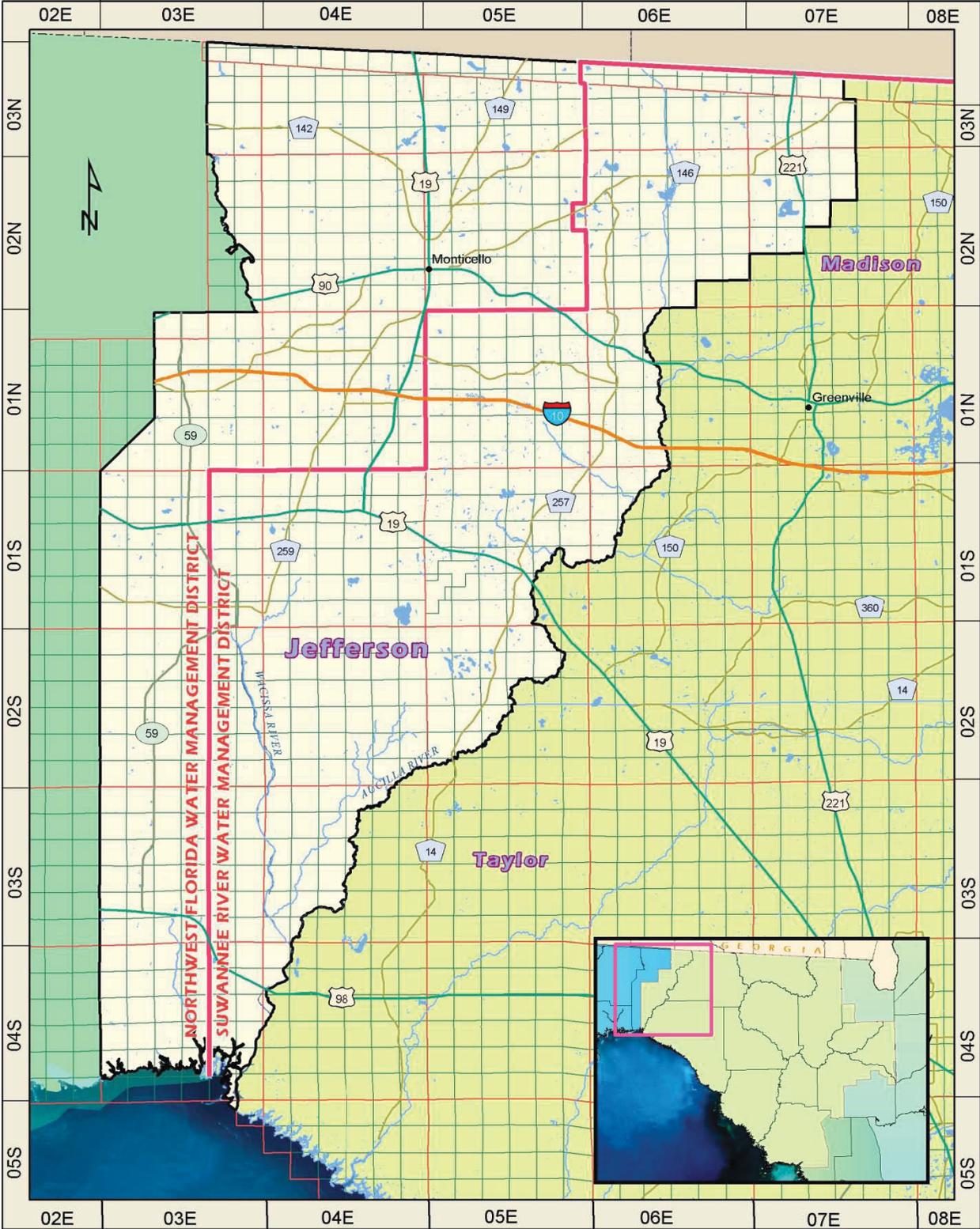
Baker County Boundary



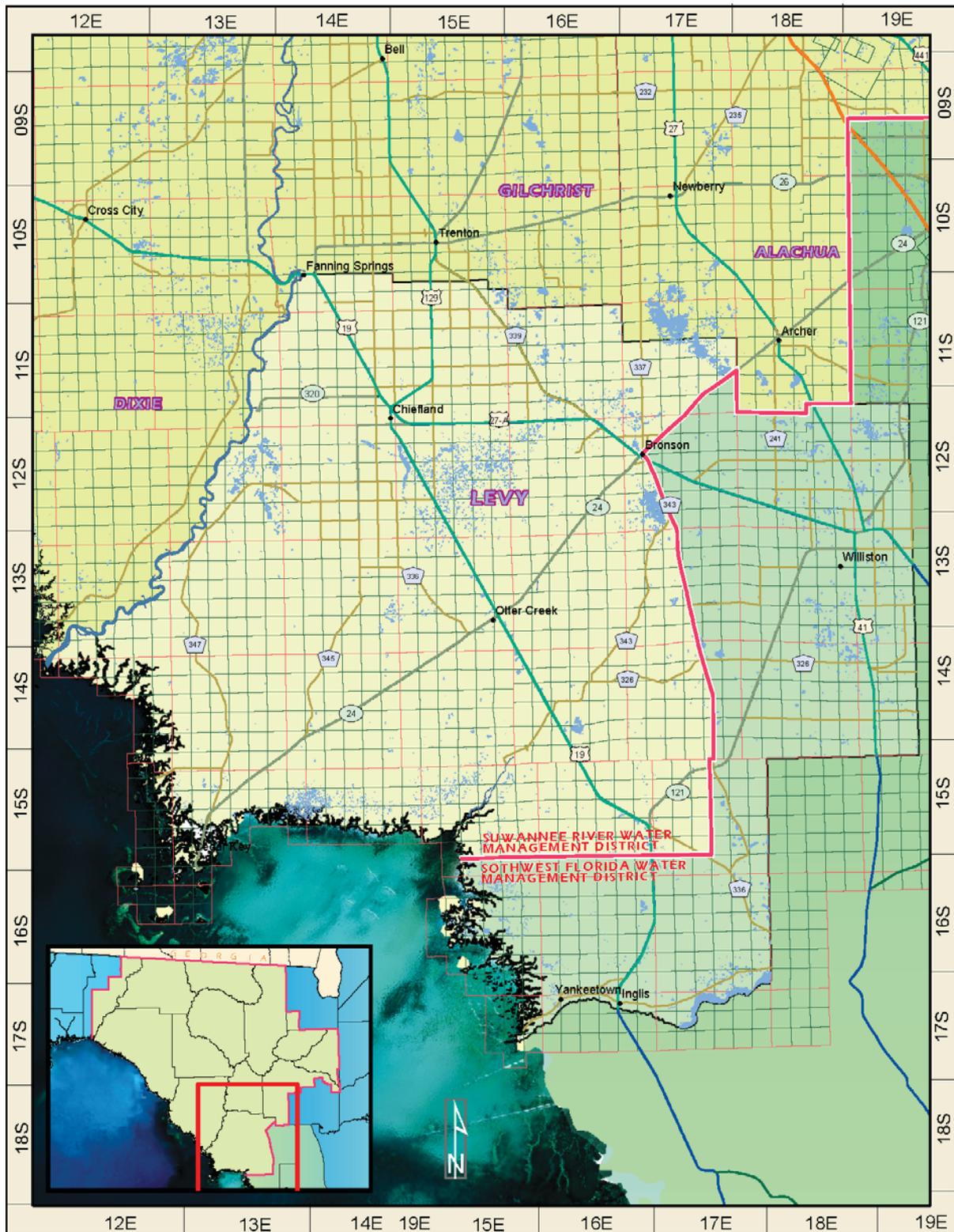
Bradford County Boundary



Jefferson County Boundary



Levy County Boundary



District Rainfall Distribution Data

Values for P_{total} (inches)¹

For the counties of Madison, Hamilton, Suwannee, Columbia, Baker and Union.

Frequency (years)	Duration (hours)							
	1	2	4	8	24	72	168	240
3	2.50	2.64	3.08	3.52	4.56	5.80	7.30	8.00
10	3.05	3.70	4.40	5.12	6.72	8.30	10.10	11.80
25	3.45	4.30	5.12	6.00	7.92	10.00	12.30	14.00
100	4.20	5.10	6.08	7.36	9.84	12.40	14.00	16.10

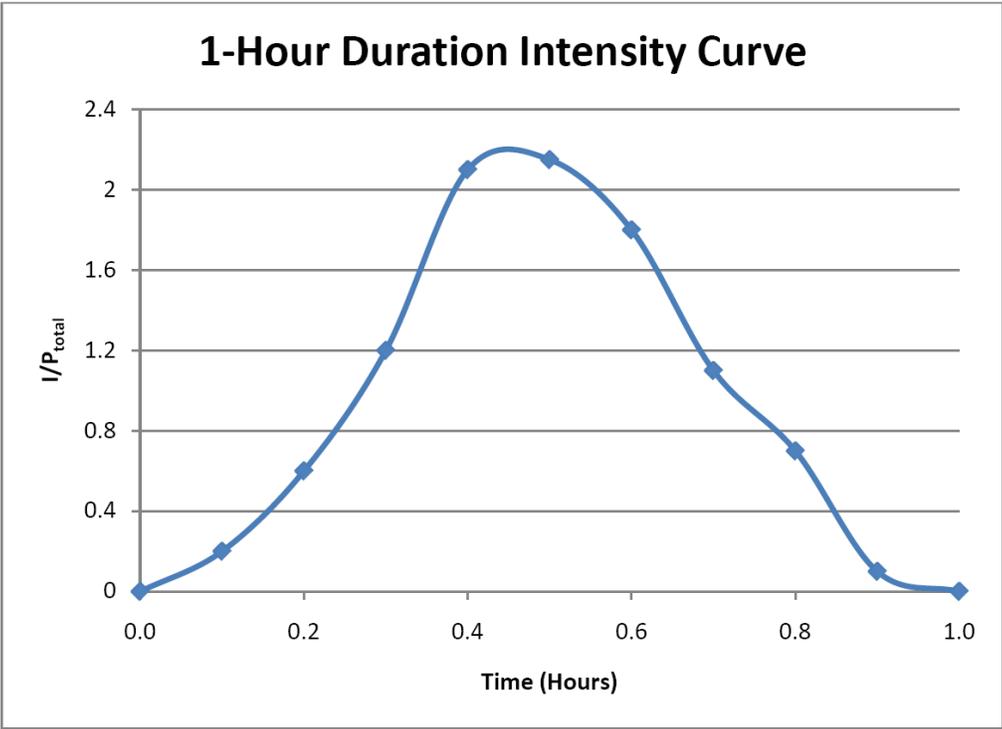
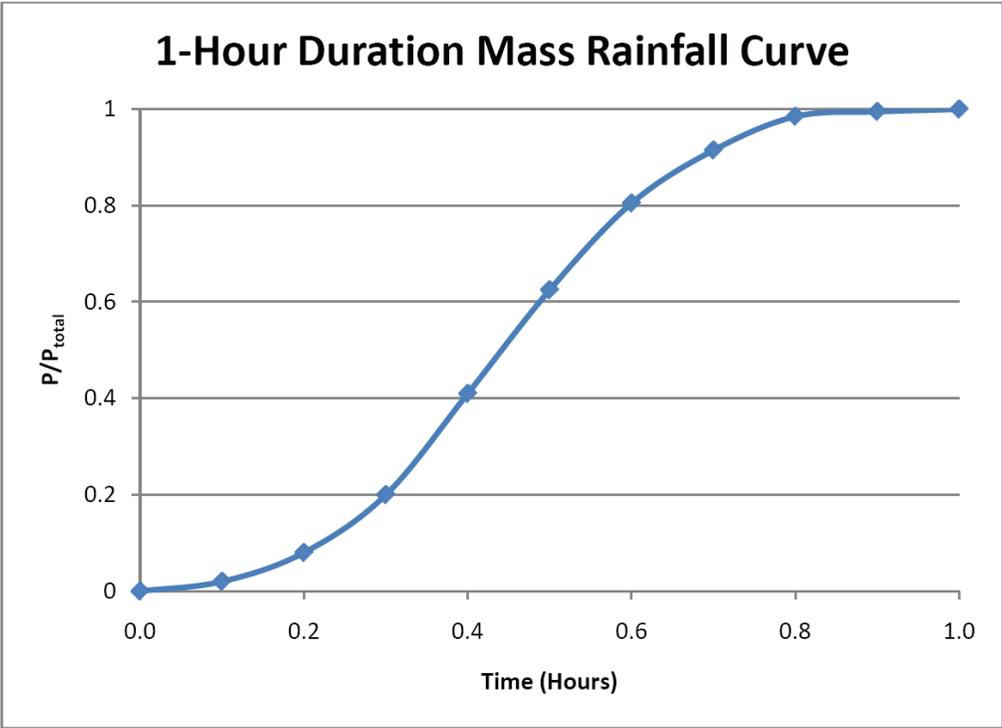
For the counties of Taylor, Lafayette, Dixie, Gilchrist, Levy, Alachua and Bradford.

Frequency (years)	Duration (hours)							
	1	2	4	8	24	72	168	240
3	2.60	3.20	3.80	4.48	6.00	7.60	9.50	10.80
10	3.20	4.00	4.80	5.84	7.92	8.90	11.00	12.50
25	3.60	4.40	5.28	6.56	8.64	11.00	13.00	15.00
100	4.40	5.40	6.72	8.00	11.04	13.80	16.00	18.00

1-HOUR DURATION

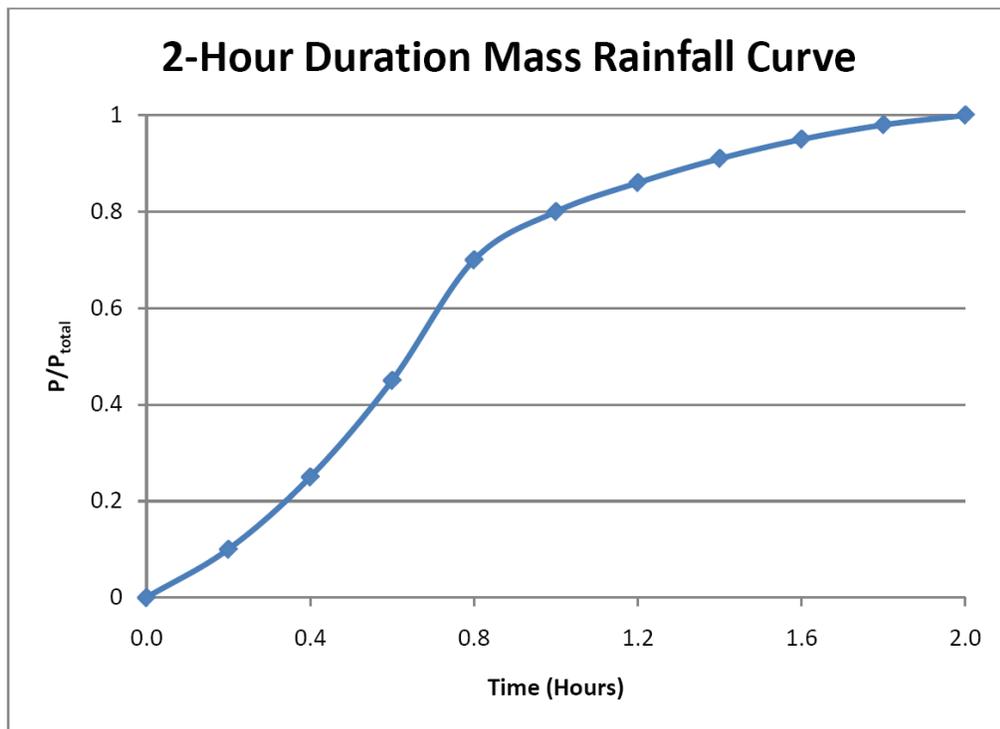
T(hrs)	P/ P_{total}	I/ P_{total}
0	0	0
.1	.020	.200
.2	.080	.600
.3	.200	1.200
.4	.410	2.100
.5	.625	2.150
.6	.805	1.800
.7	.915	1.100
.8	.985	0.700
.9	.995	0.100
1.0	1.000	0

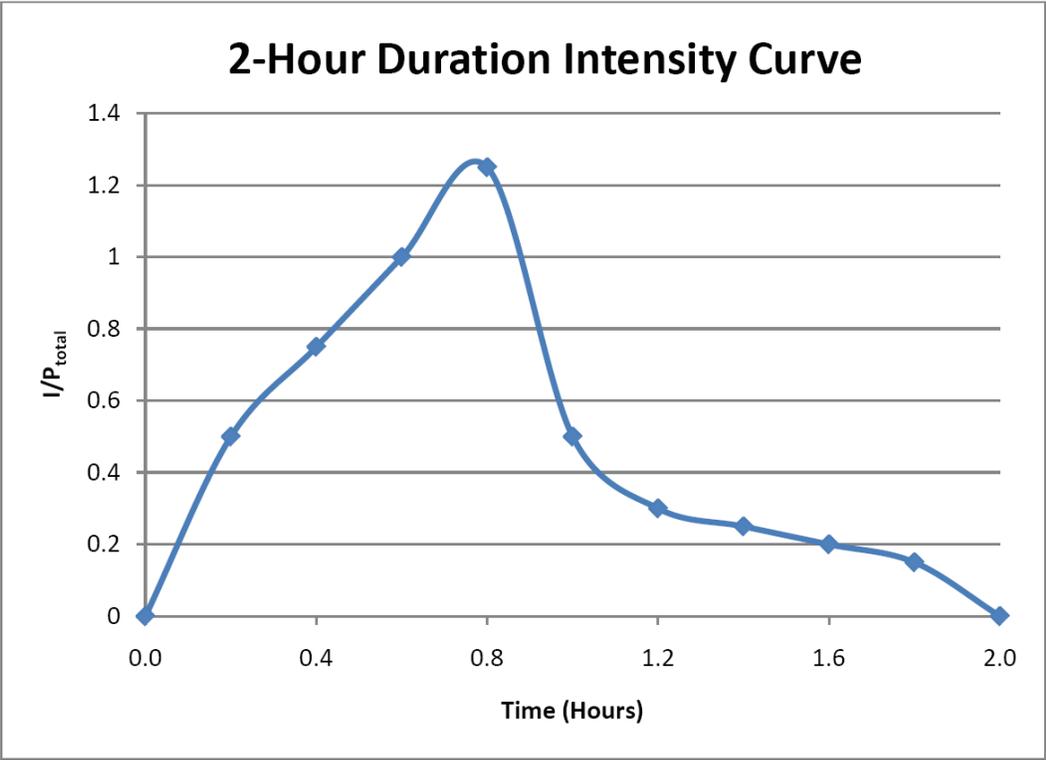
¹ Values for durations through 24 hours were taken from Florida Department of Transportation intensity curves. Values for durations greater than 24 hours were taken from National Weather Service Technical Paper No. 49, 1964.



2-HOUR DURATION

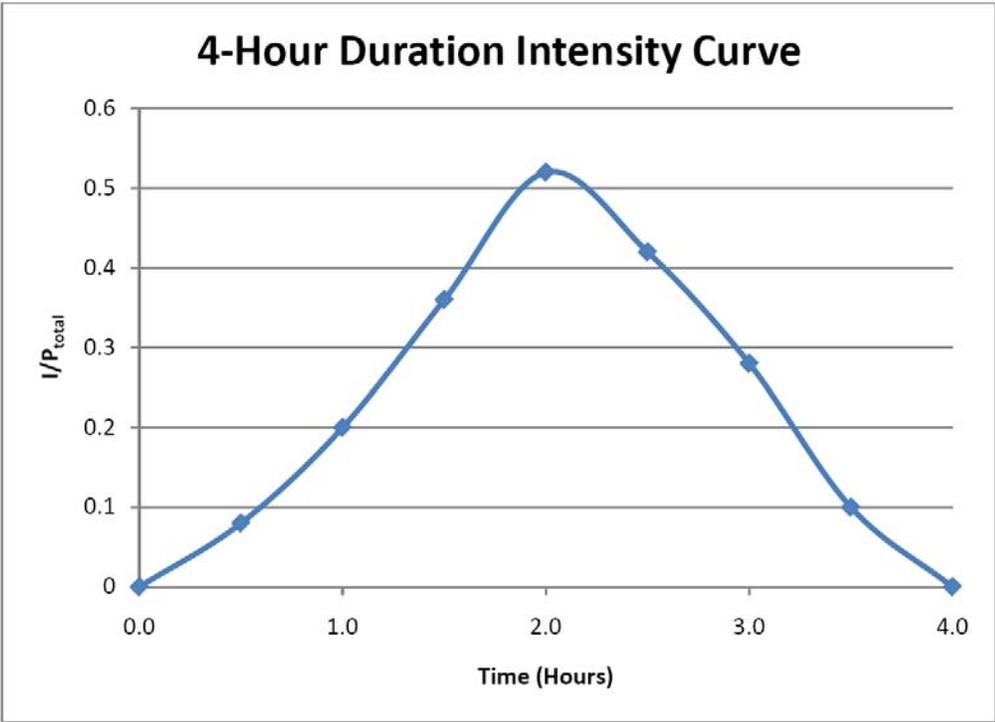
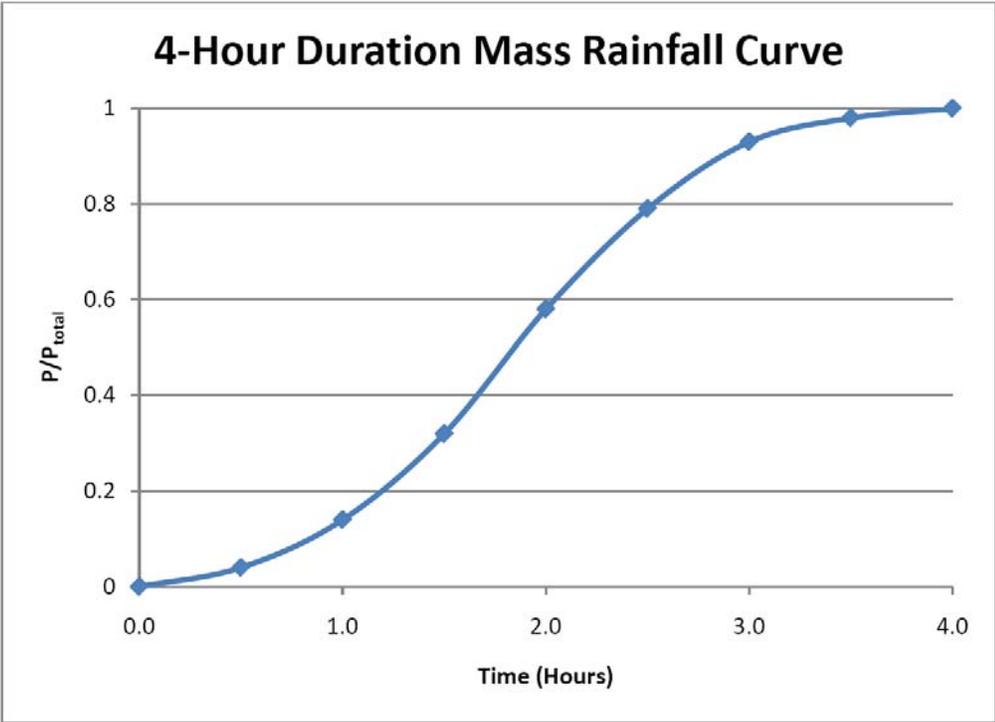
T(hrs)	P/P _{total}	I/P _{total}
0	0	0
.2	.100	.500
.4	.250	.750
.6	.450	1.000
.8	.700	1.250
1.0	.800	.500
1.2	.860	.300
1.4	.910	.250
1.6	.950	.200
1.8	.980	.150
2.0	1.000	0





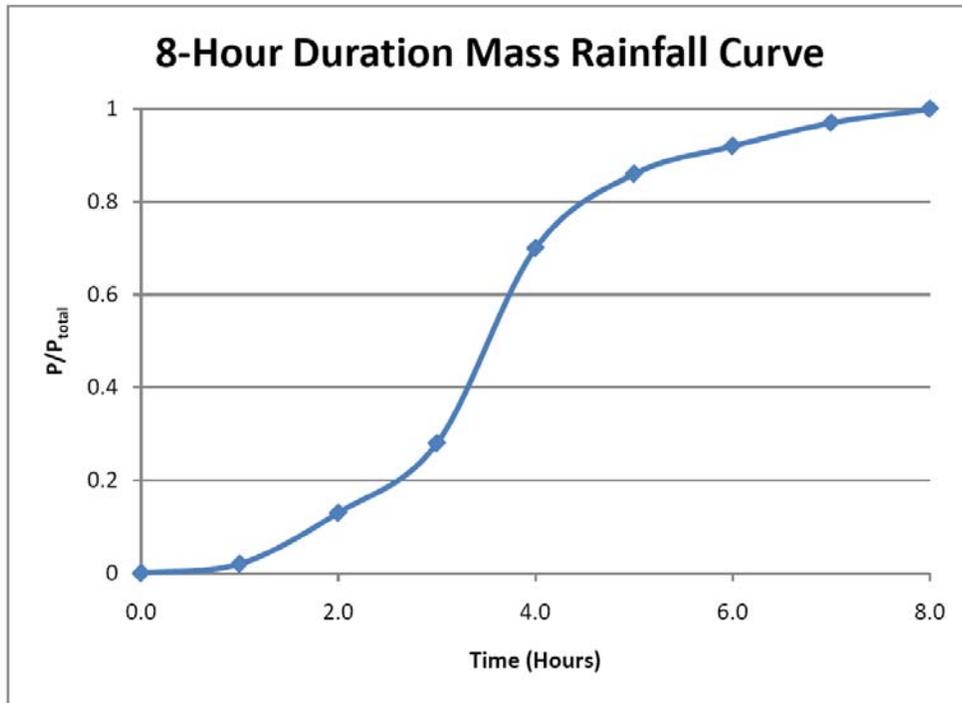
4-HOUR DURATION

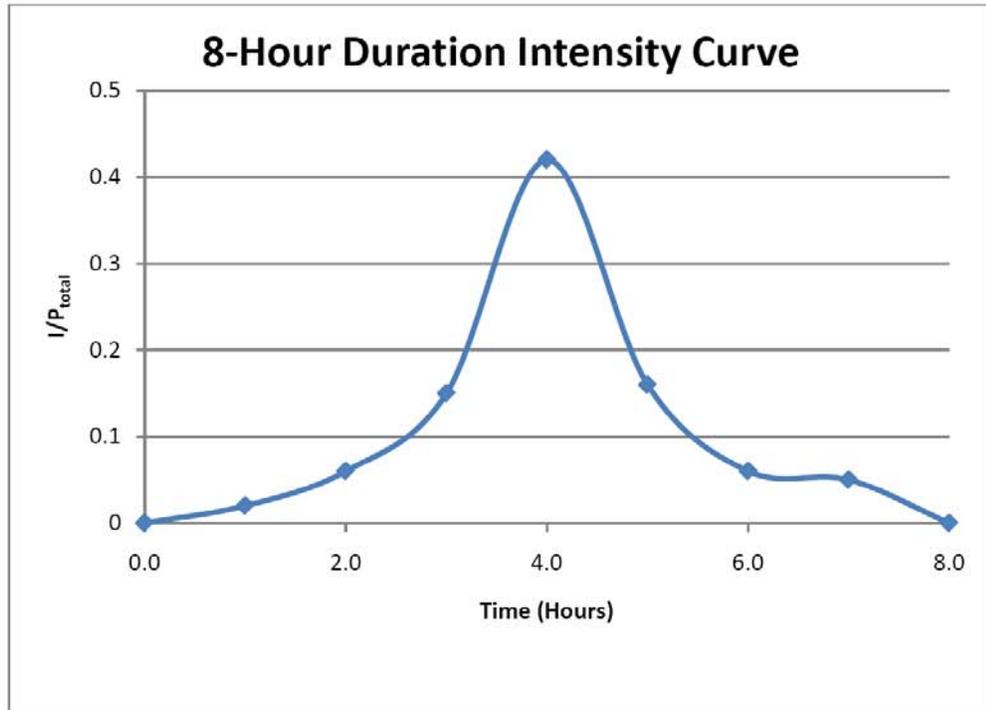
T(hrs)	P/P _{total}	I/P _{total}
0	0	0
0.5	0.040	0.080
1.0	0.140	0.200
1.5	0.320	0.360
2.0	0.580	0.520
2.5	0.790	0.420
3.0	0.930	0.280
3.5	0.980	0.100
4.0	1.000	0



8-HOUR DURATION

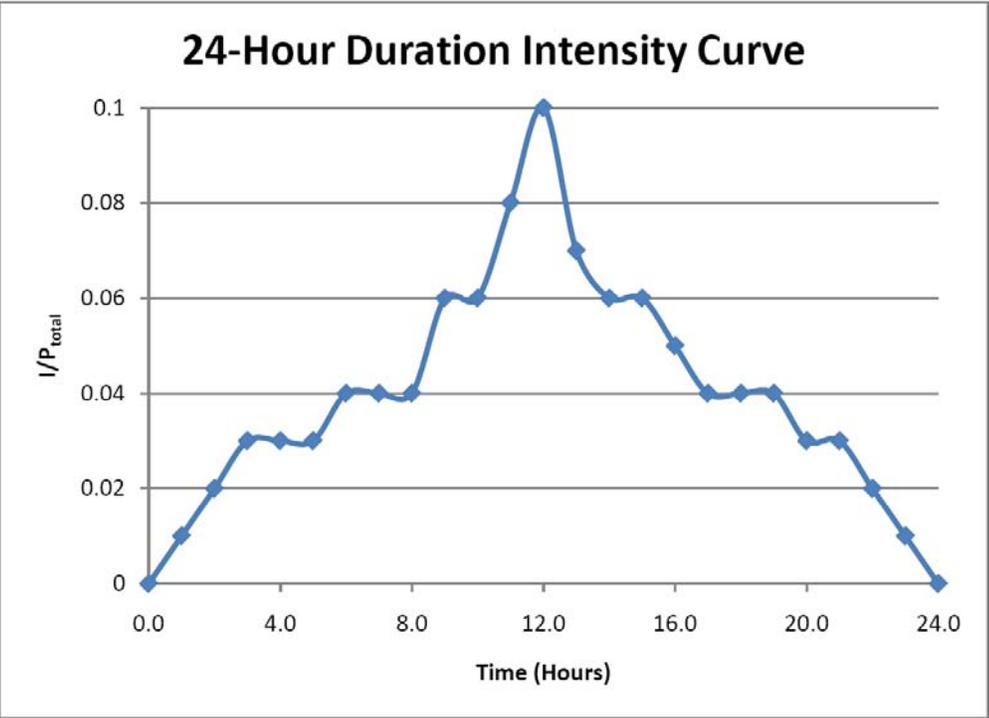
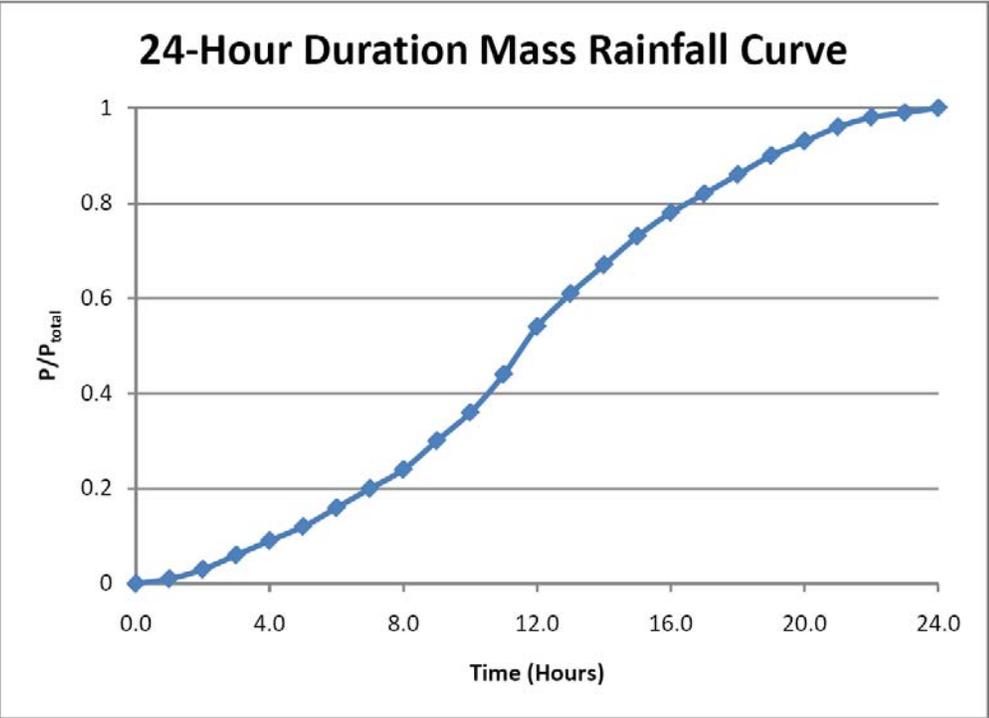
T(hrs)	P/P _{total}	I/P _{total}
1	.020	.020
2	.130	.060
3	.280	.150
4	.700	.420
5	.860	.160
6	.920	.060
7	.970	.050
8	1.000	0





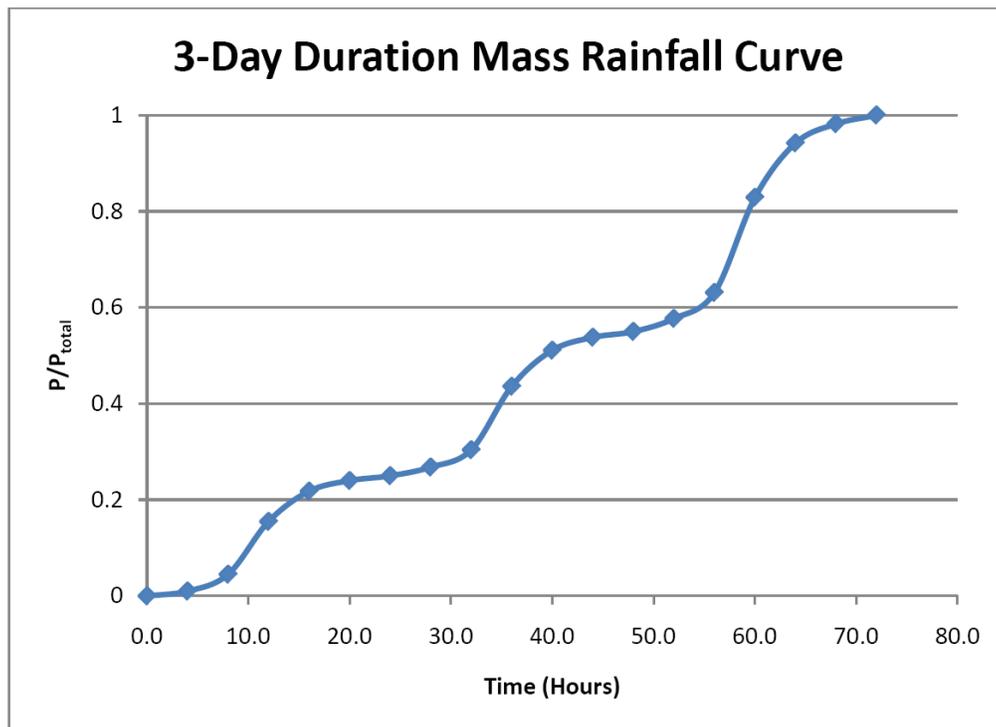
24-HOUR DURATION

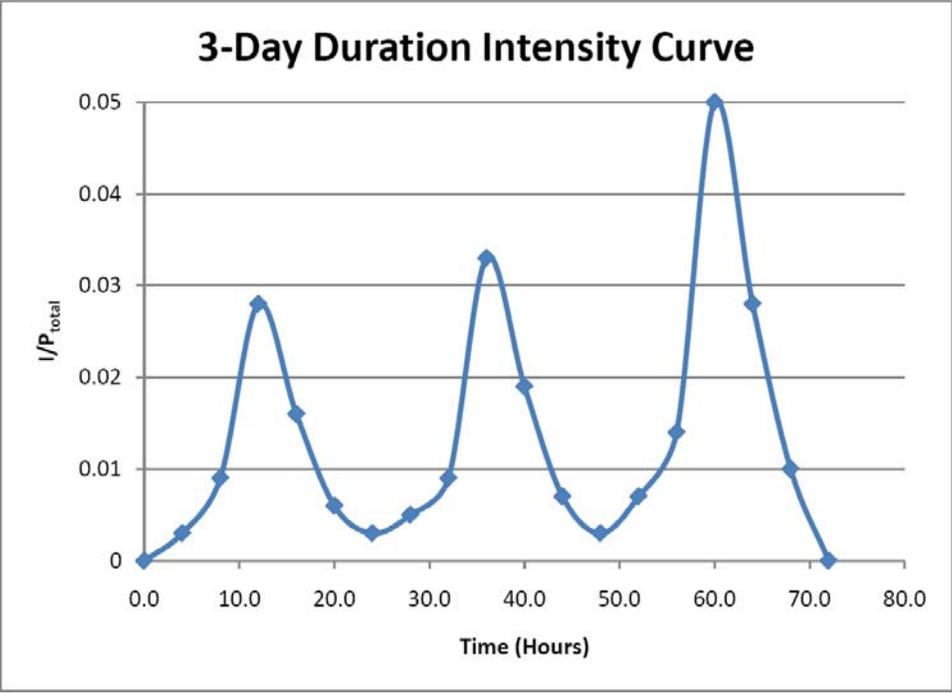
T(hrs)	P/P _{total}	I/P _{total}
0	0	0
1	.010	.010
2	.030	.020
3	.060	.030
4	.090	.030
5	.120	.030
6	.160	.040
7	.200	.040
8	.240	.040
9	.300	.060
10	.360	.060
11	.440	.080
12	.540	.100
13	.610	.070
14	.670	.060
15	.730	.060
16	.780	.050
17	.820	.040
18	.860	.040
19	.900	.040
20	.930	.030
21	.960	.030
22	.980	.020
23	.990	.010
24	1.000	0



3-DAY DURATION

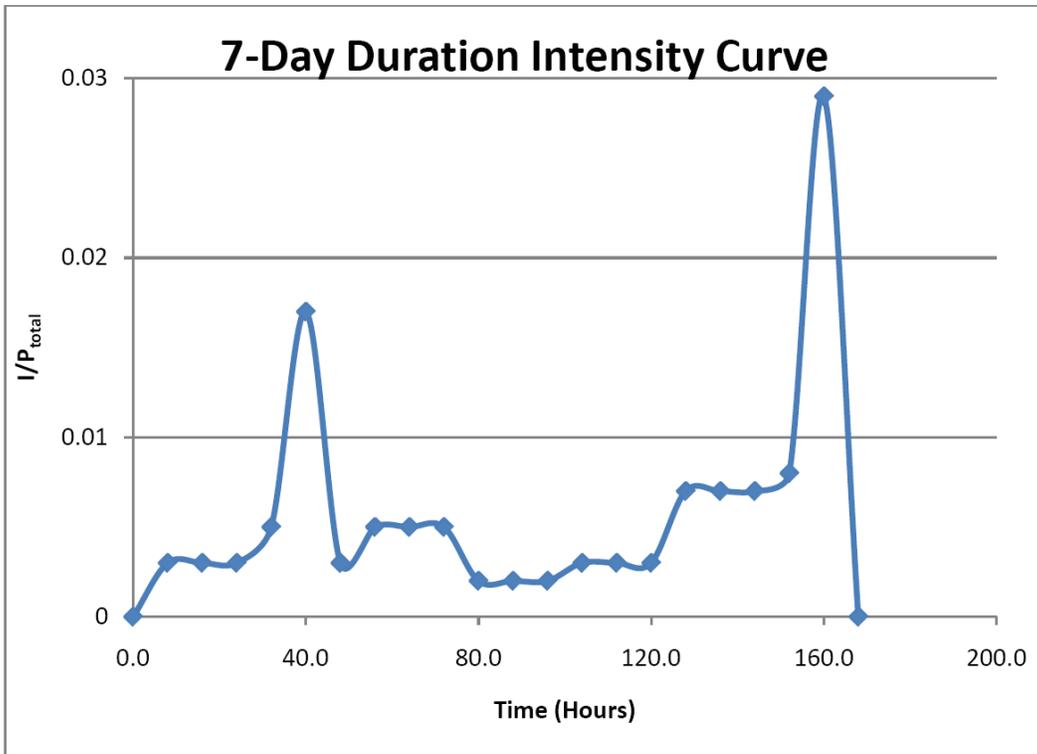
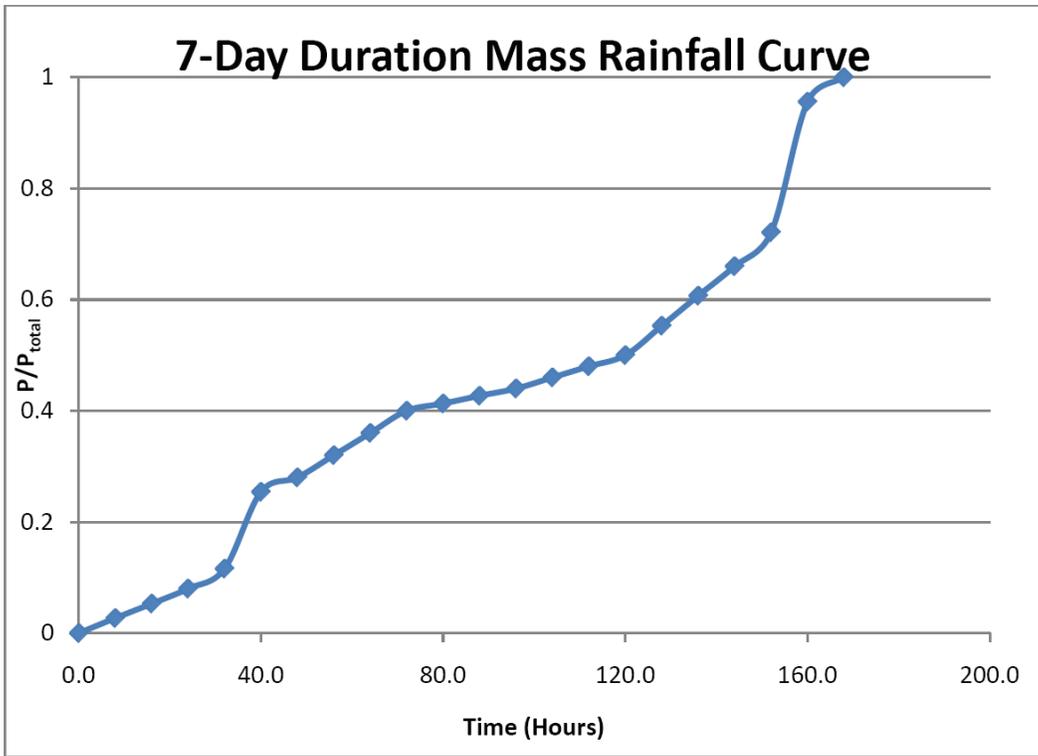
T(hrs)	P/P _{total}	I/P _{total}
0	0	0
4	.010	.003
8	.045	.009
12	.155	.028
16	.218	.016
20	.240	.006
24	.250	.003
28	.268	.005
32	.304	.009
36	.436	.033
40	.511	.019
44	.538	.007
48	.550	.003
52	.577	.007
56	.631	.014
60	.829	.050
64	.942	.028
68	.982	.010
72	1.000	0





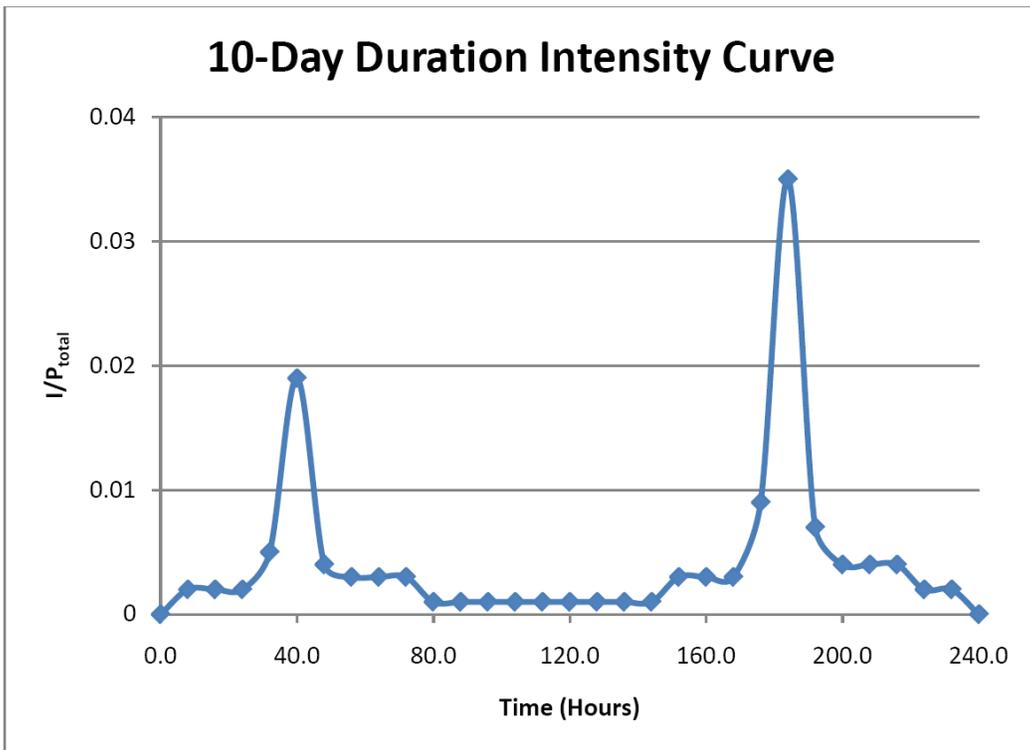
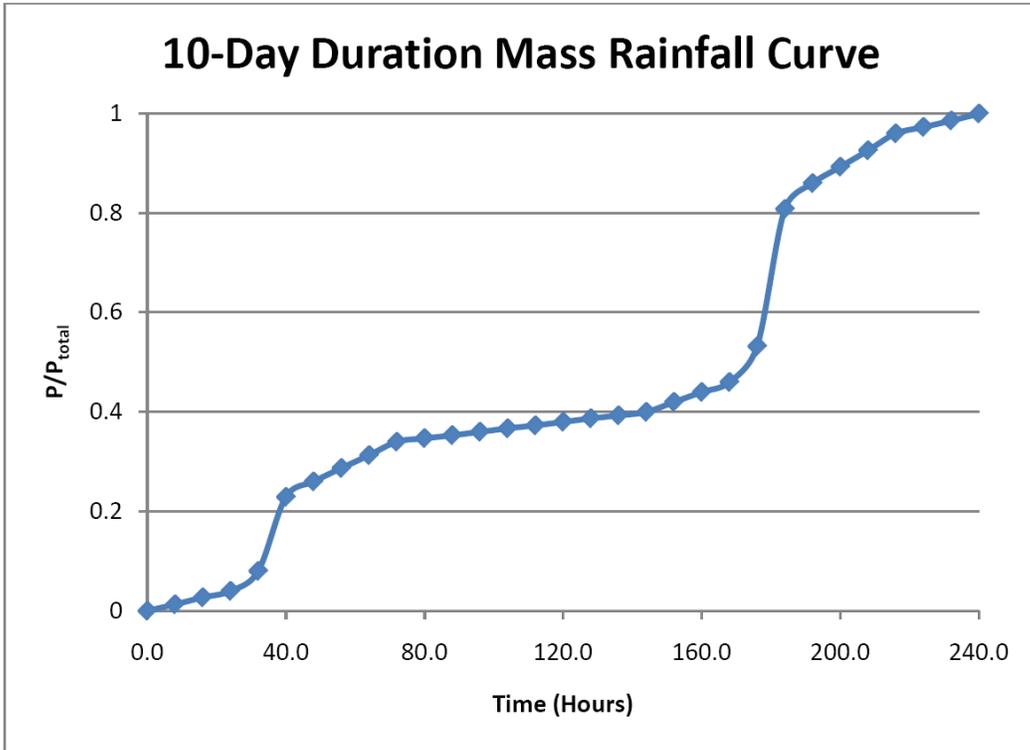
7-DAY DURATION

T(hrs)	P/P _{total}	I/P _{total}
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16	.053	.003
24	.080	.003
32	.116	.005
40	.254	.017
48	.280	.003
56	.320	.005
64	.360	.005
72	.400	.005
80	.413	.002
88	.427	.002
96	.440	.002
104	.460	.003
112	.480	.003
120	.500	.003
128	.553	.007
136	.607	.007
144	.660	.007
152	.721	.008
160	.956	.029
168	1.000	0



10-DAY DURATION

T(hrs)	P/P _{total}	I/P _{total}
0	0	0
8	.013	.002
16	.027	.002
24	.040	.002
32	.080	.005
40	.229	.019
48	.260	.004
56	.287	.003
64	.313	.003
72	.340	.003
80	.347	.001
88	.353	.001
96	.360	.001
104	.367	.001
112	.373	.001
120	.380	.001
128	.387	.001
136	.393	.001
144	.400	.001
152	.420	.003
160	.440	.003
168	.460	.003
176	.532	.009
184	.808	.035
192	.860	.007
200	.893	.004
208	.926	.004
216	.960	.004
224	.973	.002
232	.986	.002
240	1.000	0



NAME OF PERSON ORIGINATING PROPOSED RULE: Tim Sagul, Director, Resource Management, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (386)362-1001.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Suwannee River Water Management District.

DATE PROPOSED RULE APPROVED: November 15, 2012.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:

MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Division Director, Resource Management

DATE: February 25, 2013

RE: Authorization for the Executive Director to Enter into Contracts for the Fiscal Year 2013 Local Government Regional Initiative Valuing Environmental Resources (RIVER) Cost Share Program.

RECOMMENDATION

Staff recommends the Governing Board authorize the Executive Director to enter into contracts with 14 applicants for the Fiscal Year 2013 Local Government RIVER Cost-Share Program.

BACKGROUND

At the October 9, 2012 Governing Board meeting, the Governing Board authorized \$1,500,000 for projects that enhance or address the District's water supply, water quality, flood protection and/or natural systems responsibilities District wide.

Applications for fiscal year 2013 were accepted up to the deadline of December 7, 2012. Forty- three applications were submitted for the cost-share program. Fourteen projects are recommended for approval. The proposed recipients and their respective funding amounts are listed on Attachment A. The total not to exceed estimated District cost share funds to be dispersed this year is \$1,499,903.

Based on goals and objectives provided by the applicants for the recommended projects, the following results are expected:

1. Improve flood protection for 60 homes and several public facilities.
2. Conservation of 160 million gallons of water per year (MGY) with 123.4 MGY within water resource caution areas.
3. Provide 130 acre-feet of floodplain storage.
4. Reduce 401 cubic feet of sediment from going into the Suwannee River.
5. Water quality treatment for over 20.5 acres including 8.2 acres of impervious area.
6. Provide 3,655 square feet of river bank stabilization.
7. Abandonment of 500 private water wells.
8. Removal of 500 septic tanks resulting in reduced nutrient loading to natural water resources.
9. Reduction of arsenic and lead in drinking water for customers.
10. Regional well improvements for 1430 customers.
11. Removal of 15 tons of nitrates per year in District waters.

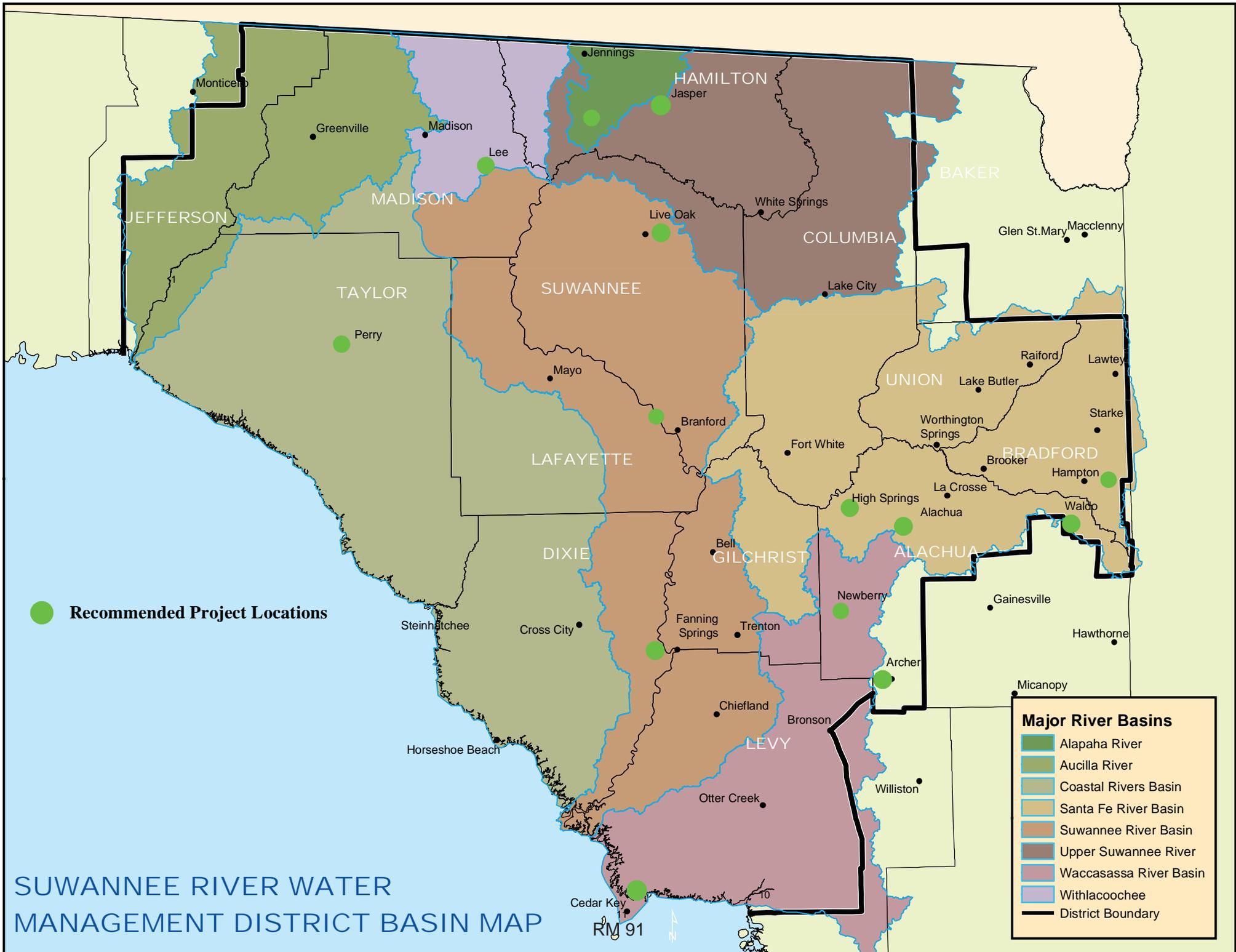
12. Provide improved water supply services for 8938 customers.

Funds for this cost share program are included in a reserve fund in the adopted FY13 budget.

PW/tm

Attachments

RIVER Cost Share Program Applications (Attachment A)							
Project Name	Cooperator	Basin	Revenue From District	Applicant's Share	Applicants Share %	Alt. Source	Total Estimate Cost
City of Alachua Water Conservation Project	City of Alachua	Santa Fe	\$31,220	\$31,220	50%	0	\$62,440
Waldo Water Conservation Project	City of Waldo	Santa Fe	\$76,836	\$76,835	50%	0	\$153,672
Theresa Flood Mitigation Project	Bradford County	Santa Fe	\$46,000	\$46,000	50%	\$46,000	\$92,000
City of High Springs Water Conservation Project	City of High Springs	Santa Fe	\$28,628	\$28,628	50%	\$0	\$57,256
Old Town Regional Water Supply Interconnect	Nature Coast Regional Water Authority	Suwannee	\$350,000	\$517,000	92%	\$3,500,000	\$4,367,000
Lantana Road Sedimentation Control Project	Lafayette County	Suwannee	\$36,875	\$4,000	11%	\$0	\$40,875
Golf Course Reuse Connection Project	City of Live Oak	Suwannee	\$19,571	\$4,893	20%	\$0	\$24,464
Archer Wastewater Collection, Treatment & Reuse	City of Archer	Waccasassa	\$350,000	\$3,060,000	97%	\$10,990,000	\$14,400,000
Cedar Key Water Supply Improvement Project	Cedar Key Water & Sewer District	Waccasassa	\$24,500	\$24,500	50%	\$0	\$49,500
City of Newberry Water Conservation Project	City of Newberry	Waccasassa	\$28,550	\$28,550	50%	\$0	\$57,100
Town of Lee Supply Well #3 Improvements	Town of Lee	Withlacoochee	\$23,043	\$23,043	50%	\$0	\$46,085
City of Jasper Water Conservation Project	City of Jasper	Up Suw/Alapaha	\$97,200	\$10,000	9%	\$0	\$107,200
SR-6/I-75 Hamilton County Water System Improvements	Hamilton County	Alapaha	\$37,480	\$12,000	24%	\$0	\$49,480
Spring Creek/Rosehead Lake Flood Mitigation Project	City of Perry	Coastal Rivers	\$350,000	\$147,405	25%	\$0	\$589,617
Total			\$1,499,903				



Map showing Major River Basins and Recommended Project Locations across various counties including Jefferson, Madison, Taylor, Suwannee, Lafayette, Dixie, Levy, Hamilton, Columbia, Union, Bradford, Alachua, and Baker. Major cities and towns labeled include Monticeo, Greenville, Madison, Lee, Jennings, Jasper, White Springs, Live Oak, Lake City, Perry, Mayo, Branford, Fort White, Raiford, Lawtey, Starke, Worthington Springs, Brooker, Hampton, High Springs, Alachua, Waldo, Gainesville, Hawthorne, Micanopy, Archer, Williston, Bronson, Chiefland, Otter Creek, Fanning Springs, Trenton, Bell, Cross City, Steinhatzee, Horseshoe Beach, and Cedar Key.

MEMORANDUM

TO: Governing Board

FROM: Kevin Wright, Professional Engineer

DATE: February 25, 2013

RE: Authorization for the Executive Director to Amend the Grant Contract for Santa Fe River Basin Management Action Plan (BMAP) Grant from Florida Department of Environmental Protection (FDEP)

RECOMMENDATION

Staff recommends the Governing Board authorize the Executive Director to amend the contract for the Santa Fe River BMAP grant for an additional \$434,750 from FDEP.

BACKGROUND

FDEP adopted a Basin Management Action Plan (BMAP) for the Santa Fe River Basin. To help implement the plan, FDEP awarded a \$900,000 grant to the District to fund water quality improvements. The contract allowed work in both the Santa Fe and Suwannee River basins. FDEP is now proposing to amend the grant to include an additional \$434,750. The total grant award is now \$1,334,750, of which \$900,000 will be spent solely within the Santa Fe Basin.

After the first two rounds of grant applications, the District obligated \$856,500 of the original \$900,000. This has led to 52 fertigation systems and 60 irrigation retrofits. The estimated nitrogen reductions for both rounds are 946,000 pounds annually and a savings of 960 million gallons of water annually or just over 2.6 million gallons of water per day. Staff will use the amended grant monies for similar projects exclusively in the Santa Fe River Basin.

/kw

MEMORANDUM

TO: Governing Board
FROM: Tim Sagul, P.E., Division Director, Resource Management
DATE: February 25, 2013
RE: Approval of Water Use Permit Application Number
2-12-00073.001, Absaroka, Hamilton County

RECOMMENDATION

Staff recommends the Governing Board approve Water Use Permit number 2-12-00073.001, with eighteen standard conditions and three special limiting conditions to Absaroka Holdings, LLC, in Hamilton County.

BACKGROUND

This is a new application to irrigate 755 acres with a water allocation ADR of 1.4079 million gallons daily (mgd). This will be accomplished with eight irrigation wells and eight center pivots. The project area is located within the Alapaha River Basin Water Resource Caution Area.

The permit contains special conditions regarding implementation of automatic monitoring of withdrawals, implementation and maintenance of conservation plans, and irrigation of target areas.

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

/tm

February 25, 2013

Mr. Kevin Coggins
Absaroka Holdings, LLC
2086 J. Frank Culpepper Road
Lake Park, GA 31636

Subject: Approval of Water Use Permit Application Number
2-12-00073.001, Absaroka, Hamilton County

Dear Mr. Coggins:

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 12, 2013, 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.
Division Director, Resource Management

TS/tm
Enclosure
Certified Mail Receipt Number:7010 1060 0001 1350 3431

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 Florida Statutes. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may chose to pursue mediation as an alternative remedy as described above. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon receipt of the petition by the Office of the District Clerk at the District Headquarters in Live Oak, Florida.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing pursuant to Rule 28-106.111, Florida Administrative Code.
7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.

NOTICE OF RIGHTS

- 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:

Mr. Kevin Coggins
Absaroka Holdings, LLC
2086 J. Frank Culpepper Road
Lake Park, GA 31636

At 4:00 p.m. this _____ day of _____, _____

Tim Sagul
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 25, 2013

PROJECT: Absaroka

APPLICANT:

Absaroka Holdings, LLC
2086 J. Frank Culpepper Road
Lake Park, GA 31636

PERMIT APPLICATION NO.: 2-12-00073.001

DATE OF APPLICATION: October 2, 2012

APPLICATION COMPLETE: December 4, 2012

DEFAULT DATE: March 13, 2013

MANAGER/MEMBER DETAIL: Absaroka Holdings, LLC

Griffin Moag PO Box 2607 Kirkland, WA 98083	MGR
Kevin Coggins 2086 J. Frank Culpepper Rd. Lake Park, GA 31636	AGENT

	Previous Quantities:		Proposed Quantities:	
Average Daily Rate (ADR)	-	mgd	1.4079	mgd

Recommended Agency Action

Staff recommends approval of a Water Use Permit for a new agricultural use located within Hamilton County. The permit includes eighteen standard conditions and three special limiting conditions. The permit will expire on March 12, 2018.

Project Review Staff

James Link, Kevin Wright, P.E., and Tim Sagul, P.E. have reviewed the application.

Project Location

The withdrawal facilities are located in Township 02 North, Range 13 East, Sections 27, 34 and 35 in Hamilton County. The project is located within the Alapaha River basin according to the USGS National Hydrography Dataset, Hydrologic Unit Code-8 sub basins.

Project Description

The project area consists of 898 acres with approximately 755 acres being irrigated using groundwater.

The water use calculations are based upon the irrigated acreages and crop types provided by Kevin Coggins. Crops include carrots, corn, cotton, beans, and peanuts. The applicant will use eight center pivots for irrigation. The Average Daily Rate (ADR) of withdrawal is calculated as 1.4079 mgd, which equates to 25.1 inches of supplemental irrigation annually.

The project area includes eight proposed wells. Use of these eight wells will be for irrigation. Absaroka Holdings, LLC, has not applied for the Water Well Construction permits. 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 crop types. Absaroka Holdings, LLC plans to irrigate 755 acres with two crops each year. Crops include carrots, corn, cotton, beans, and peanuts.

Water Conservation

The applicant has completed the Water Conservation Worksheets for Center Pivot Irrigation.

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.

Permit Duration

Staff recommends a five year permit duration because of a lack of reasonable assurance that the water resources of the Upper Suwannee Water Resource Caution Area will be sufficient to meet the future water use demands.

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, 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 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. This permit shall expire on **3/12/2018**. The permittee must submit the appropriate application form incorporated by reference in subsection 40B-2.041(2), Florida Administrative Code (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.
2. The permittee may apply for a permit modification at any time in accordance with section 40B-2.331, F.A.C.
3. Primary Water Use classification(s): **Irrigation**
4. Source classification(s) : **Groundwater**
5. 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.
6. The permitted water withdrawal facilities consist of the items in the Withdrawal Point Information table on page 1.
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. All correspondence sent to the District regarding this permit must include the permit number **2-12-00073.001**.
17. 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.
18. 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

19. The Permittee shall implement automated monitoring of groundwater withdrawals, at Permittee's expense, upon commencement of withdrawals. The monitoring and reporting shall include reporting daily volume pumped by each well of inside diameter eight inches or greater at land surface and shall be delivered by 12:00 pm local time the following day via approved telemetry consistent with District data formats. The permittee may opt for a standardized SRWMD automated monitoring system to fulfill this requirement.
20. The Permittee shall implement and/or maintain the conservation practices selected in the Water Conservation Plan submitted to the District. Any new practices selected shall be implemented within 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 ensure that the irrigation systems will water target areas only under field operations. Irrigation of non-target areas (roads, woods, structures, etc.) is prohibited.

Attachment A
2-12-00073.001
Absaroka

Name	Status	Diameter	Capacity (gpm)	Water Use
#1	Proposed	16	2250	Irrigation
#2	Proposed	8	500	Irrigation
#3	Proposed	8	400	Irrigation
#4	Proposed	12	1000	Irrigation
#5	Proposed	8	350	Irrigation
#6	Proposed	12	800	Irrigation
#7	Proposed	8	400	Irrigation
#8	Proposed	8	350	Irrigation

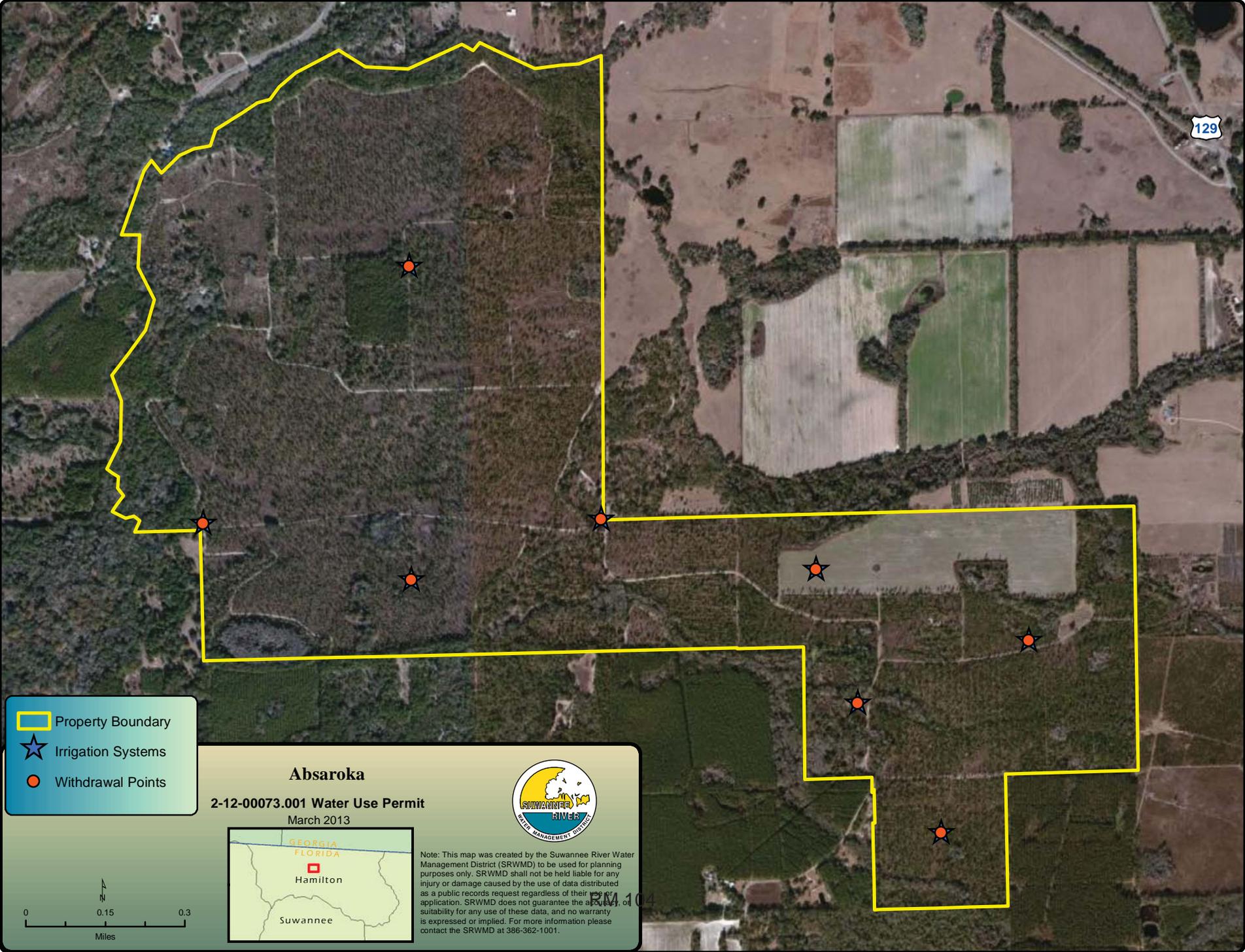
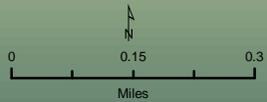
-  Property Boundary
-  Irrigation Systems
-  Withdrawal Points

Absaroka

2-12-00073.001 Water Use Permit
March 2013



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, suitability for any use of these data, and no warranty is expressed or implied. For more information please contact the SRWMD at 386-362-1001.



MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, P.E., Division Director, Resource Management

DATE: February 25, 2013

RE: Permitting Summary Report

Environmental Resource Permitting (ERP) Activities

Permit Review

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

January 2013	Received					
ERP	Noticed General	General	Individual	Conceptual	Exemption Requests	Extension Requests
	4	5	0	0	2	0
	Issued					
	Noticed General	General	Individual	Conceptual	Exemptions Granted	Extensions Granted
	7	5	2	0	0	0

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

File Number	Project Name	County	Issue Date
ERP04-0108M	Norton Borrow Pit Expansion	Columbia	1/16/2013
ERP12-0110M	Suwannee Catalyst-Clearing & Grubbing Modification	Suwannee	1/28/2013

Inspections and as-built certification

The following chart shows staff activity on projects that have been permitted from January 1, 2010 to January 31, 2013.

	Issued	Under Construction	Operation & Maintenance*	Construction Inspections	As-built Inspections
Permit Type				Jan.2013	Jan.2013
Exempt	50	29	21	0	0
Noticed General	383	290	93	0	1
General & Works of the District	307	202	105	2	4
Individual	43	32	11	0	0
Conceptual	2	2	0	0	0
TOTAL	785	555	230	2	5
PERCENT		71%	29%		

*O& M includes permits that have expired and were not constructed.

Please note - The reporting period has changed from a beginning date of January 2009 to a beginning date of January 2010.

Water Use Permitting and Water Well Construction

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

January 2012	Received		Issued
Water Use Permits	24		15
Water well permits issued and received according to well use:			
Abandoned/destroyed	3	Livestock	0
Agricultural Irrigation	10	Monitor	6
Aquaculture	0	Nursery	0
Climate Control	0	Other	0
Fire Protection	0	Public Supply	1
Garden (Non Commercial)	0	Self-supplied Residential	70
Landscape Irrigation	4	Drainage or injection	0
Commercial or Industrial	0	Test	0

**Rulemaking Schedule
February 2013**

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.	4/10/12
Notice of Proposed Rule	6/22/12
Notice of Technical Change	8/14/12
Send to JAPC	
Mail to DOS (tentative)	
Effective Date (tentative)	

40B-2.301

Water Use Monitoring

GB Rule Dev. Auth.	2/14/12
Notice of Rule Dev.	3/2/12
GB Proposed Rule Auth.	9/11/12
Notice of Proposed Rule	9/21/12
Public Workshop	10/11/12
Send to JAPC	11/12
Sent to OFARR	1/14/13
GB Notice of Change	1/8/13
Mail to DOS	2/21/13
Effective Date (tentative)	3/13/13

40B-2.331

Water Use Monitoring Incentive

GB Rule Dev. Auth.	2/14/12
Notice of Rule Dev.	3/2/12
GB Proposed Rule Auth.	9/11/12
Notice of Proposed Rule	9/21/12
Public Workshop	10/11/12
Send to JAPC	11/12
Sent to OFARR	1/14/13
GB Notice of Change	1/8/13
Mail to DOS	2/20/13
Effective Date (tentative)	3/12/13

40B-1, 40B-4, 40B-400

**Statewide Environmental Resource
Permitting (SWERP)**

GB Rule Dev. Auth.	9/11/12
Notice of Rule Dev.	9/28/12
GB Proposed Rule Auth.	11/15/12
Notice of Proposed Rule	3/12/13
Send to JAPC	
Mail to DOS (tentative)	
Effective Date (tentative)	

**40B-1, 40B-2, 40B-8, 40B-21
CUPcon**

GB Rule Dev. Auth.	5/29/12
Notice of Rule Dev.	7/20/12
GB Proposed Rule Auth.	
Notice of Proposed Rule	
Send to JAPC	
Mail to DOS (tentative)	
Effective Date (tentative)	

MEMORANDUM

TO: Governing Board
FROM: George T. Reeves, Esq., Board Counsel
DATE: February 25, 2013
RE: Enforcement Status Report

ADMINISTRATIVE MATTERS WITHIN THE DISTRICT

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

This violation is for a non-functioning surface water management system and failure to submit as-built certification forms.

The property at issue has been purchased by a new owner, who has cleared the pond. The new owner expects to submit an application within 3 months.

Staffs to conduct a site inspection by February 28, 2013, to determine if remedial work remains to be done to bring the system into full compliance.

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

This violation is for construction of a structure in the floodway.

Mortgage Company is aware of the outstanding violations existing on the property. Freeman has filed a Suggestion of Bankruptcy and the finalization of the foreclosure matter is on hold until either the bankruptcy is resolved or the mortgage company is given authorization to proceed with the foreclosure.

Counsel is awaiting status report from mortgage company attorney. The bank is proceeding with an in rem foreclosure action. Counsel will work with the bank's attorneys in an effort to have the bank cure the outstanding violations on the property. **No change since last report.**

Respondent	Richard Oldham
Enforcement Number / County	CE10-0024 / Bradford
Violation	Unpermitted Pond & Deposition of Spoil Material
Legal Counsel	Brannon, Brown, Haley & Bullock, P.A.
Date sent to legal	October 13, 2011
Target Date	Ongoing
Legal Budget / Legal Fees to date	\$5,000 / \$2,473

This violation is for construction of a pond without a permit and deposition of spoil material in a flood area.

Richard Oldham and Diana Nicklas were served with an Administrative Complaint and Order and the time for filing a petition for hearing lapsed.

Counsel has filed a Petition for Enforcement in the Circuit Court for Bradford County and will have Oldham and Nicklas personally served upon receipt of the summons from the Clerk. Awaiting service on Respondents. **No change since last report.**

Respondent	Larry R. Sigers
Enforcement Number / County	CE08-0072 / Columbia
Violation	Unpermitted Dredge & Fill
Legal Counsel	Robinson, Kennon & Kendron, P.A.
Date sent to legal	October 5, 2011
Target Date	March 12, 2012
Legal Budget / Legal Fees to date	\$7,500 / \$7,517.00

A Consent Agreement was entered into with Mr. Sigers as a result of violations of District Rules. Staff is monitoring the Project in accordance with the Consent Agreement; however, Mr. Sigers is not yet in compliance.

Respondent	Rodney O. Tompkins
Enforcement Number / County	CE11-0001 / Gilchrist
Violation	Unpermitted Water Use
Legal Counsel	Springfield Law, P.A.
Date sent to legal	October 3, 2011
Target Date	September 11, 2012
Legal Budget / Legal Fees to date	\$4,800/\$4,627

After approximately one year of attempting to secure the property owner's voluntary cooperation, Staff counsel completed drafting the Administrative Complaint on April 15, 2012 and provided it to staff for execution by the Executive Director. The next day, April 16, 2012, staff received a copy of an incomplete original application via facsimile transmission. Staff decided to treat the submittal as initiating the permit application process, even though basic information and technical data are missing, including an original signature, application fee, and water conservation forms. While staff are attempting to informally obtain some of the required information, if it is not received on or before May 7, 2012, staff will prepare a formal request for additional information. Also, subsequent to submittal of the application, staff counsel received another letter from Terry Kann, attorney for the property owner, on April 18, 2012, expressing continuing concerns regarding the details of any water use permit proposed by the District.

The property owner failed to submit any additional information or application fee prior to the District's deadline to request additional information. Therefore, on May 16, 2012, a RAI was sent to Mr. Tompkins as Trustee for the property owner, which provided an additional 90 days to submit the needed documentation and fee. Deadline for RAI submittal was August 14, 2012.

The Governing Board authorized the Executive Director to file an Administrative Complaint at its September Board meeting. **Mr. Tompkins was served by the Gilchrist County Sheriff's Office. Further legal action has been requested by Mr. Tompkins attorney and Board counsel has responded. Mr. Tompkins has applied for a Water Use Permit and the application is currently under review.**

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

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

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

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

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

A permit for this project was issued on August 6, 2012. Staff is still working with Columbia County on the associated Interlocal Agreement. **No change since last report.**

CIRCUIT COURT MATTERS

Respondent	Charlie Hicks, Jr.
Enforcement Number / County	CE07-0087 / Madison County
Violation	Unpermitted Construction in Floodway
Legal Counsel	Brannon, Brown, Haley & Bullock, P.A
Date sent to legal	October 30, 2008
Target Date	Ongoing
Legal Fees to date	\$21,536.50

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

The nonjury trial on damages was conducted on April 3, 2012. The Court entered its Final Judgment awarding the District a total amount of \$31,794.07, which consisted of a \$10,000 penalty, an award of attorneys' fees of \$19,454.50, and legal and investigative costs totaling \$2,339.57. Counsel is proceeding in executing on the judgment. **No change since last report.**

Respondent	Steven Midyette
Enforcement Number / County	CE07-0065 / Gilchrist County
Violation	Unpermitted Clearing & Filling of Wetlands & Unpermitted Construction
Legal Counsel	Brannon, Brown, Haley & Bullock, P.A
Date sent to legal	September 9, 2008
Target Date	Ongoing
Legal Fees to date	\$9,190.00

This is an ongoing enforcement case which involved clearing of wetland vegetation within a riverine wetland slough without a permit, filling in wetlands and constructing a boat ramp within a riverine wetland slough without a permit.

A Complaint was filed with the Circuit Court of Gilchrist County and it was served on Mr. Midyette on March 30, 2011. There have been several status conferences with the latest being October 30, 2012.

The majority of remedial work has been accomplished. The parties are currently negotiating the attorneys' fees and costs and penalty amount to be paid by Midyette and the procedure for payment of the agreed upon amount. **No change since last report.**

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

This violation was unpermitted construction of a water well by an unlicensed contractor. A complaint was filed in the Circuit Court of Bradford County. A Final Judgment on Liability has been entered by the Court against Mr. Moody.

Counsel will assess the viability of seeking a money judgment against him. **No change since last report.**

Respondent	EI Rancho No Tengo, Inc.
Enforcement Number / County	CE05-0017 / Columbia
Violation	Unpermitted Construction
Legal Counsel	Springfield Law, P.A.
Date sent to legal	January 2006
Target Date	April 30, 2012
Legal Fees to date	\$251,932

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

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

On March 22, 2012, the Bankruptcy Court granted the District's motion to dismiss the Chapter 12 bankruptcy case filed by Jeffrey Hill. On March 28, 2012, District staff recorded the Sheriff's deed with the Columbia County Clerk's Office.

On May 16, 2012, Mr. Hill filed a Notice of Appeal of the Bankruptcy Court's May 3rd Order. The District's bankruptcy counsel, Lance Cohen, is responding to the appeal. Staff was directed to meet with the newer Board members individually to bring them up to date and after this was done to schedule a meeting with Mr. Hill, Mr. Williams and Mr. Reeves to discuss possible settlement. The parties have met, but a settlement was not reached.

The District's bankruptcy counsel, Lance Cohen, filed an Answer Brief on September 10, 2012, in Jeffrey Hill's appeal of the Bankruptcy Court's dismissal of his Chapter 12 case. The case is now fully briefed and, therefore, either oral argument or a written decision should occur or be issued before the end of the year. **No change since last report.**

Plaintiff	Jeffrey L. Hill, Sr. and Linda P. Hill
Enforcement Number / County	CE11-0045 / Columbia
Violation	NA
Legal Counsel	SRWMD Insurance Legal Counsel
Date sent to legal	August 2011
Target Date	Ongoing
Legal Fees to date	\$9,550

This is not a District enforcement matter, but appears to have been prompted by one. This matter concerns a circuit court complaint recently filed against the District by Jeffrey and Linda Hill arising out of the District's enforcement litigation against El Rancho No Tengo, Inc. In summary, the Complaint alleges that the District has violated Plaintiffs' personal and property rights, acted with recklessness and malice, taken Plaintiffs' personal and property, forced Mr. Hill into bankruptcy, and caused Plaintiffs psychological and emotional harm. The request for relief includes returning all real and personal property taken, permanently enjoining the District from taking Plaintiffs' property, damages in the amount of \$1,000,000.00, renewal and reinstatement of a writ dated August 4, 1991, and costs and attorney's fees. District Counsel has responded by filing a motion to dismiss, strike and for more definite statement. Counsel is currently researching whether a judgment on the merits may also be available at this stage of the proceeding. In any event, Counsel will soon request a hearing on the District's motion(s).

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

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

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

A hearing was set for October 5, 2012, regarding the Plaintiffs Motion for Rehearing on the Court's order dismissing and striking the amended complaint and allowing Plaintiffs 30 days leave to file a second amended complaint. **No change since last report.**

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

This violation is for construction of structures within the regulatory floodway without a works of the district permit. This matter is ongoing in the Lafayette County Circuit Court.

Staff Counsel is negotiating a settlement proposal with Fennell's attorney, which would require removal of the dock, payment of the District's costs and attorneys' fees, and application of a deed restriction or similar instrument allowing the home to stay within the 75-foot setback for the duration of Fennell's ownership. The settlement proposal, if accepted by Fennell, will be brought to the Governing Board for approval. **No change since last report.**

Respondent	Jeffrey Hill / Haight Ashbury Subdivision
Enforcement Number / County	CE04-0003 / Columbia
Violation	Not Built in Accordance with Permitted Plans
Legal Counsel	Springfield Law, P.A.
Date sent to legal	May 2006
Target Date	Ongoing
Legal Fees to date	\$13,176

This enforcement activity has been ongoing for several years. At the hearing on January 31, 2011, the Court granted the District's motion for summary judgment in this case. The judge's

order requires Mr. Hill to comply with the corrective actions specified in the District's final order, imposes a civil penalty, and awards the District its costs and attorney's fees.

Since the Bankruptcy Court's automatic stay is no longer in effect due to the dismissal of Jeffrey Hill's Chapter 12 case (see above discussion under Suwannee River Water Management District v. El Rancho No Tengo, Inc.), Counsel intends to ask the Court to schedule another case management conference, as well as a hearing to determine the civil penalty amount and the amount of the District's costs and attorney's fees, all of which have already been awarded.

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

Columbia County Attorney, Marlin Feagle, has reviewed the draft interlocal agreement and County Manager is still interested in pursuing this approach. **Staff to follow up with County.**

Respondent	Jeffrey Hill / Smithfield Estates-Phase 1
Enforcement Number / County	CE04-0025 / Columbia
Violation	Not Built in Accordance with Permitted Plans
Legal Counsel	Springfield Law, P.A.
Date sent to legal	May 2006
Target Date	June 30, 2012
Legal Fees to date	\$13,176

This enforcement activity has been ongoing for several years. At the hearing on January 31, 2011, the Court granted the District's motion for summary judgment in this case. The judge's order requires Mr. Hill to comply with the corrective actions specified in the District's final order, imposes a civil penalty, and awards the District its costs and attorney's fees.

Since the Bankruptcy Court's automatic stay is no longer in effect due to the dismissal of Jeffrey Hill's Chapter 12 case (see above discussion under Suwannee River Water Management District v. El Rancho No Tengo, Inc.), Counsel intends to ask the Court to schedule another case management conference, as well as a hearing to determine the civil penalty amount and the amount of the District's costs and attorney's fees, all of which have already been awarded.

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

Columbia County Attorney, Marlin Feagle, has reviewed the draft interlocal agreement and County Manager is still interested in pursuing this approach. **Staff to follow up with County.**

MEMORANDUM

TO: Governing Board

FROM: Ann B. Shortelle, Ph.D., Executive Director

THRU: Carlos Herd, Division Director, Water Supply

DATE: February 26, 2013

RE: North Florida Regional Water Supply Partnership Stakeholder Committee Update

February 18, 2013 Stakeholder Advisory Committee (SAC) Meeting:

At this meeting the SAC heard presentations on the following topics:

- An overview on mining operation water use, including conservation and protection of water resource strategies for sand mining operations
- A presentation on agricultural crop selection and water conservation
- A report on resource protection criteria evaluation measures
- Discussion of committee members' perspectives on north Florida water supply issues

January 23, 2013 SAC Meeting:

At this meeting the SAC heard presentations on the following topics:

- An overview of public water suppliers' strategies for conservation and protection of water resources
- An overview presentation on historical rainfall data
- Discussion of committee members' perspectives on north Florida water supply issues

December 12, 2012 SAC Meeting:

At this meeting the SAC heard presentations on the following topics:

- Overview of agricultural best management practices
- Reports on aquifer replenishment and water resource development strategy

October 29, 2012 SAC Meeting:

At this meeting the SAC heard presentations on the following topics:

- Plot of the main springs and recharge areas in the regional water supply planning boundary
- Groundwater model development update
- Assessment of data needs regarding development of the regional water supply plan

September 24, 2012 SAC Meeting:

At this meeting the SAC heard presentations on the following topics:

- Regional water supply plan draft workplan overview
- North Florida hydrogeology overview

August 28, 2012 SAC Meeting:

At this meeting the SAC heard presentations on the following topics:

- Committee operating policies and procedures
- Committee initial draft workplan development
- Regional water supply plan overview: Statutory requirements and key components

June 25, 2012 SAC Meeting:

At this meeting the SAC heard presentations on the following topics:

- The basics of Chapter 373, Florida Statutes

Other information was presented and discussed at each meeting. This summary is intended as an update to the technical information presented to the SAC as it relates to the joint regional water supply planning process between the St. Johns River and Suwannee River Water Management Districts.

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

/ch

MEMORANDUM

TO: Governing Board
FROM: Ann B. Shortelle, Ph.D., Executive Director
DATE: February 25, 2013
RE: District's Weekly Reports

Attached are the weekly District activity reports for the month of February.

ABS/rl
Attachments



Weekly Activity Report to Governing Board February 8, 2013

Executive/Management

- Jon Dinges and Ann Shortelle participated in the Florida Engineering Society Conservation and Environment Quality Committee meeting in Tallahassee. Ann presented an update on springs and the NFRWSP.
- Steve Minnis attended the February 4 Interim Legislative Committee Week.
- Steve Minnis mentored Future Farmers of America State Officers Clayton Willis, President, and Matthew Cantrell, Secretary, at the Capitol.
- George Cole, with Steve Minnis attending, addressed the Jefferson County Legislative Delegation Meeting.
- Ann Shortelle and Charlie Houder met with Dr. Charles Hall and Marilyn Hamm of Florida Gateway College to discuss an agreement for the College to use a portion of the District's Lake City Wellfield property.
- Ann Shortelle spoke at the Florida Farm Bureau Legislative meeting in Mayo.

Water Supply

- Carlos Herd attended a meeting with Abbie Chasteen, The Ichetucknee Partnership Coordinator, at the Chamber of Commerce in Lake City.
- Louis Mantini, Robbie McKinney, Clay Coarsey and Daniel-Michael Hill (FWC) met to discuss modeling the low-head dam on the Wacissa River.
- MFL staff conducted four conference calls with contractors for the Lower Santa Fe and Upper Suwannee Rivers projects.
- Dale Jenkins met with ATKINS, Inc. to discuss conceptual aquifer recharge projects in the District.

Resource Management

- Leroy Marshall participated in a SWERP webinar with DEP and the other 4 WMDs regarding the state-wide environmental resource permitting consistency rule.
- Tim Sagul and Kevin Wright attended the CUPcon Core Team meeting at SJRWMD Maitland Office.

Ag Team/Suwannee River Partnership

- Hugh Thomas and Joel Love attended the USDA Energy Workshop in Lake City.
- Joel Love attended the Corn Grower's meeting in Madison.
- Kevin Wright and Hugh Thomas participated in the Pierce Irrigation field day at Santa Fe River Ranch.
- Hugh Thomas delivered CARES signs to recipients.
- Hugh Thomas visited various farmers to do fertilization and irrigation application checks with farmers in Monticello.

- Hugh Thomas visited Starke to participate in a Bradford Soil and Water Conservation District meeting for Ag and water management programs to update them on current projects.

Water Resources

- Erich Marzolf participated in a conference call discussing Numeric Nutrient Criteria and the ongoing issues between FDEP and EPA.
- Erich Marzolf participated in FDEP's online workshop as part of the Triennial Review of Surface Water Quality Standards to discuss proposed rule amendments.
- Megan Wetherington attended the quarterly meeting of FDEP's Salinity Network, a statewide group whose mission is to coordinate monitoring and reporting of groundwater conditions.

Land Resources

- Edwin McCook attended the Suwannee River Wilderness Trail Stakeholders Meeting at Stephen Foster Folk Culture Center State Park.
- Charlie Houder attended the R.O. Ranch Board of Directors meeting with Board Member Virginia Johns presiding as chair.

Communications

- Communications staff sent press releases on the North Florida Regional Water Supply Partnership stakeholder committee identifying regional boundaries and on the upcoming stakeholder advisory committee meeting.

Announcements for Week of February 11, 2013

- Madison County Legislative Delegation Meeting February 11
- WMDs preliminary FY 2013-14 budget presentation to House Agriculture and Natural Resource Appropriations Subcommittee February 13
- WMDs preliminary FY 2013-14 budget presentation to Senate Appropriations Subcommittee on General Government February 13
- Acquisition and Restoration Council (ARC) February 15
- Governing Board Meeting and Workshop February 12
- Interim Legislative Committee Week February 11-14



Weekly Activity Report to Governing Board February 11, 2013

Executive/Management

- Ann Shortelle, Jon Dinges, and Steve Minnis attended Senate Appropriations Subcommittee on General Government and House Agricultural and Natural Resources Appropriations Subcommittee meetings in Tallahassee where Ann Shortelle gave a presentation on the Water Management District's Budgetary Process and on the District's Preliminary FY 2013-14 Budget.
- Ann Shortelle and Charlie Houder and attended the Acquisition and Restoration Council Meeting regarding the Damascus Peanut Property-Ellaville exchange.
- Steve Minnis attended the Interim Legislative Committee Week.
- Steve Minnis participated on the monthly Rural Economic Development Initiative conference call.

Water Supply

- Carlos Herd and John Good attended the Florida/Georgia Coordination Meeting at Wiregrass Technical College in Valdosta.

Resource Management

- Tim Sagul and Kevin Wright participated in a CUPCon conference call with representatives from DEP and the other four WMDs to discuss state-wide consistency with water use permitting rules.
- Tim Sagul, Kevin Wright, Clay Coarsey and Trey Grubbs attended a pre-application meeting with representatives from SJRWMD and Gainesville Regional Utilities in regards to the upcoming renewal of the GRU water use permit.
- Leroy Marshall participated in a webinar with representatives from DEP and the other four WMDs to discuss the state-wide environmental resource permitting rule consistency process.
- Leroy Marshall participated in the Florida Department of Economic Opportunity meeting with other state agencies and WMDs to further implement the Florida Strategic Plan for Economic Development. Discussion centered on the development of tactics and metrics to implement the referenced plan.

Ag Team/Suwannee River Partnership

- Hugh Thomas met with the FLOW Legislative Committee to discuss a proposed bill.
- Joel Love and Hugh Thomas attended the Hamilton County Peanut Growers Workshop.

- Hugh Thomas met with the Alachua and Gilchrist County Farm Bureaus to discuss the upcoming Santa Fe BMAP.

Water Resources

- Megan Wetherington attended the North Central Florida Local Emergency Planning Committee training for chemical safety and hazardous waste compliance assistance.
- Megan Wetherington attended the local Emergency Planning Committee meeting.

Land Resources

- Bill McKinstry and Tyler Futch completed forest inventory plots.
- Edwin McCook and Bill McKinstry finalized the tract inspection and compliance database.
- Bob Heeke and Edwin McCook attended the Falling Creek Falls annual meeting in Columbia County.

Communications

- Communications staff sent out the following press releases: District engineer chosen to represent the American Society of Agriculture and Biological Engineers, SRWMD employee recognized for 30 years of service, SRWMD recognizes upcoming retirement of staff member of 37 years, and Heavy rains in Georgia will cause some area rivers to rise.
- Communications staff handled a media call regarding the District's Surplus Lands Program and inquiries regarding the Damascus Peanut Property.

Announcements for Week of February 18

- Interim Legislative Committee Week February 18-22
- NFRWSP Stakeholder Meeting February 18
- CUPCon Water Conservation Workshop February 19
- DEP and WMDs quarterly face-to-face meeting February 21-22



Weekly Activity Report to Governing Board February 18, 2013

Executive/Management

- Ann Shortelle gave a water supply lecture to an industrial ecology class at the University of Florida.
- Ann Shortelle, Carlos Herd, Hugh Thomas, and Vanessa Fultz attended the monthly North Florida Regional Water Supply Plan Stakeholder meeting in Lake City.
- Ann Shortelle and Steve Minnis attended the Interim Legislative Committee Week and met with various Senators and Representatives to discuss District priorities.
- Ann Shortelle and Jon Dinges attended the Suwannee County Board of Commissioner Meeting to discuss potential use of a small parcel of District land by the County for the catalyst site.
- Don Quincey, Ann Shortelle, and Jon Dinges attended the WMD/DEP quarterly face to face meeting in Tallahassee.
- Ann Shortelle and Charlie Houser participated in the Ellaville/Damascus Exchange discussion with DEP.
- Jon Dinges and Carlos Herd participated in Regional Water Supply Teleconference with SJR and DEP.

Water Supply

- Carlos Herd participated in the Ag Row Crop Climate Working Group presentation in Monticello.
- Charlie Houser, Erich Marzolf, Dale Jenkins, Brian Kauffman, Glenn Horvath, and Richard Rocco participated in a tour with SJRWMD and Rayonier staff of Brooks Sink and its drainage basin.
- John Good and Clay Coarsey attended a meeting with the NFWMD to discuss MFL establishment.

Resource Management

- Gloria Hancock attended the DEP Water Well quarterly meeting in Tallahassee.
- Tim Sagul and Kevin Wright attended the CUPCon Water Conservation Workshop in Kissimmee.
- Leroy Marshall participated in a webinar with DEP and the other WMDs regarding implementation of the state-wide environmental resource permitting (SWERP) rule.
- Leroy Marshall participated in a conference call with representatives of the Florida Floodplain Managers Association (FFMA).
- James Link and Leroy Marshall participated in a conference call with FEMA representatives regarding Region IV Coastal Outreach coordination.

Ag Team/Suwannee River Partnership

- Kevin Wright met with representatives from Branford FFA to discuss the Branford Bend lease.
- Al Alexander and Kevin Wright attended the Agriculture Round-Up meeting in Perry with Congressmen Steve Southerland and Ted Yoho in attendance.
- Joel Love attended the Southeast Climate Change meeting in Monticello.
- Hugh Thomas attended the Irrigation Conservation Commission meeting in St. Augustine.

Water Resources

- Erich Marzolf attended the Madison County Board of Commissioner Meeting where DEP presented the BMAP.
- The Division of Water Resources welcomed Tara Rodgers, the District's new Hydrologic Data Collection Specialist.
- Staff installed a new rain gage in Mallory Swamp, a real-time gage at Palestine and Crosby lakes, and equipped two new wells at Falling Creek with telemetry.
- Erich Marzolf, Glenn Horvath, Louis Mantini, and Megan Wetherington participated in Database discussions involving Water Quality, Hydrology, Biology with SJRWMD staff.
- Megan Wetherington, with Erich Marzolf attending, presented a hydrologic update to the Santa Fe River Springs Basin Working Group.
- Megan Wetherington participated in an on-camera interview with GTN News about how rainfall in Georgia has affected rivers in our area.

Land Resources

- Charlie Houder, Carlos Herd, and Dale Jenkins participated in a conference call to discuss a research proposal by UF to study the effects of forest management on water yield.
- Charlie Houder made a presentation to the Student Chapter of the Society of American Foresters.

Communications

- Communications staff sent out the following press releases: Twenty area farmers benefit from SRWMD cost-share funding & Six growers to receive cost-share funds for water quality and quantity improvements in the Santa Fe River Basin.
- Communications staff handled media inquiries regarding MFLs, the effects of heavy rainfall in Georgia on our District, and the Sleepy Creek Lands WUP application.

Announcements for Week of February 25

- Hamilton County Legislative Delegation Meeting, Board of County Commission Chambers, 5 p.m., February 28.
- Taylor County Legislative Delegation Meeting, Board of County Commission Chambers, 7:15 p.m., February 28.
- Gilchrist Farm Bureau meeting to discuss water use monitoring, the Lower Santa Fe MFL, and the BMAP, Otter Springs, 6 p.m., February 28.



Weekly Activity Report to Governing Board February 25

Executive/Management

- Ann Shortelle and Steve Minnis attended an EOG Springs discussion meeting in Tallahassee.
- Ann Shortelle, Jon Dinges, Erich Marzolf, Tim Sagul, John Good and Paul Buchanan attended a Water Atlas Presentation by USF.
- Steve Minnis attended the Hamilton County Legislative Delegation Meeting.
- Ray Curtis and Steve Minnis attended the Taylor County Legislative Delegation Meeting.

Water Supply

- Carlos Herd, John Good and Dale Jenkins attended an Upper Suwannee HEC-RAS training and presentation.
- Dale Jenkins participated in the North FL Water Supply Plan Monthly Progress Meeting to discuss NFSEG model needs and NFRWSP needs and issues.

Resource Management

- Leroy Marshall and Dave Dickens participated in a conference call put on by the Silver Jackets committee regarding non-structural flood control project proposals to be forwarded to the US Army Corp of Engineers (USACOE) & the proposed High Water Mark task force.
- Kevin Wright participated in a thresholds work group conference call regarding the state-wide CUPCon rulemaking process.

Ag Team/Suwannee River Partnership

- Ann Shortelle, John Good, Kevin Wright and Hugh Thomas participated in a Gilchrist Farm Bureau Suwannee River BMAP meeting.
- Hugh Thomas attended the Union County Soil and Water Conservation District Meeting to discuss various water conservation projects that could be done in Union county.

Water Resources

- Erich Marzolf participated in the RESTORE Act meeting in Panama City. The RESTORE Act was passed by Congress last year and will address how funds from penalties related to the Deep Water Horizon oil spill will be utilized on projects to improve the Gulf of Mexico.
- Megan Wetherington compiled rainfall and river level data along with projections from the NWS into a flood projection for the District.
- Megan Wetherington provided information to the media concerning recent rainfall and flooding, including an on-camera interview with GTN News.
- Staff installed a conductivity sensor at the Santa Fe River near Hildreth, part of an ongoing effort to collect conductivity data to estimate base flow.

Land Resources

- Charlie Houser participated with Virginia Johns in a teleconference of the R. O. Ranch Board of Directors.
- Charlie Houser attended a webinar hosted by DEP explain funding opportunities under the RESTORE Act.
- Charlie Houser conducted the annual inspection of the conservation easement at Zellwin Farms in Hamilton County.

Communications

- Communications staff issued the following press releases: Tara Rodgers joins SRWMD as a hydrologic data collection specialist; Heavy rains in Georgia will cause some area rivers to rise; Additional rainfall in Georgia will cause further rises in some area rivers; and SRWMD will recognize schools' water conservation efforts. And staff released flooding information and data as it became available.
- Communications staff handled media calls concerning recent flooding and the Gainesville Regional Energy Center (GREC) Consumptive Use Permit.

Announcements for Week of March 4

- Springs Conservation Summit March 5 at Otter Springs.
- 2013 Legislative Regular Session Convenes March 5.