

MEMORANDUM

TO: Governing Board

FROM: Charlie Houder, Director, Division of Land Resources

DATE: July 2, 2013

RE: Authorization to Conduct a Detailed Assessment for a Conservation Easement on the El Trigal Farms, LLC Property, 371 acres in Jefferson and Madison Counties

RECOMMENDATION

Staff recommends Governing Board authorize staff to conduct a detailed assessment for a conservation easement on the El Trigal Farms, LLC property, 371 acres in Jefferson and Madison Counties for potential exchange for lands declared surplus.

BACKGROUND

The Floyd family has proposed the exchange of a conservation easement on property owned by El Trigal Farms, LLC and several family members for fee title on lands that have been declared surplus by the District. This concept was reviewed by the full Governing Board at the May 2013 workshop and referred back to the Surplus Lands Committee. A field review was conducted on May 21, 2013. On June 26, the Surplus Lands Committee discussed the project and recommended a configuration that excluded a predominantly upland area at the south end of the property.

A detailed assessment would entail the development of a draft conservation easement and obtaining appraisals for the new property configuration. Dependent on these valuations, staff would bring back further recommendations to the Governing Board regarding the feasibility of an exchange.

PARCEL ASSESSMENT SUMMARY

TRACT: Floyd Conservation Easement

SELLER: El Trigo Farms, LLC., William R. Floyd Managing Member,
William R. Floyd, Susan K. Floyd, and Cheyenne F. Floyd

RIVER: Aucilla

COUNTY: Madison and Jefferson

S-T-R: S 2, T 2S; R 5E

ACREAGE: 371 acres ±

FRONTAGE: .71 miles ±

WATER RESOURCE PROTECTION:
Floodplain Protection: 85% (315 acres)
Surfacewater Protection: 58% (217 acres)
Aquifer Recharge: 0%
Springs Protection: 0%

ACQUISITION PLANNING STATUS: These lands are in an identified project area of the Middle Aucilla Conservation Area. The conservation easement will protect 0.71 mile +/- of river front on the Aucilla River.

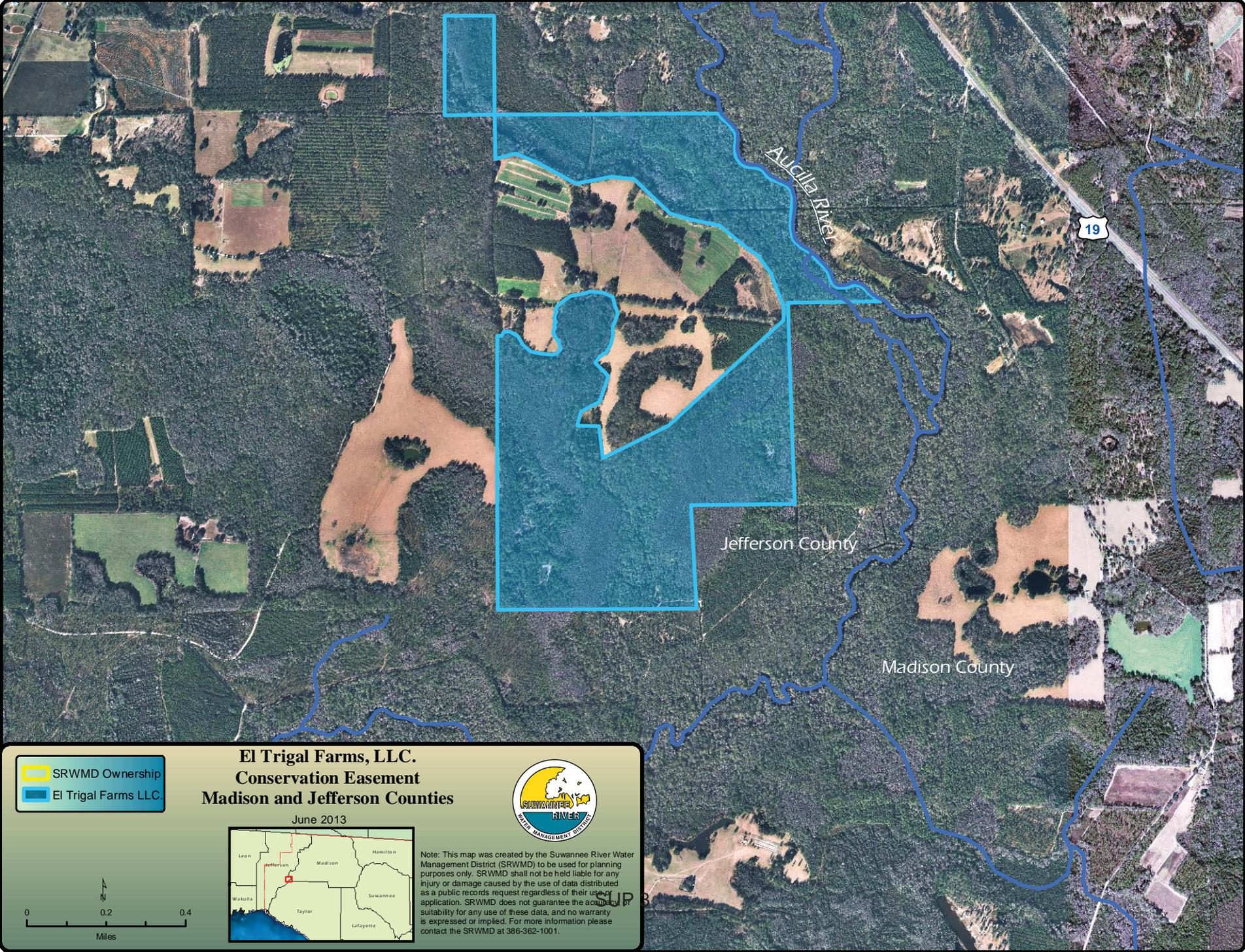
TRACT DESCRIPTION: The tract is on the Aucilla River and adjacent to the District's Lamont Tract on the north and east. The land within the proposed conservation easement is entirely in forest, about 217 acres of which are wetlands or floodplain hardwood forests.

ACCESS: This property is accessed by a county graded Lanier Road from SR 257A.

OUTSTANDING INTERESTS: No outstanding interests are reported on this property.

ZONING: The Jefferson County Future Land Use Map (FLUM) shows the majority of the tract in Agricultural-5 zoning. Two small riverfront portion of the tract are designated Conservation.

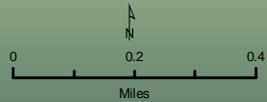
CONSERVATION EASEMENT USES: The primary management objective would be to maintain a forested buffer along the Aucilla River and its floodplain forest. About 217 acres are in cypress and hardwood forest in the floodplain and will be designated a preservation area under the conservation easement. A portion of the floodplain that is in a mixed pine hardwood community (about 144 acres) could be designated as a forest operations area for continued natural pine management. The landowner will retain recreational use and the right to exclude the public.



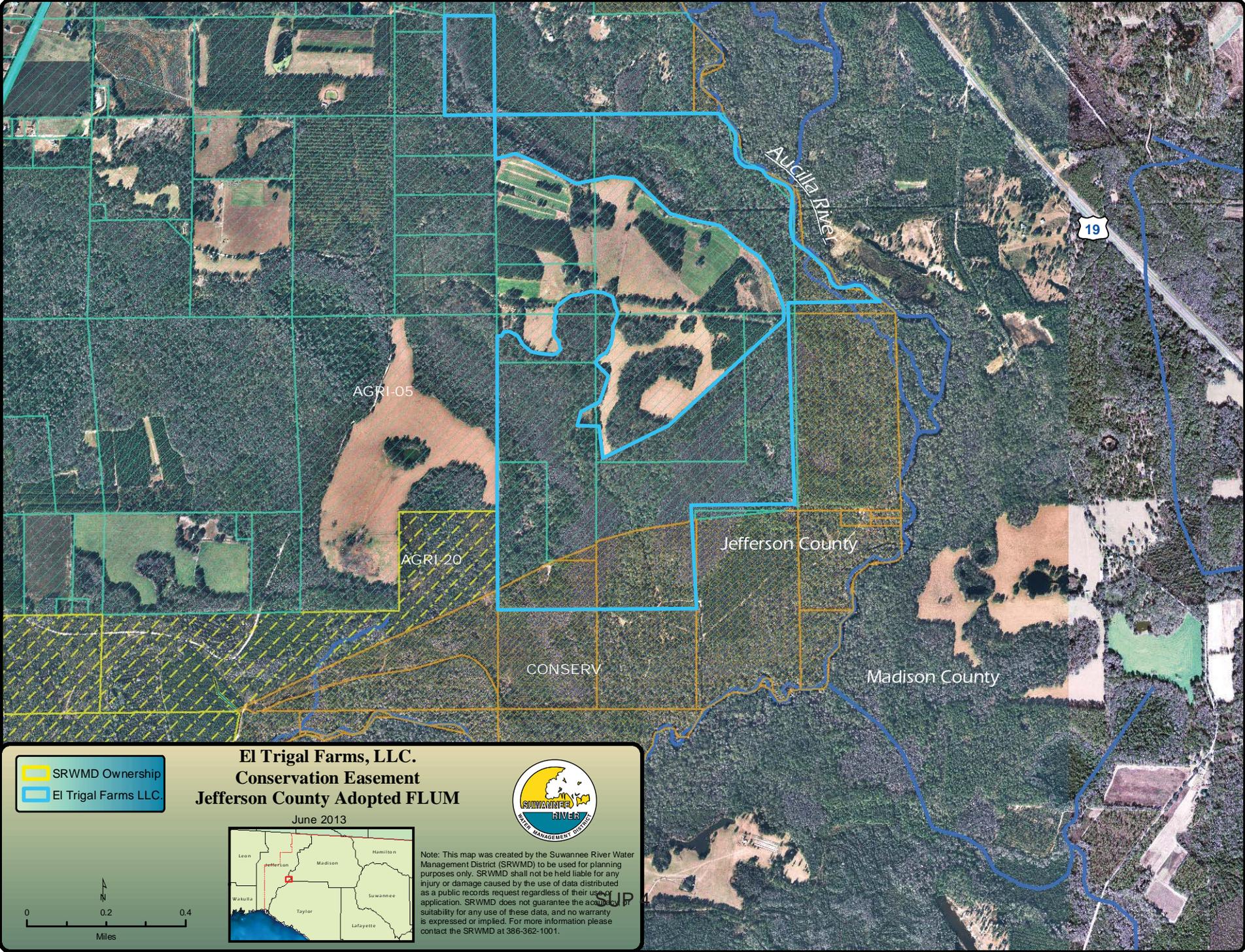
- SRWMD Ownership
- El Trigo Farms LLC

**El Trigo Farms, LLC.
Conservation Easement
Madison and Jefferson Counties**

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



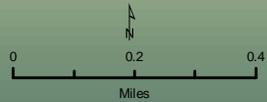
- SRWMD Ownership
- El Trigal Farms LLC.

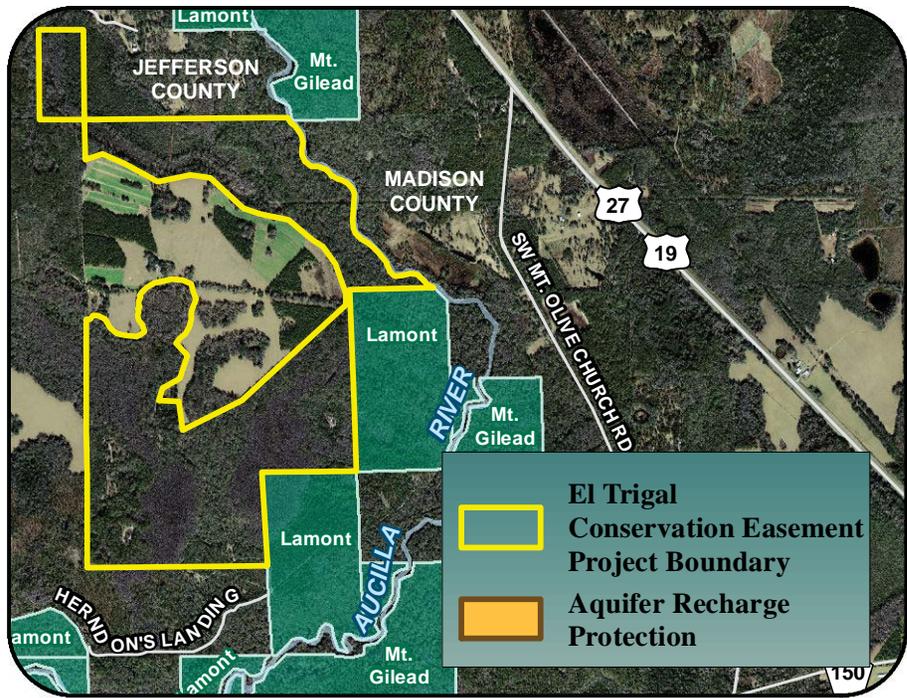
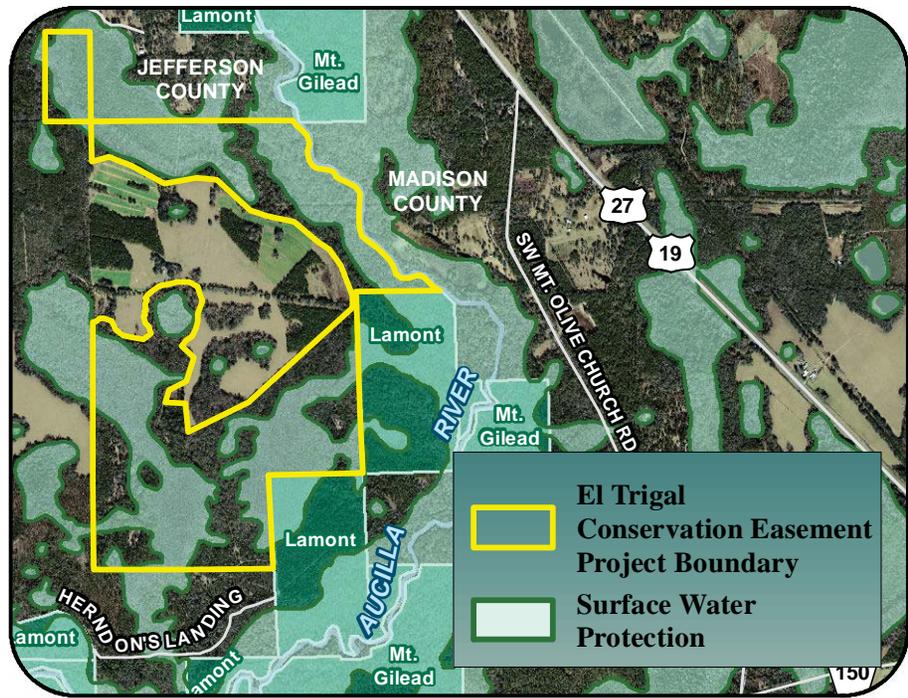
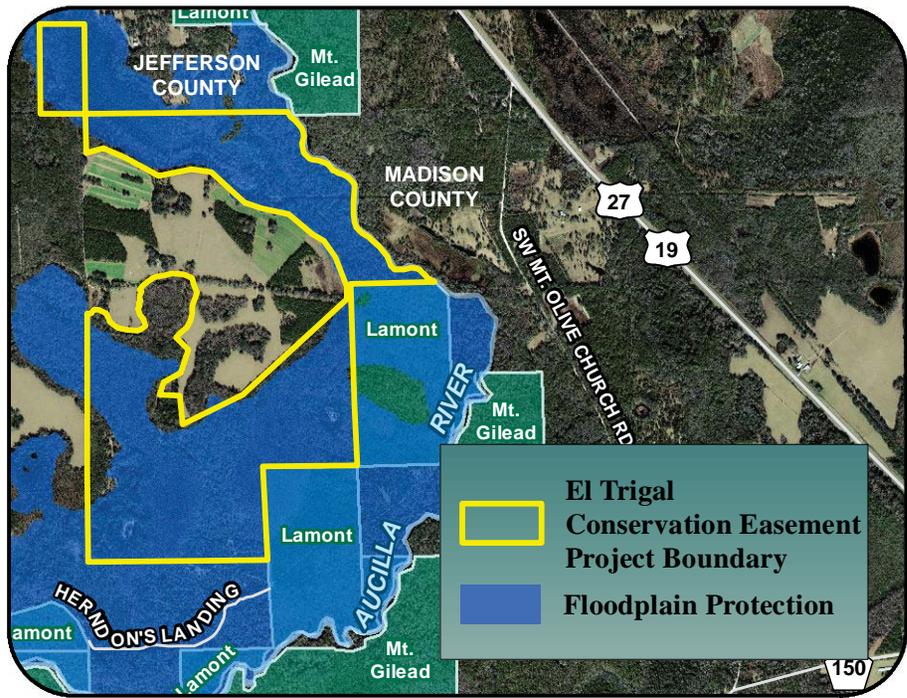
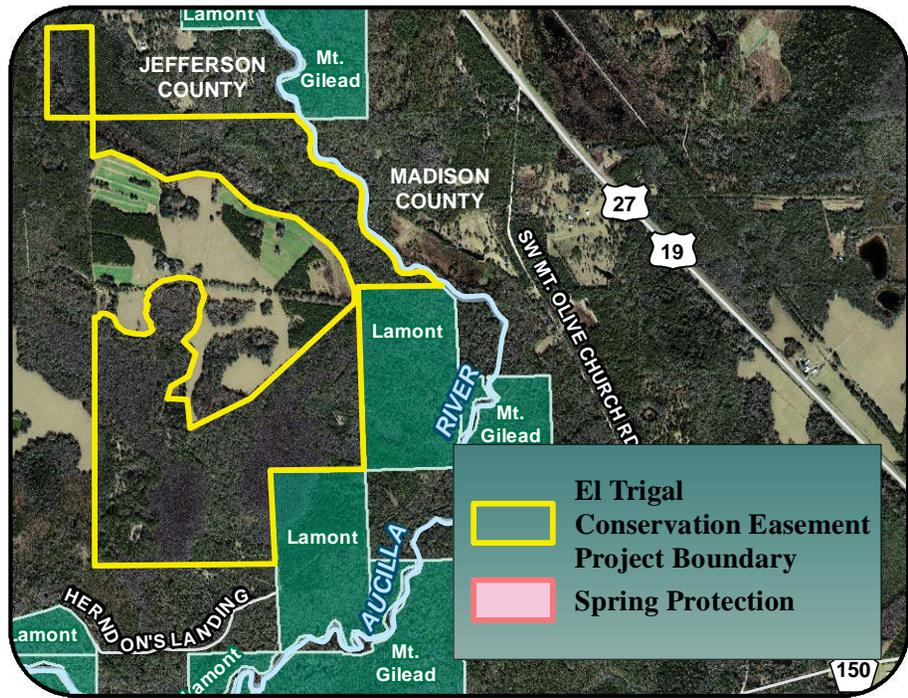
**El Trigal Farms, LLC.
Conservation Easement
Jefferson County Adopted FLUM**

June 2013



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MEMORANDUM

TO: Governing Board

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

Date: July 3, 2013

RE: Rescission of the Governing Board's May 19, 2011 Authorization Regarding the Sampson Lake Control Structure in Bradford County and Authorization for the Executive Director to Provide Technical Assistance and Approval to Bradford County for an Interim Operational Schedule

RECOMMENDATION

Staff recommends the Governing Board rescind its May 19, 2011, authorization regarding the Sampson Lake control structure in Bradford County and authorize the Executive Director to provide technical assistance and approval to Bradford County for an interim operational schedule.

BACKGROUND

Bradford County has requested that staff provide an interim operation plan to the County for the water control structure. Staff has been coordinating with Bradford County staff on the best approach to operating the water control structure. Staff proposes to provide an interim operating schedule for the water control structure that will, most importantly, help flood event response and also serve public recreation on Sampson Lake. The operating schedule will be in an interim status until the completion of FEMA-funded flood studies, at which time the interim operating schedule may need to be re-evaluated. Staff is also working with Bradford County on access to District automated monitoring data for Sampson Lake and the Sampson River.

The minutes of the May 19, 2011, Governing Board meeting and associated materials are attached to this memorandum. The Governing Board's action is found on page four of the minutes under agenda item 14.

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., Thursday
May 19, 2011

Fanning Springs City Hall
Fanning Springs, Florida

Members of the Governing Board Present:

Don Quincey, Jr., Chairman
Alphonas Alexander, Vice Chairman
Donald Ray Curtis, III, Secretary/Treasurer
Dr. Linden Davidson
Heath Davis
Guy N. Williams

Members of the Governing Board Absent:

David Flagg
Jay Fraleigh
Carl Meece

Staff:

David Still
Charlie Houder
Jon Dinges
Linda Welch
Megan Wetherington
Tim Sagul

Steve Lewis, Legal Counsel
Ed Steinmeyer, Legal Counsel
Melanie Roberts
Joe Flanagan
Carlos Herd
Kevin Wright

Participating Guests:

Jeff Swan, FL Fish and Wildlife Conservation Commission, Live Oak, FL
Jeffrey Hill, El Rancho No Tengo, Lake City, FL
Georgia Ackerman, Friends of the Wacissa, Crawfordville, FL
Kelby Andrews, Chiefland, FL
Dorothy Alexander, Madison, FL
Linda Williams, Lake City, FL

Juanita Still, Lake City, FL
Robert Farley, City of Live Oak, Live Oak, FL
Joe Chamberlain, Camp Weed – Episcopal Diocese of Florida, Live Oak, FL
Dick Wilkerson, Episcopal Diocese of Florida, Jacksonville, FL
Joe Gilliam, Gilchrist County Clerk, Trenton, FL
Mayor Cheryl Nekola, City of Fanning Springs, Fanning Springs, FL
Barbara Locke, Fanning Springs City Council, Fanning Springs, FL
Paul Chase, Fanning Springs City Council, Fanning Springs, FL
Whitney “Stoney” Smith, Fanning Springs City Council, Fanning Springs, FL
Mark Scohier, Chiefland Citizen, Chiefland, FL
Scott Johns, FL Fish and Wildlife Conservation Commission, Lake City, FL
Roland Garcia, FL Fish and Wildlife Conservation Commission, Lake City, FL
Sue Colson, Cedar Key Aquaculture Association, Cedar Key, FL
Earl Starnes, Florida’s Nature Coast Conservancy, Cedar Key, FL
Kathleen Walz, Cedar Key, FL

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

Robert Farley, City of Live Oak, FL, gave the invocation and led the Pledge of Allegiance to the flag.

The roll was called and a quorum noted.

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

Water Supply and Resource Management

Addition:

- Authorization to Enter Into an Interagency Agreement for Coordination of Consumptive Use Permitting and Regional Water Supply Planning
- Florida Water Reuse Week Proclamation
- Compliance and Enforcement Reports

Deletion:

- Agenda Item 11 – Authorization to Initiate Litigation Regarding Justin Fitzhugh, CE05-0046, Columbia County
- Agenda Item 12 – Authorization to Initiate Litigation Regarding Lake City Management, LLC, CE10-0026, Columbia County
- Agenda Item 13 - Authorization to Initiate Litigation Regarding NFLG Land Trust, Donald Edwards, CE08-0022, Suwannee County

Land Acquisition and Management

Change:

- Updated Agenda Item 19 - Andrews Family/Cedar Key Conservation Lands Addition
- Updated Agenda Item 21 - Resolution 2011-10 Acquisition of Richard M. Slezak Trust/Holton Creek Addition

Agenda Item No. 4 – Approval of Agenda.

ON A MOTION BY MR. WILLIAMS, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE MAY 19, 2011, AGENDA.

Agenda Item No. 5 – Consent Agenda.

- Page 5 - Approval of April 12, 2011 Meeting and Workshop Minutes.
- Agenda Item 9 - Approval of March Financial Report
- Agenda Item 17 – Approval of Water Use Permit Application Number 2-09-00020M, Camp Weed & Cerveney Conference Center – White Lake Augmentation, Suwannee County

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

ON A MOTION BY MR. DAVIS, SECONDED BY DR. DAVIDSON AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE CONSENT AGENDA ITEMS.

Agenda Item No. 7 – Approval of Minutes.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. WILLIAMS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED THE MINUTES.

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

- A. Chairman Introductions
- B. Megan Wetherington gave a presentation of hydrologic conditions of the District.

DEPARTMENT OF MISSION SUPPORT

Agenda Item No. 9 – Approval of March Financial Report. Approved on consent.

Agenda Item No. 10 - Activity Report, Mission Support. The Activity Report for the Department of Mission Support was provided as an informational item in the Board materials.

DEPARTMENT OF WATER SUPPLY AND RESOURCE MANAGEMENT

Agenda Item No. 11 – Authorization to Initiate Litigation Regarding Justin Fitzhugh, CE05-0046, Columbia County. THIS ITEM WAS DELETED FROM THE AGENDA.

Agenda Item 12 – Authorization to Initiate Litigation Regarding Lake City Management, LLC, CE10-0026, Columbia County. THIS ITEM WAS DELETED FROM THE AGENDA.

Agenda Item No. 13 – Authorization to Initiate Litigation Regarding NFLG Land Trust, Donald Edwards, CE08-0022, Suwannee County. THIS ITEM WAS DELETED FROM THE AGENDA.

Agenda Item No. 14 – Revocation of Environmental Resource Permit Number 99-0187 and Authorization to Operate, Maintain, and Replace Sampson Lake Control Structure, Bradford County. Mr. Dinges presented the staff recommendation for Governing Board to authorize the Executive Director to revoke Environmental Resource Permit number 99-0187 and to operate, maintain, and replace Sampson Lake control structure, Bradford County, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. ALEXANDER, AND WITH MR. WILLIAMS VOTING AGAINST, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO REVOKE ENVIRONMENTAL RESOURCE PERMIT NUMBER 99-0187 AND TO OPERATE, MAINTAIN, AND REPLACE SAMPSON LAKE CONTROL STRUCTURE, BRADFORD COUNTY.

Agenda Item No. 15 - Authorization to Initiate Litigation Regarding Scott McNulty, CE10-0045, Levy County. Mr. Dinges presented the staff recommendation for Governing Board authorization to initiate litigation regarding Scott McNulty, CE10-0045, Levy County, as shown in the Board materials.

ON A MOTION BY MR. CURTIS, SECONDED BY MR. ALEXANDER, AND WITH MR. WILLIAMS VOTING AGAINST, THE GOVERNING BOARD AUTHORIZED STAFF TO INITIATE LITIGATION REGARDING SCOTT MCNULTY, CE10-0045, LEVY COUNTY.

Agenda Item No. 16 – Authorization to Amend Contract 03/04-258 with the Florida Department of Agriculture and Consumer Services (FDACS) for Continuation of the Two Positions for the Suwannee River Partnership for the Period of July 1, 2011 through June 30, 2012. Mr. Dinges presented the staff recommendation for Governing Board authorization for the Executive Director to amend contract number 03/04-258 with FDACS to continue funding a third of the costs associated with providing two Suwannee River Partnership positions at a cost not to exceed an amended amount of \$56,000 for the period covering July 1, 2011 through June 30, 2012, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO AMEND CONTRACT NUMBER 03/04-258 WITH FDACS TO CONTINUE FUNDING A THIRD OF THE COSTS ASSOCIATED WITH PROVIDING TWO SUWANNEE RIVER PARTNERSHIP POSITIONS AT A COST NOT TO EXCEED \$56,000 FOR THE PERIOD COVERING JULY 1, 2011 THROUGH JUNE 30, 2012.

Agenda Item No. 17 – Approval of Water Use Permit Application Number 2-09-00020M, Camp Weed & Cerveney Conference Center – White Lake Augmentation, Suwannee County. Approved on consent.

Supplemental Agenda Item – Authorization to Enter into an Interagency Agreement for Coordination of Consumptive Use Permitting and Regional Water Supply Planning. Mr. Dinges presented the staff recommendation for authorization for the Executive Director to enter into an interagency agreement with St. Johns River Water Management District (SJRWMD), and the Department of Environmental Protection (DEP) formalizing the coordination of consumptive use permitting and regional water supply planning within the geographic areas of mutual concern that affects all parties, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO AN INTERAGENCY AGREEMENT WITH SJRWMD, AND THE DEP, FORMALIZING THE COORDINATION OF CONSUMPTIVE USE

PERMITTING AND REGIONAL WATER SUPPLY PLANNING WITHIN THE
GEOGRAPHIC AREAS OF MUTUAL CONCERN THAT AFFECTS ALL PARTIES.

Supplemental Agenda Item – Florida Water Reuse Week Proclamation. Mr. Dinges presented the staff recommendation for Governing Board approval to declare the 3rd week in May 2011 as Water Reuse Week, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. WILLIAMS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD DELCARED THE 3RD WEEK IN MAY 2011 AS WATER REUSE WEEK.

Agenda Item No. 18 - Activity Reports. The Water Supply, Water Resource Monitoring, Environmental Resource Permitting, Suwannee River Partnership, and Compliance and Enforcement Activity Reports were provided as informational items in the Board materials.

DEPARTMENT OF LAND ACQUISITION AND MANAGEMENT

Agenda Item No. 19 – Resolution 2011-08 Acquisition of Andrews Family/Cedar Key Addition. Joe Flanagan, Department Director, presented an amended staff recommendation for Governing Board approval and execution of Resolution 2011-08 authorizing the Executive Director to exercise an Option to Purchase the 662-acre ± Dennis and Roberta Andrews parcel and the Dennis, Kelby and Miles Andrews parcel in Levy County and requesting approval from the Secretary of the DEP for the use of funds from the Florida Forever Trust Fund or Preservation 2000 Fund, as shown in the Board materials

ON A MOTION MADE BY MR. DAVIS, SECONDED BY DR. DAVIDSON, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD GAVE APPROVAL AND EXECUTED RESOLUTION 2011-08 AUTHORIZING THE EXECUTIVE DIRECTOR TO EXERCISE AN OPTION TO PURCHASE THE 662-ACRE ± DENNIS AND ROBERTA ANDREWS PARCEL AND THE DENNIS, KELBY AND MILES ANDREWS PARCEL IN LEVY COUNTY AND REQUESTING APPROVAL FROM THE SECRETARY OF THE DEP FOR THE USE OF FUNDS FROM THE FLORIDA FOREVER TRUST FUND OR PRESERVATION 2000 FUND.

Agenda Item No. 20 – Resolution 2011-09 Acquisition of Layman Law Firm/Walker Spring Conservation Easement. Mr. Flanagan presented the staff recommendation for Governing Board approval and execution of Resolution 2011-09 authorizing the Executive Director to exercise an option to purchase the 172 acre ± Layman Law Firm/Walker Spring conservation easement in Jefferson County and to request funds from the Florida Forever Trust Fund for acquisition of said property, as shown in the Board materials.

ON A MOTION BY MR. CURTIS, SECONDED BY MR. DAVIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED AND EXECUTED RESOLUTION 2011-09 AUTHORIZING THE EXECUTIVE DIRECTOR TO EXERCISE AN OPTION TO PURCHASE THE 172 ACRE ± LAYMAN LAW FIRM/WALKER SPRING CONSERVATION EASEMENT IN JEFFERSON COUNTY AND TO REQUEST FUNDS FROM THE FLORIDA FOREVER TRUST FUND FOR ACQUISITION OF SAID PROPERTY.

Agenda Item No. 21 – Resolution 2011-10 Acquisition of Richard M. Slezak Trust/Holton Creek Addition. Mr. Flanagan presented the staff recommendation for Governing Board approval and execution of Resolution 2011-10 authorizing the Executive Director to exercise an option to purchase the 30-acre ± Richard M. Slezak Trust/Holton Creek addition in Hamilton County and to request funds from the Florida Forever Trust Fund for acquisition of said property, as shown in the Board materials

ON A MOTION BY MR. CURTIS, SECONDED BY MR. WILLIAMS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED AND EXECUTED RESOLUTION 2011-10 AUTHORIZING THE EXECUTIVE DIRECTOR TO EXERCISE AN OPTION TO PURCHASE THE 30-ACRE ± RICHARD M. SLEZAK TRUST/HOLTON CREEK ADDITION IN HAMILTON COUNTY AND TO REQUEST FUNDS FROM THE FLORIDA FOREVER TRUST FUND FOR ACQUISITION OF SAID PROPERTY.

Agenda Item No. 22 – Declaration of Surplus on Three Properties. Mr. Flanagan presented the staff recommendation for the Governing Board to declare three parcels as no longer needed for conservation purposes and authorization to conduct appraisals on the properties, to contract with qualified real estate brokers for marketing the properties, and to contract with qualified surveyors if the need arises to prepare legal descriptions, as shown in the Board materials.

ON A MOTION BY MR. CURTIS, SECONDED BY MR. ALEXANDER, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD DECLARED THREE PARCELS AS NO LONGER NEEDED FOR CONSERVATION PURPOSES. ON A MOTION BY MR. CURTIS, SECONDED BY MR. DAVIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD AUTHORIZED STAFF TO CONDUCT APPRAISALS ON THE PROPERTIES, TO CONTRACT WITH QUALIFIED REAL ESTATE BROKERS FOR MARKETING THE PROPERTIES, AND TO CONTRACT WITH QUALIFIED SURVEYORS IF THE NEED ARISES TO PREPARE LEGAL DESCRIPTIONS.

Agenda Item No. 23 – Resolution 2011-11 Reimbursement for Acquisition and Management Expenditures for Quarter Ending March 31, 2011. Mr. Flanagan presented the staff recommendation for Governing Board approval and execution of Resolution 2011-11, requesting the DEP reimburse the District from the Water Management Lands Trust Fund (WMLTF) for Preacquisition costs in the amount of \$157,507.06 and quarterly land management expenses in the amount of \$913,643.17 expended during the quarter ending March 31, 2011, as shown in the Board materials.

ON A MOTION BY MR. DAVIS, SECONDED BY MR. CURTIS, AND CARRIED UNANIMOUSLY, THE GOVERNING BOARD APPROVED AND EXECUTED RESOLUTION 2011-11 REQUESTING THE DEP REIMBURSE THE DISTRICT FROM THE WMLTF FOR PREACQUISITION COSTS IN THE AMOUNT OF \$157,507.06 AND QUARTERLY LAND MANAGEMENT EXPENSES IN THE AMOUNT OF \$913,643.17 EXPENDED DURING THE QUARTER ENDING MARCH 31, 2011.

Agenda Item No. 24 - Activity Reports. The Land Acquisition and Land Management Activity Reports were provided as informational items in the Board materials.

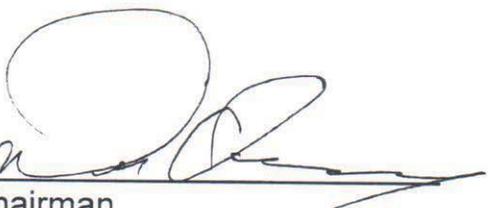
EXECUTIVE OFFICE

Agenda Item No. 25 - Executive Director's Report.
None.

Agenda Item No. 26 - Executive Office Activity Report. The Executive Office Activity Report was provided as an informational item in the Board materials.

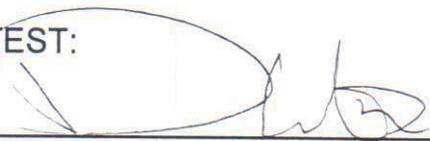
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May 19, 2011
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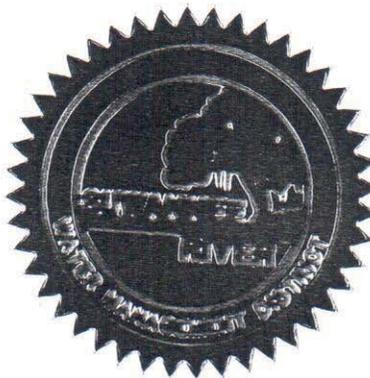
The meeting adjourned at 11:11 a.m.



Chairman

ATTEST:





MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Senior Professional Engineer

DATE: April 21, 2011

RE: Revocation of Environmental Resource Permit Number 99-0187 and Authorization to Operate, Maintain, and Replace the Sampson Lake Control Structure, Bradford County

RECOMMENDATION

Staff recommends the Governing Board authorize the Executive Director to revoke Environmental Resource Permit number 99-0187 and operate, maintain, and replace the Sampson Lake control structure.

BACKGROUND

On November 9, 1999, the District issued to Bradford County Board of County Commissioners (County) an Environmental Resource Permit (ERP) for the construction and maintenance of a water control structure at County Road 225 and the Sampson River. The structure was a hydraulic replacement of an existing deteriorating structure. The permit did not authorize operation of the structure.

Over the years, the County has requested permission from the District to open or close the structure due to impending storms or low lake levels. These requests have been compounded by numerous complaints from the public regarding the same issues. Despite the District's response that the permit did not authorize operation, the structure has been routinely opened and closed, thus putting the County in a position of non-compliance with the ERP. Recently, the structure was stuck in an open position from a log becoming jammed in one of the gates.

Haphazard opening and closing of the structure may cause flooding both upstream and downstream of the structure. Additionally, this type of operation may harm the environment associated with low flows in the channel downstream of the structure.

Operation of the structure by the County is a violation of ERP99-0187; therefore District staff recommends that the Governing Board authorize revocation of the permit. Staff will then commence maintenance of the structure and design and build a non-operable structure following approval of the fiscal year 2012 budget.

TS/rl



Sampson Lake

Control Structure

Sampson Lake

July 2013



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