

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

OPEN TO THE PUBLIC

November 12, 2015
9:00 a.m.

Cedar Key Community Center
Cedar Key, Florida

1. Call to Order
2. Roll Call
3. Announcement of any Amendments to the Agenda by the Chair
Amendments Recommended by Staff: None
4. Public Comment
5. Consideration of the following Items Collectively by Consent:
 - Agenda Item 6 - October 13, 2015, Governing Board Meeting and Workshop Minutes
 - Agenda Item 9 - Approval of September 2015 Financial Report
 - Agenda Item 10 - Authorization to Execute an Agreement with Florida Department of Military Affairs (DMA) for the Management of Lands Purchased within the Camp Blanding Buffers
 - Agenda Item 14 - Approval of 2016 Priority List for Establishment of Minimum Flows and Levels
 - Agenda Item 17 - Approval of Resolution 2015-26 Authorization to Amend Fiscal Year (FY) 2016 Budget with Amendment No. 02 to Include Unanticipated Carry Forward Revenues in the Amount of \$176,485 for the Amendment to Grant #S0780 from the Florida Department of Environmental Protection for Continuous Water Quality Monitoring at Springs
 - Agenda Item 23 - Request for Authorization to Publish a Notice of Proposed Rule for Rules Recommended for Repeal in SRWMD's Annual Review of Existing of Rules, Pursuant to Executive Order 11-211, and File Repealed Rules and any Recommended Changes with the Department of State if no Objections are Received
6. Approval of Minutes – October 13, 2015, Governing Board Meeting and Workshop Minutes – **Recommend Consent**
7. Items of General Interest for Information/Cooperating Agencies and Organizations
 - A. Presentation of Hydrologic Conditions by Tom Mirti, Interim Director, Water Resource Division
 - B. Cooperating Agencies and Organizations

GOVERNING BOARD LEGAL COUNSEL
Tom Reeves

8. Update of Legal Activities

DIVISION OF ADMINISTRATION AND OPERATIONS
Dave Dickens, Director

- AO Page 1 9. Approval of September 2015 Financial Report – **Recommend Consent**
- AO Page 14 10. Authorization to Execute an Agreement with Florida Department of Military Affairs (DMA) for the Management of Lands Purchased within the Camp Blanding Buffers – **Recommend Consent**
- AO Page 26 11. Authorization to Conduct a Detailed Assessment and Commence Negotiations on Lands Owned by Virginia and Jerry Coker, 37.32 acres +/- in Gilchrist County
- AO Page 37 12. Land and Facilities Operations Activity Summary Report
- AO Page 39 13. Land Acquisition and Disposition Activity Report

DIVISION OF WATER SUPPLY
Carlos Herd, P.G., Director

- WS Page 1 14. Approval of 2016 Priority List for Establishment of Minimum Flows and Levels – **Recommend Consent**
- WS Page 6 15. Approval of an Agreement with Florida Department of Environmental Protection to Receive \$2,120,000 to Improve Nutrient Application Practices in Dairy Operations
- WS Page 7 16. Compensation and Reclamation Agreement with Chemours Company TT, LLC, Rayonier Atlantic Timber Company South Tract in Bradford County, Florida

DIVISION OF WATER RESOURCES
Tom Mirti, Interim Director

- WR Page 1 17. Approval of Resolution 2015-26 Authorization to Amend Fiscal Year (FY) 2016 Budget with Amendment No. 02 to Include Unanticipated Carry Forward Revenues in the Amount of \$176,485 for the Amendment to Grant #S0780 from the Florida Department of Environmental Protection for Continuous Water Quality Monitoring at Springs – **Recommend Consent**
- WR Page 7 18. Authorization to Purchase Teledyne RiverPro Acoustic Doppler Current Profiler
- WR Page 9 19. Authorization to Purchase YSI Sondes and Probes

DIVISION OF RESOURCE MANAGEMENT

Tim Sagul, P.E., Director

- RM Page 1 20. Authorization to Purchase Culverts and Flashboard Risers for District Projects
- RM Page 3 21. Authorization to Purchase Rock Aggregate for District Projects
- RM Page 5 22. Denial of a Variance Request for Environmental Resource Permit (ERP), WOD-121-225628-1, Lots 21 & 22 Suwannee River Terrace, Suwannee County
- RM Page 23 23. Request for Authorization to Publish a Notice of Proposed Rule for Rules Recommended for Repeal in SRWMD’s Annual Review of Existing of Rules, Pursuant to Executive Order 11-211, and File Repealed Rules and any Recommended Changes with the Department of State if no Objections are Received – **Recommend Consent**
- RM Page 24 24. Permitting Summary Report
- RM Page 26 25. Enforcement Status Report

EXECUTIVE OFFICE

Noah Valenstein, Executive Director

- 26. RESTORE Act Update
- EO Page 1 27. North Florida Regional Water Supply Partnership Stakeholder Committee Update
- EO Page 2 28. District’s Weekly Activity Reports
- 29. Announcements

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

December 8, 2015 9:00 a.m. Board Meeting
Workshop
Lands Committee Meeting
District Headquarters

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

- 30. Adjournment

Any member of the public, who wishes to address the Board on any agenda item, or any other topic, must sign up (including the completion of the required speaker forms) with the Executive Director or her designee before the time designated for Public Comment. During Public Comment, the Chair shall recognize those persons signed up to speak on agenda items first. To the extent time permits, the Chair shall thereafter recognize those persons signed up to speak on non-agenda items. Unless, leave is given by the Chair, (1) all speakers will be limited to three minutes per topic, (2) any identifiable group of three persons or more shall be required to choose a representative, who shall be

limited to five minutes per topic. When recognized by the Chair during Public Comment, a speaker may request to be allowed to make his or her comments at the time the Board considers a particular agenda item. The Chair may grant or deny such request in the Chair's sole discretion.

Definitions:

- "Lobbies" is defined as seeking to influence a district policy or procurement decision or an attempt to obtain the goodwill of a district official or employee. (112.3261(1)(b), Florida Statutes [F.S.]
- "Lobbyist" is a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. (112.3215(1)(h), F.S.)

The Board may act upon (including reconsideration) any agenda item at any time during the meeting. The agenda may be changed only for good cause as determined by the Chair and stated in the record. If, after the regular time for Public Comment, the agenda is amended to add an item for consideration, the Chair shall allow public comment on the added agenda item prior to the Board taking action thereon.

All decisions of the Chair concerning parliamentary procedures, decorum, and rules of order will be final, unless they are overcome by a majority of the members of the Board in attendance.

If any person decides to appeal any decision with respect to any action considered at the above referenced meeting and hearing, such person may need to ensure a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is made.

AGENDA
SUWANNEE RIVER WATER MANAGEMENT DISTRICT
GOVERNING BOARD WORKSHOP

OPEN TO THE PUBLIC

November 12, 2015
Following Board Meeting

Cedar Key Community Center
Cedar Key, FL

- Water Resources Assessment Discussion
- Preliminary Budget Fiscal Year 2017 Discussion
- Cedar Key Presentation – Leslie Sturmer, Regional Shellfish Aquaculture Extension Agent, University of Florida IFAS Extension

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
October 13, 2015

District Headquarters
Live Oak, Florida

Governing Board:

Seat	Name	Office	Present	Not Present
Aucilla Basin	Bradley Williams		X	
Coastal River Basin	Richard Schwab		X	
Lower Suwannee Basin	Don Quincey, Jr.	Chair	X	
Santa Fe & Wacc. Basins	Kevin W. Brown		X	
Upper Suwannee Basin	Alphonas Alexander	Vice Chair	X	
At Large	Virginia H. Johns	Sec./Treas.	X	
At Large	Virginia Sanchez		X	
At Large	Gary Jones		X	
At Large	Vacant			

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
Interim Executive Director	Carlos D. Herd, P.G.	X	
Gov. Affairs / Communications Director	Steve Minnis	X	
Administration & Operations Division Director	Dave Dickens	X	
Water Resources Division Director	Tom Mirti, Interim	X	
Resource Mgmt. Division Director	Tim Sagul	X	
GB & HR Coordinator	Lisa Cheshire	X	

Guests:

Jean Wosner, Circle Pine Farm	Merrilee Malwitz-Jipson, Our Santa Fe River
Carolee Howe, Shenandoah Dairy	Cory Mikel, H2O Mobile Lab
Pam Latham, RPI/ESA	Linda Clemens, FDEP
Laura Donaldson, Manson, Bolves, Donaldson	Gary Hardacre, City of Alachua
Ray Hodge, Southeast Milk	Charles Shinn, Florida Farm Bureau
Hugh Thomas, FDACS	Chris Curry, Gainesville Sun

Jeff Hill	Noah Valenstein
Jon Wood, SRWMD	Warren Zwanka, SRWMD
Tammy Girard, SRWMD	Jamie Bell, SRWMD
Bill McKinstry, SRWMD	Edwin McCook, SRWMD
Keith Rowell, SRWMD	Abby Johnson, SRWMD
Robin Lamm, SRWMD	Glenn Horvath, SRWMD

The meeting was called to order at 9:06 a.m.

Agenda Item No. 3 - Announcement of any Amendments to the Agenda by the Chair.

- Division of Resource Management – Agenda Item 28 - Approval of Water Use Permit 2-075-217970-4, with a 0.6126 mgd Increase in Allocation, Authorizing the Use of 1.1391 mgd of Groundwater for Agricultural Use at the Quincey Farms Project, Levy County.

MR. JONES MADE A MOTION TO APPROVE THE AMENDMENTS PERTAINING TO THE WATER USE PERMIT NUMBER CHANGE TO THE AGENDA. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: BROWN, JOHNS, JONES, SANCHEZ, SCHWAB, WILLIAMS, AND QUINCEY.)

Agenda Item No. 4 – Public Comment.

- Merrilee Malwitz-Jipson, Our Santa Fe River - Moratorium on Water Use Permits over 100,000 gallons or more and aquifer concerns regarding chicken farm being constructed in the Santa Fe Basin.
- Carolee Howe, Shenandoah Dairy – Thanks to Board for commitment to agriculture and invitation to join Shenandoah Dairy at Christmas on the Square this year in December.
- Hugh Thomas, FDACS – Responded to Ms. Jipson comments regarding the chicken farm in the Santa Fe Basin.

Agenda Item No. 5 - Consideration of the Following Items Collectively by Consent:

- Agenda Item 6 - September 8, 2015 Governing Board Minutes, First Public Hearing on FY 2015-2016 Tentative Millage and Budget, and September 22, 2015 Final Public Hearing on FY 2015-2016 Final Millage and Budget
- Agenda Item 10 - Approval of August 2015 Financial Report
- Agenda Item 12 – Approval of Qualified Real Estate Appraisers and Review Appraiser List for Fiscal Year (FY) 2016
- Agenda Item 13 – Renewal of Approved Surveyors List for Fiscal Year (FY) 2016
- Agenda Item 14 – Approval of Revised Finance and Accounting Policy
- Agenda Item 19 - Approval of a Memorandum of Understanding between Suwannee River Water Management District and the US Forest Service National Forest in Florida to Update the Florida National Scenic Trail Certification Agreement
- Agenda Item 27 - Approval of a Modification of Water Use Permit 2-079-220765-3, for a Ten-Year Permit Extension and a 0.0046 mgd Allocation Increase, Authorizing the Use of 0.1214 mgd of Groundwater for Agricultural Use at the James W. Brown Farm Project, Madison County

Vice Chair Alexander publically announced a conflict of interest and abstained from voting on Agenda Item 5. A Conflict of Interest Form was completed and signed by Vice Chair Alexander. This form is hereby made part of these minutes and is filed in the permanent Governing Board meeting minutes files of the District.

MR. SCHWAB MADE A MOTION TO APPROVE THE CONSENT ITEMS COLLECTIVELY. THE MOTION WAS SECONDED BY MRS. SANCHEZ. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: BROWN, JOHNS, JONES, SANCHEZ, SCHWAB, WILLIAMS, AND QUINCEY.)

Agenda Item No. 6 – Approval of Minutes.

- September 8, 2015 Governing Board Minutes, First Public Hearing on FY 2015-2016 Tentative Millage and Budget, and September 22, 2015 Final Public Hearing on FY 2015-2016 Final Millage and Budget.

THE SEPTEMBER 8, 2015 GOVERNING BOARD MINUTES, FIRST PUBLIC HEARING ON FY 2015-2016 TENTATIVE MILLAGE AND BUDGET, AND SEPTEMBER 22, 2015 FINAL PUBLIC HEARING ON FY 2015-2016 FINAL MILLAGE AND BUDGET MINUTES WERE APPROVED WITH THE CONSENT ITEMS.

Agenda Item No. 7 - Items of General Interest for Information/Cooperating Agencies and Organizations

- Tom Mirti gave a presentation of hydrologic conditions of the District
- Cooperating Agencies and Organizations

Agenda It No. 8 - Discussion of Executive Director Contract with the Suwannee River Water Management District. Chair Quincey entertained a motion to accept the Executive Director Contract as presented.

MR. SCHWAB MADE A MOTION TO ACCEPT THE EXECUTIVE DIRECTOR CONTRACT AS PRESENTED. THE MOTION WAS SECONDED BY MRS. SANCHEZ. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, JOHNS, JONES, SANCHEZ, SCHWAB, WILLIAMS, AND QUINCEY.)

Mrs. Sanchez discussed staff retention and the amount of turnover the District has had since January 2015 with the Board members. Mrs. Sanchez requested forming a Committee to look at salaries and benefits compared to other Districts and the private sector.

Chair Quincey appointed a Committee to look at how our job descriptions fits with other agencies and to be see how the District can be equitable with salaries, benefits and incentives with other positions throughout the State. The Committee will include Sanchez, Schwab and Jones. Chair requested an update to the Board from the Committee by December 2015.

Governing Board Legal Counsel

Agenda Item No. 9 - Update on Legal Activities.

Tom Reeves provided an update on the Jeff Hill Enforcement case.

DIVISION OF ADMINISTRATION AND OPERATIONS

Agenda Item No. 10 – Approval of August 2015 Financial Report. Approved on Consent.

Agenda Item No. 11 – Approval of the Annual Inspector General Activities and Internal Audit Work Plans as Presented from Law, Redd, Corna & Monroe, P.A. Dave Dickins, Director, presented staff recommendation to the Governing Board to approve the Annual Inspector General activities and internal audit work plans.

MR. JONES MADE A MOTION TO APPROVE THE ANNUAL INSPECTOR GENERAL ACTIVITIES AND INTERNAL AUDIT WORK PLANS. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, JOHNS, JONES, SANCHEZ, SCHWAB, WILLIAMS, AND QUINCEY.)

Agenda Item No. 12 – Approval of Qualified Real Estate Appraisers and Review Appraiser List for Fiscal Year (FY) 2016. Approved on Consent.

Agenda Item No. 13 - Renewal of Approved Surveyors List for Fiscal Year (FY) 2016. Approved on Consent.

Agenda Item No. 14 - Approval of Revised Finance and Accounting Policy. Approved on Consent.

Agenda Item No. 15 - Approval of Resolution 2015-25 Authorization to Amend the Fiscal Year (FY) 2016 Budget with Amendment No. 01 to Include Unanticipated Carry Forward Revenues in the Amount of \$1,762,264 for Ichetucknee Springshed Water Quality Improvement Project, PCS Phosphate (PotashCorp) and Otter Springs Restoration Project. Mr. Dickins presented staff recommendation to the Governing Board to approve Resolution 2015-25 to amend the Fiscal Year 2016 Budget from \$43,335,921 to \$45,098,185 to recognize \$1,762,264 in unanticipated carry forward revenues for Ichetucknee Springshed Water Quality Project, PotashCorp Eagle Lake, and Otter Springs restoration project.

MRS. SANCHEZ MADE A MOTION TO APPROVE RESOLUTION 2015-25 TO AMEND THE FISCAL YEAR 2016 BUDGET FROM \$43,335,921 TO \$45,098,185 TO RECOGNIZE \$1,762,264 IN UNANTICIPATED CARRY FORWARD REVENUES FOR ICHETUCKNEE SPRINGSHED WATER QUALITY PROJECT, POTASHCORP EAGLE LAKE, AND OTTER SPRINGS RESTORATION PROJECT. THE MOTION WAS SECONDED BY MR. WILLIAMS UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, JOHNS, JONES, SANCHEZ, SCHWAB, WILLIAMS, AND QUINCEY.)

Agenda Item No. 16 - Approval of Agreement with PCS Phosphate (PotashCorp) for the Eagle Lake/Upper Suwannee River Enhancement project. Mr. Dickens presented staff recommendation to the Governing Board to authorize the Executive Director to execute an agreement with PotashCorp for the Eagle Lake/Upper Suwannee River Enhancement Project.

MRS. SANCHEZ MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT WITH POTASHCORP FOR THE EAGLE LAKE/UPPER SUWANNEE RIVER ENHANCEMENT PROJECT. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, JOHNS, JONES, SANCHEZ, SCHWAB, WILLIAMS, AND QUINCEY.)

Agenda Item 17 - Authorization for the Executive Director to Execute the Corporate Offer to Sell Real Property with the United States Forest Service on a Portion of the Districts Sandlin Bay Tract, 623 Acres +/-, Columbia County. Keith Rowell, Surveyor, presented staff recommendation to the Governing Board to authorize the Executive Director to execute the Corporate Offer to Sell Real Property on 623 Acres +/- to the U. S. Forest Service in Columbia County as provide in the Board material package.

MR. JONES MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE A CORPORATE OFFER TO SELL REAL PROPERTY ON 623 ACRES +/- TO THE U. S. FOREST SERVICE IN COLUMBIA COUNTY. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, JOHNS, JONES, SANCHEZ, SCHWAB, WILLIAMS, AND QUINCEY.)

Agenda Item 18 - Authorization to Execute the Confidentiality Agreement and to Conduct a Detailed Assessment and Commence Negotiations on Lands Owned by BTG Pactual, 630 acres +/- in Bradford Lands Owned by BTG Pactual, 630 acres +/- in Bradford County. Mr. Rowell presented staff recommendation to the Governing Board to authorize the Executive Director to execute an agreement and for staff to conduct a detailed assessment and commence negotiations with BTG Pactual on 630 acres +/- in Bradford County.

MRS. SANCHEZ MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT AND FOR STAFF TO CONDUCT A DETAILED ASSESSMENT AND COMMENCE NEGOTIATIONS WITH BTG PACTUAL ON 630 ACRES +/- IN BRADFORD COUNTY. THE MOTION WAS SECONDED BY MR. JONES. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, JOHNS, JONES, SANCHEZ, SCHWAB, WILLIAMS, AND QUINCEY.)

Agenda Item No. 19 - Approval of a Memorandum of Understanding between Suwannee River Water Management District and the US Forest Service National Forest in Florida to Update the Florida National Scenic Trail Certification Agreement. Approved on Consent.

Agenda Item No. 20 – Land and Facilities Operations Activity Summary. The Land and Facilities Operations Activity Summary was provided as an informational item in the Board materials.

DIVISION OF WATER SUPPLY

Agenda Item No. 21 - Approval to Enter into Contract for the October 2015 Florida Department of Environmental Protection Springs Agricultural Cost-Share Program. Carlos Herd, Director, presented staff recommendation to the Governing Board to authorize the Executive Director to enter into contract with one applicant for the October 2015 Florida Department of Environmental Protection Springs Agricultural Cost-Share Program in the amount of \$48,352.

MRS. SANCHEZ MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACT WITH ONE APPLICANT FOR THE OCTOBER 2015 FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION SPRINGS AGRICULTURAL COST-SHARE PROGRAM IN THE AMOUNT OF \$48,352. THE MOTION WAS SECONDED BY MR. JONES. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, JOHNS, JONES, SANCHEZ, SCHWAB, WILLIAMS, AND QUINCEY.)

Agenda Item No. 22 – Surface-Use Lease Agreement with Chemours Company TT, LLC, Rayonier Atlantic Timber Company South Tract in Bradford County, Florida. Mr. Herd presented staff recommendation to the Governing Board to authorize the Executive Director to execute the Compensation and Reclamation Agreement with Chemours Company TT, LLC. to mine portions of District owned Rayonier-Atlantic Timber Company South Tract in Bradford County, Florida.

Tommy Reeves provided comments to the Board.

Paul Still provided comments to the Board.

Chair requested Agenda Item No. 22 - Surface-Use Lease Agreement with Chemours Company TT, LLC, Rayonier Atlantic Timber Company South Tract in Bradford County, Florida; be tabled until legal counsel could include provision regarding arbitration in contract for the Board to review.

Agenda Item No. 23 – Agricultural Water Use Monitoring Update. The Agricultural Water Use Monitoring Update was provided as an informational item in the Board materials.

DIVISION OF WATER RESOURCES

Agenda Item No. 24 – Amendment of Contract 13/14-053 with The Canopy of Technology for Programming Services. Glen Horvath, Resource Data Services Project Manager, presented staff recommendation to the Governing Board to authorize the Executive Director to amend Contract 13/14-053 with The Canopy of Technology for a not-to-exceed amount of \$60,000 and to extend the contract date to September 30, 2016.

MR. SCHWAB MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO AMEND CONTRACT 13/14-053 WITH THE CANOPY OF TECHNOLOGY FOR A NOT-TO-EXCEED AMOUNT OF \$60,000 AND TO EXTEND THE CONTRACT DATE TO SEPTEMBER 30, 2016. THE MOTION WAS SECONDED BY MR. BROWN. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, JOHNS, JONES, SANCHEZ, SCHWAB, WILLIAMS, AND QUINCEY.)

Agenda Item No. 25 – Selection of Contractor to Update and Consolidate Surface Water Improvement and Management Plans. Mr. Horvath presented staff recommendation to the Governing Board to authorize the Executive Director to: 1) enter into a contract with Environmental Science Associates to revise and consolidate the District's Surface Water Improvement and Management Plans for an amount of \$199,280.00, 2) to amend the contract amount up a 10% (\$19,928) contingency for additional unplanned activities and 3) authorize the balance of the funding grant be available to reimburse District staff time expended in the SWIM plan update process.

Sandy Shada and Kim Layton provided comments to the Board.

MR. SCHWAB MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO: 1) ENTER INTO A CONTRACT WITH ENVIRONMENTAL SCIENCE ASSOCIATES TO REVISE AND CONSOLIDATE THE DISTRICT'S SURFACE WATER IMPROVEMENT AND MANAGEMENT PLANS FOR AN AMOUNT OF \$199,280.00, 2) TO AMEND THE CONTRACT AMOUNT UP A 10% (\$19,928) CONTINGENCY FOR ADDITIONAL UNPLANNED ACTIVITIES AND 3) AUTHORIZE THE BALANCE OF THE FUNDING GRANT BE AVAILABLE TO REIMBURSE DISTRICT STAFF TIME EXPENDED IN THE SWIM PLAN UPDATE PROCESS. THE MOTION WAS SECONDED BY MR. JONES. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, JOHNS, JONES, SANCHEZ, SCHWAB, WILLIAMS, AND QUINCEY.)

Agenda Item No. 26 – Authorization to Increase Spending Limit with URS Corporation Southern, a Wholly-owned Subsidiary of AECOM, for Construction and Monitoring of a Nutrient Removal Comparison Study. Jamie Bell, Engineer, Resource Management, presented staff recommendation to the Governing Board to authorize the Executive Director to amend the contract with URS Corporation Southern, a wholly-owned subsidiary of AECOM, to retrofit a Florida Department of Transportation-owned roadside swale and monitor for one year to evaluate the groundwater and surface water nutrient removal effectiveness of two different Biosorptive Activated Media, for a total cost not-to-exceed \$180,101.

Jean Wosner and Hugh Thomas provided comments to the Board.

MRS. SANCHEZ MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO AMEND THE CONTRACT WITH URS CORPORATION SOUTHERN, A WHOLLY-OWNED SUBSIDIARY OF AECOM, TO RETROFIT A FLORIDA DEPARTMENT OF TRANSPORTATION-OWNED ROADSIDE SWALE AND MONITOR FOR ONE YEAR TO EVALUATE THE GROUNDWATER AND SURFACE WATER NUTRIENT REMOVAL EFFECTIVENESS OF TWO DIFFERENT BIOSORPTIVE ACTIVATED MEDIA, FOR A TOTAL COST NOT- TO-EXCEED \$180,101. THE MOTION WAS SECONDED BY MR. JONES. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, JOHNS, JONES, SANCHEZ, SCHWAB, WILLIAMS, AND QUINCEY.)

DIVISION OF RESOURCE MANAGEMENT

Agenda Item No. 27 - Approval of a Modification of Water Use Permit 2-079-220765-3, for a Ten-Year Permit Extension and a 0.0046 mgd Allocation Increase, Authorizing the Use of 0.1214 mgd of Groundwater for Agricultural Use at the James W. Brown Farm Project, Madison County. Approved on Consent.

Agenda Item No. 28 - Approval of Water Use Permit 2-075-217970-4, with a 0.6126 mgd Increase in Allocation, Authorizing the Use of 1.1391 mgd of Groundwater for Agricultural Use at the Quincey Farms Project, Levy County. Warren Zwanka, Senior Hydrogeologist, presented staff recommendation to approve Water Use Permit number 2-075-271970-4 with seventeen standard conditions and seven special limiting conditions, to Frank Quincey, in Levy County.

Chair Quincey publically announced a conflict of interest and abstained from voting on Agenda Item 28. A Conflict of Interest Form was completed and signed by Chair Quincey. This form is hereby made part of these minutes and is filed in the permanent Governing Board meeting minutes files of the District.

MR. SCHWAB MADE A MOTION TO APPROVE WATER USE PERMIT NUMBER 2-075-271970-4 WITH SEVENTEEN STANDARD CONDITIONS AND SEVEN SPECIAL LIMITING CONDITIONS, TO FRANK QUINCEY, IN LEVY COUNTY. THE MOTION WAS SECONDED BY MRS. SANCHEZ. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, JOHNS, JONES, SANCHEZ, SCHWAB, AND WILLIAMS.)

Agenda Item No. 29 - Approval of a Modification of Water Use Permit 2-075-217981-6, with a 0.4530 mgd Increase in Allocation, Authorizing the Use of 3.5002 mgd of Groundwater for Agricultural Use at the Alliance Dairies Project, Gilchrist and Levy Counties. Mr. Zwanka presented staff

recommendation to approve Water Use Permit number 2-075-217981-6 with seventeen standard conditions and nine special limiting conditions, to Alliance Dairies, in Gilchrist and Levy Counties.

MR. WILLIAMS MADE A MOTION TO APPROVE WATER USE PERMIT NUMBER 2-075-217981-6 WITH SEVENTEEN STANDARD CONDITIONS AND NINE SPECIAL LIMITING CONDITIONS, TO ALLIANCE DAIRIES, IN GILCHRIST AND LEVY COUNTIES. THE MOTION WAS SECONDED BY MRS. SANCHEZ. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, JOHNS, JONES, SANCHEZ, SCHWAB, WILLIAMS, AND QUINCEY.)

Agenda Item No. 30 – Authorization to Enter Into Contract with Music Construction for Well Conveyance System for the Lafayette Forest Recharge Well. Tim Sagul, Director, Resource Management, presented staff recommendation to authorize the Executive Director to enter into a contract with Music Construction, Inc. to install a well conveyance system for the Lafayette Forest recharge well in an amount not-to-exceed \$42,400.

MR. SCHWAB MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH MUSIC CONSTRUCTION, INC., TO INSTALL A WELL CONVEYANCE SYSTEM FOR THE LAFAYETTE FOREST RECHARGE WELL IN AN AMOUNT NOT-TO-EXCEED \$42,400. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, JOHNS, JONES, SANCHEZ, SCHWAB, WILLIAMS, AND QUINCEY.)

Agenda Item No. 31 – Permitting Summary Report. The Permitting Summary Report was provided as an informational item in the Board materials.

Agenda Item No. 32 – Enforcement Status Report. The Enforcement Status Report was provided as an informational item in the Board materials.

EXECUTIVE OFFICE

Agenda Item No. 33 – North Florida Regional Water Supply Partnership Stakeholder Advisory Committee Update. A North Florida Regional Water Supply Partnership Stakeholder Advisory Committee update was provided as an informational item in the Board materials.

Agenda Item No. 34 – Land Acquisition and Disposition Activity Report. The Land Acquisition and Disposition Activity Report was provided as an informational item in the Board materials.

Agenda Item No. 35 - District's Weekly Activity Reports. The District's Weekly Activity Reports were provided as an informational item in the Board materials.

Agenda Item No. 36 - Announcements

Agenda Item No. 37 - Adjournment

Meeting adjourned at 11:08 a.m.

Chair

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.

9:00 a.m.
 June 9, 2015

District Headquarters
 Live Oak, FL

Governing Board:

Seat	Name	Office	Present	Not Present
Aucilla Basin	Bradley Williams		X	
Coastal River Basin	Richard Schwab		X	
Lower Suwannee River Basin	Don Quincey, Jr.	Chair	X	
Santa Fe/Wacc. Basins	Kevin W. Brown		X	
Upper Suwannee River Basin	Alphonas Alexander	Vice Chair	X	
At Large	Virginia H. Johns	Sec/Treasurer	X	
At Large	Virginia Sanchez		X	
At Large	Gary Jones		X	
At Large	Vacant			

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
Interim Executive Director	Carlos D. Herd, P.G.	X	
Gov. Affairs / Communications Director	Steve Minnis	X	
Administration & Operations Division Director	Dave Dickens	X	
Water Resources Division Director	Tom Mirti, Interim	X	
Resource Mgmt. Division Director	Tim Sagul	X	
GB & HR Coordinator	Lisa Cheshire	X	

Guests:

Laura Donaldson, Manson, Bolves, Donaldson	Jean Wosner, Circle Pine Farm
Steve Gladin	Keith Rowell, SRWMD
Noah Valenstein	Tilda Musgrove, SRWMD
Robin Lamm, SRWMD	Abby Johnson, SRWMD
Bill McKinstry, SRWMD	Glenn Horvath, SRWMD
Bebe Willis, SRWMD	

Status Update on Monitor Well Network Improvement Project

Tom Mirti provided a status update on the Monitoring Well Network Improvement Plan. One existing well in Alachua County and 4 new well site locations have been identified in Columbia, Hamilton, and Jefferson counties for implementation in a new work order to be issued to Barnes, Ferland and Associates. The Palestine Lake monitoring well cluster has been completed and is providing data via telemetry to District databases. Bebe Willis provided an overview of the ARCGIS Online tool for use by Governing Board members to assist in identifying possible land owners for future well siting. Detailed instructions regarding use of the tool will be sent to individual board members.

The workshop adjourned at 11:54 a.m.

Lands Committee Meeting began at 12:37 p.m. and ended at 3:01 p.m.

The Lands Committee meeting materials and recording are located with the October Governing Board materials and recording.

Chair

ATTEST:

MEMORANDUM

TO: Governing Board

FROM: Dave Dickens, Division Director, Administration and Operations

DATE: October 31, 2015

RE: Approval of September 2015 Financial Report

RECOMMENDATION

Staff recommends the Governing Board approve the September 2015 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.

DD/pf
Attachments

**Suwannee River Water Management District
Cash Report
September 2015**

ACCOUNT	Monthly Interest	Interest Rate %	Closing Balance
Bank of America Permit Fee	-	-	\$218,386.91
First Federal Permit Fee	\$4.51	0.30%	\$18,287.32
First Federal Depository	\$1,283.23	0.55%	\$1,692,502.20
SPIA	\$53,978.04	1.32%	\$48,188,366.26
TOTAL	\$55,265.78		\$50,117,542.69

**Suwannee River Water Management District
Statement of Sources and Uses of Funds
For the Month ending September 30, 2015
(Unaudited)**

	Current Budget	Actuals Through 9/30/2015	Variance (Under)/Over Budget	Actuals As A % of Budget
Sources				
Ad Valorem Property Taxes	\$5,584,081	\$ 5,444,512	\$ (139,569)	98%
Intergovernmental Revenues	\$31,609,210	12,505,160	(19,104,050)	40%
Interest on Invested Funds	\$354,000	745,044	391,044	210%
License and Permit Fees	\$75,000	145,397	70,397	194%
Other	\$410,000	764,224	354,224	186%
Fund Balance	\$8,455,190	4,256,599	(4,198,591)	50%
Total Sources	\$46,487,481	\$ 23,860,936	\$ (22,626,545)	51%

	Current Budget	Expenditures	Encumbrances ¹	Available Budget	%Expended	%Obligated ²
Uses						
Water Resources Planning and Monitoring	\$9,604,731	\$ 6,129,169	\$ 54,355	\$ 3,421,207	64%	64%
Acquisition, Restoration and Public Works	\$31,080,835	8,995,705	65,414	22,019,716	29%	29%
Operation and Maintenance of Lands and Works	\$2,700,630	2,229,168	-	471,462	83%	83%
Regulation	\$1,278,445	1,224,585	10,358	43,502	96%	97%
Outreach	\$250,484	183,147	-	67,337	73%	73%
Management and Administration	\$1,572,356	1,442,386	9,598	120,372	92%	92%
Total Uses	\$46,487,481	\$ 20,204,160	\$ 139,725	\$ 26,143,596	43%	44%

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 financial statement is prepared as of September 30, 2015 and covers the interim period since the most recent audited financial statements.

STATEMENT OF ACTIVITY - REVENUE AND EXPENSE DETAIL (UNAUDITED)
September 30, 2015

Recap of All Funds	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	19,985,276.68	0.00	46,487,481.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	5,118,647.70	0.00	6,326,399.00
TOTAL OTHER PERSONAL SERVICES	5,215,858.15	71,804.89	26,700,139.00
TOTAL OPERATING EXPENSES	1,238,269.63	53,305.53	1,825,828.51
TOTAL CAPITAL OUTLAY	654,870.71	0.00	765,239.00
TOTAL FIXED CAPITAL OUTLAY	5,345,533.60	0.00	5,619,765.00
TOTAL INTERAGENCY EXPENSES	2,630,980.48	10,174.95	5,250,110.49
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>20,204,160.27</u>	<u>135,285.37</u>	<u>46,487,481.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>(218,883.59)</u>	<u>(135,285.37)</u>	<u>0.00</u>
NET CHANGE IN FUND BALANCE	4,256,598.68		

Fund 01: General Fund	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	6,469,748.63	0.00	12,699,765.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	2,975,328.55	0.00	3,541,103.00
TOTAL OTHER PERSONAL SERVICES	783,679.83	7,169.82	2,640,939.00
TOTAL OPERATING EXPENSES	795,403.87	57,744.73	1,336,796.00
TOTAL CAPITAL OUTLAY	559,608.56	0.00	665,480.00
TOTAL FIXED CAPITAL OUTLAY	199,060.00	0.00	446,500.00
TOTAL INTERAGENCY EXPENSES	569,915.83	0.00	696,641.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>5,882,996.64</u>	<u>64,914.55</u>	<u>9,327,459.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>586,751.99</u>	<u>(64,914.55)</u>	<u>3,372,306.00</u>

Fund 02: Emergency Operations	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	3,203.58	0.00	0.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	3,203.58	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	0.00
TOTAL OPERATING EXPENSES	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>3,203.58</u>	<u>0.00</u>	<u>0.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

STATEMENT OF ACTIVITY - REVENUE AND EXPENSE DETAIL (UNAUDITED)
September 30, 2015

Fund 03: Lobbyist Registration	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	3,219.78	0.00	0.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	3,055.14	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	0.00
TOTAL OPERATING EXPENSES	164.64	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>3,219.78</u>	<u>0.00</u>	<u>0.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

Fund 04: Ichetucknee Springs	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	128,686.84	0.00	4,250,000.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	128,686.84	0.00	4,250,000.00
TOTAL OPERATING EXPENSES	0.00	0.00	2,750.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>128,686.84</u>	<u>0.00</u>	<u>4,252,750.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>0.00</u>	<u>(2,750.00)</u>

Fund 05: Middle Suwannee	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	371,073.13	0.00	1,430,000.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	370,902.67	55,239.10	1,430,000.00
TOTAL OPERATING EXPENSES	170.46	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>371,073.13</u>	<u>55,239.10</u>	<u>1,430,000.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>(55,239.10)</u>	<u>0.00</u>

STATEMENT OF ACTIVITY - REVENUE AND EXPENSE DETAIL (UNAUDITED)
September 30, 2015

Fund 06: Springs Appropriation 2014-15	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	296,870.35	0.00	8,123,660.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	9,775.74	0.00	441,800.00
TOTAL OTHER PERSONAL SERVICES	51,394.61	0.00	8,215,000.00
TOTAL OPERATING EXPENSES	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	235,700.00	0.00	1,265,100.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>296,870.35</u>	<u>0.00</u>	<u>9,921,900.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>0.00</u>	<u>(1,798,240.00)</u>

Fund 07: Local Revenue	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	105,600.00	0.00	84,000.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	0.00
TOTAL OPERATING EXPENSES	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	105,600.00	0.00	84,000.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>105,600.00</u>	<u>0.00</u>	<u>84,000.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

Fund 08: WMLTF / Springs	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	1,795,400.68	0.00	2,213,161.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	625,774.92	0.00	732,724.00
TOTAL OTHER PERSONAL SERVICES	1,452,862.58	0.00	2,161,991.00
TOTAL OPERATING EXPENSES	6,379.44	0.00	25,750.00
TOTAL CAPITAL OUTLAY	44,225.59	0.00	49,009.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	524,514.66	10,174.95	482,181.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>2,653,757.19</u>	<u>10,174.95</u>	<u>3,451,655.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>(858,356.51)</u>	<u>(10,174.95)</u>	<u>(1,238,494.00)</u>

**Excess to be covered by Carryover from FY 2014 / Fund Balance*

STATEMENT OF ACTIVITY - REVENUE AND EXPENSE DETAIL (UNAUDITED)
September 30, 2015

Fund 10: Florida Forever & P-2000	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	784,331.10	0.00	999,200.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	19,637.63	0.00	47,385.00
TOTAL OTHER PERSONAL SERVICES	105,982.00	0.00	982,500.00
TOTAL OPERATING EXPENSES	1,110.52	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	565,086.50	0.00	576,700.00
TOTAL INTERAGENCY EXPENSES	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>691,816.65</u>	<u>0.00</u>	<u>1,606,585.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>92,514.45</u>	<u>0.00</u>	<u>(607,385.00)</u>

Fund 11: FEMA FY 2009	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	13,728.45	0.00	14,000.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	13,728.45	0.00	14,000.00
TOTAL OPERATING EXPENSES	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>13,728.45</u>	<u>0.00</u>	<u>14,000.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

Fund 12: DOT ETDM	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	657.35	0.00	0.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	1,006.57	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	0.00
TOTAL OPERATING EXPENSES	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>1,006.57</u>	<u>0.00</u>	<u>0.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>(349.22)</u>	<u>0.00</u>	<u>0.00</u>

**Excess to be covered by Carryover from FY 2014 / Fund Balance*

STATEMENT OF ACTIVITY - REVENUE AND EXPENSE DETAIL (UNAUDITED)
September 30, 2015

Fund 13: WMLTF / Operations	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	6,444,080.95	0.00	6,896,565.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	606,100.75	0.00	613,197.00
TOTAL OTHER PERSONAL SERVICES	732,167.61	0.00	930,687.00
TOTAL OPERATING EXPENSES	404,798.52	(4,439.20)	409,421.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	4,559,860.10	0.00	4,564,565.00
TOTAL INTERAGENCY EXPENSES	141,153.97	0.00	178,500.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>6,444,080.95</u>	<u>(4,439.20)</u>	<u>6,696,370.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>4,439.20</u>	<u>200,195.00</u>

Fund 15: ERP & Wetlands	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	758,160.75	0.00	453,000.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	565,914.17	0.00	588,021.00
TOTAL OTHER PERSONAL SERVICES	100,256.90	9,395.97	58,000.00
TOTAL OPERATING EXPENSES	22,233.12	0.00	42,280.00
TOTAL CAPITAL OUTLAY	51,036.56	0.00	50,750.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	18,720.00	0.00	18,720.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>758,160.75</u>	<u>9,395.97</u>	<u>757,771.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>(9,395.97)</u>	<u>(304,771.00)</u>

Fund 16: Delineated Areas	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	47,120.96	0.00	0.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	45,045.30	0.00	37,814.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	1,711.00
TOTAL OPERATING EXPENSES	2,075.66	0.00	4,500.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>47,120.96</u>	<u>0.00</u>	<u>44,025.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>0.00</u>	<u>(44,025.00)</u>

STATEMENT OF ACTIVITY - REVENUE AND EXPENSE DETAIL (UNAUDITED)
September 30, 2015

Fund 17: License & Permit Fees	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	258,199.83	0.00	75,000.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	258,199.83	0.00	224,355.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	1,548.00
TOTAL OPERATING EXPENSES	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>258,199.83</u>	<u>0.00</u>	<u>225,903.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>0.00</u>	<u>(150,903.00)</u>

Fund 19: DOT Mitigation	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	12,865.68	0.00	4,172,200.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	5,605.52	0.00	100,000.00
TOTAL OTHER PERSONAL SERVICES	27,339.48	0.00	4,040,200.00
TOTAL OPERATING EXPENSES	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	21,527.00	0.00	32,000.00
TOTAL INTERAGENCY EXPENSES	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>54,472.00</u>	<u>0.00</u>	<u>4,172,200.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>(41,606.32)</u>	<u>0.00</u>	<u>0.00</u>

**Excess to be reimbursed by DOT Mitigation Grant*

Fund 29: SRP	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	346,106.58	0.00	0.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	0.00
TOTAL OPERATING EXPENSES	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	346,106.58	0.00	227,000.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>346,106.58</u>	<u>0.00</u>	<u>227,000.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>0.00</u>	<u>(227,000.00)</u>

STATEMENT OF ACTIVITY - REVENUE AND EXPENSE DETAIL (UNAUDITED)
September 30, 2015

Fund 33: PCS Mitigation	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	1,682.97	0.00	0.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	0.00
TOTAL OPERATING EXPENSES	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>1,682.97</u>	<u>0.00</u>	<u>0.00</u>

Fund 44: SWIM / Oil Spill Response	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	58,932.62	0.00	0.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	0.00
TOTAL OPERATING EXPENSES	4,331.51	0.00	4,331.51
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	54,601.11	0.00	54,601.49
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>58,932.62</u>	<u>0.00</u>	<u>58,933.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>0.00</u>	<u>(58,933.00)</u>

Fund 45: FEMA FY 2010	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	16,474.00	0.00	339,000.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	16,474.00	0.00	339,000.00
TOTAL OPERATING EXPENSES	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>16,474.00</u>	<u>0.00</u>	<u>339,000.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

STATEMENT OF ACTIVITY - REVENUE AND EXPENSE DETAIL (UNAUDITED)
September 30, 2015

Fund 48: FEMA FY 2011	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	513,636.00	0.00	285,000.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	513,636.00	0.00	285,000.00
TOTAL OPERATING EXPENSES	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	513,636.00	0.00	285,000.00
EXCESS REVENUES OVER (UNDER) EXPENDITURES	0.00	0.00	0.00

Fund 51: District Ag Cost Share	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	384,067.40	0.00	900,000.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	384,067.40	0.00	0.00
TOTAL OPERATING EXPENSES	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	0.00	0.00	40,000.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	384,067.40	0.00	40,000.00
EXCESS REVENUES OVER (UNDER) EXPENDITURES	0.00	0.00	860,000.00

Fund 52: DACS	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	771.55	0.00	250,000.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	250,000.00
TOTAL OPERATING EXPENSES	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	0.00	0.00	250,000.00
EXCESS REVENUES OVER (UNDER) EXPENDITURES	771.55	0.00	0.00

STATEMENT OF ACTIVITY - REVENUE AND EXPENSE DETAIL (UNAUDITED)
September 30, 2015

Fund 53: District River Cost Share	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	765,059.57	0.00	2,333,367.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	128,789.35	0.00	130,000.00
TOTAL OPERATING EXPENSES	1,601.89	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	634,668.33	0.00	2,203,367.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>765,059.57</u>	<u>0.00</u>	<u>2,333,367.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

Fund 54: FEMA FY 2012	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	178,378.71	0.00	362,000.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	178,378.71	0.00	362,000.00
TOTAL OPERATING EXPENSES	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>178,378.71</u>	<u>0.00</u>	<u>362,000.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

Fund 55: FEMA FY 2013	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	227,219.22	0.00	129,000.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	227,219.22	0.00	129,000.00
TOTAL OPERATING EXPENSES	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>227,219.22</u>	<u>0.00</u>	<u>129,000.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

STATEMENT OF ACTIVITY - REVENUE AND EXPENSE DETAIL (UNAUDITED)
September 30, 2015

Fund 60: Reimbursable Grants	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
REVENUES			
TOTAL REVENUES	0.00	0.00	478,563.00
EXPENSES			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	292.50	0.00	478,563.00
TOTAL OPERATING EXPENSES	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY EXPENSES	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>292.50</u>	<u>0.00</u>	<u>478,563.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>(292.50)</u>	<u>0.00</u>	<u>0.00</u>

**Excess to be covered by Union County Grant*

MEMORANDUM

TO: Governing Board

FROM: Dave Dickens, Division Director, Administration and Operations

DATE: October 31, 2015

RE: Authorization to Execute an Agreement with Florida Department of Military Affairs (DMA) for the Management of Lands Purchased within the Camp Blanding Buffers

RECOMMENDATION

Staff recommends approval and execution of the Camp Blanding Buffers Management Agreement.

BACKGROUND

The District is purchasing lands with Camp Blanding Buffers funds in eastern Bradford County. Staffs from both agencies have developed the attached Agreement that would allow for the Cooperative Management of lands acquired within this area. The intent is that any new lands acquired in the area would be added to this agreement by amending the legal description.

The agreement with Florida Department of Military Affairs (DMA) has the District taken the lead and fund water resource projects while Camp Blanding will manage natural resources, including timber and any potential public use of these lands. Funds for Camp Blanding management would come from existing trust funds of Camp Blanding but would also come from the management of timber or other resources present on the property. Camp Blanding will also fund any Payments in Lieu of Taxes for these lands. In all cases, management of water resources for District goals will take priority over other uses.

Activities provided by Camp Blanding include:

- Providing routine surveillance and security for the property.
- Provide daily management operations on the property.
- Recreational opportunities and public access will be provided that meet the goals and objectives of the District and Camp Blanding Joint Training Center (CBJTC) planned uses of the property. CBJTC is currently included within the Florida Fish and Wildlife Conservation Commission's (FFWCC) Wildlife Management Area (WMA) program that allows for public access and hunting. It is the intent of the DMA to investigate extending that hunting format to the property, at the appropriate time, with the agreement of the District.
- Controlling wildfires by employing appropriate management practices.
- Controlling exotic and invasive plants at maintenance levels.
- Working with the District to prepare annual workplans and budgets.

- Reporting of annual activities, revenues, expenses and accomplishments in association with normal reporting procedures, and activities on the property will be included in such reports. These reports will be provided to District.

It is anticipated that the District will be heavily involved and cooperating with Camp Blanding early on as plans for water resource projects are developed, constructed and completed. After that startup period, Camp Blanding will be more in the lead in managing the property long term.

Attached is the draft document agreement the Lands Committee approved at the October 13, 2015 meeting for forwarding to the full governing board for consideration.

RGH/pf

Attachment

COOPERATIVE MANAGEMENT AGREEMENT
Camp Blanding Buffers – SRWMD PROPERTY

THIS COOPERATIVE MANAGEMENT AGREEMENT is made and entered into this _____ day of _____, 2015, between the Governing Board of the **SUWANNEE RIVER WATER MANAGEMENT DISTRICT**, a public body existing under Chapter 373, Florida Statutes whose mailing address is 9225 County Road 49, Live Oak, Florida 32060 (herein called the “DISTRICT”) and the **Florida Department of Military Affairs**, a public agency of the State of Florida, whose mailing address is 189 Marine Street, St. Augustine Florida, 32084(hereinafter called the “DMA”).

WITNESSETH

WHEREAS, the DISTRICT is the fee simple owner of certain real property, hereinafter referred to as the “PROPERTY” in eastern Bradford County bordering the western boundary of Camp Blanding Joint Training Center (CBJTC), as depicted in Exhibit “A” and as described in Schedule “A” attached hereto and by reference made a part hereof, and

WHEREAS, the DMA is desirous of managing the PROPERTY for the purpose of meeting guidelines within the Army Compatible Use Buffer (ACUB) Project through ecological multi-use management of natural resources as outlined in CBJTC’s guidance document, the Integrated Natural Resource Management Plan (INRMP); and

Whereas, the DISTRICT has purchased the PROPERTY for water resource purposes including water resource development, flood attenuation and aquifer recharge projects and is developing construction plans for facilities to accomplish these purposes; and

WHEREAS, the DISTRICT and the DMA recognize that the PROPERTY has potential for multiple uses if management activities are closely coordinated; and

WHEREAS, the DMA possesses the personnel, ability, interest, and willingness to manage the PROPERTY, consistent with DISTRICT purposes, under the multiple-use concept, based on sound ecological principles as outlined and approved in the CBJTC INRMP; and

WHEREAS, the DISTRICT and the DMA recognize the value of close cooperation and mutual support in providing for the potential public benefits and enjoyment of the PROPERTY.

NOW, THEREFORE, the parties hereto for and in consideration of the premises and mutual covenants, terms and conditions hereinafter contained, hereby covenant and agree as follows:

1. Subject to the terms, conditions and limitations set forth in this Agreement, the DISTRICT hereby conveys certain management responsibilities to the DMA and the DMA hereby accepts management responsibilities from the DISTRICT of the PROPERTY depicted in Exhibit "A" and described in Schedule "A" for the purposes and in the manner hereinafter set forth.
2. The initial term of this Agreement is for a period of twenty five (25) years, commencing on _____, 2015 and ending on _____, 2040. Thereafter, this agreement shall be automatically renewed in twenty five year increments, unless terminated as otherwise set forth herein.
3. The purpose of this Agreement shall be to designate the DMA as the lead management entity for day to day management operations on the PROPERTY. The DMA shall manage the habitat on the PROPERTY as set forth in the approved INRMP using a long-term sustained yield harvest of natural resources, in a manner consistent with, and subject to the water resource projects initiated and constructed by DISTRICT.

These operations include implementing specific management actions including, but not limited to prescribed burning, disking, planting, mowing, silvicultural practices, facility maintenance including roads and firelines and other operations as may be jointly approved. The INRMP and specifically the addendum including and relating to the PROPERTY shall be formally reviewed and approved by the DMA and the DISTRICT not less than every five years and amended as required and agreed by the parties.

4. Notwithstanding any provision contained herein to the contrary, this Agreement is subject to:
 - a. The terms, conditions, restrictions and limitations set forth in this Agreement; and
 - b. All applicable laws, state statutes, local ordinances and the rules and regulations pertaining thereto which may

be applicable to the operation of the PROPERTY including Chapter 373.1391, Florida Statutes.

- c. Pre-existing third party rights and mine reclamation requirements.
5. It is the intent of the DMA and the DISTRICT that the PROPERTY be incorporated into the Camp Blanding Buffers and managed, for land management purposes, as set forth in the CBJTC INRMP. The PROPERTY will be managed for the same goals of wildlife habitat restoration, public access, recreational opportunities and hunting as the CBJTC, so long as these uses do not interfere with or diminish planned or existing water resource projects of DISTRICT. The DMA shall assume primary management responsibilities that are consistent with the CBJTC INRMP, and shall include the following:
- a. Reporting of annual activities, revenues, expenses and accomplishments in association with normal DMA reporting procedures, and activities on the PROPERTY will be included in such reports. These reports will be provided to DISTRICT.
 - b. Providing routine surveillance and security for the PROPERTY.
 - c. Recreational opportunities and public access will be provided that meet the goals and objectives of the District and CBJTC planned uses of the property. CBJTC is currently included within the Florida Fish and Wildlife Conservation Commission's (FFWCC) Wildlife Management Area (WMA) program that allows for public access and hunting. It is the intent of the DMA to investigate extending that hunting format to the PROPERTY, at the appropriate time, with the agreement of the DISTRICT.
 - d. Controlling wildfires by employing appropriate management practices.
 - e. Controlling exotic and invasive plants at maintenance levels.

6. The DISTRICT may partner with available equipment and personnel to advance resource management objectives for the PROPERTY including prescribed burning, exotic species control, natural resource and wildlife monitoring and vegetation management.
7. Nothing contained in this Agreement shall be construed as a waiver of or contract with respect to regulatory or permitting authority of the DISTRICT as it now or hereafter exists under applicable laws, rules and regulations.
8. DMA and DISTRICT shall prepare an annual budget and workplan to implement management activities on the PROPERTY. DMA and DISTRICT shall develop and approve a workplan during the time of budget development each year. DMA shall be responsible to fund Payments in lieu of Taxes as required by Florida statutes. This budget and workplan shall include all anticipated activities. The parties shall jointly determine funds to be paid to the other, if any, for activities pursuant to each annual plan.
9. Revenues generated from the PROPERTY shall be as a result of managing the natural resources or managing public use. Annual revenues shall be used to offset the costs of approved management activities. Any residual funds will be credited to the PROPERTY for future use. DMA shall maintain detailed records of all revenues and costs associated with the PROPERTY and shall provide DISTRICT an annual financial report. For any revenue generating activity, DMA shall provide DISTRICT with such information as may be needed to ensure adherence to restrictions on the use of lands purchased with bond proceeds.
10. It shall be the responsibility of the DMA for a DMA-initiated Project, and the DISTRICT for a DISTRICT-initiated Project, at its sole cost and expense, to obtain or renew any and all permits which may be required by the Suwannee River Water Management District, the State of Florida Department of Environmental Protection, and other applicable governmental agencies for activities conducted by such initiating party hereunder.
11. The DMA acknowledges that the use authorized herein does not convey to DMA any real property rights or interests in the

PROPERTY nor any interests, rights, or privileges other than those specified herein.

12. The DMA shall pay all lawful debts incurred by it with respect to the PROPERTY and shall satisfy all liens of contractors, sub-contractors, mechanics, laborers, and materialmen in respect to any construction, alteration, and repair ordered by it in and on the PROPERTY, and any improvements thereon. Furthermore, the DMA shall not have authority to create any mortgages on the PROPERTY or liens for labor or material on or against the PROPERTY and all persons contracting with the DMA for the construction or removal of any structure, or for the erection, installation or repair of any structure or improvement on the PROPERTY, including materialmen, contractors, mechanics and laborers involved in such work, shall be notified that they must look to the DMA solely to secure the payment of any bill or account for work done, material furnished, or money owed during the term of this Agreement.
13. All structures, improvements or personal property placed upon, or moved in or upon the PROPERTY by the DMA shall be at the sole risk of the DMA and the DISTRICT shall not be liable for any damage to said personal property, structures, or improvements, unless said damage is due to the actions of the DISTRICT.
14. All structures and improvements existing, as of the effective date of the Agreement, on the PROPERTY or placed upon the PROPERTY by the DISTRICT shall remain the property of the DISTRICT. All new structures or improvements placed upon or moved in or upon the PROPERTY by the DMA shall be deemed personal property of the DMA and shall not be considered attached to the land as a fixture unless otherwise agreed upon in writing between the parties.
15. The DMA accepts management responsibility of the PROPERTY with full knowledge of the existing condition of the PROPERTY and accepts the PROPERTY in an "as is" condition. The DISTRICT makes no representation or warranties as to the fitness of the PROPERTY for any particular use.

16. The DMA possesses no knowledge of or expertise in the state of any pollutants, if they exist on the PROPERTY. Therefore, notwithstanding any other provision hereof, the DMA shall in no way be liable for any claims or damages based, in whole or in part on the presence of pollutants or toxins, of any sort, on the PROPERTY as of the first date of this agreement.
17. The DMA and other governmental agencies or organizations involved in management related activities on the PROPERTY shall, throughout the term of this Agreement, provide, maintain, and keep in force a program of insurance or self-insurance covering its liabilities as prescribed by Section 768.28, Florida Statutes. The DMA agrees to maintain participation in the state insurance program or any similar insurance program enacted during the term of this Agreement for the duration of this Agreement. In addition, nothing contained herein shall be construed as a waiver of limitation of liability which may be enjoyed by the DISTRICT as a landowner providing land to the public for outdoor recreational purposes, as provided in Section 373.1395, Florida Statutes, or any other law providing limitations on claims against the landowner.
18. This Agreement and any and all rights and privileges contained herein are for the sole use of the DISTRICT and the DMA and shall not be assigned or transferred to another party without the written consent of both the DISTRICT and the DMA.
19. The DMA shall not use or permit the PROPERTY to be used in violation on any valid present or future laws, ordinances, rules or regulations of any public or governmental authority at any time applicable thereto relating to sanitation or the public health, safety or welfare, or relating to the DMA's activities in, and use of, the PROPERTY.
20. The DISTRICT reserves the right for itself, its agents, consultants and employees, to enter upon the PROPERTY for the purpose of conducting other water management activities and projects, inspecting the PROPERTY and determining compliance with the terms of this Agreement, so long as such entry or use is coordinated with the DMA's use of the PROPERTY for the purpose set forth herein.

21. Either party may terminate this Agreement, with or without cause, at any time upon ninety (90) days written notice to the other party.
22. All notices, consents, approvals, waivers and elections which any party shall be required or shall desire to make or give under this Agreement shall be in writing and/or shall be sufficiently made or given only when mailed by Certified Mail, postage prepaid, return receipt requested, addressed as follows to the parties listed below or to such other address as any party hereto shall designate by like notice given to the other parties hereto:

DISTRICT: SUWANNEE RIVER WATER
MANAGEMENT DISTRICT
9225 COUNTY ROAD 49
LIVE OAK, FLORIDA 32060
ATTENTION: EXECUTIVE DIRECTOR

DMA: FLORIDA DEPARTMENT OF MILITARY
AFFAIRS
189 MARINE STREET
ST. AUGUSTINE, FLORIDA 32084
ATTENTION: STATE QUARTERMASTER

Notices, consents, approvals, waivers and elections given or made as aforesaid shall be deemed to have been given and received on the date of mailing hereof as aforesaid.

23. Wherever used herein, the terms "DISTRICT" and "DMA" include all parties to this instrument, their employees, legal representatives and assigns of individuals, and the successors and assigns of corporations, partnerships, public bodies, and quasi-public bodies.
24. This Agreement constitutes the entire agreement of the parties, and there are no understandings dealing with the subject matter of this Agreement other than those contained herein. This Agreement may not be modified, changed or

amended, except in writing signed by the parties hereto or their authorized representatives.

25. This Agreement shall be construed and interpreted according to the laws of the State of Florida.
26. As a condition of this Agreement the DISTRICT and DMA hereby covenant and agree not to discriminate against any individual because of that individual's race, color, religion, sex, national origin, age, handicap, or marital status with respect to any activity occurring pursuant to this Agreement.
27. The DISTRICT and DMA reserve the right to unilaterally cancel this Agreement for refusal by either to allow public access to all documents, papers, letters, or other material subject to the provisions of Chapter 119, Florida Statutes, and made or received by the DISTRICT and the DMA in conjunction with this Agreement.
28. This Agreement shall not be construed more strictly against one party than against the other merely by virtue of the fact that it may have been prepared by counsel for one of the parties, it being recognized that both the DISTRICT and DMA have contributed substantially and materially to the preparation hereof.
29. Nothing contained in this Agreement or the Plans prepared pursuant to this Agreement shall be construed as a waiver of or contract with respect to the regulatory or permitting authority of the DISTRICT or DMA as it now or hereafter exists under applicable laws, rules and regulations.
30. For all purposes of this Agreement, the Effective Date hereof shall mean the date when the last of the DISTRICT or the DMA has executed the same, and that date shall be inserted at the top of the first page hereof.

[Signature/Acknowledgment pages follow]

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement, on the date and year first above written.

Signed, sealed, and delivered
in the presence of:

**SUWANNEE RIVER WATER
MANAGEMENT DISTRICT**

WITNESS

By: _____
Don Quincey, Jr.
Chairman

PRINT/TYPE WITNESS NAME

WITNESS

Attest: _____
Virginia Johns
Secretary/Treasurer

PRINT/TYPE WITNESS NAME

Approved as to form and legality:

By: _____
Tom Reeves
Legal Counsel

**STATE OF FLORIDA
COUNTY OF SUWANNEE**

The foregoing agreement was acknowledged before me this _____ day of _____, 2015, by Don Quincey, Jr. and Virginia Johns, as Chairman and Secretary/Treasurer, respectively, of the Suwannee River Water Management District, a Florida Statutes Chapter 373 Water Management District, on behalf of said District, who are personally known to me, or whom produced Florida Driver's License as identification.

Print Name: _____

Notary Public, State of Florida

Commission No. _____

My Commission Expires: _____

Florida DMA signatory page to be added by legal at a later date.

MEMORANDUM

TO: Governing Board

FROM: Dave Dickens, Division Director, Administration and Operations

DATE: October 31, 2015

RE: Authorization to Conduct a Detailed Assessment and Commence Negotiations on Lands Owned by Virginia and Jerry Coker, 37.32 acres +/- in Gilchrist County

RECOMMENDATION

Staff recommends Governing Board approval for staff to conduct a detailed assessment and commence negotiations with Virginia and Jerry Coker on 37.32 acres +/- in Gilchrist County.

BACKGROUND

The initial property offer was presented at the April 30, 2105 Lands Committee meeting with the committee directing staff to negotiate with Mr. Coker and requesting that Mr. Coker have an appraisal prepared to establish current value. At the Surplus Lands Committee meeting on October 13, 2015, staff provided an updated property offer with an offer price of \$308,700 which is 90% of the June 2015 appraised value as determined by Candler Appraisal Services. Mr. Coker is also asking that the District reimburse \$4,250 of appraisal costs. The Lands Committee approved forwarding this offer to the Governing Board for consideration.

The property consists of 37.32 +/- acres along the Suwannee River southwest of Bell in Gilchrist County. The property contains Lumber Camp Springs, a 3rd magnitude spring consisting of approximately 815 feet of Suwannee River Frontage, 8000 feet of Lumber Camp Spring and Sun Springs run frontage. There are no improvements on the property.

Estimated cost of detailed assessment ranges from \$2,500 to \$5,500.

Staff is requesting authorization to begin detailed assessment to include an appraisal review, and commence negotiations.

AKR/pf
Attachments

From: jerrycoker@windstream.net
To: [Rowell, Keith](#)
Subject: Lumber Camp Springs
Date: Monday, October 12, 2015 1:01:26 PM

Mr. Keith Rowell,

Due to the continuous changes occurring with the rules and guidelines of S.R.W.M.D. land acquisitions. We have decided to adjust our asking price for Lumber Camp Springs as follows.

(appraised value \$343,000.00)

Current asking price (90% of appraised value) \$308,700.00

Appraisal cost \$4,050.00

Closing costs unknown at this time

Total price (plus all closing costs) \$312,750.00

If you have any questions please feel free to contact me anytime.

Sincerely,

Jerry Coker

Ph. # (386) 364-8888

APPRAISAL OF

THE LUMBERCAMP SPRING PARCEL
Containing 37.32 Acres
Gilchrist County, Florida

PREPARED FOR

Mr. Jerry D. Coker, Sr. &
Mrs. Virginia L. Coker
195 Southeast Coker Lane
Branford, Florida 32008

PREPARED BY

CANDLER APPRAISAL SERVICES, INC.

Christopher D. Candler, MAI
State-Certified General
Real Estate Appraiser RZ2338

VALUATION DATE

June 24, 2015

15-155



CANDLER APPRAISAL SERVICES, INC.

Real Estate Appraisers/Consultants

Michael D. Candler, MAI, SRA
State-Certified General
Real Estate Appraiser RZ602

Christopher D. Candler, MAI
State-Certified General
Real Estate Appraiser RZ2338

August 28, 2015

Mr. Jerry D. Coker, Sr. &
Mrs. Virginia L. Coker
195 Southeast Coker Lane
Branford, Florida 32008

Re: Appraisal of the Lumbercamp Spring Parcel
Containing 37.32 Acres
Gilchrist County, Florida

Dear Mr. and Mrs. Coker:

At your request, a market value appraisal has been made of the captioned property. The purpose of this appraisal is to estimate the market value of the subject for the intended use of aiding in the potential sale of the subject property by the clients and intended users, Mr. Jerry D. Coker, Sr. and Mrs. Virginia L. Coker. The appraiser is not responsible for unauthorized use of this report. Analyses and supporting data are provided in the attached narrative appraisal report which is prepared in compliance with the requirements set forth by the Uniform Standards of Professional Appraisal Practice.

The subject property consists of a 37.32 acre parcel of vacant land located at the southern terminus of Southwest 76th Terrace, approximately three-tenths of a mile south of its intersection with Southwest 75th Court, and along the northern/eastern bank of the Suwannee River in western Gilchrist County, Florida. In addition to its 875+/- feet of Suwannee River frontage, the property contains Lumbercamp Spring, as well as extensive frontage along the run of Sun Spring. The tract contains 12 acres (32%) of probable jurisdictional wetlands, 25 acres of uplands, and the entire subject property is located within Flood Zone AE, the special flood hazard area subject to inundation by the one-percent annual chance flood.

It is the appraiser's opinion that the market value of the **fee simple interest** in the herein described property, subject to conditions stated in the attached report, on June 24, 2015, was:

THREE HUNDRED FORTY-THREE THOUSAND DOLLARS
\$343,000

This letter must remain attached to the included report, which contains 57 pages plus related addenda, in order for the opinion of value to be considered valid.

Mr. and Mrs. Coker
August 28, 2015
Page 2

Thank you for this opportunity to be of service.

Respectfully submitted,

CANDLER APPRAISAL SERVICES, INC.

A handwritten signature in blue ink, appearing to read "Christopher D. Candler", with a long horizontal flourish extending to the right.

Christopher D. Candler, MAI
State-Certified General
Real Estate Appraiser RZ2338

CDC/cac

15-155

SUWANNEE STREET

LUMBERCAMP SPRINGS

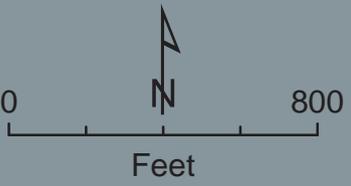
SUN SPRINGS

SUWANNEE RIVER

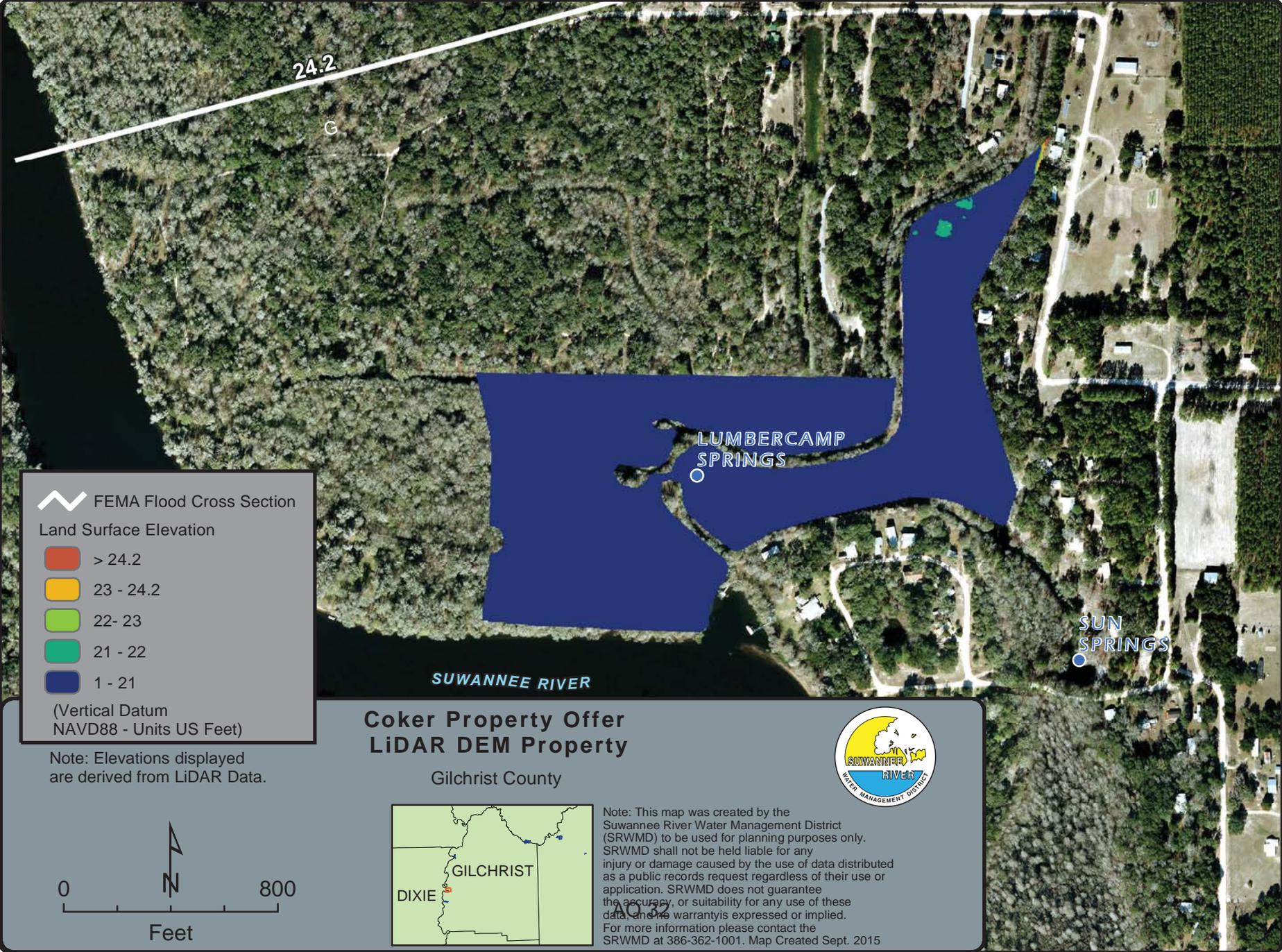
-  Project Area 37.32 Acres +/-
-  SRWMD Ownership

Coker Property Offer Property Overview

Gilchrist County



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. Map Created Sept. 2015



24.2

G

LUMBERCAMP
SPRINGS

SUN
SPRINGS

SUWANNEE RIVER

Coker Property Offer LiDAR DEM Property

Gilchrist County



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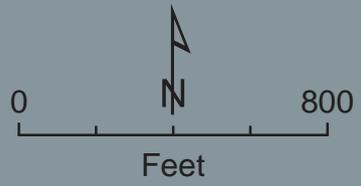
 FEMA Flood Cross Section

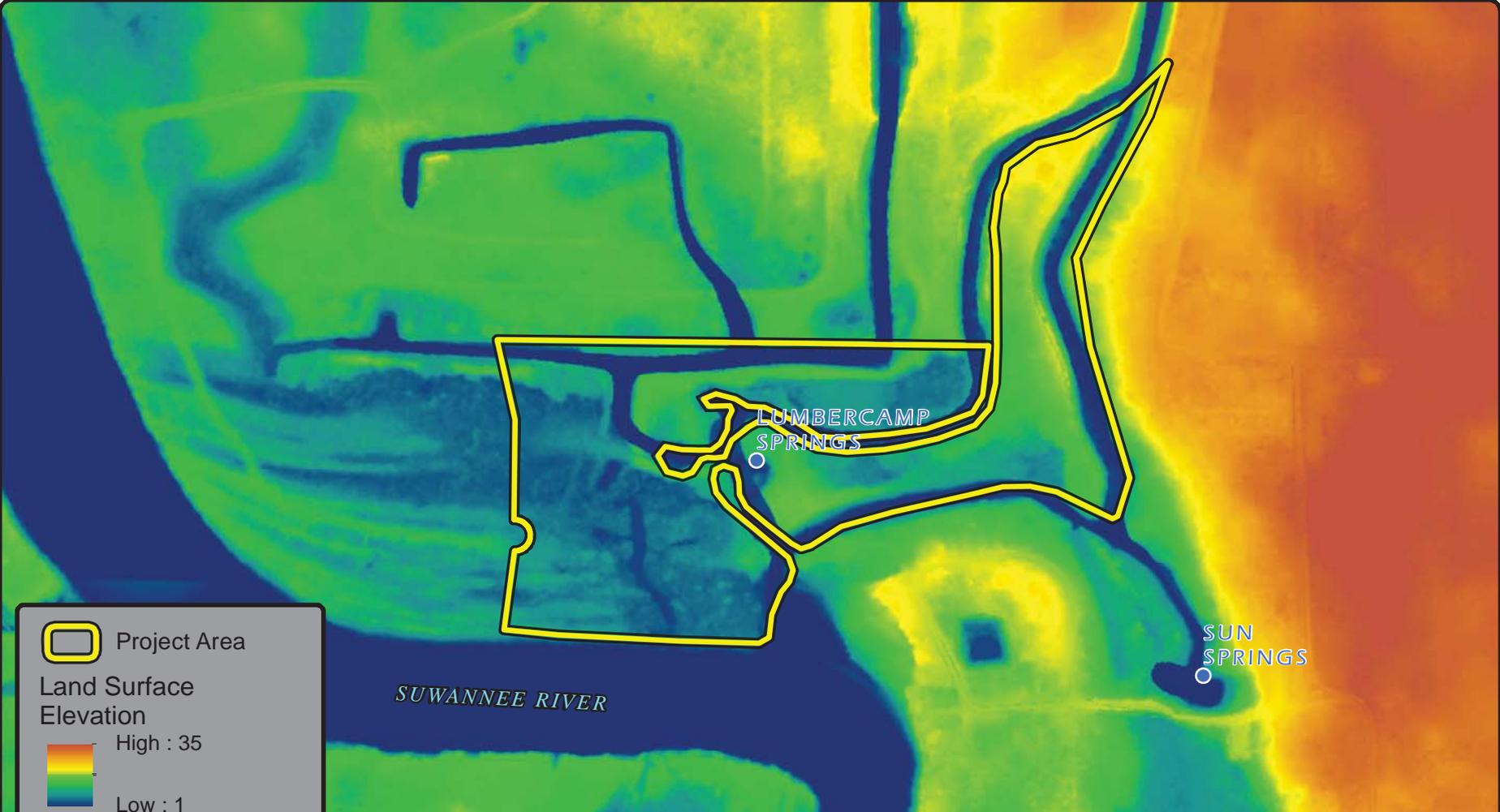
Land Surface Elevation

-  > 24.2
-  23 - 24.2
-  22 - 23
-  21 - 22
-  1 - 21

(Vertical Datum
NAVD88 - Units US Feet)

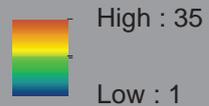
Note: Elevations displayed
are derived from LiDAR Data.





 Project Area

Land Surface Elevation

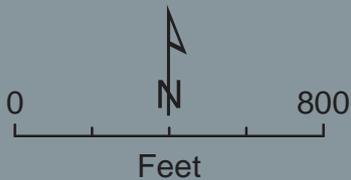


(Vertical Datum NAVD88-Units US Feet)

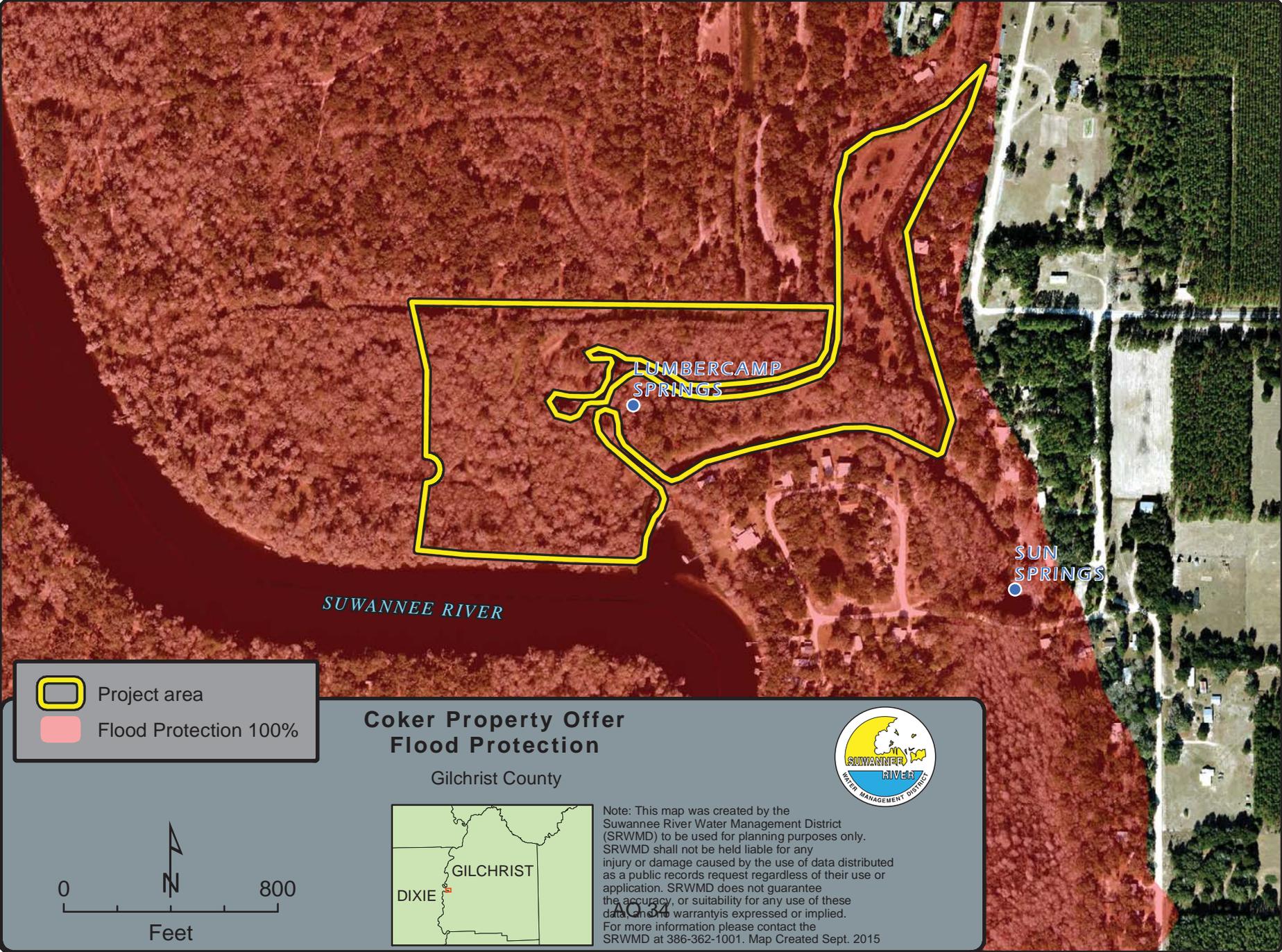
Note: Elevations displayed are derived from LiDAR Data.

Coker Property Offer LiDAR DEM Overview

Gilchrist County



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SUWANNEE RIVER

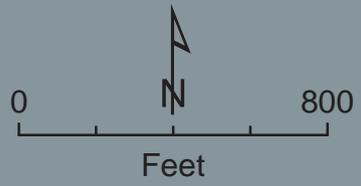
LUMBERCAMP
SPRINGS

SUN
SPRINGS

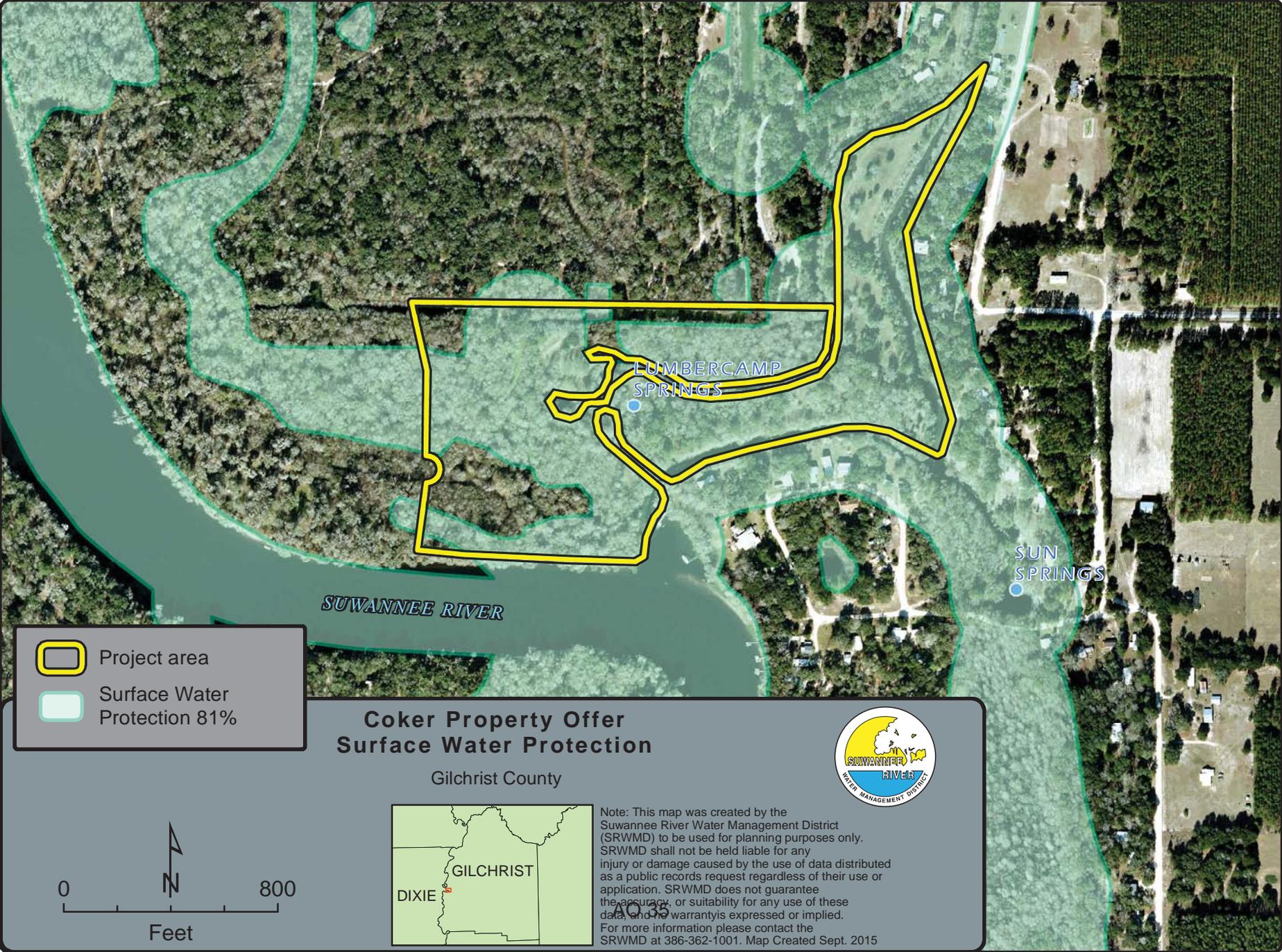
-  Project area
-  Flood Protection 100%

Coker Property Offer Flood Protection

Gilchrist County



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. No warranty is expressed or implied. For more information please contact the SRWMD at 386-362-1001. Map Created Sept. 2015



SUWANNEE RIVER

LUMBERCAMP SPRINGS

SUN SPRINGS

 Project area

 Surface Water Protection 81%

Coker Property Offer Surface Water Protection

Gilchrist County



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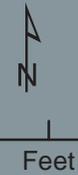
0  800

Feet



Lumber Camp Springs Property Offer Springs Protection

- 2nd Magnitude Spring
- Lumber Camp Springs
- Springshed



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MEMORANDUM

TO: Governing Board
FROM: Dave Dickens, Division Director, Administration and Operations
DATE: October 31, 2015
SUBJECT: Land and Facilities Operations Activity Summary

District staff is reissuing special use authorizations (SUA) for boat and canoe camping on the 47 Bridge tract. Issuance of SUA's was previously suspended on the 47 Bridge tract due to flooding.

District staff met with representatives from Boston Farms (University of Florida) to discuss cooperative efforts to have farm personnel begin treating invasive/exotic plant species on property they manage within the Santa Fe river corridor.

Assisted staff from the University of Florida who contracts with US Forest Service to do user counts on the Florida National Scenic Trail. Installed two counters on the Florida National Scenic Trail on the White Springs tract.

District staff met with the Florida Forest Service to identify areas and discuss plans for having them conduct prescribed burning operations on District lands in Fiscal Year (FY) 2016.

The Dispersed Recreation Maintenance Contractors began their winter maintenance schedule on October 1.

Hunting season has begun on District lands in Florida Fish and Wildlife Conservation Commission's Wildlife Management and Wildlife and Environmental Areas.

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

/pf

LAND AND FACILITIES OPERATIONS

Prescribed Fire

Summary Table FY 2016

	2016 Target Acres	Acres Complete
Suwannee River Water Management District	11,000	0.00
Florida Forest Service burns on Twin Rivers State Forest	2,000	0.00
TOTAL	13,000	0.00

Timber

- Harvesting started on the Mill Creek North #4 on August 6, 2015. Harvesting was stopped due to lack of quota for sawtimber but is resuming on October 13.
- Harvesting started on the Devils Hammock #1 sale on July 23, 2015. The crew had to move off July 27, 2015 due to heavy rains. Staff will extend the contract by the number of days that the logger can't work due to saturated soils. Once the site is dry enough to move back, harvesting will be restarted. A large percentage of the wildfire-burned wood was harvested.
- Contracts have been executed on Steinhatchee Springs #13 and #14 timber sales. A preharvest meeting was held on September 29th on the Steinhatchee #14 sale. It is too wet to start harvesting.
- Harvesting is complete on the Cabbage Grove #1 timber sale. Final reconciliation has not been completed.

Tract	Contract	Acres	Tons Harvested	Revenue	Status	Contract End Date
Little Shoals #4	14/15-023	129	5,460	\$107,515.42	Complete	October 30, 2015
Mill Creek North #4	14/15-049	211	5,910	\$134,919.80	Harvest Underway	December 22, 2015
Steinhatchee Springs #12	14/15-061	78	54,056	\$61,348.27	Complete	January 6, 2016
Devils Hammock #1	14/15-182	51	169	\$1,348.00	Suspended	August 18, 2015
Cabbage Grove #1	14/15-196	189	7,839	\$141,189.46	Harvesting Complete	August 31, 2016
Steinhatchee Springs #13	14/15-198	241			Contract Executed	August 30, 2016
Steinhatchee Springs #14	14/15-197	172			Contract Executed	August 31, 2016

Conservation Easement Monitoring

- Loncala, Inc.: (Monteocha Creek, Alapaha River and Santa Fe River) Staff has met with Loncala to review field operations in Gilchrist County. Staff conducted office interviews and inspected the Monteocha Creek Tract in Alachua County. The report is being drafted.
- Deep Creek – Columbia County: Bill McKinstry reviewed the digital line work and has revised some of the work based on District data. Staff will determine a course forward for this Conservation Easement.
- Staff inspected the Usher Windbend and Drummond Pond Easements in Levy County and the Walker Spring easement in Jefferson County. The reports are being drafted.

MEMORANDUM

TO: Governing Board

FROM: Division Director, Administration and Operations

DATE: October 30, 2015

RE: Land Acquisition and Disposition Activity Report

Approved for Detailed Assessment

Owner	Project Name	Acres	County	Comments
Michael and Freda Shaw	Shaw Conservation Easement Exchange	1,099	Lafayette	Negotiations are in progress.
Rock Bluff Spring Co., LLC	Rock Bluff Springs	173	Gilchrist	Appraisals are complete.
SRWMD	Sandlin Bay Sale/Exchange to U.S. Forest Service	2,023	Columbia	Governing Board Accepted USFS offer to purchase 623 acre fee tract 10/13/2015.
Lyme Lafayette Forest Company, LLC	Lyme Timber Company Lafayette Tract Conservation Easement	6,713	Lafayette	Water resource development potential deemed insufficient to pursue conservation easement at this time.
Tatum Timber and Land, Ltd.	Camp Blanding Buffers – Tatum	152.19	Bradford	Offer was not accepted by landowner. Owner may resubmit with their own appraisal.
BTG_Pactual MoDOT Tract	Camp Blanding Buffers – BTG Pactual	630+/-	Bradford	Detailed assessment to begin upon receipt of executed CDA from BTG Pactual.

Authorized for Purchase

Owner	Project Name	Acres	County	Comments
Rayonier Forest Resources, L. P.	Camp Blanding Buffers - Rayonier	2,010.05	Bradford	Closed on 9/22/15
John and Deborah Steffen	Steffen Property	14	Bradford	Closed on 9/22/15

Authorized for Exchange

Tract	Acres	County	Acquired Date	Funding Source	Comments
Ellaville Exchange for Damascus Peanut Company	986	Madison	12/1/88	WMLTF	Governing Board approved the exchange agreement with the Trustees of the Internal Improvement Trust Fund.

Authorized for Surplus

Tract	Acres	County	Acquired Date	Funding Source	Appraisal Date	Listing Date	Price	Comments
Alligator Lake	43	Columbia	8/10/2001	P2000				Governing Board approved conveyance on 8/13/2013 contingent upon the inter-local agreement with Columbia County.
Falmouth North (8 lots)	6	Suwannee	04/1998	WMLTF	8/27/2010	11/18/10	Fee entire tract \$34,930	Listing agreement expired, but available for sale.
Timber River	1	Madison	03/1998	WMLTF	8/5/2010; Updated 7/30/2014	11/18/10	Fee entire tract \$6,950	Listing agreement expired, but available for sale.
Turtle Spring Surplus Tract	32	Lafayette	5/13/2015	Florida Forever	5/24/2015	N/A	To be determined	Appraisal is complete. Staff to add to Surplus Lands webpage.
Branford Bend	50	Lafayette	6/30/2004	Florida Forever Bonds	To be ordered	N/A	To be determined	Governing Board approved surplus on 8/11/2015.
RO Ranch West	570	Lafayette	7/27/2006	Florida Forever Bonds	To be ordered	N/A	To be determined	Governing Board approved surplus on 8/11/2015.

/kr

MEMORANDUM

TO: Governing Board

FROM: Carlos D. Herd, P.G., Director, Water Supply Division

DATE: October 26, 2015

RE: Approval of 2016 Priority List for Establishment of Minimum Flows and Levels

RECOMMENDATION

Staff recommends Governing Board approve the 2016 Minimum Flows and Levels priority list to be submitted to the Florida Department of Environmental Protection, pursuant to Sub-Section 373.042(2), Florida Statutes.

BACKGROUND

Pursuant to Sub-Section 373.042(2), Florida Statutes, the District is required to identify priority water bodies for the establishment of minimum flows and levels (MFLs) and those listed water bodies that have the potential to be affected by withdrawals in an adjacent district for which the Department's adoption may be appropriate. A priority list and schedule for the establishment of MFLs must be submitted to the Florida Department of Environmental Protection (DEP) for review and approval each year. Attached are the priority schedule list and map showing the District's completed MFLs and MFL priorities for 2016 through 2019.

Two water bodies are being added to the priority list - Turtle and Little Fanning Springs. The MFL for Little Fanning Spring was established in 2006 as a result of work on the Lower Suwannee River but it was inadvertently left off the list; the addition of this spring results in a complete list of adopted MFLs. Turtle Spring is a 2nd magnitude purchased by the District as part of a land acquisition project in March 2015. The MFL for Turtle Spring will be established as part of the Middle Suwannee River MFL efforts this year.

A key part of MFL establishment is the subsequent assessment of the water body MFL status relative to existing water use. An important tool in assessing MFL status is a regional ground water model. This District and the St. Johns River Water Management District are currently collaborating on a new model, the North Florida Southeast Georgia Regional Groundwater Flow Model (NFSEG). The NFSEG model is currently scheduled for finalization in the spring of 2016, with peer review completed by the end of June 2016.

The Middle Suwannee River MFLs scheduled completion date changed due to the potential for inter-district (and inter-state) impacts and the concurrent absence of a commonly accepted ground water model. The availability of the NFSEG model in 2016 will enable the evaluation of

the status of these two water body MFLs. The attached schedule reflects this in that the Upper and Middle Suwannee River segments are scheduled for 2016.

The District is still pursuing an aggressive schedule with the completion of all waterbodies by the end of 2018.

Lower Santa Fe and Ichetucknee Rivers and Springs MFL Schedule – Update

The Lower Santa Fe and Ichetucknee Rivers and Priority Springs rule was adopted by DEP in June 2015. The rule specifies that the MFL and the present status of these water bodies shall be re-evaluated using the best available scientific or technical data, methodologies, and models. The rule-specified model for use in the status analysis is the NFSEG model. By rule, the MFL re-evaluation must be completed within three years of peer review of the NFSEG model or by December 31, 2019, whichever is earlier. This re-evaluation process is not currently shown on the attached priority list, but is planned for completion in 2018.

JG/dd

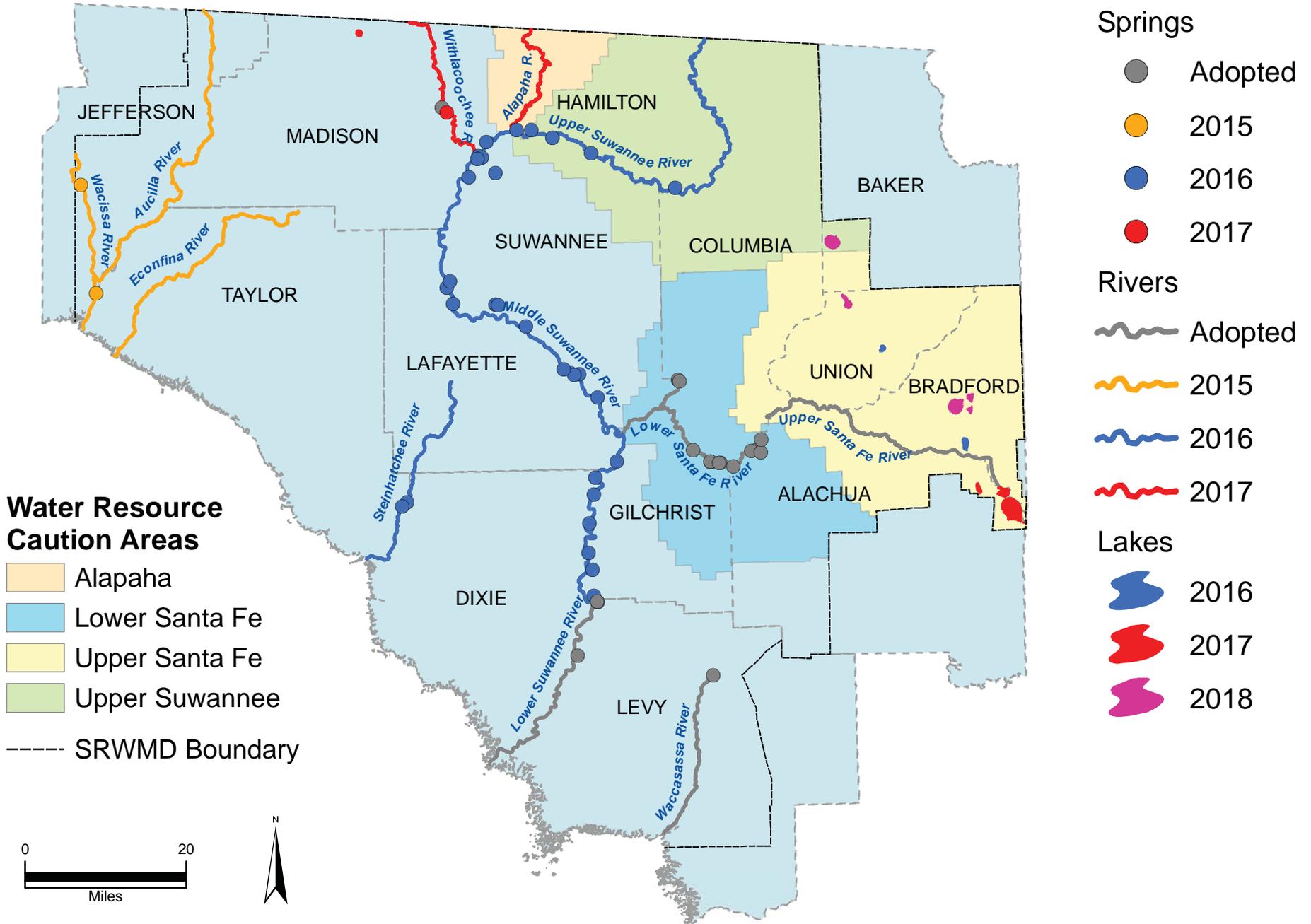
SRWMD 2016-2018 MFL PRIORITY LIST

Basin	Water Body Name	Schedule	Water Body Type	Spring Magnitude	Voluntary Peer Review	Potential Cross-boundary MFLs
Aucilla	Aucilla River	2015	River	n/a	Yes	Yes
Aucilla	Wacissa River	2015	River	n/a	Yes	Yes
Aucilla	Wacissa group	2015	Spring	1	Yes	Yes
Aucilla	Nutall Rise	2015	Spring	1	Yes	Yes
Econfina	Econfina River	2015	River	n/a	Yes	
Middle Suwannee	Middle Suwannee River	2016	River	n/a	Yes	
Middle Suwannee	Bell	2016	Spring	3	Yes	
Middle Suwannee	Otter	2016	Spring	2	Yes	
Middle Suwannee	Hart	2016	Spring	2	Yes	
Middle Suwannee	Rock Sink	2016	Spring	2	Yes	
Middle Suwannee	Guaranto	2016	Spring	2	Yes	
Middle Suwannee	Pothole	2016	Spring	2	Yes	
Middle Suwannee	Turtle	2016	Spring	2	Yes	
Middle Suwannee	Branford	2016	Spring	2	Yes	
Middle Suwannee	Little River	2016	Spring	2	Yes	
Middle Suwannee	Ruth/Little Sulfur	2016	Spring	2	Yes	
Middle Suwannee	Troy	2016	Spring	1	Yes	
Middle Suwannee	Royal	2016	Spring	3	Yes	
Middle Suwannee	Peacock	2016	Spring	2	Yes	
Middle Suwannee	Bonnet	2016	Spring	2	Yes	
Middle Suwannee	Lafayette Blue	2016	Spring	1	Yes	
Middle Suwannee	Allen Mill Pond	2016	Spring	2	Yes	
Middle Suwannee	Charles	2016	Spring	2	Yes	
Middle Suwannee	Anderson	2016	Spring	2	Yes	
Middle Suwannee	Falmouth	2016	Spring	1	Yes	
Santa Fe	Lake Hampton	2016	Lake	n/a	Yes	
Santa Fe	Lake Butler	2016	Lake	n/a	Yes	
Steinhatchee	Steinhatchee River	2016	River	n/a	Yes	
Steinhatchee	Steinhatchee Rise	2016	Spring	1	Yes	
Steinhatchee	TAY76992 - Unnamed	2016	Spring	2	Yes	
Upper Suwannee	Upper Suwannee River	2016	River	n/a	Yes	Yes
Upper Suwannee	White	2016	Spring	2	Yes	Yes
Upper Suwannee	Lime Run Sink	2016	Spring	1	Yes	
Upper Suwannee	Lime	2016	Spring	2	Yes	
Upper Suwannee	SUW923973 (Stevenson)	2016	Spring	2	Yes	
Upper Suwannee	Alapaha Rise	2016	Spring	1	Yes	
Upper Suwannee	Holton Creek Rise	2016	Spring	1	Yes	
Upper Suwannee	SUW1017972 - Unnamed	2016	Spring	2	Yes	
Upper Suwannee	Suwannee	2016	Spring	2	Yes	Yes
Withlacoochee	Suwanacoochee	2016	Spring	2	Yes	
Alapaha	Alapaha River	2017	River	n/a	Yes	
Santa Fe	Lake Santa Fe	2017	Lake	n/a	Yes	
Santa Fe	Lake Altho	2017	Lake	n/a	Yes	
Withlacoochee	Cherry Lake	2017	Lake	n/a	Yes	
Withlacoochee	Withlacoochee River	2017	River	n/a	Yes	
Withlacoochee	Pot	2017	Spring	2	Yes	
Santa Fe	Ocean Pond	2018	Lake	n/a	Yes	
Santa Fe	Lake Palestine	2018	Lake	n/a	Yes	
Santa Fe	Lake Rowell	2018	Lake	n/a	Yes	
Santa Fe	Lake Crosby	2018	Lake	n/a	Yes	
Santa Fe	Lake Sampson	2018	Lake	n/a	Yes	
Lower Suwannee	Lower Suwannee River	Adopted	River	n/a	Yes	
Lower Suwannee	Fanning	Adopted	Spring	1	Yes	
Lower Suwannee	Little Fanning	Adopted	Spring	2	Yes	
Lower Suwannee	Manatee	Adopted	Spring	1	Yes	
Santa Fe	Upper Santa Fe River	Adopted	River	n/a	Yes	Yes

SRWMD 2016-2018 MFL PRIORITY LIST

Basin	Water Body Name	Schedule	Water Body Type	Spring Magnitude	Voluntary Peer Review	Potential Cross-boundary MFLs
Santa Fe	Lower Santa Fe River	Adopted	River	n/a	Yes	Yes
Santa Fe	Ichetucknee River	Adopted	River	n/a	Yes	Yes
Santa Fe	GIL1012973 (Siphon Creek Rise)	Adopted	Spring	1	Yes	Yes
Santa Fe	July	Adopted	Spring	1	Yes	Yes
Santa Fe	Devil's Ear (Ginnie group)	Adopted	Spring	1	Yes	Yes
Santa Fe	Rum Island	Adopted	Spring	2	Yes	Yes
Santa Fe	COL101974 - Unnamed	Adopted	Spring	2	Yes	Yes
Santa Fe	Poe	Adopted	Spring	2	Yes	Yes
Santa Fe	Columbia	Adopted	Spring	1	Yes	Yes
Santa Fe	ALA112971 (Treehouse)	Adopted	Spring	1	Yes	Yes
Santa Fe	Hornsby	Adopted	Spring	1	Yes	Yes
Santa Fe	Santa Fe Rise	Adopted	Spring	1	Yes	Yes
Santa Fe	Blue Hole	Adopted	Spring	1	Yes	Yes
Santa Fe	Ichetucknee group	Adopted	Spring	1	Yes	Yes
Waccasassa	Waccasassa River	Adopted	River	n/a	Yes	
Waccasassa	Levy (Bronson) Blue	Adopted	Spring	3	Yes	
Withlacoochee	Madison Blue	Adopted	Spring	1	Yes	

SRWMD MFL Schedule - 2016



MEMORANDUM

TO: Governing Board

FROM: Carlos D. Herd, P.G., Director, Water Supply Division

DATE: October 26, 2015

RE: Approval of an Agreement with Florida Department of Environmental Protection to Receive \$2,120,000 to Improve Nutrient Application Practices in Dairy Operations

RECOMMENDATION

Staff recommends the Governing Board authorize the Executive Director to execute an agreement with the Florida Department of Environmental Protection (DEP) to receive \$2,120,000 for cost sharing with dairies to improve nutrient application practices.

BACKGROUND

The 2015 Legislature approved funds for spring's projects, and the District was approved for \$8,920,000 in project funds. One of the projects was titled Improved Nutrient Application Practices in Dairy Operations which is allocated \$2,120,000 of the total approved funds. This project will enable dairy operations to reduce nutrient leaching by an estimated 34,000 pounds annually while saving roughly 320,000 gallons per day. Funding will be cost-shared with dairy operations to increase the uniformity of wastewater nutrients applied at dairy operations.

Within the District, most dairies use overhead impact sprinklers on center pivots or traveling guns to land apply their effluent. High pressure sprinklers are used due to the size of waste particles within the wastewater stream. This practice leaves non-uniform areas in the field due to the varying depths of application.

The project includes the installation of screen separators for the separation of solid particles in the waste stream and retrofitting their irrigation systems with low pressure drop nozzles.

Dairy operators will be required to contribute at least 20% of the cost of the project. The District and DEP will provide an 80% match up to a maximum cost share of \$500,000 per operation.

The District is providing a match of \$20,000 for the project. This project is budgeted in our Fiscal Year 2016 budget under the program code 06-2586-0-2201-29-01.

GAH/dd

MEMORANDUM

TO: Governing Board

FROM: Carlos D. Herd, P.G., Director, Water Supply Division

DATE: October 26, 2015

RE: Compensation and Reclamation Agreement with Chemours Company TT, LLC, Rayonier Atlantic Timber Company South Tract in Bradford County, Florida

RECOMMENDATION

Staff recommends the Governing Board authorize the Executive Director to execute a compensation and reclamation agreement with Chemours Company TT, LLC, to mine portions of the District-owned Rayonier Atlantic Timber Company South Tract in Bradford County, Florida.

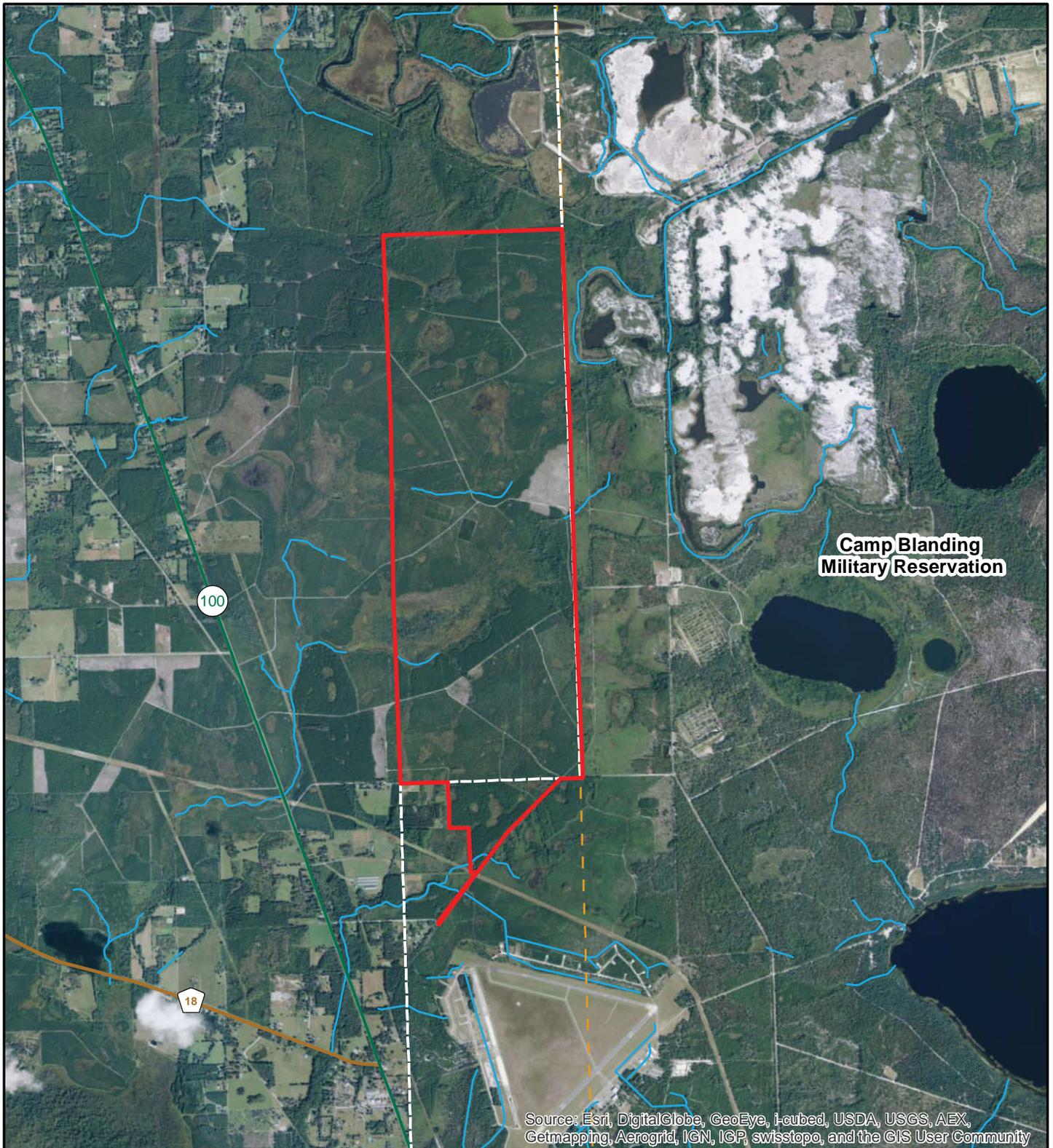
BACKGROUND

At the June 9, 2015, Governing Board meeting, a Public Hearing was held and the Suwannee River Water Management District Governing Board approved Resolution Number 2015-16. The Resolution included: authorizing the purchase of the Rayonier Atlantic Timber Company South Tract, 2,014 Acres +/-, in Bradford County for Camp Blanding Buffering; authorizing Amendment No. 14 to the Fiscal Year 2015 Budget; accepting a Partial Assignment of Cooperative Agreement with the Department of Environmental Protection and National Guard Bureau; and authorizing conveyance of 104 Acres +/- of the Tract to St. Johns River Water Management District.

The tract is an important component of the District's ongoing effort to develop significant water resource development projects in District-designated water resource caution areas. The attached figure indicates the tract location. Preliminary assessment indicates development of the tract as a water resource development project and will include the following benefits: sustaining flows to Santa Fe River in support of the Lower Santa Fe and Ichetucknee Rivers and Priority Springs MFLs, enhancing wetlands and providing additional surface-water storage, providing flood abatement to county residents and providing aquifer recharge.

The attached surface-use lease agreement allows Chemours Company TT, LLC, (Chemours), to mine portions of the tract for heavy minerals extraction. The agreement between Chemours and the District enhances development of the tract as a water resource development project. This would be done by coordinating reclamation of the site with Chemours to perform site work necessary for development of the water resource development project. The District will work with Chemours, the National Guard Bureau, and Department of Environmental Protection to design a project that optimizes the mine reclamation method to satisfy State of Florida requirements and meeting the objectives to sustain flows to the Santa Fe River, enhance wetland systems and surface water storage, and provide flood protection.

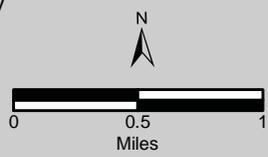
DJ/dd



**Camp Blanding
Military Reservation**

-  Project Boundary (2,014 Acres +/-)
-  WMD Boundary
-  County Boundary
-  Streams (USGS Modified)

**Rayonier Atlantic Timber Company
South Tract**



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. Map Created on 8/26/2015

COMPENSATION AND RECLAMATION AGREEMENT

THIS AGREEMENT, (this “AGREEMENT”) entered into this _____ day of _____ 2015, is by and between the SUWANNEE RIVER WATER MANAGEMENT DISTRICT, a public body existing under Chapter 373, Florida Statutes, whose address is 9225 County Road 49, Live Oak, Florida 32060 (the “DISTRICT”), and THE CHEMOURS COMPANY TT, LLC, a Pennsylvania limited liability company, having its principal place of business at 1007 Market Street, Wilmington, Delaware 19899 (the “COMPANY”).

W I T N E S S E T H :

WHEREAS, the DISTRICT is the owner of a certain parcel of real property (the “PROPERTY”) located in Bradford County, Florida which is more particularly described in Exhibit “A”, attached hereto and made a part hereof; and,

WHEREAS, the DISTRICT obtained title to the PROPERTY from RAYONIER ATLANTIC TIMBER COMPANY F/K/A TIMBERLANDS HOLDING COMPANY ATLANTIC, INC., a Delaware corporation, whose address is 1901 Island Walkway, Fernandina Beach, Florida 32034 (“RAYONIER”), and,

WHEREAS, RAYONIER conveyed title to the PROPERTY to the DISTRICT by virtue of that certain special warranty deed (the “DEED”) dated September 21, 2015 and recorded on September 22, 2015, at O.R. Book 1595, Page 351, of the public records of Bradford County, Florida; and,

WHEREAS, RAYONIER reserved to itself and its successors and assigns the mineral rights to the PROPERTY by including in the DEED as clause which provides as follows:

GRANTOR HEREBY EXPRESSLY SAVES, excepts, and reserves out of the grant hereby made, unto itself and its successors and assigns forever, all oil, gas, and other liquid or gaseous hydrocarbons, including, without limitation, all oil, gas, and other liquid or gaseous hydrocarbons from or within coal, lignite or shale seams, beds or formations; coal, lignite and peat; base and precious metals; ores and industrial minerals; helium; geothermal resources including, without limitation, hydro pressured reservoirs, geopressured reservoirs, steam and other gases, hot water, hot brine, heat, natural gas dissolved in formation water and any associated energy found in such formation water; fissionable source materials; phosphate; sand; heavy mineral sands including, without limitation, Ilmenite, Leucoxene, Rutile, Staurolite and Zircon; clays including, without limitation, common clay; gravel; limestone; humus; marble; granite; gemstones; and minerals of any and every nature, kind and description whatsoever now or hereafter susceptible to commercial exploitation regardless of whether encompassed within the term “mineral” in legal or commercial usage on the date hereof (collectively, “Mineral Resources”) in or upon said land, not previously

reserved by others, together with the right to enter upon said land, at any and all times, for the purpose of exploring the same for such Mineral Resources by geological, geophysical, geochemical, or other means, and for drilling, opening, developing, and working mines and wells thereon and taking out, extracting, or removing therefrom by any means whether now in use or hereafter developed, including by surface and subsurface mining methods, all such Mineral Resources, and to occupy and make use of so much of the surface of said land as may be reasonably necessary or convenient for said purposes, together with the right to store, save, transport, treat, process, market, or otherwise utilize such Mineral Resources so produced; together with the right to store, inject and sequester liquid and gaseous substances in subsurface pore space, salt domes, cavities and other underground structures now or hereafter created and which are now or hereafter susceptible to commercial exploitation (collectively, "Storage Reservoirs"), and the right to leach or construct Storage Reservoirs, together with all rights and powers in, to, and over said land, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete use of the property and rights hereby reserved; Provided, however, that Grantee and Grantee's heirs, representatives, successors, and assigns, shall be paid just and reasonable compensation for any injury or damage to the surface of said land or to the crops or improvements thereon caused by the exercise of any rights herein reserved; and Provided further, that the exercise of any rights by Grantor and its successors and assigns shall not be postponed or delayed so long as Grantor or its successors or assigns is making reasonable efforts to agree upon or have determined such just and reasonable compensation. Notwithstanding, Grantor hereby grants Grantee the right to personally use any peat, and clay located on the land for improvements on the land itself without compensation being due to Grantor for such personal use.

(the "MINERAL RESERVATION") (the rights reserved to RAYONIER through the MINERAL RESERVATION shall be referred to as the "MINERAL RIGHTS"); and,

WHEREAS, the MINERAL RESERVATION provides (in the underlined provision) that the DISTRICT is entitled to "just and reasonable compensation for any injury or damage to the surface of said land or to the crops or improvements thereon caused by the exercise of any rights herein reserved"; and,

WHEREAS, the COMPANY has purchased a portion of the MINERAL RIGHTS from RAYONIER and wishes to commence mining on the PROPERTY; and,

WHEREAS, the COMPANY is aware of the DISTRICT's right to "just and reasonable compensation for ... damage to the surface" and wishes to come to an understanding with the DISTRICT concerning such compensation; and,

WHEREAS, the DISTRICT is a Florida water management district operating and governed by Chapter 373, Florida Statutes; and,

WHEREAS, the DISTRICT is authorized under Florida law to undertake projects to store or impound surface water for flood abatement or the enhancement of natural systems:

In order to carry out the works for the district, and for effectuating the purposes of this chapter, the governing board is authorized to clean out, straighten, enlarge, or change the course of any waterway, natural or artificial, within or without the district; to provide such canals, levees, dikes, dams, sluiceways, reservoirs, holding basins, floodways, pumping stations, bridges, highways, and other works and facilities which the board may deem necessary; to establish, maintain, and regulate water levels in all canals, lakes, rivers, channels, reservoirs, streams, or other bodies of water owned or maintained by the district; to cross any highway or railway with works of the district and to hold, control, and acquire by donation, lease, or purchase, or to condemn any land, public or private, needed for rights-of-way or other purposes, and may remove any building or other obstruction necessary for the construction, maintenance, and operation of the works; and to hold and have full control over the works and rights-of-way of the district.

Section 373.086(1), Florida Statutes

WHEREAS, the DISTRICT is also authorized under Florida law to undertake projects to recharge groundwater and underground water supplies:

The governing board may establish works of the district for the purpose of introducing water into, or drawing water from, the underlying aquifer for storage or supply.

Section 373.087, Florida Statutes

A water management district may do any act necessary to replenish the groundwater of the district. The district may, among other things, for the purposes of replenishing the groundwater supplies within the district:

- (a) Buy water;
- (b) Exchange water;
- (c) Distribute water to persons in exchange for ceasing or reducing groundwater extractions;
- (d) Spread, sink, and inject water into the underground;
- (e) Store, transport, recapture, reclaim, purify, treat, or otherwise manage and control water for the beneficial use of persons or property within the district; and
- (f) Build the necessary works to achieve groundwater replenishment.

Section 373.106(3), Florida Statutes; and,

WHEREAS, after the COMPANY completes mining of its MINERAL RIGHTS, the

DISTRICT wishes to use the PROPERTY for project(s) which will store or impound surface water and/or recharge groundwater by introducing water into the aquifer; and,

WHEREAS, it is possible for the COMPANY to arrange its mining activities so as to make it easier for the DISTRICT to later use the PROPERTY for such project(s); and,

WHEREAS, the parties wish to, upon certain terms, trade the compensation due to the DISTRICT for damage to the surface of the PROPERTY for the assistance of the COMPANY in the DISTRICT's project(s); and

WHEREAS, the parties have reached an agreement on the matters set out above and wish to commit the terms of such agreement to writing and make a binding contract thereof.

NOW, THEREFORE, for and in consideration of the mutual covenants and promises herein contained, the sufficiency of which is hereby acknowledged, the parties, intending to become legally and contractually bound, agree as follows:

1. RECITALS. The above recitals are incorporated herein by reference as an integral part hereof.
2. COMPENSATION TO BE PAID TO THE DISTRICT. The COMPANY shall owe no compensation to the DISTRICT as provided in the MINERAL RESERVATION except as provided in this AGREEMENT. Provided that this AGREEMENT shall not relieve any other person or entity of the duty to pay such compensation.
3. EXERCISE OF MINERAL RIGHTS. Under the applicable law, the COMPANY is required to apply for and obtain certain regulatory permits (the "PERMITS") from the Florida Department of Environmental Protection and possibly the U.S. Army Corps of Engineers. To obtain the PERMITS, the COMPANY will be required to show a plan for the reclamation and/or rehabilitation of the disturbed PROPERTY during and after the conclusion of the COMPANY's mining activities.
4. RECLAMATION. While the COMPANY follows the applicable laws that dictate methods for reclamation, the COMPANY will work with the DISTRICT in implementing the optimum reclamation method suggested by the DISTRICT that also satisfies the State of Florida requirements. In this regard:
 - 4.1 As part of the application process for the PERMITS, the COMPANY will be required to prepare a plan for the reclamation and/or rehabilitation of the disturbed PROPERTY (the "COMPANY PLAN") in which the COMPANY shall provide for the reclamation of the PROPERTY in a reasonable and workmanlike manner meeting all requirements of law.
 - 4.2 At the time the COMPANY submits its applications for the PERMITS, the COMPANY shall submit to the DISTRICT a copy of all such applications

including a copy of the COMPANY PLAN.

- 4.3 As soon as practical after receipt of the COMPANY PLAN, the DISTRICT shall prepare and transmit to the COMPANY, a plan for the reclamation and/or rehabilitation of the disturbed PROPERTY (the "DISTRICT PLAN") in which the DISTRICT shall provide for the reclamation of the PROPERTY meeting all requirements of law. However, the DISTRICT PLAN shall propose a plan of reclamation that the DISTRICT believes would be beneficial to the DISTRICT for the DISTRICT's project(s) to store or impound surface water and/or aquifer recharge projects it intends to implement on the PROPERTY. The COMPANY will review the DISTRICT PLAN and inform the DISTRICT whether it approves the DISTRICT PLAN as soon as practical.
- 4.4 Should the DISTRICT PLAN be approved by the COMPANY, the DISTRICT and the COMPANY shall submit to the government agencies having jurisdiction over the PERMITS, an application to amend the PERMITS to require the COMPANY use and implement the DISTRICT PLAN for its reclamation activities. Upon the amendment of the PERMITS to use and implement the DISTRICT PLAN, no further compensation shall be owed to the DISTRICT as provided in the MINERAL RESERVATION.
- 4.5 Should the DISTRICT PLAN not be approved by the COMPANY, the DISTRICT may, in its sole discretion, elect to have the DISTRICT and the COMPANY submit to the government agencies having jurisdiction over the PERMITS, an application to amend the PERMITS to require the COMPANY use and implement the DISTRICT PLAN for its reclamation activities. Upon the amendment of the PERMITS to use and implement the DISTRICT PLAN, the COMPANY shall, in compliance with the PERMITS, implement the DISTRICT PLAN as its reclamation plan according to its normal timetable. However, the DISTRICT shall pay to the COMPANY an amount equal to:
 - 4.5.1 The costs (both direct and indirect) for the COMPANY to implement the DISTRICT PLAN; less,
 - 4.5.2 The costs (both direct and indirect) for the COMPANY to implement the COMPANY PLAN; less,
 - 4.5.3 The compensation the DISTRICT is owed by the COMPANY as provided in the MINERAL RESERVATION.
- 4.6 Should the DISTRICT PLAN fail to meet with the approval of all government agencies having jurisdiction over the PERMITS or the DISTRICT fail to elect to have the COMPANY use and implement the DISTRICT PLAN, the COMPANY shall use and implement the COMPANY PLAN, and pay the DISTRICT the compensation the DISTRICT is owed by the COMPANY as provided in the

MINERAL RESERVATION.

- 4.7 In the event that a payment is required under either Subsection 4.5 or 4.6 the amount of such payment shall be determined as follows:
- 4.7.1 The party to receive the payment (the “Receiving Party”) shall provide to the party to make the payment (the “Paying Party”), a written demand, which includes the total amount the Receiving Party demands, and a detailed report showing how such amount was derived including all calculations and copies of reports from all experts used to calculate the same.
- 4.7.2 Within 60 days after receipt of the above written demand, the Paying Party shall either: (1) provide written notice that it agrees with the demand and, within 30 days thereafter, pay the total amount demanded to the Receiving Party, or (2) provide written notice that it does not agree with the demand and, within 30 days thereafter, provide the Receiving Party with a written response which includes the total amount the Paying Party believes is due, and a detailed report showing how such amount was derived including all calculations and copies of reports from all experts used to calculate the same.
- 4.7.3 Within 60 days after the delivery of the written response to the Receiving party, or the running of the time for such response if none is so delivered, either party may demand that the amount of such payment be determined by arbitration, before a single, neutral arbitrator. Such arbitration shall be governed by the Revised Florida Arbitration Code, Chapter 682, Florida Statutes, (the “Code”). Further, such arbitration shall be governed by the following:
- 4.7.3.1 The parties shall have 15 days to agree on and appoint an arbitrator. Thereafter, either party may apply to the court for the appointment of an arbitrator as provided in the Code. (Venue to be exclusively in Bradford County, Florida)
- 4.7.3.2 The arbitration hearing shall be conducted in the DISTRICT’s offices, at no charge, and concluded within 60 days after appointment of the arbitrator unless otherwise ordered by the arbitrator, and the award shall be made within 20 days after the close of the submission of evidence. An award rendered by the arbitrator shall be final and binding on the parties and judgment on such award may be entered by either party in any court of competent jurisdiction.
- 4.7.3.2 Each party shall bear their own arbitration costs and expenses,

except that the arbitrator's fees and expenses shall be set by the arbitrator and divided equally between the parties.

4.7.3.3 Nothing in this agreement shall be deemed to give the arbitrator any authority, power, or right to alter, change, amend, modify, add to, or subtract from any of the provisions of the AGREEMENT, or to award any amounts except for the amount of the payment to be made under Subsection 4.5 or 4.6. The award rendered by the arbitrator shall be in the amount demanded by the Receiving Party, the amount asserted to be due by the Paying Party or in an amount between such amounts, but not otherwise.

4.7.4 Provided that the parties agree that the term "just and reasonable compensation for any injury or damage to the surface of said land or to the crops or improvements thereon caused by the exercise of any rights herein reserved" as provided in the DEED, shall be limited to the loss of the value of the timber on the PROPERTY and any loss of access across the PROPERTY and loss of access across the PROPERTY due to the destruction of any existing roads. Further, should the COMPANY give the DISTRICT not less than 1 year's written notice of the date it will begin mining activities on the site and should such date be January 1, 2019 or later, then no compensation shall be due to the DISTRICT for loss of timber on the PROPERTY because the DISTRICT shall have been given an adequate opportunity to remove and sell all such timber. Further, should the COMPANY provide the DISTRICT with reasonable replacement access (meaning a "two rut" type dirt road) during the mining so that the DISTRICT continue to use the PROPERTY for access to other parcels of real property, then no compensation shall be due to the DISTRICT for loss of access across the PROPERTY.

5. THIS AGREEMENT NOT TO APPLY TO POST MITIGATION MINING. Under the MINERAL RESERVATION, the PROPERTY may be mined more than once. This AGREEMENT shall only apply to the initial mining and reclamation of the PROPERTY. In other words, once the PROPERTY has been mined and reclaimed once, this AGREEMENT will no longer apply to any future mining or other extraction of minerals from the PROPERTY.
6. DISTRICT NOT TO BE RESPONSIBLE FOR THE RECLAMATION OF THE PROPERTY. Except for the duty to pay to the COMPANY the sums as set out herein, the DISTRICT shall have no duty to reclaim the PROPERTY or take any action with regards thereto.
7. COMPANY TO HAVE NO RESPONSIBILITIES UNDER THIS AGREEMENT UNLESS IT DISTURBS SURFACE. The DISTRICT's right to compensation only occurs if and when there is, "any injury or damage to the surface of said land or to the

crops or improvements". Therefore until and unless such occurs, the COMPANY shall have no liability or obligation under this AGREEMENT to participate in or contribute to any reclamation of the PROPERTY or the DISTRICT's project(s) to store or impound surface water and/or aquifer recharge projects it intends to implement on the PROPERTY.

8. NOTICE. All notices given pursuant to this AGREEMENT by either party to the other shall be in writing and personally delivered or mailed by certified or registered mail, postage prepaid, and addressed as provided below. With respect to all notices so mailed, the same shall be deemed effective upon receipt unless otherwise specified herein. All notices shall be addressed as follows, or to such other address as is furnished by one party to the other from time to time.

The DISTRICT: The Suwannee River Water Management District
 c/o its Executive Director
 9225 CR 49
 Live Oak, FL 32060

The COMPANY: The Chemours Company
 Mr. C.J. Hilton
 P.O. Box 753
 Starke, FL 32091

Mitchell Duling
The Chemours Company
c/o Corporate Real Estate
2nd Floor DuPont Building
1007 Market Street
Wilmington, DE 19899

9. RECORDATION. Both parties agree that this AGREEMENT, or a memorandum thereof, may be recorded in the public records of Bradford County, Florida.
10. GOVERNING LAW. This AGREEMENT shall be governed by and construed according to the laws of the State of Florida, without regards to its conflict of laws rules.
11. PUBLIC RECORDS. This AGREEMENT and all documents, papers, letters, or other material made or received by the DISTRICT in conjunction with this AGREEMENT shall be a public record under Chapter 119, Florida Statutes.
12. INTEGRATION. This AGREEMENT supersedes all previous agreements, oral or written, between the DISTRICT and the COMPANY concerning the PROPERTY, and represents the whole and entire agreement between the parties. Neither party has entered into this AGREEMENT in reliance upon any fact or representation not expressly provided in the written terms of this AGREEMENT. This AGREEMENT may not be

amended, revoked, or abandoned, except by a writing executed by the DISTRICT and the COMPANY with the same formalities as this AGREEMENT.

13. VENUE AND JURISDICTION OF LITIGATION. The exclusive venue and jurisdiction for any litigation enforcing, construing or relating to this AGREEMENT shall be the state courts of the State of Florida in and for the Florida county where the PROPERTY is located, or if located in more than one Florida county, then in any of them. If under applicable law exclusive jurisdiction over any such matters is vested in the federal courts, then exclusive jurisdiction and venue shall be in the United States District Court for the Middle District of Florida, Jacksonville Division.
14. WAIVER OF JURY TRIAL. The parties mutually and forever waive any and all right to trial by jury in any legal proceeding arising out of or relating to this AGREEMENT or this transaction. The parties agree to have any such actions decided by a judge alone, without a jury.
15. NO WAIVER OF SOVEREIGN IMMUNITY. Notwithstanding anything else herein to the contrary, nothing herein shall be construed to waive or to otherwise affect the DISTRICT's sovereign immunity and/or the protections given the DISTRICT under Section 768.28, Florida Statutes.
16. AGREEMENT NOT TO BE CONSTRUED AGAINST EITHER PARTY. This AGREEMENT is the product of negotiation between the parties, thus the terms of this AGREEMENT shall not be construed against either party as the drafter.
17. ASSIGNMENT. Neither party shall assign its rights or duties under this AGREEMENT, without the prior written consent of the other party. Provided that such consent shall not be unreasonably withheld.
18. MISCELLANEOUS. Neither the DISTRICT nor the COMPANY intend this AGREEMENT to be for the benefit of any other person or entity, therefore no person or entity is an intended third party beneficiary hereof. This AGREEMENT may be executed in any number of counterparts, each of which shall be an original, but all of which together shall constitute one and the same instrument. This AGREEMENT may be executed and delivered by facsimile and/or email transmission, with the intention that such facsimile and/or email signature and delivery shall have the same effect as an original signature and actual delivery. In the event a day of performance falls on a Saturday, Sunday or legal holiday under the laws of the State of Florida, the day of performance shall be extended to the next day not a Saturday, Sunday or legal holiday.

IN WITNESS WHEREOF the DISTRICT has caused these presents to be executed in its name by its Governing Board acting by the Chair or Vice Chair of said board, the day and year aforesaid.

GOVERNING BOARD OF THE SUWANNEE
RIVER WATER MANAGEMENT DISTRICT

By: _____
Don Quincey, Jr
Its Chair

(OFFICIAL SEAL)

ATTEST: _____
Virginia H. Johns
Secretary / Treasurer

(The remainder of this page was intentionally left blank.)

IN WITNESS WHEREOF the COMPANY has caused these presents to be executed in its name by its Manager, the day and year aforesaid.

Signed, Sealed and Delivered
in the Presence of:

THE CHEMOURS COMPANY TT, LLC

By: _____

Witness (print name under signature)

Its Manager

Witness (print name under signature)

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2015, by _____, in his capacity as manager and the authorized representative of THE CHEMOURS COMPANY TT, LLC, who is personally known to me, or who produced _____ as identification.

Notary Public (print name under signature)
Commission #

My Commission Expires:

(The remainder of this page was intentionally left blank.)

MEMORANDUM

TO: Governing Board

FROM: Tom Mirti, Interim Division Director, Water Resources

DATE: October 26, 2015

RE: Approval of Resolution 2015-26 Authorization to Amend the Fiscal Year 2016 Budget with Amendment No. 02 to Include Unanticipated Carry Forward Revenues in the Amount of \$176,485 for the Amendment to Grant #S0780 from the Florida Department of Environmental Protection for Continuous Water Quality Monitoring at Springs

RECOMMENDATION

Staff recommends the Governing Board approve Resolution 2015-26 to amend the Fiscal Year 2016 Budget from \$45,098,185 to \$45,274,670 to recognize \$176,485 in unanticipated carry forward revenues for the Amendment to Grant #S0780 from the Florida Department of Environmental Protection for Continuous Water Quality Monitoring at Springs.

BACKGROUND

On December 9, 2014, the Governing Board approved Amendment No. 6 to the Fiscal Year (FY) 2015 Budget, and adopted Resolution 2014-31 to accept \$486,000 from the Florida Department of Environmental Protection (DEP) to procure continuous monitoring equipment to be installed at the following locations: Falmouth Springs, Lafayette Blue Springs, Allen Mill Pond Spring, Peacock Springs, Alapaha Rise, and Ichetucknee Head Spring. With these funds, all of these springs, plus Holten Creek Rise, are also being monitored for continuous stage and computed daily discharge by USGS or the District.

The DEP subsequently requested that the District modify the original agreement to accept an additional \$176,485 in grant funds for extra water quality and discharge monitoring equipment and maintenance, as well as software licenses for data processing. The Governing Board approved Amendment 16 to the FY 2015 budget for this modification and adopted Resolution 2015-15 to procure these items. However, the grant amendment was not signed by the grantor until September 23, 2015, which left insufficient time in the fiscal year to implement procurement of items covered by the amendment.

The District is requesting to increase the FY 2016 budget by \$176,485 for this grant amendment.

The program code for the DEP Grant for Continuous Water Quality Monitoring at Springs is 1200-10-05.

THM/dd

WMD BUDGET AMENDMENT REQUEST FORM

SRWMD AMENDMENT (02)-(2016)

October 20, 2015

Budget Amendment Type

Notification Unanticipated Funds

EOG Approval Y/N

Transfer New Funds

LBC Notice required Y/N

Project Title: Unanticipated Carry Forward: Amendment to Grant #S0780 from the Florida Department of Environmental Protection for Enhanced Hydrologic and Water Quality Monitoring of Springs

Project Description: On December 9, 2014, the Governing Board approved Amendment No. 6 to the FY 2015 Budget, and adopted Resolution 2014-31 to accept \$486,000 from the Florida Department of Environmental Protection (DEP) to procure continuous monitoring equipment to be installed at the following locations: Falmouth Springs, Lafayette Blue Springs, Allen Mill Pond Spring, Peacock Springs, Alapaha Rise, and Ichetucknee Head Spring. With these funds, all of these springs, plus Holton Creek Rise, are also being monitored for continuous stage and computed daily discharge by USGS or the District.

The DEP subsequently requested that the District modify the original agreement to accept an additional \$176,485 in grant funds for extra water quality and discharge monitoring equipment and maintenance, as well as software licenses for data processing. On June 9, 2015, the Governing Board approved an amendment to the FY 2015 budget for this modification and adopted Resolution 2015-16 to procure these items. However, the grant amendment was not executed by the grantor until September 23, 2015, which left insufficient time in the fiscal year to implement procurement of items covered by the amendment.

Funding for this work is from a FDEP account dedicated to development of Total Maximum Daily Loads for Springs, Environmental Monitoring which may also be used for springs restoration projects and activities (FY 2015 Specific Appropriation 1642A).

Issue Statement: Chapter 373.536(4) (a), F.S. provides that the final adopted budget for the District is the operating and fiscal guide for the district for the ensuing year; however, transfers of funds may be made within the budget by action of the governing board at a public meeting of the governing board. The SRWMD did not receive final approval of this grant from DEP until after the adoption of the FY 2016 budget, therefore it did not include this funding.

PROJECT					
PROGRAM ACTIVITY SUBACTIVITY	Current Budget	Expenditures as of 10/14/2015	Encumbrances as of 10/14/2015	Available Budget as of 10/14/2015	Amount Requested
1.2	\$5,026,588	\$23,707.69	\$39,974.31	\$4,962,906	\$176,485.00
TOTAL	\$5,026,588	\$23,707.69	\$39,974.31	\$4,962,906	\$176,485.00
SOURCE OF FUNDS					AMOUNT
FY 2015 Specific Appropriation 1642A					\$176,485.00

WMD BUDGET AMENDMENT REQUEST FORM

SRWMD AMENDMENT (02)-(2016)

October 20, 2015

Agency Request: The Suwannee River Water Management District requests a modification to the FY 2016 adopted budget. Pursuant to the requirements of s. 373.536(4)(c), F.S. – If the District receives unanticipated funds after the adoption of the final budget, the final budget may be amended, following review and approval by the Executive Office of the Governor, by including such funds, if notice of intention to amend is provided to the Legislative Budget Commission and is published in the notice of the governing board meeting at which the amendment will be considered, pursuant to s. 120.525, F.S. The notice must set forth a summary of the proposed amendment.

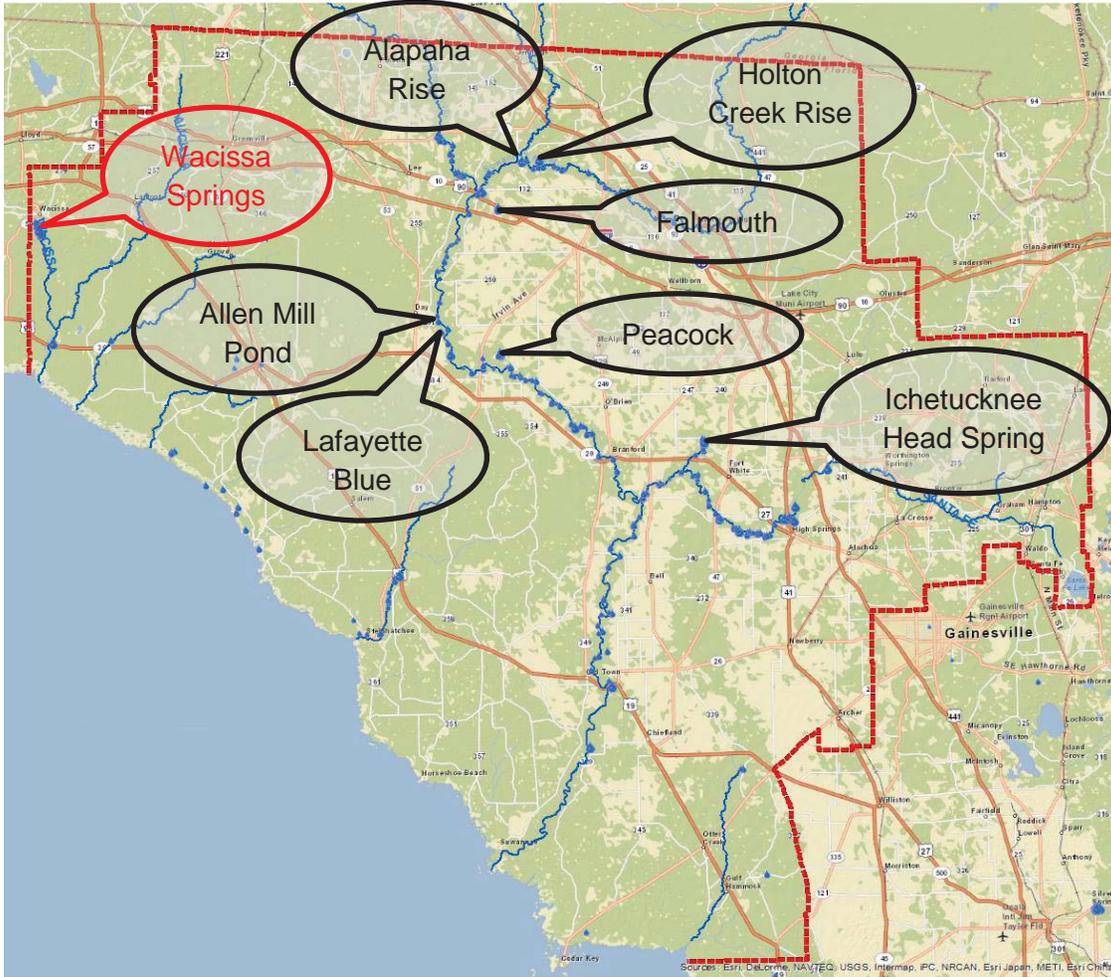
Fiscal Impact: The fiscal impact to the FY 2016 Budget will be the increase in revenues of \$176,485.00 from unanticipated carryforward funds.

WMD BUDGET AMENDMENT REQUEST FORM

SRWMD AMENDMENT (02)-(2016)

October 20, 2015

Location Map: Location of springs with enhanced monitoring equipment. The springs in black writing were included in the original agreement. The spring in red is supported with the additional funds in this amendment.



SUWANNEE RIVER WATER MANAGEMENT DISTRICT

RESOLUTION NO. 2015-26

AMENDING THE FISCAL YEAR (FY) 2016 BUDGET

WHEREAS, chapters 200 and 373, Florida Statutes, require the Governing Board of the Suwannee River Water Management District (District) to adopt a final budget for each fiscal year; and

WHEREAS, by Resolution No. 2015-26, after a public hearing on September 22, 2015, the Governing Board of the District adopted a final budget for the District covering its proposed operations and other requirements for the ensuing fiscal year, beginning October 1, 2015 through September 30, 2016; and

WHEREAS, in accordance with section 189.418(7), Florida Statutes, the District will post the adopted amendment on its official website within five days after its adoption; and

WHEREAS, a budget amendment involves an action that increases or decreases total appropriated Fund amounts in the Budget; and

WHEREAS, pursuant to section 120.525, Florida Statutes, the District has provided notice of its intention to amend the Budget in the published notification of the Governing Board meeting at which the amendment will be considered; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Board of the District, that:

1. The Budget is hereby amended as summarized in the memorandum dated October 11, 2015, requesting Amendment No. 02, to the Fiscal Year (FY) 2016 budget.
2. Budget Amendment No. 02 provides an increase in budget authority and revenue in the amount of \$176,485 in unanticipated carry forward revenues for the Amendment to Grant #S0780 from the Florida Department of Environmental Protection for Continuous Water Quality Monitoring at Springs. The total increase in budget authority and revenue for Amendment No. 2 is \$1,762,264 to the FY 2016 budget.

PASSED AND ADOPTED THIS 13th DAY OF NOVEMBER, 2015 A.D.

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

MEMBERS OF THE BOARD:

**DON QUINCEY, CHAIR
ALPHONAS ALEXANDER, VICE CHAIR
VIRGINIA H. JOHNS, SECRETARY/TREASURER
KEVIN W. BROWN
GARY JONES
VIRGINIA SANCHEZ
RICHARD SCHWAB
BRADLEY WILLIAMS**

ATTEST: _____

MEMORANDUM

TO: Governing Board
FROM: Tom Mirti, Interim Division Director, Water Resources
DATE: October 26, 2015
RE: Authorization to Purchase Teledyne RiverPro Acoustic Doppler Current Profiler

RECOMMENDATION

Staff recommends the Governing Board authorize the Executive Director to purchase a Teledyne RiverPro Acoustic Doppler Current Profiler for an amount of \$33,665 from Instrument Specialties.

BACKGROUND

On December 9, 2014, the Governing Board approved Amendment No. 6 to the Fiscal Year (FY) 2015 Budget, and adopted Resolution 2014-31 to accept \$486,000 from the Florida Department of Environmental Protection (DEP) to procure continuous monitoring equipment. On June 9, 2015, the Governing Board approved Amendment No. 16 to the FY 2015 Budget, and adopted Resolution 2015-15 to accept an additional \$176,485 from the DEP for springs monitoring support.

The funding will accomplish the following objectives agreed upon between the DEP and District:

- The District is adding continuous water quality monitoring on the Wacissa River, a first magnitude spring group. The Wacissa River originates from numerous springs and vents, which collectively are considered a first magnitude spring. The existing USGS gage on the river is sufficiently below the head springs area to capture the majority of the springs' flow and provides an ideal location to measure water quality and estimate downstream nutrient loading. Funds will support equipment purchases, installation and one year's operation and maintenance by the USGS.
- The District will purchase a larger Acoustic Doppler Current Profiler (ADCP) for measuring discharge in spring runs, rivers, and from springs or into swallets and other karst features. The District's current ADCP is a small unit limited to systems with a water depth less than 16 feet. The acquisition of a larger ADCP would provide the District the equipment necessary to estimate flows in the remainder of the spring runs and rivers in the District, particularly under the relatively common occurrences of high water conditions that take place when river stages rise.
- The District requests a second set of YSI and Satlantic sondes to be used in a project under development with the Florida Department of Agriculture and Consumer Services (DACCS) and the University of Florida (UF). This project will educate growers on the nitrate available in the groundwater used for irrigation and how to reduce their fertilizer use by the mass of nitrogen delivered via irrigation. The District has constructed a mobile flow through system for the YSI and Satlantic sondes for rapid water quality

assessment of monitoring wells. DACS and the District have obligated funds for the project and have submitted a short-term 319 grant for additional support.

- The District will purchase additional software licenses for its Hydstra time series database software. This software is used to acquire via telemetry, store, manage and analyze all continuous hydrologic, water quality and water use data. With the addition of increased continuous data, the District would benefit from having two additional copies that would allow more staff to access to these data.

The District currently owns a Teledyne StreamPro Acoustic Doppler Current Profiler (ADCP) capable of estimating discharge in smaller rivers and spring runs with a depth less than 16 feet. In order to estimate flows in deeper conditions, a larger ADCP is needed. With the addition of the Teledyne Riverpro ADCP, the District will have the capability to measure flows in all water depths observed within the Suwannee River basin. The Teledyne ADCP is recommended to maintain software, training and data collection compatibility with the District's existing StreamPro ADCP. Accurate and precise discharge estimates support a variety of the District's missions, including minimum flows and levels development and assessment, water supply planning and aquatic resource management.

Teledyne markets in Florida via three exclusive vendors. Staff recommends purchase from the vendor providing the lowest quoted price.

- | | |
|---|-------------|
| • Instrument Specialties, Sanford FL | \$33,665.00 |
| • Teledyne RD Instruments, Poway, CA | \$33,950.00 |
| • C.C. Lynch & Associates, Pass Christian, MS | \$35,352.00 |

Funding for this work is available in the FY 2016 budget and was provided entirely by a grant from the DEP.

The program code for the DEP Grant for Continuous Water Quality Monitoring at Springs is 1200-10-05.

ERM/dd

MEMORANDUM

TO: Governing Board
FROM: Tom Mirti, Interim Division Director, Water Resources
DATE: October 26, 2015
RE: Authorization to Purchase YSI Sondes and Probes

RECOMMENDATION

Staff recommends the Governing Board authorize the Executive Director to purchase two YSI EXO2 Sondes and associated probes and ancillary equipment for an amount of \$47,760.

BACKGROUND

On December 9, 2014, the Governing Board approved Amendment No. 6 to the Fiscal Year (FY) 2015 Budget, and adopted Resolution 2014-31 to accept \$486,000 from the Florida Department of Environmental Protection (DEP) to procure continuous monitoring equipment. On June 9, 2015, the Governing Board approved Amendment No. 16 to the FY 2015 Budget, and adopted Resolution 2015-15 to accept an additional \$176,485 from the DEP for springs monitoring support.

The funding will accomplish the following objectives agreed upon between the DEP and District:

- The District is adding continuous water quality monitoring on the Wacissa River, a first magnitude spring group. The Wacissa River originates from numerous springs and vents, which collectively are considered a first magnitude spring. The existing U.S. Geologic Survey (USGS) gage on the river is sufficiently below the head springs area to capture all of the known springs' flow and provides an ideal location to measure water quality and estimate downstream nutrient loading. Funds will support equipment purchases, installation and one year's operation and maintenance by the USGS.
- The District will purchase a larger Acoustic Doppler Current Profiler (ADCP) for measuring discharge in spring runs, rivers, and from springs or into swallets and other karst features on river bottoms. The District's current ADCP is a small unit limited to systems with a water depth less than 16 feet. The acquisition of a larger ADCP would provide the District the equipment necessary to estimate flows in the remainder of the spring runs and rivers in the District, particularly under the relatively common occurrences of backwater that take place when river stages rise.
- The District requests a second set of YSI and Satlantic sondes to be used in a project under development with the Florida Department of Agriculture and Consumer Services (DACCS) and the University of Florida (UF). This project will educate growers on the nitrate available in the groundwater used for irrigation and how to reduce their fertilizer use by the mass of nitrogen delivered via irrigation. The District has constructed a mobile flow through system for the YSI and Satlantic sondes for rapid water quality

assessment of monitoring wells. DACS and the District have obligated funds for the project and have submitted a short-term 319 grant for additional support.

- The District will purchase additional software licenses for its Hydstra time series database software. This software is used to acquire via telemetry, store, manage and analyze all continuous hydrologic, water quality and water use data. With the addition of increased continuous data, the District would benefit from having two additional copies that would allow more staff to access to these data.

The District currently owns or has on loan from DEP YSI EXO2 Sondes which are deployed for continuous water quality measurements at multiple springs in the District. One unit purchased under this agreement is intended to be utilized for a project in cooperation with UF/IFAS to demonstrate to growers how they can apply less fertilizer while maintaining their desired nitrogen input by accounting for the nitrate available in their irrigation wells. The second unit will be deployed at Wacissa springs, a first magnitude spring group. This equipment supports the District's mission of protecting and restoring good water quality within aquatic resources.

YSI is the sole vendor for their equipment. Funding for this work is available in the FY 2016 budget and was provided entirely by a grant from the DEP.

The program code for the DEP Grant for Continuous Water Quality Monitoring at Springs is 1200-10-05.

ERM/dd

MEMORANDUM

TO: Governing Board
FROM: Tim Sagul, P.E., Division Director, Resource Management
DATE: October 30, 2015
RE: Authorization to Purchase Culverts and Flashboard Risers for District Projects

RECOMMENDATION

Staff recommends the Governing Board authorize the Executive Director to purchase culverts and flashboard risers from Contech Engineered Solutions, Gulf Atlantic Culvert Company, or Metal Culverts Inc. based on the lowest bid for an amount not-to-exceed \$155,000.

BACKGROUND

Culverts and flashboard risers are used to restore the natural hydrology, disperse water into wetlands and recharge the aquifer. On October 22, 2015 the District received bids from Contech Engineered Solutions, Gulf Atlantic Culvert Company, and Metal Culverts Inc. (see Attachment A). Culverts and flashboard risers will be purchased from the company which submitted the lowest bid as highlighted in gray on Attachment A.

The funds to purchase culverts and flashboard risers are included in the Fiscal Year 2016 budget under several projects including; but not limited to, the Middle Suwannee River Spring Restoration and Aquifer Recharge, Otter Sink Dispersed Water Storage, and land management hydrology restoration.

BCK/tm
Attachment A

Attachment A
 Bid Tabulation
 ITB 15/16-002RM
 October 22, 2015

Dollars/Foot of Pipe

	Gulf Atlantic Culvert Co. Inc.	Metal Culverts Inc.	Contech Engineered Solutions
Round Galvanized Steel 18" Diameter/16 gauge	10.49	11.50	10.50
Round Galvanized Steel 24" Diameter/16 gauge	13.90	15.40	13.30
Round Galvanized Steel 36" Diameter/14 gauge	26.08	28.37	21.00
Round Galvanized Steel 48" Diameter/12 gauge	49.80	53.11	45.50
Round Galvanized Steel 60" Diameter/10 gauge	87.29	85.20	72.10
Arch Galvanized Steel 18" Diameter/16 gauge	12.36	12.20	11.05
Arch Galvanized Steel 24" Diameter/16 gauge	16.30	16.44	14.00
Arch Galvanized Steel 36" Diameter/14 gauge	29.51	29.58	22.10
Arch Galvanized Steel 48" Diameter/12 gauge	54.60	54.58	47.89
Arch Galvanized Steel 60" Diameter/10 gauge	93.46	87.02	75.89
Round Aluminum 18" Diameter/16 gauge	15.85	12.64	12.72
Round Aluminum 24" Diameter/16 gauge	21.00	16.68	16.69
Round Aluminum 36" Diameter/14 gauge	39.33	30.94	31.27
Round Aluminum 48" Diameter/12 gauge	79.79	57.03	57.50
Round Aluminum 60" Diameter/10 gauge	139.29	91.19	91.69
Arch Aluminum 18" Diameter/16 gauge	16.96	13.16	13.39
Arch Aluminum 24" Diameter/14 gauge	22.40	21.56	21.70
Arch Aluminum 36" Diameter/12 gauge	41.55	44.80	44.85
Arch Aluminum 48" Diameter/10 gauge	83.30	76.16	75.90
Arch Aluminum 60" Diameter/8 gauge	145.41	114.24	124.45
Flashboard Risers 18" diameter	No bid	724.00	1,164.42
Flashboard Risers 24" diameter	No bid	1,031.00	1,487.58
Flashboard Risers 36" diameter	No bid	1,718.00	2,569.68
Flashboard Risers 48" diameter	No bid	3,999.40	5,724.21
Flashboard Risers 60" diameter	No bid	5,580.00	7,908.42

Lowest Bid

MEMORANDUM

TO: Governing Board
FROM: Tim Sagul, P.E., Division Director, Resource Management
DATE: October 30, 2015
RE: Authorization to Purchase Rock Aggregate for District Projects

RECOMMENDATION

Staff recommends the Governing Board authorize the Executive Director to purchase rock aggregate from the mine with the lowest combination of hauling and material cost for an amount not-to-exceed \$170,000.

BACKGROUND

Rock aggregate, which includes primarily hard rock and lime rock, is needed by the District throughout the year to install water control structures and repair roads. According to the District's procurement policy, rock aggregates are procured on a low bid basis using a combination of the hauling and material cost as the determining factor of where to purchase the rock. A purchase order will be authorized by the Executive Director or designee prior to the actual purchase. The District's contract trucks will then transport the rock from the mine to the construction site. On October 22, 2015 the District received bids from 3 companies for materials (see Attachment A).

The funds to purchase rock aggregate are included in the Fiscal Year 2016 budget under several projects including; but not limited to, the Middle Suwannee River Spring Restoration and Aquifer Recharge, Otter Springs Restoration, and land management hydrology restoration.

BCK/tm
Attachment A

Request for Bids 15/16-001 RM
Rock Aggregate Materials
Attachment A
Dollars/Ton

Company	A-Mining Group (Cabbage Grove)	Denali Investments	Blue Rok Inc.
Contact	John Brengle	Susan Beaver	Shelly Smith
Mine Address	19080 W US Hwy 98 Lamont, FL 32336	5512 260th Place Branford FL 32008	131 SW Rock Pit Rd Mayo FL 32066
Fax	850.575.3060	386.364.6487	850.223.2387
Phone	850.575.4473	386.362.1185	850.584.4324
Email	john.brengle@andersoncolumbia.com	sbeavertruck@aol.com	bluerok@gtcom.net
Number 89 (≤ .4") FDOT Approved	\$15.25		
Number 89 (≤ .4")	\$13.25	\$14.00	
Number 67 (.75" to 1.5") FDOT Approved		\$20.00	
Number 67 (.75" to 1.5")	\$13.25		
Number 57 (.5" to 1") FDOT Approved	\$15.50		
Number 57 (.5" to 1")	\$13.25		
Number 5 (.75" to 1.5") FDOT Approved			
Number 5 (.75" to 1.5")	\$13.25		
Limerock Road Base FDOT Approved	\$6.00	\$6.00	\$6.50
Limerock Road Base		\$5.00	\$6.25
Surge Rock 3" to 5" FDOT Approved			
Surge Rock 3" to 5"	\$20.00		
Surge Rock 5" to 8" FDOT Approved			
Surge Rock 5" to 8"	\$20.00		
Rip Rap FDOT Approved			
Rip Rap	\$25.00		
Clean Fill FDOT Approved			\$3.50
Clean Fill			\$3.50
Over Burden FDOT Approved			\$3.50
Over Burden	\$5.00		\$3.50
Bedding Stone			

MEMORANDUM

TO: Governing Board

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

DATE: October 30, 2015

RE: Denial of a Variance Request for Environmental Resource Permit (ERP), WOD-121-225628-1, Lots 21 & 22 Suwannee River Terrace, Suwannee County

RECOMMENDATION

Staff recommends the Governing Board issue a Final Order denying the Variance Request for Subsections 40B-4.3030(4) and 40B-4.3030(7), Florida Administrative Code, (F.A.C.), Lots 21 & 22 Suwannee River Terrace, Suwannee County

BACKGROUND

The applicant is proposing a house and driveway proposed to be constructed along the Suwannee River within the floodway. The applicant is requesting a variance of subsections:

- 40B-4.3030(4), F.A.C., the requirement that buildings in the floodway shall be elevated on piles without the use of fill such that the lowest structural member of the building is at least one foot above the 100-year flood (one percent chance) elevation and
- 40B-4.3030(7), F.A.C., the requirement of no fill shall be placed above the natural grade of the ground except for minor amounts of fill less than or equal to 100 square feet of the cross-sectional area of the floodway.
-

The applicant has requested that the Governing Board consider variances to the above mentioned rules. The Governing Board has the authority to, in cases of extreme hardship, authorize a variance and issue a works of the district permit for exceptions to the conditions of issuance. Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness. For purposes of this section, "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance or waiver.

Staff recommends that both variance requests be denied and that the applicant meet all criteria as required by rule in order to construct the project in compliance with Chapter 40B-4, F.A.C.

/tm

STAFF REPORT

GENERAL WORKS OF THE DISTRICT PERMIT VARIANCE REQUEST

DATE: October 30, 2015

PROJECT: Lots 21 & 22 Suwannee River Terrace Variance Request

APPLICANT:

Philip J. Raymond
4419 Burlington Ave N
St. Petersburg, FL 33713

PERMIT APPLICATION NO.: WOD-121-225628-1

DATE OF APPLICATION: N/A

APPLICATION COMPLETE: N/A

DEFAULT DATE: N/A

Recommended Agency Action

Staff recommends the Governing Board issue a Final Order denying the Variance Request from Subsections 40B-4.3030(4) and 40B-4.3030(7), Florida Administrative Code, (F.A.C.)

SRWMD Project Review Staff

Jamie Sortevik Bell, E.I., Michael Fuller, Leroy Marshall, P.E., and Tim Sagul, P.E., reviewed the project application.

Project Location

The project is located adjacent to the Suwannee River in Township 3 South, Range 11 East, Section 17, in the Suwannee River Terrace subdivision, Suwannee County.

Project Description

The applicant is proposing a house and driveway that are to be constructed along the banks of the Suwannee River within the floodway. The applicant is requesting a waiver of subsections 40B-4.3030(4), F.A.C., the requirement that buildings in the floodway shall be elevated on piles without the use of fill such that the lowest structural member of the building is at least one foot above the 100-year flood (one percent chance) elevation and a variance from subsection 40B-4.3030(7), F.A.C., the requirement of no fill above natural grade except minor amounts less than or equal to 100 square feet of the cross-sectional area of the flood

The existing grade where the house is to be constructed is approximately 49 feet NAVD. The 100-year flood (one percent chance) elevation is 56.1 feet NAVD. In accordance with District permitting rules and FEMA guidelines, the home should be built with the lowest structural member at elevation 57.1 feet NAVD. The applicant is proposing to place up to three feet of fill at the proposed home site to partially raise the home above existing grade. The amount of fill to be placed is approximately 4600 cubic feet. After the fill is placed, he proposes to use pilings to raise the lowest structural member of the home to an elevation of 56.6 feet NAVD. The home will still be below the minimum elevation required by rule.

Staff recommends denial of the waiver request for 40B-4.3030(4), F.A.C. As stated above, the home will still be below the minimum elevation required by rule. Additionally, the rule does not allow for fill. District staff has spoken with Suwannee County regarding this issue. The County indicated that they would also recommend denial of a variance for a structure to have the lowest structural member below the recommended minimum of 57.1 feet NAVD.

Staff has determined that no hardship would be incurred by the permittee for constructing the house at least one foot above the 100-year flood elevation and for raising the home without the use of fill, other than potential financial hardship associated with making the home more handicap accessible.

Staff recommends denial of the variance request for 40B-4.3030(7), F.A.C. The fill proposed by the applicant will obstruct approximately 122 square feet of the cross-sectional area of the floodway. This square footage does not include other minor amounts of fill proposed for driveway construction.

Staff has determined that no hardship would be incurred by the permittee for constructing and elevating the house without the use of fill dirt, other than potential financial hardship associated with making the home more handicap accessible.

Staff recommends that all variance requests be denied and that the applicant provide all information as required by rule in order to construct the project in compliance with Chapter 40B-4, F.A.C.

Site inspection to ensure project was not constructed

Staff inspected the project site on September 16 and October 22, 2015. The project has not been constructed.

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

IN RE:

Philip J. Raymond,

PETITIONER,

ORDER No. 15-0001

v.

**SUWANNEE RIVER WATER
MANAGEMENT DISTRICT,**

Respondent.

FINAL ORDER DENYING VARIANCE

The Suwannee River Water Management District (“District”) received a petition on July 27, 2015 from Philip J. Raymond (“Petitioner”), seeking a variance from Florida Administrative Code (“Fla. Admin. Code”) rules 40B-4.3030(1)(e), 40B-4.3030(4), and 40B-4.3030(7). Petitioner seeks these variances for a proposed house and driveway within a Work of the District in Township 3 South, Range 11 East, Section 17 Suwannee County.

PROCEDURE AND ALLEGATIONS

1. Pursuant to Fla. Stat. § 120.542, Petitioner seeks a variance from Fla. Admin. Code rules 40B-4.3030(1)(e), 40B-4.3030(4), and 40B-4.3030(7) for file number WOD-121-225628-1.
2. The Petition for Variance was received on July 27, 2015. A true copy of the Petition for Variance is attached to this Order as Exhibit “A”.

3. District caused a notice to be published in the Florida Administrative Register (“FAR”) on September 14, 2015, informing the public that the District had received the Petition for Variance and providing an opportunity to comment or object within fourteen days of the date of publication in the FAR. A true copy of the notice is attached to this Order as Exhibit “B”. The District received no comments or objections to the petition.

4. Petitioner’s address is 4419 Burlington Avenue N, St. Petersburg, FL 33713 and the property affected by this order is described as the following parcel identification number: 17-03S-11E-1176800-0210.

5. Subsequent to the July 27, 2015 variance request, Petitioner has withdrawn the variance request for rules 40B-4.3030(1)(e).

As to Permitting Requirements

6. Petitioner seeks to obtain a variance to Fla. Admin. Code rules 40B-4.3030(4) and 40B-4.3030(7) for a proposed house and driveway within a Work of the District. Fla. Admin. Code rule 40B-4.3030(4) states, “Buildings in the floodway shall be elevated on piles without the use of fill such that the lowest structural member of the building is at an elevation at least one foot above the 100-year flood/one percent annual chance of flood elevation.” Fla. Admin. Code rule 40B-4.3030(7) states, “No fill material shall be placed above the natural grade of the ground except for minor amounts of fill which are less than or equal to 100 square feet of the cross-sectional area of the floodway. This paragraph is not intended to limit the use of pilings for structural purposes. All fill placed on a single parcel of land after the implementation date of this chapter shall be considered cumulatively.”

APPLICABLE LAW

6. The variance is requested pursuant to Fla. Stat. § 120.542, which provides that:

Variations and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness. For purposes of this section, "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance or waiver.

7. Petitioner is required to demonstrate that (1) the purpose of the underlying statute will be or has been achieved by other means and (2) that application of Fla. Admin. Code rules 40B-4.3030(4) and 40B-4.3030(7) would create a substantial hardship or would violate the principles of fairness.

8. The purpose of Chapter 373 of the Florida Statutes is to prevent harm to the water resources of the state. To achieve this purpose, District is authorized to require permits for the construction of structures within a Work of the District. To obtain a permit under Chapter 373, an applicant must provide reasonable assurance that the construction will not obstruct the free flow of waters of rivers and streams within the District. *See*, Fla. Stat. § 373.086 (Providing for works of the district).

9. Florida Admin. Code rule 40B-4.3030 became effective as District rule on September 25, 1985, and the most recent amendment became effective on October 14, 2013.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

10. Petitioner has not demonstrated that the principles of fairness would be violated by requiring Petitioner to comply with Fla. Admin. Code rules 40B-4.3030(4) and 40B-4.3030(7).

In addition, the Petitioner has not demonstrated a substantial hardship would be created by requiring the Petitioner to comply with Fla. Admin. Code rules 40B-4.3030(4) and 40B-4.3030(7). Furthermore, the petitioner has not demonstrated that the underlying statute will be or has been achieved by other means. Therefore, the Petitioner has not met the requirements for a variance under Fla. Stat. § 120.542.

11. District concludes that the variance request should be denied.

IT IS HEREBY ORDERED that the Petition for Variance from Fla. Admin. Code rules 40B-40B-4.3030(4) and 40B-4.3030(7), is DENIED.

DONE AND ORDERED this _____ day of _____ 2015

SUWANNEE RIVER WATER
MANAGEMENT DISTRICT

By: _____
It's Chair

RENDERED on this _____ day of _____ 2015.

Tim Sagul
District Clerk

Copies furnished to: Tommy Reeves
Suzanne Printy, JAPC
Philip J. Raymond

Exhibit “A”

July 27, 2015

Suwannee River
Water Management District
9225 CR 49
Live Oak, FL 32060

(a) **Petition for variance from Ch 40B-4 and 40B-400, Florida Administrative Code**

Subject: LOT 21 & 22 SUWANNEE RIVER TERRACE, WOD-121-225628-1, Suwannee

(b) Petitioner: Philip J Raymond
4419 Burlington Ave N
St Petersburg, FL 33713
727-244-6363 (c)
cbsraymond@tampabay.rr.com

(d) The applicable portion of the rule:
The portion of the rules in which the variance is requested is Ch.40B-4.3030(1)(e), 40B-4.3030(4) and 40B-4.3030(7).

(e) The citation to the statute the rule is implementing:
The citation of the statute the rule is implementing is rule Ch. rule 40B-4.3030(1)(e) New roads within a work of the district which at any point along the road, have a driving surface greater than 1 foot above adjacent natural ground elevations, of result in a net fill within the floodway and rule 40B-4.3030(4) Buildings in the floodway shall be elevated on piles without the use of fill such that the lowest structural member of the building is at an elevation at least one foot above the 100-year flood/one percent annual chance of flood elevation and rule 40B-4.3030(7) No fill material shall be placed above the natural grade of the ground except for minor amounts of fill which are less than or equal to 100 square feet of the cross-sectional area of the floodway. This paragraph is not intended to limit the use of pilings for structural purposes. All fill placed on any single parcel of land after the implementation date of this chapter shall be considered cumulatively.

(f) Type of variance requested:
The type of action requested is for a variance from rule Ch40B-4.3030(1)(e), Ch. 40B-4.3030(4) and Ch. 40B-4.3030(7) I want to clear a pathway/driveway 12 feet wide so we can drive our vehicles to my home. Half of driveway/pathway is not in the flood

plain but the other half is in the flood plain and would require some fill dirt one to two and maybe 3 feet in deep in an area of approximately 2000 to 6000 square feet to level the dip in the pathway/driveway and also there are two sink holes in the way that would need to be filled too. This would allow us to raise the building site 3 feet plus tapering in an area of 1092 square feet changing the elevation from 49 feet to 52 feet. This would NOT require any fill dirt. We would be moving dirt from my property only one foot in depth to an adjacent area of 48 feet and 49 feet elevations. Lastly, we need to alter the lower structure of the building height of one foot above the 100 year flood plain to 6 3/16" above the 100 year flood plain. Therefore the floor joist could protrude 5 9/16" in a 100 year flood plain including the one foot requirement.

(g) Facts that demonstrate hardship:

My hardship is based on my medical condition and safety. The reasons without going into too much medical history are as follows. I have a balance and tremor issues; this is due to permanent damage to my spinal cord in the cervical area. Also my walk and climbing stairs is limited due to the same reason above plus I'm a part amputee on the left foot toes, and to top it off with shortness of breath limits my climbing stairs and walking due to the fact that I'm a Heart Transplant recipient and a senior citizen.

(h) The reason the variance or waiver requested would serve the purpose of the underlying statute:

By having the pathway/driveway dip filled in will allow me to safely drive my car to my home.

By raising the elevation 3 feet plus tapering and the adjustment for the one foot over 100 year flood plain, this will keep the overall height of the home at a level that would be for me to gain access to my home in a safe manner. This would be accomplished by making a short 2.5 foot stair climb to a landing and 2.5 foot more stair climb to the deck. This is also safer so I will not tire and make me unsafe. Also should there be a need for rescuer or fire closer to the ground is a must. Due to the restraints the property faces, I cannot completely comply with Florida Administrative Code, however with the variance request approval, I can and will meet as much of the rule as possible.

(i) **Permanent waiver/variance requested**

It is my wish that a permanent waiver or variance be granted for the following:

- 1.) Ch. 40B-4.3030(1)(e) New roads within a work of the district which at any point along the road, have a driving surface greater than 1 foot above adjacent natural ground elevations, of result in a net fill within the floodway. Thus, a

permanent variance is requested to add fill dirt to remove a large dip in the driveway.

- 2.) Ch. 40B-4.3030(4) Buildings in the floodway shall be elevated on piles without the use of fill such that the lowest structural member of the building is at an elevation at least one foot above the 100-year flood/one percent annual chance of flood elevation. Thus, a permanent variance is requested to allow the bottom of the structure to be less than the one foot requirement above the 100 year flood plain to approximately 6" above.
- 3.) 40B-4.3030(7) No fill material shall be placed above the natural grade of the ground except for minor amounts of fill which are less than or equal to 100 square feet of the cross-sectional area of the floodway. This paragraph is not intended to limit the use of pilings for structural purposes. All fill placed on any single parcel of land after the implementation date of this chapter shall be considered cumulatively. Thus, a permanent variance is requested to allowing me to raise the elevation 3 feet from 49 to 52 feet in an area of 1092 square feet plus tapering so that I can safely gain access to my own home with my disables.

Please take into consideration the above request for variances. Approval of the request would allow me to construct my home with lower post height for necessary access and safety to my home and allow my pathway/driveway to be safe in all conditions.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip J. Raymond". The signature is fluid and cursive, with the first name "Philip" and last name "Raymond" clearly legible.

Philip J. Raymond

Exhibit “B”

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 41 No. 129, July 6, 2015 issue of the Florida Administrative Register.

69B-186.008, F.A.C.: Escrow Disbursements.

(1) For purposes of this rule, the term "settlement agent" refers to the title insurance licensee or licensee's designee who receives and disburses funds in accordance with Section 626.8473, F.S.

(2) Any person disbursing escrow funds being held as part of a real estate transaction in which one or more title policies are to be issued must provide the parties to the transaction with the information required by this rule.

(3) A written statement by the settlement agent must certify that he or she has reviewed the forms prepared for the transaction and agrees to disburse the escrow funds in accordance with the terms of the transaction and Florida law. Compliance with the aforementioned certification requires the settlement agent to certify to the truth of the following statement: "I have reviewed the Closing Disclosure, the settlement statement, the lender's closing instructions and any and all other forms concerned with the funds held in escrow, including any disclosure of the Florida title insurance premiums being paid, and I agree to disburse the escrow funds in accordance with the terms of this transaction and Florida law."

(4) The title agency must provide the parties to the transaction with the following information no later than the time such funds are disbursed:

(a) The name and license number of the title insurance agency issuing the title insurance policy and /or holding and disbursing the escrow funds. If there is more than one title agency involved in the transaction, a separate form is to be provided by each agency. Any agency not holding any escrow funds should disclose that to the parties to the transaction at this time.

(b) The name, and when applicable, the license number of the settlement agent responsible for disbursing the escrow funds.

(5) All buyers, borrowers and sellers involved in the transaction must provide written approval authorizing the holding of escrow funds and disbursement of escrow funds by the named title agency.

(6) In addition to the requirements listed above, the title insurance agency must provide the parties to the transaction with the following information when a Closing Disclosure form is completed by the lender and the cost for the title insurance policies being purchased differs from the premium calculated pursuant to Rule 69O-186.003, F.A.C.

(a) A written comparison of the cost of the lender's policy versus the cost of an equivalent policy based on Florida premium rates. The cost comparison must clearly disclose the premiums being charged for all endorsements in addition to the base policy.

(b) All sellers, buyers and borrowers involved in the transaction must acknowledge and authorize in writing that the title insurance premiums will be disbursed from the escrow funds in accordance with the premium disclosure certification.

(7) Any form or forms that satisfy the requirements of this rule will be considered part of a title insurance and escrow transaction in Florida. Such form or forms will not constitute loan documents.

(8) A completed and signed copy of the approved form or forms must be:

(a) provided to the buyer, seller and lender who are named in the transaction, and

(b) maintained in the title insurance agency files for at least five (5) years.

(9) Form DFS-HI-2146, "Florida Insurance Premium Disclosure & Settlement Agent Certification." (Effective 10/03/2015), meets all of the requirements necessary to comply with this rule and is incorporated by reference herein. The form is available from the Department of Financial Services, Division of Insurance Agent and Agency Services, at <http://www.myfloridacfo.com/Division/Agents>.

Rulemaking Authority 624.308(1), 626.8473(6) FS. Law Implemented 626.8473 FS. History – New _____.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

NOTICE IS HEREBY GIVEN that on July 30, 2015, the Suwannee River Water Management District, received a petition for variance from Philip J. Raymond, 4419 Burlington Ave N, St. Petersburg, FL 33713, pursuant to Section 120.542, F.S. Petitioner is seeking a variance from paragraph 40B-4.3030(1)(e), F.A.C., as to the District will not approve the issuance of permits for new roads within a work of the district which at any point along the road have a driving surface greater than one foot above adjacent natural ground elevations,

or result in a net fill within the floodway. Petitioner proposes to clear a 12-foot wide pathway for an access road, raising the natural grade of a dip in the proposed roadway approximately two to three feet in order level the uneven ground, and to fill in two sinkholes within the pathway, maintaining a new, constant elevation of 42 feet. Petitioner is also seeking variances from subsections 40B-4.3030(4) and (7), as to buildings in the floodway shall be elevated on piles without the use of fill such that the lowest structural member of the building is at an elevation at least one foot above the 100-year flood/ one percent annual chance of flood elevation, and as to no fill material shall be placed above the natural grade of the ground except for minor amounts of fill which are less than or equal to 100 square feet of the cross-sectional area of the floodway, respectively. Petitioner proposes to relocate approximately 4,600 cubic feet of dirt from one location on the property to another in order to raise the elevation of the ground beneath the proposed construction from 49 to 52 feet. The majority of the relocated dirt will have a cross-sectional area of approximately 114 square feet, and will taper down to the natural grade an additional 10 feet in all directions. The proposed building will be raised five feet from the new grade, with a final elevation only six and 3/16 inches above the 100-year flood elevation. The project is located in Suwannee County, in Township 3 South, Range 11 East, Section 17. The petitioner has been assigned WOD number WOD-121-225628-1, Lot 21 & 22 Suwannee River Terrace.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Tilda Musgrove, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-6.011 Policy and Purpose

NOTICE IS HEREBY GIVEN that on September 8, 2015, the South Florida Water Management District (District), received a petition for waiver from Mater Academy (Application No. 15-0529-2) for utilization of Works or Lands of the District known as the C-7 Extension Canal for the installation of parallel fencing (8' x 15') to be located along the top of the canal bank at all four bridge quadrants in conjunction with Mater Academy's proposed pedestrian bridge; Section 34 & 3, Township 52 & 53 South, Range 40 East, Miami-Dade County. The petition seeks relief from subsections 40E-6.011(4) and (6), Fla. Admin. Code, which govern the placement of permanent and semi-permanent above-ground structures within 40 feet of top of canal bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or email at jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attention: Juli Russell, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on September 10, 2015, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurant, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Section 5-203.13, 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code, Paragraph 61C-4.010(5), Florida Administrative Code, Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, and subsection 61C-4.010(1), Florida Administrative Code, from Sawgrass Grand located in Sunrise. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water; that each establishment have dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided, and that each establishment have areas for food preparation and storage. They are requesting to share the mop sink, dishwashing, food preparation and food storage areas with another licensed food service establishment under the same ownership and on the same premise.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

237TH RD



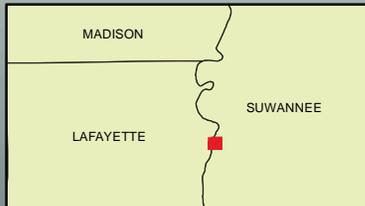
-031117

Lot 21 & 22 Suwannee River Terrace Variance Request

WOD-121-225628-1

November 2015

 Project Boundary
 SRWMD Land



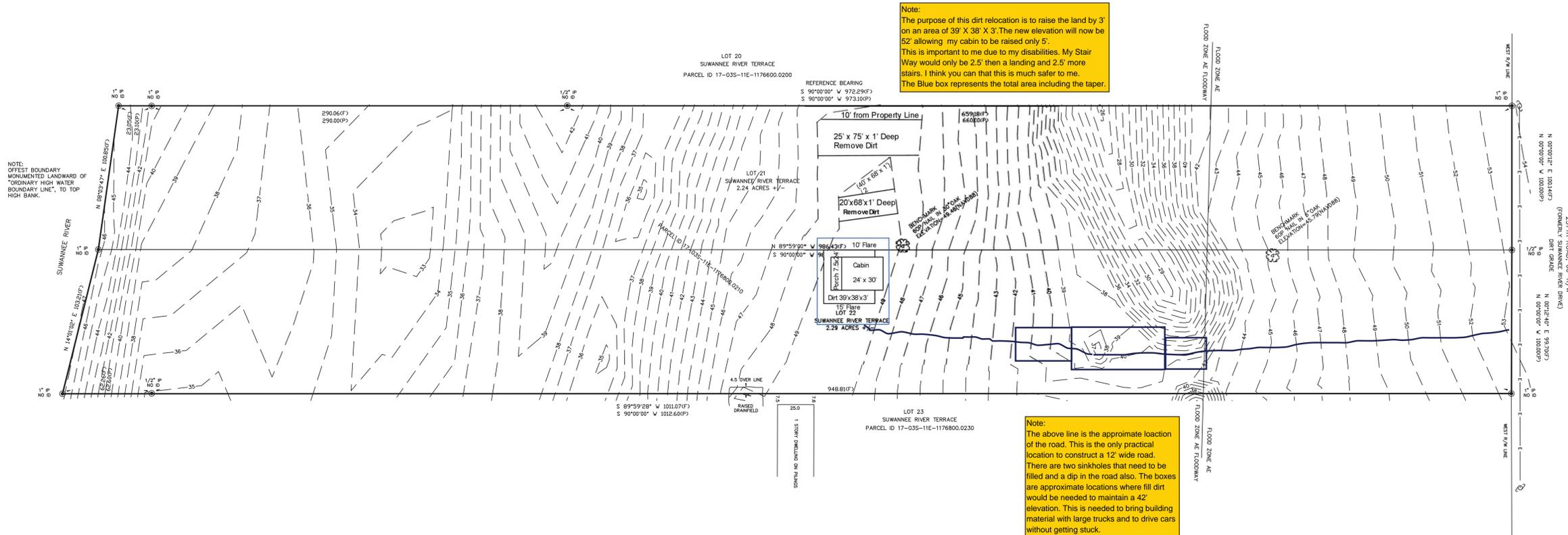
Note: This map was created by the Suwannee River Water Management District (SRWMD) to be used for planning purposes only. SRWMD shall not be held liable for any injury or damage caused by the use of data distributed as a public records request regardless of their use or application. SRWMD does not guarantee 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.



Christian Tract

MAP SHOWING A BOUNDARY AND TOPOGRAPHIC SURVEY OF:

OF LOTS 21 AND 22, SUWANNEE RIVER TERRACE, AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF SUWANNEE COUNTY, FLORIDA.



Note:
The purpose of this dirt relocation is to raise the land by 3' on an area of 39' X 38' X 3'. The new elevation will now be 52' allowing my cabin to be raised only 5'. This is important to me due to my disabilities. My Stair Way would only be 2.5' then a landing and 2.5' more stairs. I think you can that this is much safer to me. The Blue box represents the total area including the taper.

Note:
The above line is the approximate location of the road. This is the only practical location to construct a 12' wide road. There are two sinkholes that need to be filled and a dip in the road also. The boxes are approximate locations where fill dirt would be needed to maintain a 42' elevation. This is needed to bring building material with large trucks and to drive cars without getting stuck.

NOTE:
OFFSET BOUNDARY MONUMENTED LANDWARD OF "ORDINARY HIGH WATER BOUNDARY LINE", TO TOP HIGH BANK.

- ABBREVIATIONS:
- N _____ NORTH
 - S _____ SOUTH
 - E _____ EAST
 - W _____ WEST
 - (P) _____ PLAT
 - (F) _____ FIELD
 - (D) _____ DEED
 - (C) _____ CALCULATED
 - IP _____ IRON PIPE
 - R _____ RADIUS
 - Ch _____ CHORD
 - Brn _____ BEARING
 - L _____ ARC LENGTH
 - ID _____ IDENTIFICATION
 - OM _____ CONCRETE MONUMENT
 - CONC _____ CONCRETE
 - SEC _____ SECTION
 - ORB _____ OFFICIAL RECORDS BOOK
 - FLS _____ PROFESSIONAL LICENSED SURVEYOR
 - PSM _____ PROFESSIONAL SURVEYOR AND MAPPER
 - PC _____ POINT OF CURVATURE
 - PT _____ POINT OF TANGENCY
 - FL DOT _____ FLORIDA DEPARTMENT OF TRANSPORTATION
 - R/W _____ RIGHT-OF-WAY

SURVEYOR'S NOTES:

SUBJECT PROPERTY LIES IN SPECIAL FLOOD HAZARD AREAS AE, & AE FW AS PER FLOOD INSURANCE RATE MAPS 12067C0078C & 12121C0228B, EFFECTIVE DATE 09/28/2007.

1% ANNUAL CHANCE FLOOD ELEVATION (BFE) 56.1 FEET(NAVD88)
 10% ANNUAL CHANCE FLOOD ELEVATION 48.4 FEET(NAVD88)
 50% ANNUAL CHANCE FLOOD ELEVATION 37.4 FEET(NAVD88)

ELEVATIONS BASED ON TBM-82-20, SUWANNEE RIVER WATER MANAGEMENT DISTRICT SRMM PROJECT, ELEVATION 65.16(NGVD29)-72=64.44(NAVD88).

JURISDICTIONAL AND OR ENVIRONMENTALLY SENSITIVE AREAS IF ANY, NOT LOCATED BY THIS SURVEY.

UNDERGROUND FEATURES, IF EXISTING, WERE NOT LOCATED BY THIS SURVEY.

A CURRENT TITLE OPINION OR ABSTRACT OF MATTERS AFFECTING TITLE OR BOUNDARY OF THE SUBJECT PROPERTY HAS NOT BEEN PROVIDED. IT IS POSSIBLE THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES.

CERTIFIED TO:
 PHILIP J. RAYMOND
 DANA EDMISTEN HILL, ATTORNEY
 OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

- LEGEND
- IRON PIN OR PIPE
 - FOUND CONCRETE MONUMENT
 - CROSS CUT OF IRON PIPE
 - CROSS CUT OF IRON PIPE
 - FIELD WOOD FENCE
 - WIRE WIRE FENCE
 - UTILITY POLE

DATE	REVISION DESCRIPTION
04/09/2015	ADD "FLOODWAY" LINE

DATE OF SURVEY 03/23/2015
 FIELD BOOK IS HAZARD AREA
 FILE NUMBER
 SHEETS 1
 SCALE 1"=40'

CLIENT
 PHILIP J. RAYMOND

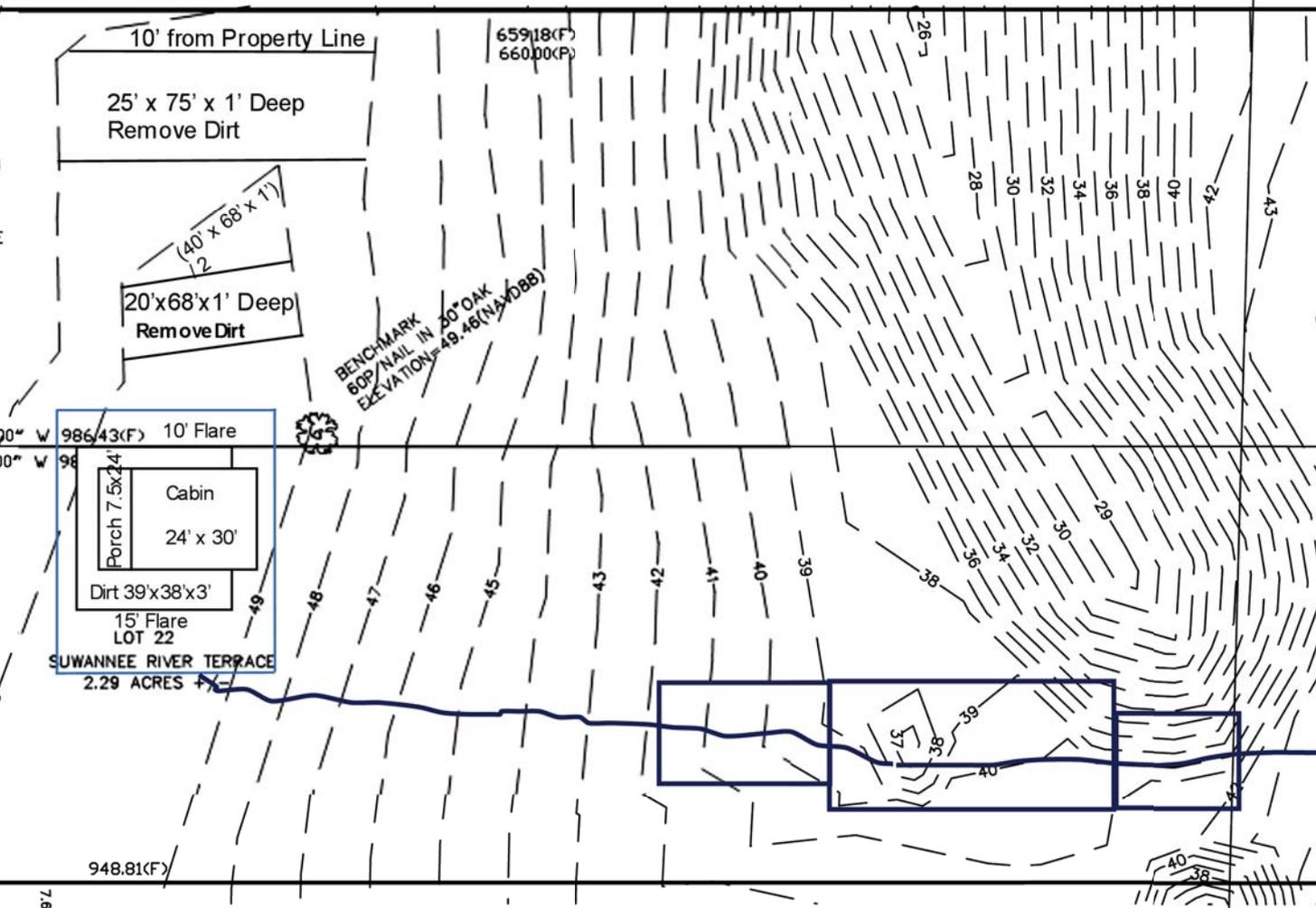
WESLEY M. RABON ~ PROFESSIONAL SURVEYOR AND MAPPER
 P.O. Box 235 (398 NW Nulij Rd.) White Springs Florida 32096
 Phone No. (386) 397-1199

PROJECT
 NO. 24
 OF 20 SHEETS
 LOT 26

THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATION ONLY AND IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

FLOOD ZONE AE
FLOODWAY

REFERENCE BEARING
S 90°00'00" W 972.29(F)
S 90°00'00" W 973.10(P)



986.43(F) 10' Flare
Cabin
24' x 30'
Porch 7.5x24'
Dirt 39'x38'x3'
15' Flare
LOT 22
SUWANNEE RIVER TERRACE
2.29 ACRES ±

BENCHMARK
60P/NAIL IN 30" OAK
ELEVATION = 49.48(MAY 088)

LOT 23
SUWANNEE RIVER TERRACE
PARCEL ID 17-03S-11E-1176800.0230

RM 22

FLOOD ZONE AE
FLOODWAY

MEMORANDUM

TO: Governing Board

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

DATE: October 30, 2015

RE: Request for Authorization to Publish a Notice of Proposed Rule for Rules Recommended for Repeal in SRWMD's Annual Review of Existing of Rules, Pursuant to Executive Order 11-211, and File Repealed Rules and any Recommended Changes with the Department of State if no Objections are Received

RECOMMENDATION

Staff recommends the Governing Board authorize staff to:

- 1. Publish a Notice of Proposed Rule to repeal Rules 40B-1.809, 40B-3.529, 40B-5.0031 through 40B-5.0701, 40B-9.139, 40B-21.221(1), and 40B-21.621, Florida Administrative Code (F.A.C.); and**
- 2. File the proposed rule repeals and any recommended changes with the Department of State if no objections are received.**

BACKGROUND

Pursuant to Executive Order 11-211, SRWMD staff conducted an annual review of existing rules to determine if any rule is unnecessary or duplicative. The report was reviewed by Legal Counsel and provided to the Governor's Office on July 1, 2015. This memo serves to obtain Governing Board approval to commence rulemaking to repeal the rules listed below:

- 40B-1.809: The rule is not necessary (the rule simply states that the statute prevails over the rule in the case of a conflict);
- 40B-3.529: Rule is duplicative of 373.206, F.S.;
- 40B-5.0031 through 40B-5.0701: Rules are duplicative of Rule 62-528.307, F.A.C.;
- 40B-9.139: Rule is duplicative of 373.1391, F.S.;
- 40B-21.221(1): Rule is duplicative of 373.246, F.S.;
- 40B-21.621: Rule is duplicative of 373.246, F.S.

WZ/

MEMORANDUM

TO: Governing Board

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

DATE: October 30, 2015

RE: Permitting Summary Report

Environmental Resource Permitting (ERP) Activities

Permit Review

The following table summarizes the environmental resource permitting activities during the month of September 2015 and program totals from January 2012 to September 2015.

September 2015	Exemption Requests	Noticed Generals	Generals	10-2 Self Certifications	Individuals	Conceptuals	Total
Applications received	8	1	3	2	5	0	19
Permits issued	6	0	0	0	7	0	13
Inspections	1	4	0	0	0	0	5
Total permits issued from January 2012 to September 2015	198	168	204	116	135	10	831

The following Individual Environmental Resource Permits were issued by staff, pursuant to 373.079(4)(a), Florida Statutes, in September 2015.

File Number	Project Name	County	Issue Date
ERP-041-210403-2	Ft. Wilcox Operations Center	Gilchrist	9/24/2015
ERP-023-211870-4	Lake City Living Center	Columbia	9/10/2015
ERP-121-215290-1	Perimeter Road Roadway Improvements	Suwannee	9/24/2015
ERP-121-223298-1	Family Dollar Dowling Park	Suwannee	9/1/2015
ERP-121-225565-1	Heritage Park & Gardens Site Improvements	Suwannee	9/9/2015
ERP-029-225734-1	Sherrill Coastal Holding Drainage Permitting	Dixie	9/17/2015
ERP-007-225914-1	Starke Group Facility Transition House	Bradford	9/24/2015

Water Use Permitting and Water Well Construction Activities

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

September 2015	Received		Issued
Water Use Permits	7		5
Water well permits issued: 139			
Abandoned/Destroyed	14	Livestock	1
Agricultural Irrigation	5	Monitor	21
Aquaculture	0	Nursery	0
Climate Control	0	Other	0
Fire Protection	0	Public Supply	3
Garden (Non Commercial)	0	Self-supplied Residential	94
Landscape Irrigation	0	Drainage or Injection	0
Commercial or Industrial	0	Remediation Recovery	1

**Rulemaking Schedule
October 2015**

40B-3

Permitting of Well Construction

GB Rule Dev. Auth.	5/14/2015
Notice of Rule Dev.	5/22/2015
GB Proposed Rule Auth.	5/14/2015
Public Hearing	6/18/2015
Send to JAPC/OFARR (Tentative)	11/30/2015
Notice of Proposed Rule	
Notice of Rule Change	
Mail to DOS	
Effective Date	

MEMORANDUM

TO: Governing Board

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

DATE: October 30, 2015

RE: Enforcement Status Report

Matters Staff is attempting to gain compliance without enforcement action

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, P.A.
Date Sent to Legal	July 1, 2010
Target Date	December 31, 2015
Legal Fees to date	\$2,274
Last Update	October 30, 2015

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

Staff inspected the site on March 7, 2013. Vegetation cleared, the retention pond is still not in compliance. Staff contacted new owner, Joe Peurrung. Staff has requested that the current attorney cease work on the enforcement file. In the event that the current owner does not follow through with correcting the violation, staff will have the file reopened. Owner's engineer has contacted District staff and has been working on a corrective plan. Staff reviewed a preliminary application on May 8, 2014. An application is to be submitted by November 1, 2014. An application for a 10-2 certification was received by the DEP website on October 24, 2014. **Construction has been delayed due to the possibility of FDOT needing the property for road improvements. FDOT has recently informed the owner that the road improvements are not in their 5-year plan. The owner has requested construction bids. Upon award of the contract, remediation of the stormwater system will be finished by the end of the year. Staff will monitor construction progress to ensure the pond is constructed and functioning as designed.**

Respondent	Richard Oldham
Enforcement Number / County	CE10-0024 / Bradford
Violation	Unpermitted Pond & Deposition of Spoil Material
Legal Counsel	Davis, Schnitker, Reeves and Browning, P.A.
Date sent to legal	October 13, 2011
Target Date	December 31, 2015
Legal Fees to date	\$5163.75
Last Update	November 3, 2015

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 filed a Petition for Enforcement in the Circuit Court for Bradford County and had Oldham and Nicklas personally served. The file was transferred from Brannon, Brown, Haley & Bullock, P.A., to Board Counsel for resolution.

A status conference was held on October 6, 2014. The judge granted Oldham and Nicklas time to meet with District staff to discuss the necessary items required to bring the project into compliance. Staff met with Mr. Oldham at the property on October 26, 2014. They discussed the necessary items required to bring the project into compliance. Mr. Oldham is currently trying to get the equipment to remove the fill. **Due to lack of resolution, staff contacted Mr. Oldham and he indicated that the bank has foreclosed on the property. A status conference was held on October 26. The judge gave Mr. Oldham 90 days to bring the project into compliance. Staff will work with counsel and the mortgage company to bring this site into compliance.**

Respondent	Cannon Creek Airpark
Enforcement Number / County	CE05-0031/ Columbia
Violation	Unpermitted Construction
Legal Counsel	Davis, Schnitker, Reeves and Browning, P.A.
Date sent to legal	February 2006
Target Date	Ongoing
Legal Fees to date	\$7,048.50
Last Update	September 29, 2015

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 working with Columbia County on an appropriate resolution.

District staff met with Columbia County staff on October 29, 2014 to discuss the path forward, including the possibility of modifying the current ERP permit. **The stormwater issues**

associated with this project are anticipated to be corrected by the work associated with the Columbia County Ichetucknee Headwaters Stormwater Improvement project that recently received funding from FDEP. Staff will continue to update this report as the process unfolds.

Matters the Governing Board has directed staff to take enforcement

Respondent	Charlie Hicks, Jr.
Enforcement Number / County	CE07-0087 / Madison County
Violation	Unpermitted Construction in Floodway
Legal Counsel	Davis, Schnitker, Reeves and Browning, P.A.
Date sent to legal	October 30, 2008
Target Date	Ongoing
Legal Fees to date	\$25,508.03
Last Update	October 29, 2015

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. The file was transferred from Brannon, Brown, Haley & Bullock, P.A., to Board Counsel in August 2013 for resolution. The District is in the process of levying on Hick's real property. This is done by a Sheriff's sale. The Sheriff has been contacted and the necessary forms have been obtained. The Sheriff's office has set the sale for the week of April 27, 2015. The sale was cancelled and will be reset due to a misunderstanding about whether the District or the mortgage company is to receive the proceeds of the sale. The Madison County **Sheriff's office has set the sale date for December 1, 2015.**

Respondent	EI Rancho No Tengo, Inc.
Enforcement Number / County	CE05-0017 / Columbia
Violation	Unpermitted Construction
Legal Counsel	Davis, Schnitker, Reeves and Browning, P.A.
Date sent to legal	January 2006
Target Date	Ongoing
Legal Fees to date	\$307,824.93
Last Update:	October 30, 2015

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 EI 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. A mediation meeting was held July 29 at the Federal Courthouse in Jacksonville. The judge gave an October 15, 2013 deadline for resolution. Mr. Quincey, at the direction of the board, is working with Mr. Hill and will bring back a proposed settlement to the Board. No settlement was reached at the October 2013 Governing Board meeting. Counsel was directed to pursue a quiet title action.

On January 24, 2014, the U.S. District Court entered its order affirming the Bankruptcy Court's dismissal of Mr. Hill's bankruptcy case. Mr. Hill has appealed this matter to the 11th Circuit Court of Appeal in Atlanta. The Circuit Court issued an opinion on November 19, 2014 affirming the dismissal of Mr. Hill's bankruptcy case.

At the October 23, 2014 hearing, Judge Parker instructed the District to prepare a proposed Final Summary Judgment. The Final Summary Judgment was accepted by the Court on November 4, 2014. The Judicial Sale is set for December 10, 2014. On November 17, 2014, District counsel received a motion for rehearing sent by Mr. Hill.

At the Chair's direction District staff proposed a possible settlement to Mr. Hill early in the day on December 9, 2014, with instructions to Mr. Hill that he would need to confirm that is was acceptable by the end of the day, otherwise the December 10, 2014 judicial sale of the property would proceed.

Mr. Hill did not return on December 9, 2014. Mr. Hill was contacted by telephone on December 9, 2014, but would not confirm that the proposed settlement was acceptable. Knowing this, the Board voted to approve the proposed settlement and, provided Mr. Hill fully executed the proposed settlement unchanged and delivered it to the District Office by 9:00 am on December 10, 2014, cancel the judicial sale. Mr. Hill timely delivered an executed settlement agreement to the District Office, but such agreement was substantially modified from the settlement agreement he was offered.

The Judicial sale went forward and the District was the successful high bidder at the sale. Afterwards, Mr. Hill objected to the manner of the sale. At hearing, the court entered an order setting aside the December 10, 2014 sale. Later the court reset the judicial sale for March 25, 2015, at 11:00 am.

Mr. Hill filed an appeal of the District's action to the First District Court of Appeal and a motion for a stay during the appeal. The motion for stay was denied by the trial court.

Additionally, on December 16, 2014, Mr. Hill filed a Motion to Reconsider with the U.S. Bankruptcy Court in Jacksonville. This motion was denied.

Mr. Hill filed his Initial Brief with the First District Court of Appeals on February 19, 2015. The District's filed its Answer Brief with the First District Court of Appeal on February 26, 2015.

On February 27, 2015, the Circuit Court entered an order re-setting the judicial sale for March 25 at 11:00 a.m.

On March 25, 2015 at approximately 10:00 a.m., Mr. Hill filed a Chapter 12 bankruptcy petition. Meanwhile at approximately 11:00 a.m. the Circuit court clerk conducts the judicial sale as ordered. Mr. Hill does not appear. The District is the successful high bidder and the clerk files Certificate of Sale. On March 26, 2015, Mr. Hill files a Notice of Bankruptcy with the Circuit Court. On March 27, 2015, the District filed a Motion for Relief from Stay with the Bankruptcy court. On March 30, 2015, the Bankruptcy Court files an order for hearing on this motion and sets the hearing for April 20, 2015. On April 20, 2015, the motion for relief from the stay was heard by U.S. Bankruptcy Judge Paul M. Glenn. On April 27, 2015 Judge Glenn granted the District's motion but also terminated the bankruptcy stay retroactively to the date Mr. Hill filed his petition. The effect of the retroactive termination of the stay is that the March 25, 2015 clerk's sale is now valid and unaffected by the stay. Further, Judge Glenn ordered that for 180 days after the date of his order, nothing filed by Mr. Hill in the bankruptcy court would create an automatic stay. This means that if there are any more filings in the bankruptcy court, they will not affect or delay the foreclosure case.

On June 30, 2015, the First District Court of Appeals issued its order affirming the actions of the District in foreclosing the lien of its judgments.

On July 17, 2015, the trial court held a hearing on Mr. Hill's objections to the judicial sale.

On July 21, 2015, the court filed its order overruling Mr. Hill's objections and authorizing and directing the clerk to file a certificate of title transferring title to the subject property to the District.

On July 23, 2015, the clerk filed its certificate of title transferring title to the subject property to the District.

On August 3, the District retained an engineer, Del Bottcher, Ph.D. P.E., to give a professional opinion on the proper rate of pumping to "pump down" the impoundment without doing any damage to the "down stream" properties.

On Aug 4, 2015, the District received the opinion from Mr. Bottcher giving his recommended rate of pumping. Thereafter the District began pumping down the impoundment.

On Aug. 25, 2015, Mr. Hill filed a petition for review with the Florida Supreme Court, seeking to have the Florida Supreme Court review the decision of the First District Court of Appeals. On Aug. 26, 2015, the Florida Supreme Court entered its order denying such review. **Pump down of the impoundment is continuing.**

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	\$9,608.50 (direct cost). \$50,000.00 (approximate costs incurred to date to the insurance company. The District will only be responsible for a \$10,000 deductible due at the close of the case).
Last Update	September 29, 2015

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 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. Mr. Quincey, at the direction of the Board, is working

with Mr. Hill and will bring back a proposed settlement to the Board. No settlement was reached at the October 2013 Governing Board meeting.

A hearing on the District's amended motion for summary judgment (among other of Plaintiffs' motions) occurred on February 6, 2014. Additionally, Mr. Hill filed a complaint in Federal Court on March 24, 2014.

On October 13, 2014, Plaintiffs filed a Notice for Trial, stating that their case is at issue and ready for trial. In response, on October 24, 2014, Defendant filed an Objection to Plaintiffs' Notice for Trial and requested that the Court set a telephonic case management hearing prior to setting the matter for trial. The grounds for Defendant's objection included the fact that Plaintiffs have not provided Defendant with complete and substantive responses to Defendant's requests to produce and interrogatories, and that Defendant needs additional time to conduct discovery, including taking Plaintiffs' depositions.

A hearing on Defendants' motion to compel discovery is currently set for December 16, 2014. Insurance Counsel is currently working with Plaintiffs to resolve this discovery dispute without the need for a hearing. A hearing on Defendant's motion for final summary judgment was held on December 16, 2014. Judge Parker granted the District's motion for final summary judgment, which ends the case in full. Mr. Hill filed a motion for rehearing which was heard on February 12, 2015. Judge Parker's oral ruling allowed Mr. Hill time to provide additional information by February 22, 2015. If the information was not supplied, Judge Parker would enter the order granting the District's summary judgment motion. The information was not supplied, so Insurance Counsel will be requesting entry of the final order. On March 3, Insurance Counsel rechecked the Court's docket and it appears that the Plaintiffs did in fact timely file the required proof, but failed to serve Insurance Counsel with a copy. Judge Parker ruled that Plaintiffs will be given a rehearing on the District's motion for final summary judgment ("MSJ"). The hearing was set for April 14, 2015, but was cancelled after Mr. Hill filed a Notice of Removal with the bankruptcy court on April 13, 2015. On May 4, 2015, insurance counsel filed a motion with the bankruptcy court to remand the Hills' lawsuit back to state court. Also, at the same time, insurance counsel asked the bankruptcy court to award the District its costs and fees associated with having to file the motion to remand.

On July 24, 2015, the Bankruptcy court entered its order granting the District motion to abstain and remanded the case back to the Circuit Court for Columbia County.

A hearing on the District's motion for summary judgment that was scheduled for October 22, 2015 was rescheduled until December 1, 2015.

A new "flooding" case has been filed against the District as a result of the pump-down beginning in August. This case is in the preliminary stages.

Respondent	Jeffrey Hill / Haight Ashbury Subdivision
Enforcement Number / County	CE04-0003 / Columbia
Violation	Not Built in Accordance with Permitted Plans
Legal Counsel	Davis, Schnitker, Reeves and Browning, P.A.
Date sent to legal	May 2006
Target Date	November 30, 2015
Legal Fees to date	\$13,209

Last Update	August 28, 2015
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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 (ILA) and County Manager is still interested in pursuing this approach. Staff from the District and County are editing the agreement and expect to present it to the Governing Board at their August meeting.

The Governing Board approved the ILA, but the Columbia County Commission chose not to pass the agreement. They wish to continue working with the District on a revised agreement. Staff is waiting to hear back from Columbia County staff. Staff understands that Columbia County has approved the ILA and it will be returned to the District for signature. Staff met with Columbia County on March 20, 2015 and agreed with the County's approach to resolving this issue. Columbia County returned the ILA and is ready to move forward. **The ILA has been signed and work is set to be completed in 60 to 90 days.**

Respondent	Jeffrey Hill / Smithfield Estates-Phase 1
Enforcement Number / County	CE04-0025 / Columbia
Violation	Not Built in Accordance with Permitted Plans
Legal Counsel	Davis, Schnitker, Reeves and Browning, P.A.
Date sent to legal	May 2006
Target Date	November 30, 2015
Legal Fees to date	\$13,209
Last Update	August 28, 2015

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.

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MEMORANDUM

TO: Governing Board

FROM: Noah Valenstein, Executive Director

THRU: Carlos D. Herd, P.G., Director, Water Supply

DATE: October 26, 2015

RE: North Florida Regional Water Supply Partnership Stakeholder Advisory Committee Update

October 26, 2015 Stakeholder Advisory Committee (SAC) Meeting:

At this meeting the SAC heard presentations on the following topics:

- Workplan Update: The SAC reviewed and updated the SAC workplan based on the technical work completed to date and the anticipated schedule of completion of the remaining technical deliverables for the plan.
- Briefing: St. Johns River and Suwannee River Water Management District staff provided a briefing on the development and status of the NFSEG groundwater model.
- Presentation: SJRWMD staff provided a summary of the information needed for the submittal of water supply and water resource development projects by project sponsors. The presentation also provided a brief overview of cost-estimation resources available to project sponsors.
- Presentation and Recommendation: FDACS staff provided a review of the projection methodologies, values, and irrigation efficiency estimates for the agricultural water use projections. The SAC provided consensus recommendations to accept the agricultural water use projection methods and results, and the agricultural irrigation efficiency potential estimates.
- Presentation and Recommendation: SJRWMD staff provided a review of the estimation methodologies and results for the non-agricultural water conservation projections. The SAC provided a consensus recommendation to accept the estimation methodologies and results for the non-agricultural water conservation projections.

Other information and public comments were presented and discussed at the meeting. A more detailed record of the material discussed will be available upon publication of the meeting summary on the partnership website. This document is intended to provide an update on the technical information presented to the SAC as it relates to the joint regional water supply planning process between the St. Johns River Water Management District and Suwannee River Water Management District.

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

/ch

MEMORANDUM

TO: Governing Board
FROM: Noah Valenstein, Executive Director
DATE: October 28, 2015
RE: District's Weekly Activity Reports

Attached are the weekly District activity reports for the month of October.

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

NV/rl
Attachments



Weekly Activity Report to Governing Board for Sept. 28- Oct. 3, 2015

Executive/ Management

- Abby Johnson met with representatives from the City of Fanning Springs regarding the Fanning Springs Water Quality Improvement Project.
- Abby Johnson and Geoffrey Sample of SJRWMD met with Legislative Aides from Senator Bradley's Office regarding flood mitigation projects for Bradford County.

Water Resources

- Vince Robinson, Henry Richardson and Brian Sparks installed monitoring equipment on the new Palestine Lake wells cluster.
- Tom Mirti, Glenn Horvath, Darlene Saindon, Brian Sparks and Marc Minno met with SJRWMD staff to develop a scope of work for implementing the Suwannee Environmental Database on the server at SJR dedicated to this purpose.

Water Supply

- Megan Wetherington attended the Jefferson County Farm Bureau meeting.
- Clay Coarsey, Tommy Kiger and Jessica Bell Inter Connected Pond Routing attended course at SJRWMD.

Resource Management

- Tim Sagul participated in a Webinar with staff from DEP, the other WMDs and the public to discuss the proposed changes to SWERP - Phase 2 rules.
- Tim Sagul participated in the DEP/FDOT working group conference call with staff from FDOT and the other WMD's regarding storm water issues.
- Mike Fuller participated in a conference call regarding the state-wide cumulative wetland assessment methodology with staff from DEP and the other WMDs.

Communications

- Abby Johnson participated in the bi-weekly DEP communications team call.
- Abby Johnson published Cost-Share opportunities available for producers in the Santa Fe River Basin.

Announcements for the week of October 12

- Governing Board and Lands Committee Meeting – October 13, 2015



Weekly Activity Report to Governing Board for October 5-10, 2015

Executive/ Management

- Steve Minnis attended 2016 Legislative Committee Week in Tallahassee.
- Dave Dickens attended the Town of Bronson's Watershed Study workshop conducted by SWFWMD.
- Abby Johnson provided the State of the Resources PILT presentation to the Suwannee County Board of County Commissioners.

Water Resources

- Warren Zwanka, Jamie Bell and Glenn Horvath met with representatives from SJRWMD regarding the E-Reg and E-permitting database.

Water Supply

- Tommy Kiger and Carlos Herd met with staff from the SJRWMD to coordinate the upcoming schedule for the North Florida Regional Water supply Partnership.

Resource Management

- Tim Sagul and Pat Webster attended the ERP anti-drift meeting in Orlando along with representatives from DEP and the other WMDs.
- Mike Fuller participated in the Cumulative Impact Assessment (CIA) teleconference along with representatives from DEP and the other WMDs.

Communications

- Megan Wetherington addressed questions from the Gainesville Sun regarding the function of the upcoming Tail water project.
- Abby Johnson published a press release about SRWMD MFLs meeting for Aucilla, Econfina and Wacissa Rivers.

Announcements for the week of October 19

- The 2nd Legislative Interim Committee Week is scheduled for the week of October 19.
- The Public Workshop for the Draft MFLs for the Aucilla, Econfina and Wacissa rivers and associated priority springs is scheduled for Tuesday, October 20, 2015 at 7:00 p.m. at the Econfina River Resort, 4705 Econfina River Road, Lamont, FL 32336.



Weekly Activity Report to Governing Board for October 12-16, 2015

Executive/ Management

- Noah Valenstein attended Lafayette County Farm Bureau tour, along with Governor's Office of Policy and Budget staff.
- Steve Minnis and Brain Kauffman along with representatives from the Town of Mayo and Lafayette County participated in a Lafayette County BOCC workshop regarding potential flood abatement projects.

Water Resources

- Tom Mirti and Henry Richardson met with SJRWMD staffs to coordinate transfer of four monitoring well sites to the SJRWMD which are (located within SJRWMD boundary).
- Tom Mirti met with The Nature Conservancy Florida Director of Conservation.

Water Supply

- Justin Garland attended Levy County Farm Bureau meeting.

Land

- Steve Minnis and Dave Dickens met with Bobby Crosby and Billy Cannon of Gilchrist County regarding potential egress and regress access from District property to the County CR 47 Bridge Santa Fe River Park.

Resource Management

- Tim Sagul, Pat Webster, Brian Brooker and Abby Johnson attended the monthly projects coordination meeting with staff from Bradford County.
- Tim Sagul attended the North Central Florida Water Well Association meeting in Gainesville.
- Pat Webster and Tim Sagul met with representatives from FDOT, Union County and their consultants to discuss the Local Agency Partner (LAP) projects that will be starting in Union County.
- Brain Kauffman attended the City of Perry City Council Meeting to discuss flooding issues within the City.
- Brian Kauffman attended a meeting with representatives from the City of Jasper regarding potential spray field re-location options.
- Brian Kauffman participated in a teleconference with representatives from FEMA, engineering consultants and other local cooperating technical partners (CTPs) regarding the Risk MAP process.
- Brian Kauffman attended the Acquisition and Restoration Council (ARC) meeting in Tallahassee regarding the Otter Sink Dispersed Water Storage Project with Anderson Land and Timber.

Communications

- Abby Johnson participated in the bi-weekly DEP communications conference call.
- Dave Dickens conducted a TV interview with GTN about the Levy Blue Water Quality Improvement Project.
- Abby Johnson addressed media inquiries from WUFT and TV 20 news regarding the permit for the chicken farm in Columbia County.
- Keith Rowell addressed questions from the Gainesville Sun regarding the Bradford County Acquisition and regional benefits.
- Abby Johnson addressed questions from WUFT regarding the completion and benefit of the Levy Blue Springs project.

Announcements for the week of October 26

- The North Florida Regional Water Supply Advisory Committee is scheduled to meet on October 26 at 1:00 p.m. at the Florida Gateway College Wilson S. Rivers Library and Media Center.



Weekly Activity Report to Governing Board for October 19-23, 2015

Executive/ Management

- Noah Valenstein and Carlos Herd attended the Quarterly DEP/WMD Face to Face meeting in Tallahassee.
- Noah Valenstein, Steve Minnis, Dave Dickens and Keith Rowell met with representative from Tall Timber regarding Ware Forest.
- Dave Dickens, Steve Minnis, Abby Johnson and Keith Rowell attended the Agriculture and Natural Resources House Subcommittee meeting regarding Land Management Presentations by DEP, NFWMD on behalf of the 5 WMDs and other state agencies.

Water Resources

- Glenn Horvath, Marc Minno and Tom Mirti participated in a preliminary teleconference regarding the SWIM Plan update.
- Darlene Saindon and Tara Rodgers attended the Santa Fe Springs Protection Forum in High Springs.
- Debbie Davidson participated in the first meeting of the CARES event planning committee.

Water Supply

- Justin Garland attended the Ag Expo in Moultrie, Georgia.
- Clay Coarsey, John Good, Abby Johnson, Louis Mantini and Jessica Bell conducted a public meeting on the draft MFLs for the Aucilla, Wacissa and Econfina Rivers and Priority Springs in Lamont.
- John Good and Louis Mantini attended a “kick-off” meeting for the start of the Peer Review for the Aucilla and Wacissa Rivers and Priority Springs MFLs, and the Econfina River MFL.

Resource Management

- Pat Webster, Brian Kauffman, Jamie Bell, Tim Sagul and Brian Brooker participated in the State Lands Training in Jacksonville.
Pat Webster, Brian Kauffman and Brian Brooker attended Dam Safety Training Workshop in Brandon.

Communications

- Abby Johnson published two press releases, “Hydrologic conditions for the month of September 2015,” and “Landscape irrigation frequency ‘falls back’ November 1.”
- Staff addressed a public records request from Lake City Reporter regarding for the poultry operation in Columbia County.
- Steve Minnis addressed a media inquiry from Clay Today regarding the resource benefits associated with the recently acquired South Rayonier Tract.
- Steve Minnis address a media inquiry from WJAX TV regarding the poultry operation in Columbia County.

Announcements for the week of November 2

The 4th Legislative Interim Committee Week is scheduled for the week of November 2.