

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

**OPEN TO THE PUBLIC**

January 12, 2016  
9:00 a.m.

District Headquarters  
Live Oak, 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 - Approval of Minutes – December 8, 2015, Governing Board Meeting Workshop Minutes
  - Agenda Item 8 - Approval of November 2015 Financial Report
6. Approval of Minutes – December 8, 2015, Governing Board Meeting Workshop Minutes - **Recommend Consent**
7. Items of General Interest for Information/Cooperating Agencies and Organizations
  - A. Presentation of Hydrologic Conditions by Tom Mirti, Bureau Chief, Water Resource Division
  - B. Cooperating Agencies and Organizations: Columbia County Commission
  - C. Service Award: Brian Kauffman

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

No Items

**DIVISION OF ADMINISTRATION AND OPERATIONS**  
**Dave Dickens, Director**

AO Page 1

8. Approval of November 2015 Financial Report - **Recommend Consent**

AO Page 13

9. Authorization to Execute a Contract with Live Oak Management Group for Parking Lot Repair and Repaving Services at District Headquarters

- AO Page 14      10. Authorization for the Executive Director to Enter into a Contract with Florida Fish and Wildlife Commission to receive Grant Funds and Approval of Resolution 2016-01 to Amend the Fiscal Year 2016 Budget with Amendment No. 3 to include Unanticipated Revenues and Expenditures
- AO Page 19      11. Approval of Resolution Number 2016-02 Authorizing the Exchange of Real Properties to include 0.81acres ± of the District's 47 Bridge Tract and 2.38 acres ± of the District's Shingle Landing Tract with Property owned by Gilchrist County
- AO Page 27      12. Land and Facilities Operations Activity Summary Report
- AO Page 30      13. Land Acquisition and Disposition Activity Report

**DIVISION OF WATER SUPPLY**

**Carlos Herd, P.G., Director**

- WS Page 1      14. Initiation of Rule Development for Chapters 40B-8.071 and 40B-8.081, Florida Administrative Code for Minimum Flows and Levels for the Aucilla/Wacissa and Econfina Rivers and Associated Priority Springs
- WS Page 10     15. Approval to Enter into Contract for the January 2016 Florida Department of Environmental Protection Springs Agricultural Cost-Share Program

**DIVISION OF WATER RESOURCES**

**Tom Mirti, Interim Director**

Presentation on Continuous Water Quality Monitoring Data at District Springs

**DIVISION OF RESOURCE MANAGEMENT**

**Tim Sagul, P.E., Director**

- RM Page 1      16. Approval of Florida Department of Transportation Mitigation Plan 2016-2020
- RM Page 13     17. Authorization to Publish Notice of Rule Development and Notice of Proposed Rule to Amend Rules 40B-5.0011 and 40B-5.0091, Florida Administrative Code (F.A.C.), and File Rules and any Changes with the Department of State if no Objections are Received
- RM Page 16     18. Request for Authorization to Publish Notice of Rule Development and Notice of Proposed Rule to Amend Rule 40B-21.221, Florida Administrative Code (F.A.C.), and File Rule and any Changes with the Department of State if no Objections are Received
- RM Page 18     19. Permitting Summary Report

RM Page 22      20. Enforcement Status Report

**EXECUTIVE OFFICE**  
**Noah Valenstein, Executive Director**

EO Page 1      21. North Florida Regional Water Supply Partnership Stakeholder  
Committee Update

EO Page 2      22. District's Weekly Activity Reports  
  
23. Announcements

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

February 9, 2016

9:00 a.m. Board Meeting  
District Headquarters  
Workshop  
Lands Committee Meeting

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

24. 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

January 12, 2016  
Following the Governing Board Meeting

- Five-Year Strategic Plan Update
- Florida Forever Workplan Update

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  
December 8, 2015

District Headquarters  
Live Oak, Florida

Governing Board:

<b>Seat</b>	<b>Name</b>	<b>Office</b>	<b>Present</b>	<b>Not Present</b>
Aucilla Basin	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

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

Staff:

<b>Position</b>	<b>Name</b>	<b>Present</b>	<b>Not Present</b>
Executive Director	Noah Valenstein	X	
Gov. Affairs / Communications Director	Steve Minnis	X	
Administration & Operations Division Director	Dave Dickens	X	
Water Supply Division Director	Carlos D. Herd, P.G.	X	
Water Resources Division Interim Director	Tom Mirti	X	
Resource Mgmt. Division Director	Tim Sagul	X	
GB & HR Coordinator	Lisa Cheshire	X	

**Guests:**

Walter Brown, Branford FFA	Vivian Bielski, Andreyev Engineering, Inc.
Jimmy Wilkerson, Suwannee County School Board	Steve Gladin
Phil Leary, Adena South	Shane Wellendorf, Tall Timbers Research, Inc.
R.J. Bailer, Jefferson County	Julie Conley, Jefferson County
Jerry Scarborough, Suwannee County School Board	Paul Still, BSWCD
Stacy Young, Branford FFA	Merrilee Malwitz-Jipson, Our Santa Fe River
Hugh Thomas, FDACS	Pam Smith, Our Santa Fe River
Carolee Howe, Shenandoah Dairy	David Ward, Aucilla/Wacissa River Group
Shenley Neely, Levy County Planning Department	Linda Clemens, FDEP
Georgia Shemitz	Jim Tatum, Our Santa Fe River
Charles Schwab, FFB	Cliff Starling, FDACS
Jeff Hill	Officer Creech, FFWCC
Ray Hodge, Southeast Milk	Greg Bailey, NFPS

Jimmy Massey, Suwannee County  
Jim Guida, Progressive Water Resources  
Brian Kauffman, SRWMD  
Abby Johnson, SRWMD  
Warren Zwanka, SRWMD  
Robin Lamm, SRWMD  
Bill McKinstry, SRWMD

Jacqui Sulak, Florida Audubon  
Joe Haber, Progressive Water Resource  
Keith Rowell, SRWMD  
Bob Heeke, SRWMD  
Glenn Horvath, SRWMD  
Tyler Jordan, 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.

**Removed from Consent Agenda**

- Agenda Item 12 – Approval of High Springs Wellfield Timber Sale Agreement with Loncala, Inc.

Agenda Item No. 4 – Public Comment.

- Carolee Howe, Shenandoah Dairy - Thanks to Board for commitment to agriculture.
- Hugh Thomas, FDACS – Introduction of Cliff Starling, new FDACS staff member at District.
- Pam Smith, Out Santa Fe River – Thanks to Board for continued support and presented each Board member with Springs book.
- Paul Still – Water Supply Plan concerns and erosion concerns in Bradford County.
- Stacy Young, Branford FFA – Thanks to Board for support and potential vote on Branford Bend property.
- Merrilee Malwitz-Jipson, Our Santa Fe River - Moratorium on Water Use Permits over 100,000 gallons or more.

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

- Agenda Item 6 - November 12-13, 2015, Governing Board Meeting, Workshop Minutes, Lands Committee and Human Resources Meeting
- Agenda Item 9 - Approval of October 2015 Financial Report
- Agenda Item 10 - Fiscal Year 2015 Budget Amendment to Reconcile Account Codes
- Agenda Item 11 - Authorization to Purchase up to Three Vehicles as Approved in Fiscal Year 2016 Budget
- ~~Agenda Item 12 – Approval of High Springs Wellfield Timber Sale Agreement with Loncala, Inc.~~

**Removed from Consent Agenda**

MR. SCHWAB MADE A MOTION TO MOVE AGENDA ITEM 12 FROM THE CONSENT AGENDA TO THE REGULAR AGENDA AND APPROVE THE CONSENT ITEMS COLLECTIVELY. 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. 6 – Approval of Minutes.

- November 12-13, 2015, Governing Board Meeting, Workshop Minutes, Lands Committee and Human Resources Meeting

THE NOVEMBER 12-13, 2015 GOVERNING BOARD MEETING AND WORKSHOP 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 – Jerry Scarborough, Suwannee County School Board, thanked the Board in regards to Branford FFA and the Branford Bend agenda item being presented for approval.

**GOVERNING BOARD LEGAL COUNSEL**

Agenda Item No. 8 - Update on Legal Activities.

Tom Reeves provided an update to the Board regarding the Elizabeth Thomason Order Dismissing Petition, without Prejudice, in reference to ERP-023-225622-1.

**DIVISION OF ADMINISTRATION AND OPERATIONS**

Agenda Item No. 9 – Approval of October 2015 Financial Report. Approved on Consent.

Agenda Item No. 10 – Fiscal Year 2015 Budget Amendment to Reconcile Account Codes. Approved on Consent.

Agenda Item No. 11 – Authorization to Purchase up to Three Vehicles as Approved in Fiscal Year 2016 Budget. Approved on Consent.

Agenda Item No. 12 – Approval of High Springs Wellfield Timber Sale Agreement with Loncala, Inc. Dave Dickens, Department Director presented staff recommendation to the Governing Board to execute the High Springs Wellfield Timber Sale Agreement with Loncala, Inc.

MR. SCHWAB MADE A RECOMMENDATION TO AMEND THE RECOMMENDATION TO INCLUDE WHOLE TREE CHIPPING WITH HARDWOOD HARVESTING. THE MOTION TO ACCEPT THE RECOMMENDATION WAS MADE BY MR. WILLIAMS. THE MOTION WAS SECONDED BY MRS. JOHNS.

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

Mr. Jones was not present for Agenda Item No. 12.

Agenda Item No. 13 - Approval of Resolution Number 2015-27 Authorizing the Deed Conveyance of 167 Acres +/- Branford Bend Surplus Tract to Suwannee County School Board. Keith Rowell, Surveyor, presented staff recommendation to the Governing Board to approve and execute Resolution 2015-27 authorizing the conveyance of land owned by the Suwannee River Water Management District to the School Board Of Suwannee County, Florida and Authorize the Chair and Secretary of the Governing Board, the Executive Director of the District, the Governing Board Attorney and all other officers and Employees of the District to do all things necessary to close and complete the conveyance.

MRS. SANCHEZ MADE A MOTION TO APPROVE AND EXECUTE RESOLUTION 2015-27 AUTHORIZING THE CONVEYANCE OF LAND OWNED BY THE SUWANNEE RIVER WATER MANAGEMENT DISTRICT TO THE SCHOOL BOARD OF SUWANNEE COUNTY, FLORIDA AND AUTHORIZE THE CHAIR AND SECRETARY OF THE GOVERNING BOARD, THE EXECUTIVE DIRECTOR OF THE DISTRICT, THE GOVERNING BOARD ATTORNEY AND ALL OTHER OFFICERS AND EMPLOYEES OF THE DISTRICT TO DO ALL THINGS NECESSARY TO CLOSE AND COMPLETE THE CONVEYANCE. THE MOTION WAS SECONDED BY MR. SCHWAB. 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. 14 – Authorization to Declare a Portion of the Bay Creek Tract, Consisting of 55 +/- Acres, Surplus Lands. Mr. Dickens presented staff recommendation to the Governing Board to declare a 55 ± acre parcel within the Bay Creek Tract as no longer needed for Conservation purposes and staff requests authorization to offer the parcel to the Board of Trustees of the Internal Improvement Trust Fund, conduct appraisals on the property, to contract with qualified Real Estate Brokers for marketing the property and contract with qualified Surveyors if the need arises to prepare a legal description.

MR. WILLIAMS MADE A MOTION TO DECLARE A 55 ± ACRE PARCEL WITHIN THE BAY CREEK TRACT AS NO LONGER NEEDED FOR CONSERVATION PURPOSES AND STAFF REQUESTS AUTHORIZATION TO OFFER THE PARCEL TO THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND, CONDUCT APPRAISALS ON THE PROPERTY, TO CONTRACT WITH QUALIFIED REAL ESTATE BROKERS FOR MARKETING THE PROPERTY AND CONTRACT WITH QUALIFIED SURVEYORS IF THE NEED ARISES TO PREPARE A LEGAL DESCRIPTION. 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. 15 – Authorization to Conduct a Detailed Assessment and Commence Negotiations on Lands Owned by Ware Forest, LLC, 160 acres +/- in Jefferson County. Mr. Rowell presented staff recommendation to the Governing Board to authorize staff to conduct a detailed assessment and commence negotiations with Ware Forest, LLC on 160 acres +/- in Jefferson County.

David Ward, R. J. Baylor, Shane Wellingdorf and Julie Conley provided comments to the Board.

MRS. SANCHEZ MADE A MOTION TO AUTHORIZE STAFF TO CONDUCT A DETAILED ASSESSMENT AND COMMENCE NEGOTIATIONS WITH WARE FOREST, LLC ON 160 ACRES +/- IN JEFFERSON COUNTY. 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 – Authorization to Execute a Contract for the Sale of Timber with Genesis Timber, for the Steinhatchee Springs #15 Timber Sale. Mr. Dickens presented staff recommendation to the Governing Board to authorize the Executive Director to execute a Contract for the sale of timber with Genesis Timber for the Steinhatchee Springs #15 Timber Sale.

Mr. Williams publically announced a conflict of interest and abstained from voting on Agenda Item 16. A Conflict of Interest Form was completed and signed by Mr. Williams. This form is hereby made part of these minutes and is filed in the permanent Governing Board meeting minutes files of the District.

MRS. SANCHEZ MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT FOR THE SALE OF TIMBER WITH GENESIS TIMBER FOR THE STEINHATCHEE SPRINGS #15 TIMBER SALE. 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, AND QUINCEY.)

Agenda Item No. 17 – Authorization to Execute a Contract for the Sale of Timber with Suwannee Timber Management, LLC. for the Steinhatchee Springs #16 Timber Sale. Mr. Dickens presented staff recommendation to the Governing Board to authorize the Executive Director to Execute a Contract for the sale of timber with Suwannee Timber Management, LLC for the Steinhatchee Springs #16 Timber Sale.

Mr. Williams publically announced a conflict of interest and abstained from voting on Agenda Item 17. A Conflict of Interest Form was completed and signed by Mr. Williams. 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 AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT FOR THE SALE OF TIMBER WITH SUWANNEE TIMBER MANAGEMENT, LLC FOR THE STEINHATCHEE SPRINGS #16 TIMBER SALE. 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, AND QUINCEY.)

Agenda Item No. 18 – 2015 Annual Land Management Report. The 2015 Land Management Report was provided as an informational item in the Board materials.

Agenda Item No. 19 - Land and Facilities Operations Activity Summary. The Land and Facilities Operations Activity Summary was provided as an informational item in the Board materials.

Agenda Item No. 20 - Land Acquisition and Disposition Activity Report. The Land Acquisition and Disposition Activity Report was provided as an informational item in the Board materials.

#### **DIVISION OF WATER SUPPLY**

No Items.

#### **DIVISION OF WATER RESOURCES**

Agenda Item No. 21 – Authorization to Update Surface Water Improvement and Management Priority List. Tom Mirti, Interim Water Resources Director, presented staff recommendation to the Governing Board to authorize staff to update the Surface Water Improvement and Management (SWIM) Priority List.

MR. JONES MADE A MOTION TO AUTHORIZE STAFF TO UPDATE THE SURFACE WATER IMPROVEMENT AND MANAGEMENT (SWIM) PRIORITY LIST. 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.)

### **DIVISION OF RESOURCE MANAGEMENT**

Agenda Item No. 22 - Authorization to Modify Lafayette County's RIVER Grant Scope of Work. Brian Kauffman, Senior Engineer, presented staff recommendation to the Governing Board to authorize the Executive Director to modify Lafayette County's 2014 RIVER Grant scope of work back to their original request.

MRS. SANCHEZ MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO MODIFY LAFAYETTE COUNTY'S 2014 RIVER GRANT SCOPE OF WORK BACK TO THEIR ORIGINAL REQUEST. THE MOTION WAS SECONDED BY MR. SCHWAB. 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. 23 - Contract with AMEC Foster Wheeler for FEMA FY2014 Risk MAP Services. Mr. Kauffman presented staff recommendation to authorize the Executive Director to enter into a contract with AMEC Foster Wheeler Environment & Infrastructure, Inc., for an amount not-to-exceed \$464,568, for FEMA FY2014 PPC RiskMAP Services.

MRS. SANCHEZ MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH AMEC FOSTER WHEELER ENVIRONMENT & INFRASTRUCTURE, INC., FOR AN AMOUNT NOT-TO-EXCEED \$464,568; FOR FEMA FY2014 PPC RISKMAP SERVICES. 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. 24 – Contract with ATKINS for FEMA FY2014 PMC Risk MAP Services. Mr. Kauffman presented staff recommendation to authorize the Executive Director to enter into contract with Atkins for an amount not-to-exceed \$162,371, for FEMA FY2014 PMC RiskMAP Services.

MR. JONES MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACT WITH ATKINS FOR AN AMOUNT NOT-TO-EXCEED \$162,371; FOR FEMA FY2014 PMC RISKMAP SERVICES. 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 - Authorization to Repair Hill Dam. Mr. Kauffman presented staff recommendation to authorize the Executive Director to enter into contracts as needed to repair the Hill Dam for an amount not-to-exceed \$120,000.

MR. JONES MADE A MOTION TO ENTER INTO CONTRACTS AS NEEDED TO REPAIR THE HILL DAM FOR AN AMOUNT NOT-TO-EXCEED \$120,000. 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. 26 - Approval of a Modification of Water Use Permit 2-075-221844-2, with a 0.0825 mgd Increase in Allocation, Authorizing the Use of 0.9718 mgd of Groundwater for Agricultural Uses at the Sleepy Creek Lands Farm Project, Levy County. Warren Zwanka, Senior Hydrologist, presented staff recommendation to approve Water Use Permit number 2-075-221844-2 with seventeen standard conditions and nine special limiting conditions, to Sleepy Creek Lands, LLC in Levy County.

Steve Gladin and Phil Leary provided comments to the Board.

MRS. SANCHEZ MADE A MOTION TO APPROVE WATER USE PERMIT NUMBER 2-075-221844-2 WITH SEVENTEEN STANDARD CONDITIONS AND NINE SPECIAL LIMITING CONDITIONS, TO SLEEPY CREEK LANDS, LLC IN LEVY COUNTY. THE MOTION WAS SECONDED BY MR. SCHWAB. 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. 27 – Permitting Summary Report. The Permitting Summary Report was provided as an informational item in the Board materials.

Agenda Item No. 28 – Enforcement Status Report. The Enforcement Status Report was provided as an informational item in the Board materials.

## **EXECUTIVE OFFICE**

Agenda Item 29 – Approval of Fiscal Year 2016-2017 Preliminary Budget. Noah Valenstein, Executive Director, presented staff recommendation to the Governing Board to approve the Preliminary Fiscal Year 2017 Budget of \$33,676,525 authorize the Executive Director to make as recommended by the Office of the Governor or the Florida Department of Environmental Protection adjustments and corrections, and submit the Standard Format Preliminary Budget to the Governor's Office and Legislature by January 15, 2016.

MRS. SANCHEZ MADE A MOTION TO APPROVE THE PRELIMINARY FISCAL YEAR 2017 BUDGET OF \$33,676,525 AUTHORIZE THE EXECUTIVE DIRECTOR TO MAKE AS RECOMMENDED BY THE OFFICE OF THE GOVERNOR OR THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION ADJUSTMENTS AND CORRECTIONS, AND SUBMIT THE STANDARD FORMAT PRELIMINARY BUDGET TO THE GOVERNOR'S OFFICE AND LEGISLATURE BY JANUARY 15, 2016. 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. 30 – 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.



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.

December 8, 2015  
 Following Board Meeting

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

Guests:

Merrilee Malwitz-Jipson, Our Santa Fe River	Pamela Smith, Our Santa Fe River
Joe Haber, Progressive Water Resources	Jim Guida, Progressive Water Resources
Jimmy Massey, Suwannee County	Shenley Neely, Levy County
Charles Shinn, Florida Farm Bureau	Cliff Starling, FDACS
Hugh Thomas, FDACS	Linda Clemens, FDEP
Georgia Schmitz	Jacqui Sulak, Florida Audubon
Steve Gladin	Paul Still, BSWCD
Tommy Kiger, SRWMD	Bebe Willis, SRWMD
Bill Mckinstry, SRWMD	Robin Lamm, SRWMD
Keith Rowell, SRWMD	Abby Johnson, SRWMD
Brian Kauffman, SRWMD	Glenn Horvath, SRWMD

The Board Workshop began at 12:08 p.m.

2015 Water Supply Assessment Discussion

Tommy Kiger presented the 2015 Water Supply Assessment update.

Gage Adjusted Radar Rainfall Data Collection Presentation

Tom Mirti presented a presentation of the history of gage-adjusted radar rainfall data collection since 2002 at the District, as well as the methodology and challenges of accurate data acquisition, processing and quality assurance.

The workshop adjourned at 1:40 p.m.

Lands Committee Meeting began at 1:48 p.m. and ended at 2:47 p.m.

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

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_

MEMORANDUM

TO: Governing Board

FROM: Dave Dickens, Division Director, Administration and Operations

DATE: December 31, 2015

RE: Approval of November 2015 Financial Report

RECOMMENDATION

**Staff recommends the Governing Board approve the November 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  
November 2015**

<b>ACCOUNT</b>	<b>Monthly Interest</b>	<b>Interest Rate %</b>	<b>Closing Balance</b>
Bank of America Permit Fee	-	-	\$235,227.84
First Federal Permit Fee	\$4.85	0.30%	\$19,116.72
First Federal Depository	\$1,927.33	0.58%	\$4,672,277.26
SPIA	\$57,926.99	1.52%	\$45,448,230.05
TOTAL	\$59,859.17		\$50,374,851.87

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

	<b>Current Budget</b>	<b>Actuals Through 11/30/2015</b>	<b>Variance (Under)/Over Budget</b>	<b>Actuals As A % of Budget</b>
<b>Sources</b>				
Ad Valorem Property Taxes	\$5,580,000	\$ 955,578	\$ (4,624,422)	17%
Intergovernmental Revenues	\$22,023,352	4,875,545	(17,147,806)	22%
Interest on Invested Funds	\$300,000	112,782	(187,218)	38%
License and Permit Fees	\$135,000	26,412	(108,588)	20%
Other	\$405,600	280,963	(124,637)	69%
Fund Balance	\$16,830,718	19,470	(16,811,248)	0%
<b>Total Sources</b>	<b>\$45,274,670</b>	<b>\$ 6,270,750</b>	<b>\$ (39,003,920)</b>	<b>14%</b>

	<b>Current Budget</b>	<b>Expenditures</b>	<b>Encumbrances <sup>1</sup></b>	<b>Available Budget</b>	<b>%Expended</b>	<b>%Obligated <sup>2</sup></b>
<b>Uses</b>						
Water Resources Planning and Monitoring	\$9,766,226	\$ 481,539	\$ 79,428	\$ 9,205,260	5%	6%
Acquisition, Restoration and Public Works	\$29,824,383	2,311,435	68,236	27,444,712	8%	8%
Operation and Maintenance of Lands and Works	\$2,613,661	175,939	3,939	2,433,783	7%	7%
Regulation	\$1,319,102	138,263	4,517	1,176,322	10%	11%
Outreach	\$245,482	38,986	-	206,496	16%	16%
Management and Administration	\$1,505,816	186,735	28,115	1,290,966	12%	14%
<b>Total Uses</b>	<b>\$45,274,670</b>	<b>\$ 3,332,896</b>	<b>\$ 184,235</b>	<b>\$ 41,757,539</b>	<b>7%</b>	<b>8%</b>

<sup>1</sup> Encumbrances represent unexpended balances of open purchase orders and contracts.

<sup>2</sup> Represents the sum of expenditures and encumbrances as a percentage of the available budget.

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

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

Recap of All Funds	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	6,270,749.93	0.00	45,274,670.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	685,537.64	0.00	5,882,926.00
TOTAL OTHER PERSONAL SERVICES	2,255,381.12	61,264.08	26,269,994.00
TOTAL EXPENSES	132,277.36	44,696.57	1,778,303.00
TOTAL CAPITAL OUTLAY	0.00	68,099.41	251,750.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	3,247,967.00
TOTAL INTERAGENCY	259,699.63	10,174.95	7,843,730.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>3,332,895.75</u>	<u>184,235.01</u>	<u>45,274,670.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>2,937,854.18</u>	<u>(184,235.01)</u>	<u>0.00</u>
NET CHANGE IN FUND BALANCE	19,470.30		

Fund 01: General Fund	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	(2,166,826.03)	0.00	11,252,278.47
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	405,452.22	0.00	3,577,840.00
TOTAL OTHER PERSONAL SERVICES	256,102.01	5,997.33	3,673,562.00
TOTAL EXPENSES	129,540.63	49,135.77	1,261,744.00
TOTAL CAPITAL OUTLAY	0.00	68,099.41	161,000.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	200,000.00
TOTAL INTERAGENCY	1,396.50	0.00	695,691.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>792,491.36</u>	<u>123,232.51</u>	<u>9,569,837.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>(2,959,317.39)</u>	<u>(123,232.51)</u>	<u>1,682,441.47</u>
<i>*Beginning of Fiscal Year; Revenues budgeted</i>			

Fund 04: Ichetucknee Springs	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	985.05	0.00	3,955,946.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	985.05	0.00	4,733,889.00
TOTAL 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	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>985.05</u>	<u>0.00</u>	<u>4,733,889.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>0.00</u>	<u>(777,943.00)</u>

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

Fund 05: Middle Suwannee	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	13,547.00	0.00	915,309.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	13,547.00	55,239.10	996,000.00
TOTAL 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	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>13,547.00</u>	<u>55,239.10</u>	<u>996,000.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>(55,239.10)</u>	<u>(80,691.00)</u>

Fund 06: Springs Appropriation 2014-15	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	1,954,381.44	0.00	10,129,374.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	3,252.51	0.00	71,374.00
TOTAL OTHER PERSONAL SERVICES	1,924,181.44	0.00	7,288,000.00
TOTAL 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	20,600.00	0.00	2,770,000.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>1,948,033.95</u>	<u>0.00</u>	<u>10,129,374.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>6,347.49</u>	<u>0.00</u>	<u>0.00</u>

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

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

Fund 08: WMLTF / Springs	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	4,087.01	0.00	1,131,490.53
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	66,058.26	0.00	465,124.00
TOTAL OTHER PERSONAL SERVICES	20,902.62	0.00	1,519,510.00
TOTAL EXPENSES	220.89	0.00	20,600.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY	0.00	10,174.95	345,000.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>87,181.77</u>	<u>10,174.95</u>	<u>2,350,234.00</u>
<b>EXCESS REVENUES OVER (UNDER) EXPENDITURES</b>	<u>(82,243.52)</u>	<u>(10,174.95)</u>	<u>(1,218,743.47)</u>
<i>*Excess to be covered by DEP Reimbursement Grant / Reserves</i>			

Fund 10: Florida Forever & P-2000	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	24,827.76	0.00	3,016,826.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	381.89	0.00	41,826.00
TOTAL OTHER PERSONAL SERVICES	10,748.00	0.00	2,275,000.00
TOTAL EXPENSES	0.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	700,000.00
TOTAL INTERAGENCY	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>11,129.89</u>	<u>0.00</u>	<u>3,016,826.00</u>
<b>EXCESS REVENUES OVER (UNDER) EXPENDITURES</b>	<u>13,697.87</u>	<u>0.00</u>	<u>0.00</u>

Fund 11: FEMA FY 2009	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	0.00	0.00	5,000.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	5,000.00
TOTAL 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	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>5,000.00</u>
<b>EXCESS REVENUES OVER (UNDER) EXPENDITURES</b>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

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

Fund 12: DOT ETDM	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	96.83	0.00	1,000.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	0.00	0.00	1,000.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	0.00
TOTAL 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	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>1,000.00</u>
<b>EXCESS REVENUES OVER (UNDER) EXPENDITURES</b>	<u><u>96.83</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>

Fund 13: WMLTF / Operations, Land Acquisition & Management	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	8,303.08	0.00	3,464,909.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	86,664.09	0.00	728,648.00
TOTAL OTHER PERSONAL SERVICES	11,106.00	0.00	974,000.00
TOTAL EXPENSES	116.73	(4,439.20)	423,209.00
TOTAL CAPITAL OUTLAY	0.00	0.00	15,000.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY	0.00	0.00	235,500.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>97,886.82</u>	<u>(4,439.20)</u>	<u>2,376,357.00</u>
<b>EXCESS REVENUES OVER (UNDER) EXPENDITURES</b>	<u><u>(89,583.74)</u></u>	<u><u>4,439.20</u></u>	<u><u>1,088,552.00</u></u>

*\*Excess to be covered by Carryover from FY 2015/Reserves*

Fund 15: ERP & Wetlands	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	13,022.80	0.00	518,000.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	80,345.08	0.00	564,906.00
TOTAL OTHER PERSONAL SERVICES	9,705.82	27.65	58,000.00
TOTAL EXPENSES	1,453.21	0.00	49,000.00
TOTAL CAPITAL OUTLAY	0.00	0.00	75,750.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY	0.00	0.00	19,000.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>91,504.11</u>	<u>27.65</u>	<u>766,656.00</u>
<b>EXCESS REVENUES OVER (UNDER) EXPENDITURES</b>	<u><u>(78,481.31)</u></u>	<u><u>(27.65)</u></u>	<u><u>(248,656.00)</u></u>

*\*Excess to be covered by State Appropriation and Reserves*

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

Fund 16: Water Well Permitting	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	10,404.18	0.00	35,000.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	10,014.09	0.00	113,402.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	14,500.00
TOTAL EXPENSES	0.00	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	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>10,014.09</u>	<u>0.00</u>	<u>132,402.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>390.09</u>	<u>0.00</u>	<u>(97,402.00)</u>

Fund 17: Water Use Permitting	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	3,220.00	0.00	35,000.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	30,622.11	0.00	297,808.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	25,500.00
TOTAL EXPENSES	901.90	0.00	19,250.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL INTERAGENCY	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>31,524.01</u>	<u>0.00</u>	<u>342,558.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>(28,304.01)</u>	<u>0.00</u>	<u>(307,558.00)</u>

*\*Excess to be covered by Reserves*

Fund 19: DOT Mitigation	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	2,984,093.52	0.00	4,070,998.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	2,747.39	0.00	20,998.00
TOTAL OTHER PERSONAL SERVICES	1,112.50	0.00	1,702,033.00
TOTAL EXPENSES	44.00	0.00	0.00
TOTAL CAPITAL OUTLAY	0.00	0.00	0.00
TOTAL FIXED CAPITAL OUTLAY	0.00	0.00	2,347,967.00
TOTAL INTERAGENCY	0.00	0.00	0.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>3,903.89</u>	<u>0.00</u>	<u>4,070,998.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>2,980,189.63</u>	<u>0.00</u>	<u>0.00</u>

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

Fund 29: SRP	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	3,215.06	0.00	175,000.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	0.00
TOTAL 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	0.00	0.00	175,000.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>0.00</u>	<u>0.00</u>	<u>175,000.00</u>
<b>EXCESS REVENUES OVER (UNDER) EXPENDITURES</b>	<u><u>3,215.06</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>

Fund 33: PCS Mitigation	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	252.05	0.00	0.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	0.00
TOTAL 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	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>
<b>EXCESS REVENUES OVER (UNDER) EXPENDITURES</b>	<u><u>252.05</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>

Fund 45: FEMA FY 2010	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	0.00	0.00	5,000.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	5,000.00
TOTAL 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	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>5,000.00</u>
<b>EXCESS REVENUES OVER (UNDER) EXPENDITURES</b>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>

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

Fund 48: FEMA FY 2011	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	0.00	0.00	250,000.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	250,000.00
TOTAL 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	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>250,000.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

Fund 51: District Ag Cost Share	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	1,301,552.37	0.00	1,300,000.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	1,300,000.00
TOTAL 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	0.00	0.00	40,000.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>0.00</u>	<u>0.00</u>	<u>1,340,000.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>1,301,552.37</u>	<u>0.00</u>	<u>(40,000.00)</u>

Fund 52: DACS	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
TOTAL REVENUES	115.55	0.00	250,000.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	250,000.00
TOTAL 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	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>250,000.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>115.55</u>	<u>0.00</u>	<u>0.00</u>

**STATEMENT OF ACTIVITY - REVENUE AND EXPENSE DETAIL (UNAUDITED)**  
**November 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>
<b>REVENUES</b>			
TOTAL REVENUES	2,009,605.02	0.00	2,007,500.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	6,990.68	0.00	0.00
TOTAL 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	237,703.13	0.00	2,007,500.00
TOTAL RESERVES	0.00	0.00	0.00
TOTAL EXPENSES	<u>244,693.81</u>	<u>0.00</u>	<u>2,007,500.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>1,764,911.21</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>
<b>REVENUES</b>			
TOTAL REVENUES	0.00	0.00	150,000.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	150,000.00
TOTAL 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	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>150,000.00</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>
<b>REVENUES</b>			
TOTAL REVENUES	21,016.00	0.00	150,000.00
<b>EXPENSES</b>			
TOTAL SALARIES AND BENEFITS	0.00	0.00	0.00
TOTAL OTHER PERSONAL SERVICES	0.00	0.00	150,000.00
TOTAL 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	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>150,000.00</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>21,016.00</u>	<u>0.00</u>	<u>0.00</u>

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

Fund 56: FEMA Grants	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
<b>TOTAL REVENUES</b>	0.00	0.00	450,000.00
<b>EXPENSES</b>			
<b>TOTAL SALARIES AND BENEFITS</b>	0.00	0.00	0.00
<b>TOTAL OTHER PERSONAL SERVICES</b>	0.00	0.00	450,000.00
<b>TOTAL EXPENSES</b>	0.00	0.00	0.00
<b>TOTAL CAPITAL OUTLAY</b>	0.00	0.00	0.00
<b>TOTAL FIXED CAPITAL OUTLAY</b>	0.00	0.00	0.00
<b>TOTAL INTERAGENCY</b>	0.00	0.00	0.00
<b>TOTAL RESERVES</b>	0.00	0.00	0.00
<b>TOTAL EXPENSES</b>	<u>0.00</u>	<u>0.00</u>	<u>450,000.00</u>
<b>EXCESS REVENUES OVER (UNDER) EXPENDITURES</b>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

Fund 60: Reimbursable Grants	<u>Y-T-D</u> <u>ACTUAL</u>	<u>ENCUM.</u>	<u>ANNUAL</u> <u>BUDGET</u>
<b>REVENUES</b>			
60-0431-0-2300-06-02-000-0000 FFWC - Edwards Bottomlands	0.00	0.00	250,000.00
60-0433-0-1103-02-00-000-0000 NFW Fdn Revenue (Oil Spill Response Grant)	0.00	0.00	200,000.00
60-0439-0-2400-05-01-000-0000 DOT Mitigation Revenue - Union County LAP CR 229	0.00	0.00	950,743.00
60-0439-0-2400-05-02-000-0000 DOT Mitigation Revenue - Union County LAP CR 241	0.00	0.00	499,696.00
<b>TOTAL REVENUES</b>	<u>0.00</u>	<u>0.00</u>	<u>1,900,439.00</u>
<b>EXPENSES</b>			
<b>TOTAL SALARIES AND BENEFITS</b>	0.00	0.00	0.00
<b>OTHER PERSONAL SERVICES</b>			
60-2586-0-1103-02-00-000-0000 Contr. Svcs - SWIM/Oil Spill Response	0.00	0.00	200,000.00
60-2586-0-2300-06-02-000-0000 Contr. Svcs - DOT Mitigation - Edwards Bottomlands (FWC Funds)	0.00	0.00	250,000.00
<b>TOTAL OTHER PERSONAL SERVICES</b>	<u>0.00</u>	<u>0.00</u>	<u>450,000.00</u>
<b>TOTAL EXPENSES</b>	0.00	0.00	0.00
<b>TOTAL CAPITAL OUTLAY</b>	0.00	0.00	0.00
<b>TOTAL FIXED CAPITAL OUTLAY</b>	0.00	0.00	0.00
<b>INTERAGENCY EXPENDITURES</b>			
60-6930-0-2400-05-01-000-0000 Interag Expend - Union County LAP - CR 229	0.00	0.00	950,743.00
60-6930-0-2400-05-02-000-0000 Interag Expend - Union County LAP - CR 241	0.00	0.00	499,696.00
<b>TOTAL INTERAGENCY</b>	<u>0.00</u>	<u>0.00</u>	<u>1,450,439.00</u>
<b>TOTAL RESERVES</b>	0.00	0.00	0.00
<b>TOTAL EXPENSES</b>	<u>0.00</u>	<u>0.00</u>	<u>1,900,439.00</u>
<b>EXCESS REVENUES OVER (UNDER) EXPENDITURES</b>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

MEMORANDUM

TO: Governing Board  
FROM: Dave Dickens, Division Director, Administration and Operations  
DATE: December 31, 2015  
RE: Authorization to Execute a Contract with Live Oak Management Group for Parking Lot Repair and Repaving Services at District Headquarters.

RECOMMENDATION

**Staff recommends the Governing Board authorize the Executive Director to execute a Contract with Live Oak Management Group for Parking Lot Repair and Repaving Services at District Headquarters.**

BACKGROUND

On October 23, 2015 the District issued an Invitation to Bid (15/16-004AO) for Parking Lot Repair and Repaving Services at the District headquarters in Live Oak, Florida. A mandatory pre-bid meeting was held at the District on November 10, 2015. This project includes, but is not limited to repairing, repaving, recoating and restriping parking lot and driveway. It will be constructed to Florida Department of Transportation standards. The purpose of the project is to repair cracks, potholes, root damage, asphalt over laps, sidewalk damage and additional pavement at specific locations. The District requested the bidders to provide costs in a phased approach.

Phase 1 (Base Bid)	Includes repair and resurface/overlay of entry driveways, front parking lot and rear driveway up to rear parking lot
Phase 2 (Alternative Bid 1)	Includes repair and resurface/overlay of rear parking lot and lab parking area
Phase 3 (Alternative Bid 2)	Includes repair and recoat asphalt around metal building

Bids were received on December 1, 2015 from the following companies.

Bidder	City	Phase 1	Phase 2	Phase 3	Total
Live Oak Mgt Group	Live Oak	\$31,963.00	\$25,535.00	\$2,800.00	\$60,298.00
Art Walker Construction	Lowell	\$69,888.00	\$68,104.00	\$12,000.00	\$149,992.00
Anderson Columbia	Lake City	\$89,282.31	\$89,922.15	\$16,266.80	\$195,471.26

All bidders were required to provide commercial references. The District contacted the references provided by Live Oak Management Group, LLC and found past performance to be favorable for the requested services. Funds were included in the FY 2016 budget under code 01-2-586-0-3300-01.

WWI/pf

MEMORANDUM

TO: Governing Board

FROM: Dave Dickens, Division Director, Administration and Operations

DATE: December 31, 2015

RE: Authorization for the Executive Director to enter into a contract with Florida Fish and Wildlife Commission to receive Grant Funds and Approval of Resolution 2016-01 to Amend the Fiscal Year 2016 Budget with Amendment No. 3 to include Unanticipated Revenues and Expenditures

RECOMMENDATION

**Staff recommends the Governing Board authorize the Executive Director to enter into a contract with the Florida Fish and Wildlife Conservation Commission (FFWCC) to receive grant funds in the amount of \$20,000 and approve Resolution 2016-01 to amend the Fiscal Year 2016 Budget from \$45,274,670 to \$45,294,670 with Amendment No. 3 to include unanticipated revenues and expenditures from FFWCC.**

BACKGROUND

The Florida Fish and Wildlife Conservation Commission (FFWCC) and the Florida Chapter of the National Wild Turkey Federation are cooperators in a grant program that provides funding for habitat improvement projects that benefit wild turkey populations as well as other game and non-game species. Funding can be used for activities such as mechanical vegetation treatments, chemical treatments, and the use of prescribed fire. Under this contract, funding will be used to help conduct prescribed fire work in Mallory Swamp where the use of prescribed fire also coincides with the District's vegetation management and wetland restoration goals, as well as protecting against the damaging effects of wildfire.

Under this contract, \$20,000 in grant funding would be used to cover the cost of a helicopter to conduct aerial burning operations on approximately 3,000 acres in Mallory Swamp. The District will contribute an additional \$90,000 to cover all other personnel and equipment costs to complete these prescribed burning operations.

All grant funds from this contract will be expended by the end of Fiscal Year (FY) 2016. The District's contribution is included in the FY 2016 Prescribed Fire Services budget. The program code for the FFWCC grant is 01-2-586-0-3100-04-03.

SG/pf  
Attachments



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 Prescribed Fire Services Budget will be the increase in revenues of \$20,000 from grant money received from the FFWCC.

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT**

**RESOLUTION NO. 2016-01**

**AMENDING THE FISCAL YEAR 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. 2015-24, 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 December 31, 2015, requesting Amendment No. 03, to the Fiscal Year 2016 budget.
2. Budget Amendment No. 03 provides an increase in budget authority and revenue in the amount of \$20,000 to provide financial assistance for prescribed burning services in the Mallory Swamp Wildlife Management Area.

**PASSED AND ADOPTED THIS 12th DAY OF JANUARY, 2016 A.D.**

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

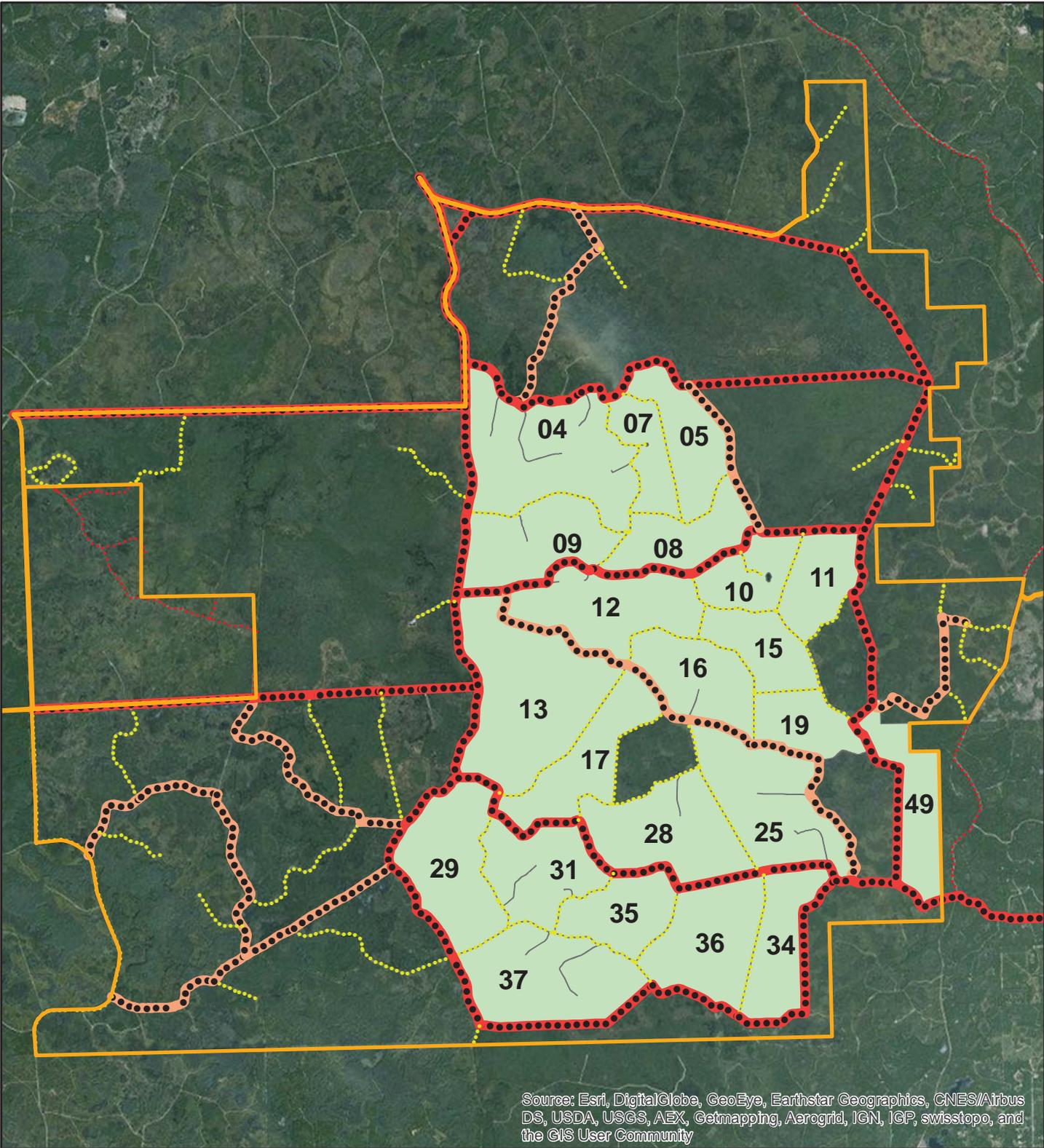
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**MEMBERS OF THE BOARD:**

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

**ATTEST:**

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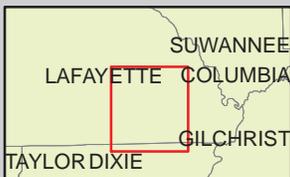
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

**Legend**

- LAM\_Tracts
- Access
- Admin
- Private
- Public
- Secondary
- 2016\_Mallory\_Swamp



## 2016 Mallory Swamp Burn Units



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 11/30/2015

## MEMORANDUM

TO: Governing Board

FROM: Dave Dickens, Division Director, Administration and Operations

DATE: December 31, 2015

RE: Approval of Resolution Number 2016-02 Authorizing the Exchange of Real Properties to include 0.81 acres ± of the District's 47 Bridge Tract and 2.38 acres ± of the District's Shingle Landing Tract with Property owned by Gilchrist County

### RECOMMENDATION

**Staff recommends the Governing Board approve and execute Resolution 2016-02 authorizing the Exchange of land owned by the Suwannee River Water Management District to the Board of County Commissioners of Gilchrist County, Florida and Authorize the Chair and Secretary of the Governing Board, the Executive Director of the District, the Governing Board Attorney and all other officers and Employees of the District to do all things Necessary to close and complete the conveyance.**

### BACKGROUND

District staff is requesting approval to exchange approximately 0.81 acres ± at the Shingle Landing Tract Boat Ramp and 2.38 acres ± at the 47 Bridge Tract Boat Ramp for 2.27 acres which is owned by Gilchrist County adjacent to the Shingle Landing Tract.

The 0.81-acre parcel is current managed by Gilchrist County under a contractual Agreement (12/13-036) for the management of the Shingle Landing boat ramp along the Suwannee River. The District parcel is maintained by the County as part of the larger boat ramp facility. It contains paved parking, paved road network, retention ponds, and other facilities.

The 2.38-acre parcel is adjacent to the Gilchrist County boat ramp along the Santa Fe River. The County needs to extend its access to the boat ramp for public safety. This planned extension will require the partial development of the proposed parcel for the access road.

The 2.27-acre exchange parcel that the District would receive is adjacent to the Shingle Landing Tract and would be an added benefit to operations and management of the FWC Wildlife Management Area. The District and FWC may cooperate in the construction of a small parking area on the parcel.

This exchange was recommended for approval by the Lands Committee at its December 8, 2015 meeting.

KR/pf  
Attachments

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT**

**RESOLUTION NO. 2016-02**

**RESOLUTION APPROVING THE EXCHANGE OF LAND OWNED BY THE SUWANNEE RIVER WATER MANAGEMENT DISTRICT TO THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA AND AUTHORIZING THE CHAIR AND SECRETARY OF THE GOVERNING BOARD, THE EXECUTIVE DIRECTOR OF THE DISTRICT, THE GOVERNING BOARD ATTORNEY AND ALL OTHER OFFICERS AND EMPLOYEES OF THE DISTRICT TO DO ALL THINGS NECESSARY TO COMPLETE THE CONVEYANCE.**

**WHEREAS**, the SUWANNEE RIVER WATER MANAGEMENT DISTRICT, an agency of the State of Florida (hereinafter the "DISTRICT") was created pursuant to Section 373.069(1)(b), Florida Statutes and exercises its statutory powers pursuant to Ch. 373, Florida Statutes; and,

**WHEREAS**, the DISTRICT owns certain tracts of real property located in Gilchrist County, Florida, containing 0.81 acres and 2.38 acres, more or less, at the Shingle Landing Boat Ramp and 47 Bridge Tract Boat Ramp, (hereinafter the "DISTRICT PROPERTY"). A map showing the DISTRICT PROPERTY is attached hereto as Exhibit "A"; and

**WHEREAS**, the BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA (hereinafter "GILCHRIST COUNTY") own a certain tract of real property located in Gilchrist County, Florida, containing 2.27 acres more or less, adjacent to the DISTRICT's Shingle Landing Tract, (hereinafter the "GILCHRIST COUNTY PROPERTY"). A map showing the GILCHRIST COUNTY PROPERTY is attached hereto as Exhibit "A"; and

**WHEREAS**, it is to the mutual benefit of the parties that the DISTRICT PROPERTY be conveyed to the BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA (hereinafter "GILCHRIST COUNTY"); and that the GILCHRIST COUNTY PROPERTY be conveyed to the DISTRICT; and

**WHEREAS**, the conveyance is consistent with sections 373.056, Florida Statutes (F.S.); and

**WHEREAS**, the DISTRICT PROPERTY is no longer needed for conservation purposes; and

**WHEREAS**, said exchange is in the public interest, for the public convenience and welfare, and for the public benefit.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Board of the Suwannee River Water Management District:

- (1) The above recitals are hereby approved and incorporated herein as an integral part hereof.
- (2) The exchange of the DISTRICT PROPERTY FOR GILCHRIST COUNTY PROPERTY is hereby approved.

- (3) The Chair and Secretary of the GOVERNING BOARD, the Executive Director of the DISTRICT, the GOVERNING BOARD attorney and all other officers and employees of the DISTRICT are hereby authorized and directed to execute and deliver to GILCHRIST COUNTY a deed conveying the DISTRICT PROPERTY and accept a deed from GILCHRIST COUNTY conveying the GILCHRIST COUNTY PROPERTY and otherwise do all things necessary to close and complete the transaction.
- (4) The above statements are hereby certified and declared to be true and correct, and the conveyance of the PROPERTY is hereby further certified to be consistent with this DISTRICT's plan of acquisition and Section 373.056(4), F. S.

**PASSED AND ADOPTED BY NOT LESS THAT TWO (2/3) THIRDS OF THE MEMBERSHIP OF ITS GOVERNING BOARD THIS \_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.**

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

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**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:**

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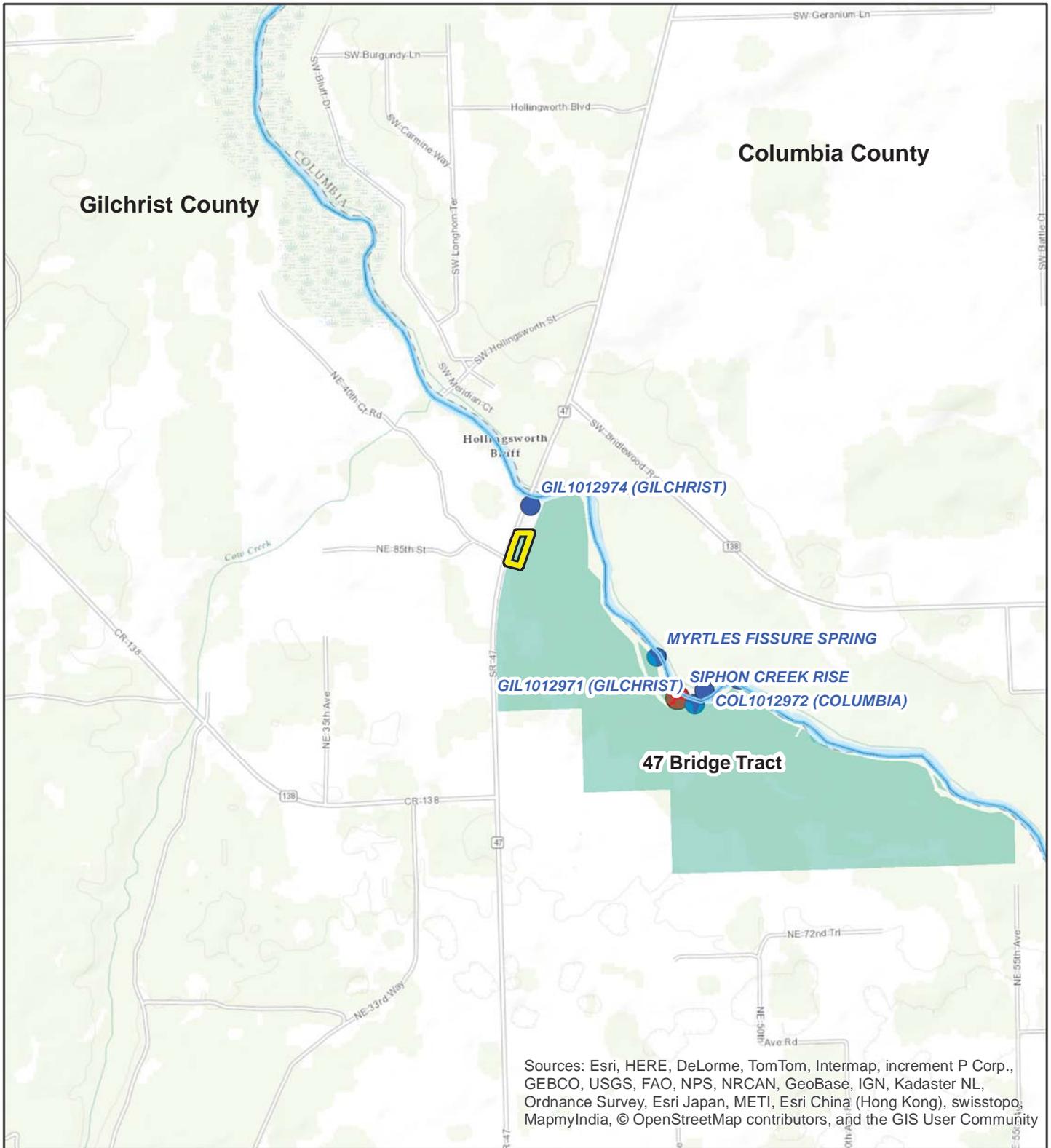
-  SRWMD Ownership
-  District Property (0.81 ac.)
-  Gilchrist County Property (2.27 ac.)
-  1st Magnitude Spring
-  2nd Magnitude Spring

### Shingle Landing Exchange Overview Map



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 7/13/2015

EXHIBIT A



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

-  Proposed District Property Transfer 2.38 AC +/-
-  SRWMD Ownership
-  Santa Fe River
-  1st Magnitude Spring
-  2nd Magnitude Spring

### 47 Bridge Tract Location Map



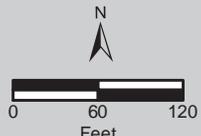
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EXHIBIT A



-  District Property
-  Proposed District Property Transfer
-  Proposed New Entrance Road

**47 Bridge Tract**  
Gilchrist County  
Boat Ramp Improvements



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## MEMORANDUM

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

The District hosted the quarterly land and facilities Inter-Water Management District Coordination Meeting on December 4 and 5, 2015.

Dave Dickens attended the first Interagency Natural Resource Planning Partnership Group meeting on December 1 and 2, 2015 concerning Gap Analysis, which is tasked with identifying information needs for inclusion in GIS mapping for assessing where valuable ecosystem services overlap.

Contractors will begin construction and maintenance of hydrological improvements and roads in the Northwest Region on December 21, 2015.

The US Forest Service and Florida Trail Association has completed construction of the Bridge on the District's Swift Creek Tract in Hamilton County.

District staff added new kiosk panels on the Gar Pond tract at the Pitt Pond parking area and Falmouth Springs.

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**

	<b>2016 Target Acres</b>	<b>Acres Complete</b>
SRWMD	11,000	5,247
FFS TRSF	2,000	0
<b>TOTAL</b>	<b>13,000</b>	<b>5,247</b>

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

**FY 2016 Activity Table (10/1 - 12/11)**

TRACT	COUNTY	B&B	NRPS	WFS	FFS COOP	FFS TRSF	Total Acres	Total Wildfire Acres
<b>Mallory Swamp</b>	<b>Lafayette</b>			4,543			4,543	
<b>Manatee Springs South</b>	<b>Levy</b>		158				158	
<b>Steinhatchee Springs</b>	<b>Lafayette</b>				546		546	
<i>Sub-total for Period</i>		0	158	4,543	546	0	5,247	0.00
<i>Previous Acres Burned</i>		0	0	0	0	0		
<b>Total Acres</b>		<b>0</b>	<b>158</b>	<b>4,543</b>	<b>546</b>	<b>0</b>		

## Timber Sales

- Mill Creek North #4 harvesting started on August 6, 2015 and was completed on December 3, 2015.
- Devils Hammock #1 sale harvesting started on July 23, 2015. The crew had to move off on July 27 due to heavy rains. Staff extended the contract by the number of days that the logger could not work due to saturated soils. Harvesting was completed on December 10, 2015.
- Cabbage Grove #1 timber sale harvest was completed earlier than the contracted time.
- Steinhatchee Springs #13 preharvest meeting was held on October 19, 2015; and harvesting started on November 5, 2015.
- Steinhatchee Springs #14 preharvest meeting was held on September 29; and harvesting started on December 4, 2015.
- Steinhatchee Springs #15 and #16 the Board approved the bids on December 8, 2015. Contracts are being drafted.

Tract	Contract	Acres	Tons Harvested	Revenue	Status	Contract End Date
Mill Creek North #4	14/15-049	211	9,446	\$261,766.24	Harvest Complete	December 22, 2015
Devils Hammock #1	14/15-182	51	169	\$1,348.00	Harvest Complete	December 25, 2015
Cabbage Grove #1	14/15-196	189	7,839	\$186,755.84	Harvest Complete	August 31, 2016
Steinhatchee Springs #13	14/15-198	241	5,262	\$91,033.88	Harvest Underway	August 30, 2016
Steinhatchee Springs #14	14/15-197	172			Harvest Underway	August 31, 2016

## Conservation Easement Monitoring

- Drummond Pond, LLC - Drummond Pond Easement in Levy County: The inspection is complete and the report is being drafted.
- Meetings were held regarding Dixie Plantation, California Swamp and Donald Bailey easements.

MEMORANDUM

TO: Governing Board

FROM: Dave Dickens, Division Director, Administration and Operations

DATE: December 31, 2015

RE: Land Acquisition and Disposition Activity Report

**Approved for Detailed Assessment**

<b>Owner</b>	<b>Project Name</b>	<b>Acres</b>	<b>County</b>	<b>Comments</b>
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.
BTG_Pactual MoDOT Tract	Camp Blanding Buffers – BTG Pactual	630+/-	Bradford	Detailed assessment to begin upon receipt of executed CDA from BTG Pactual.
Jerry Coker, etal	Lumber Camp Springs	37 +/-	Gilchrist	Detailed Assessment Approved 11/12/2015 by Governing Board.
Ware Forest, LLC	Ware Forest	160 +/-	Jefferson	Detailed Assessment Approved 12/08/2015 by Governing Board.

**Authorized for Purchase**

<b>Owner</b>	<b>Project Name</b>	<b>Acres</b>	<b>County</b>	<b>Comments</b>
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, Property Deeded to City of Starke on November 24, 2015.

**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: December 28, 2015

RE: Initiation of Rule Development for Chapters 40B-8.071 and 40B-8.081, Florida Administrative Code for Minimum Flows and Levels for the Aucilla/Wacissa and Econfina Rivers and Associated Priority Springs

### RECOMMENDATION

**Staff recommends the Governing Board authorize initiation of rule development for Chapters 40B-8.071 and 40B-8.081, Florida Administrative Code, for Minimum Flows and Levels for the Aucilla/Wacissa and Econfina Rivers and associated Priority Springs.**

### BACKGROUND

The Aucilla/Wacissa and Econfina river systems are located in the western portion of the District in Jefferson, Madison, and Taylor counties. Minimum Flows and Levels (MFLs) technical documentation for these three rivers was completed in September 2015. These systems and their associated priority springs do not show evidence of the effects of water use; therefore, neither system is in recovery.

Two meetings were held to receive public comment, first on the proposed work effort and subsequently on the technical results. An independent scientific peer review of the MFL documents found no significant issues with the scientific or technical data, methodologies, models, or assumptions.

The above recommendation will allow staff to initiate development of rules for each system based on the final peer reviewed technical results. Once these draft rules have been developed, they will be brought back to the Governing Board for rule making approval.

JG/dd  
Attachment

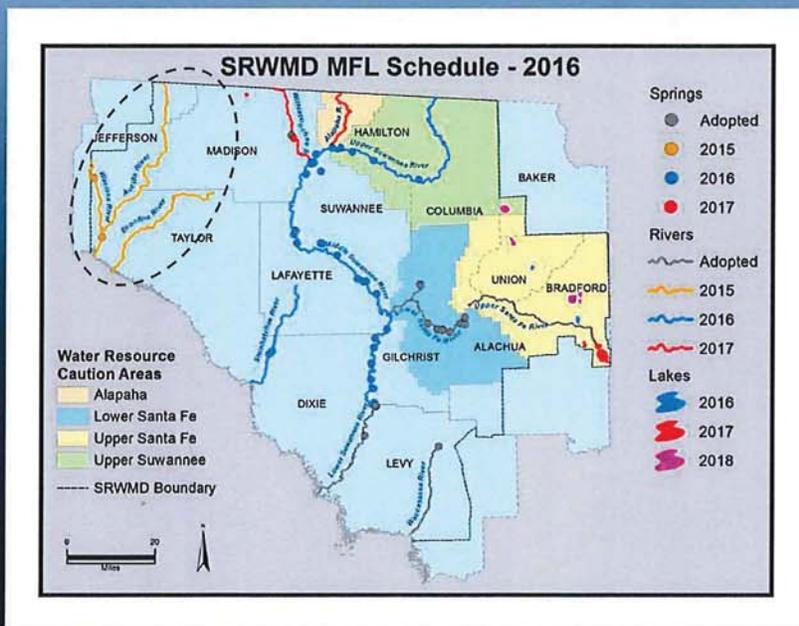
# Minimum Flows and Levels

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## The Econfina & Aucilla/Wacissa River Systems

SRWMD Governing Board  
January 12, 2016

John C. Good, P.E.  
Division of Water Supply



## MFL Setting Process

- Gather & evaluate data
- Analysis of hydrology and biology data
- Draft the MFL document
- Peer Review and public release for comments
- **Board authorize initiation of rule development**
- Board authorize rule making
- Rule promulgation

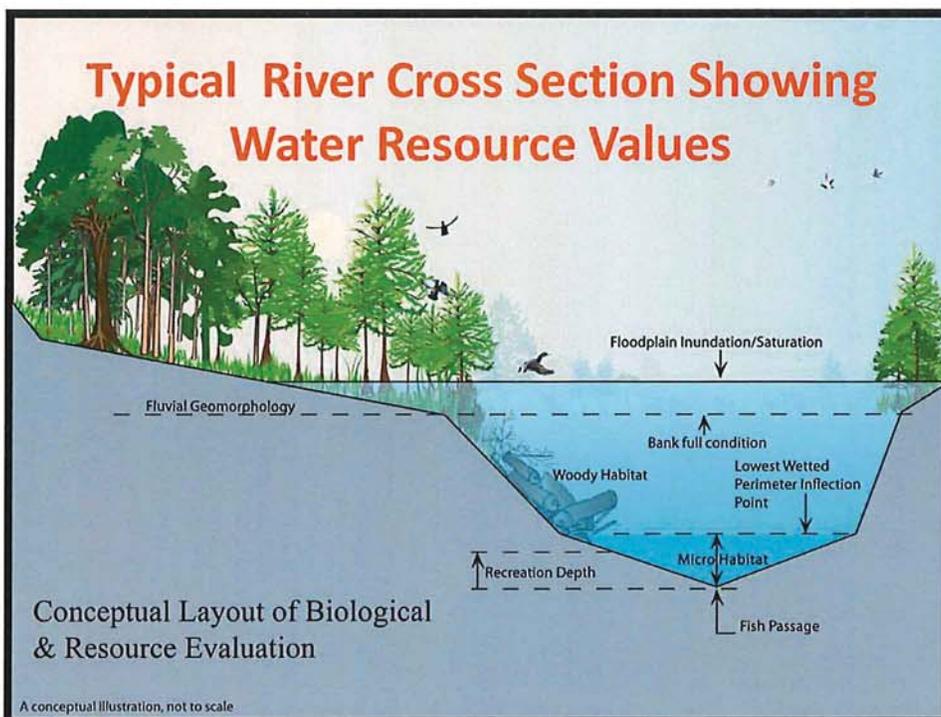
## Minimum Flows and Levels

- Required by Chapter 373, F.S.
- Determines how much water is needed to maintain the health of rivers, springs, lakes and aquifers
- “The minimum flow for a given watercourse shall be the **limit** at which further **withdrawals** would be **significantly harmful** to the water resources or ecology of the area.”

## MFL Working Definition

An MFL is an acceptable alternative hydrologic regime that:

- approximates the natural regime, and
- is adequate to meet resource and ecological values.



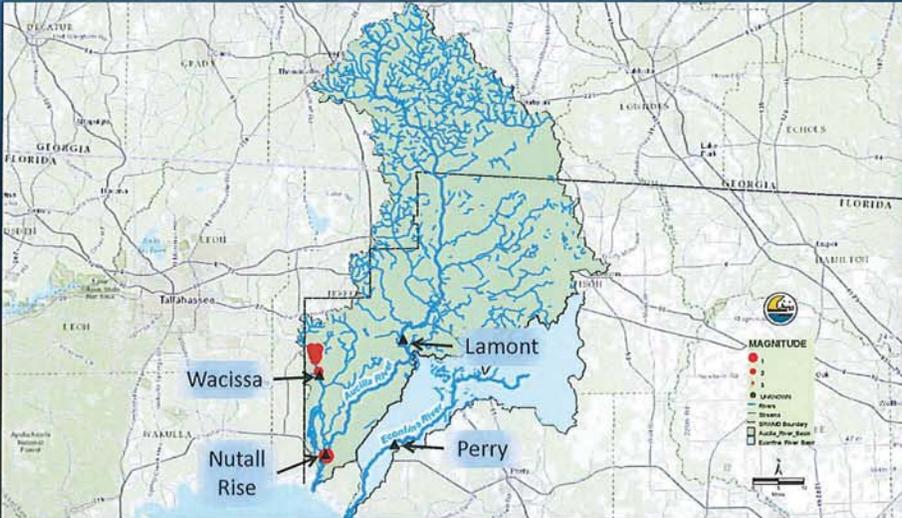
Suwannee River Water Management District 

## 62-40 F.A.C. Ecological and Water Resource Values

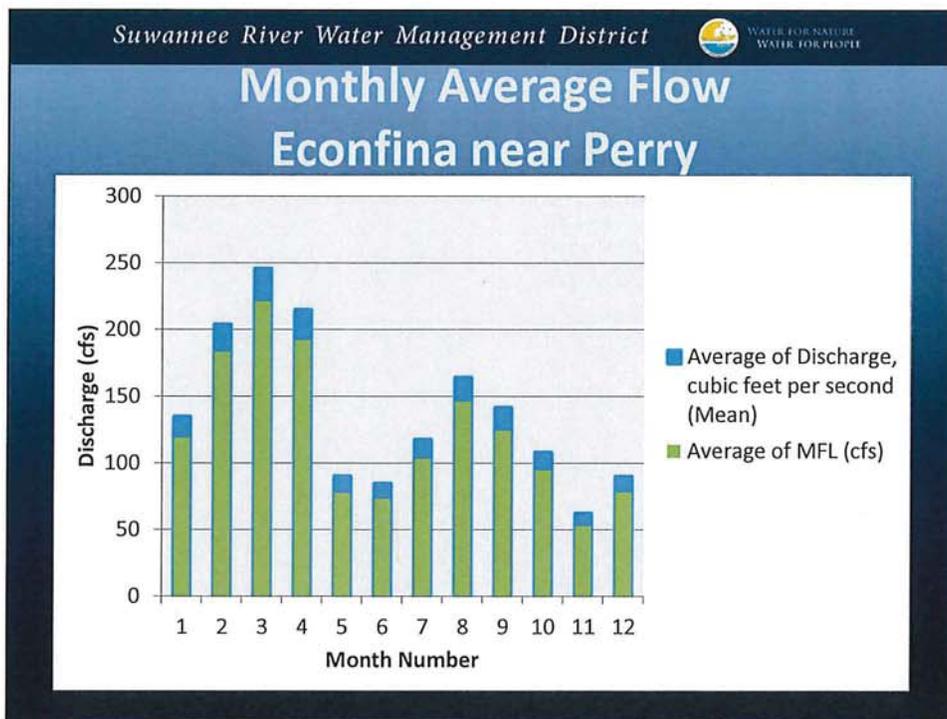
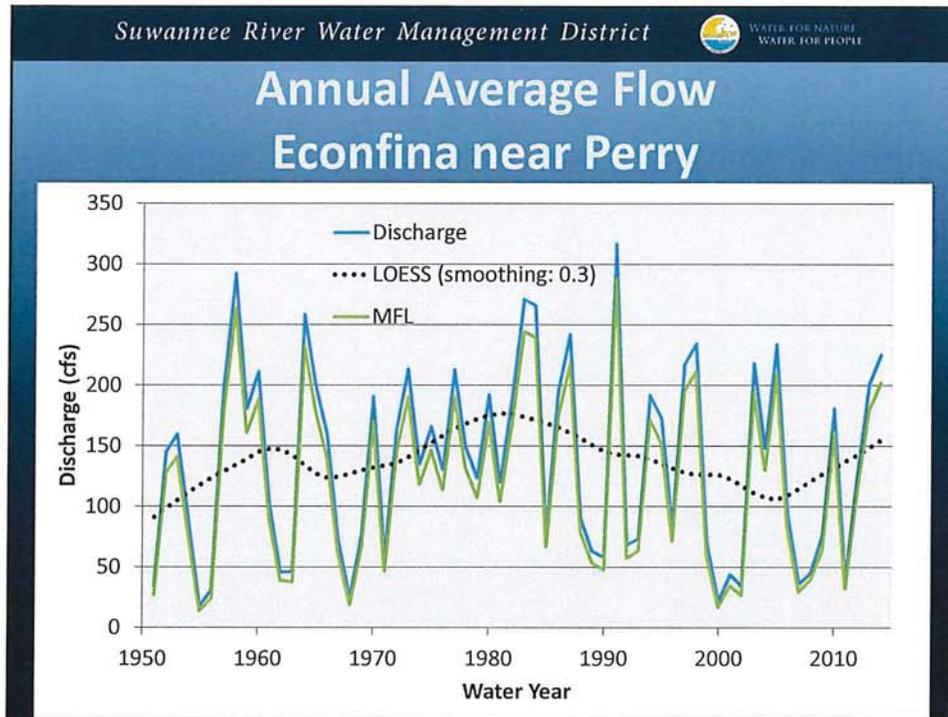
- **Recreation**
- **Fish & wildlife habitats and passage of fish**
- **Estuarine resources**
- Aesthetic and scenic attributes
- Pollutant filtration and adsorption
- Sediment
- Water quality
- Navigation
- Detrital transfer
- Freshwater storage and supply

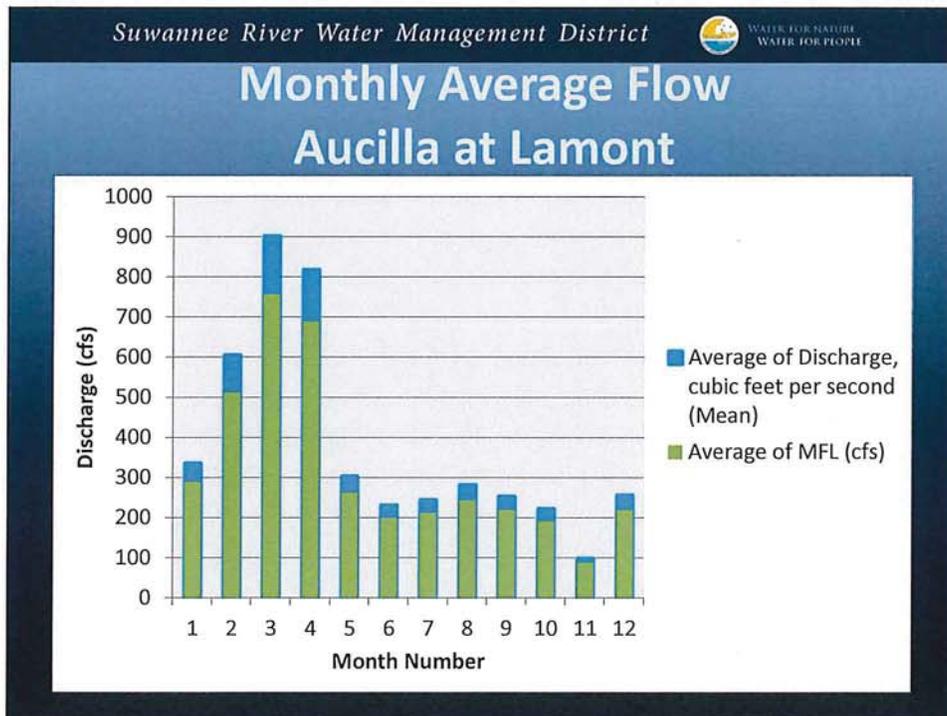
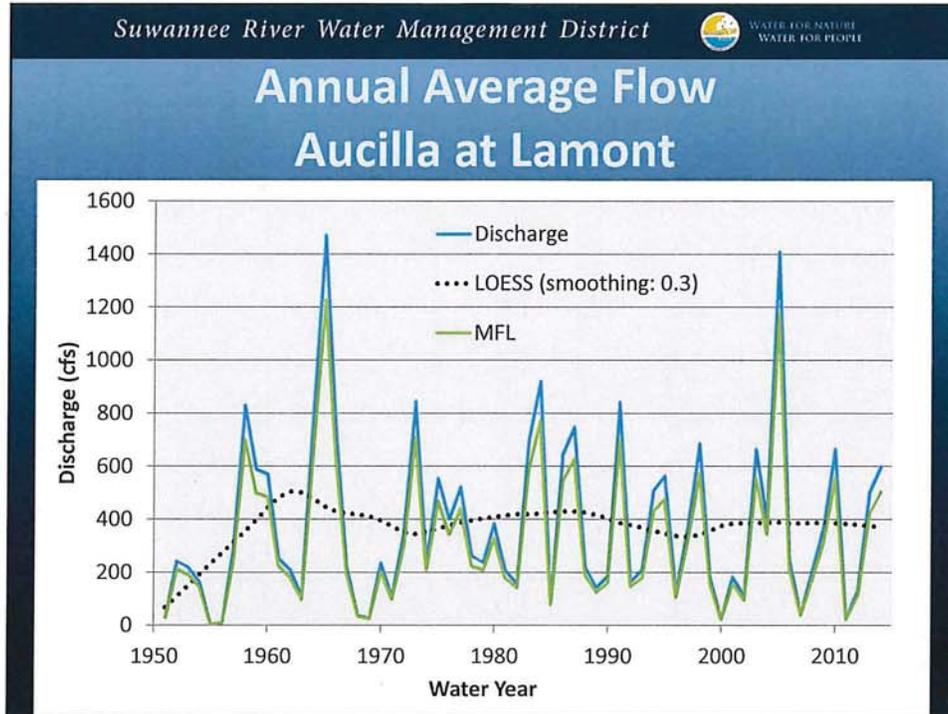
Suwannee River Water Management District 

## The Watersheds and their Key Features



The map displays the Suwannee River Watershed, which is divided into four sub-watersheds: Wacissa, Nuttall Rise, Perry, and Lamont. The Wacissa sub-watershed is located in the southwest, Nuttall Rise in the south, Perry in the southeast, and Lamont in the north. The map shows the river network, major roads, and county boundaries. A legend in the bottom right corner indicates the magnitude of various features, with red circles representing magnitude 1, orange circles representing magnitude 2, and yellow circles representing magnitude 3. Other symbols include a black circle for structures, a blue line for rivers, a green line for streams, a dashed line for ground boundary, a blue line for public flow lines, and a black line for Florida Power Corp. boundaries. A scale bar and a north arrow are also included in the legend area.





Suwannee River Water Management District 

## MFL Summary - Rivers -

River System	Gauge	Threshold Habitat	Baseline Flow Range (cfs)	Flow Reduction (%)	Percent Time MFL is applicable
Econfina	Perry	Estuarine	< 79	23	57
		Transition	79 – 211	18 cfs	23
		Floodplain	> 211	8.6	20
Aucilla	Lamont	Estuarine	< 355	6.5	72
		Riverine	355-558	13	8
		Floodplain	> 558	17	20
	Wacissa	Recreation	< 376	5.1	52
Riverine		> 376	7.3	48	

Suwannee River Water Management District 

## MFL Summary - Springs -

River System	Gauge	Threshold Habitat	Baseline Flow Range (cfs)	Flow Reduction (%)	Percent Time MFL is applicable
Econfina	Perry	Estuarine	< 79	23	57
		Transition	79 – 211	18 cfs	23
		Floodplain	> 211	8.6	20
Aucilla	Nuttall Rise	Estuarine	< 355	6.5	72
		Riverine	355-558	13	8
		Floodplain	> 558	17	20
	Wacissa Group	Recreation	< 376	5.1	52
Riverine		> 376	7.3	48	

## Peer Review

- Task 1 – Determine whether the methods are scientifically reasonable:
  - Data → Collection and quality
  - Assumptions → clear, reasonable, consistent
  - Application → appropriate methods , repeatable
- Task 2 – If a method is not scientifically reasonable:
  - List and describe deficiencies of method
  - Provide remedies if available for selected method
  - Identify alternative methods as needed

## Aucilla/Econfina Peer Review

- Task 1 – Data, Assumptions, Application
  - Better explanations of some assumptions and application of methods
- Task 2 – Deficiencies, Remedies, Alternatives
  - No major deficiencies were noted

## MEMORANDUM

TO: Governing Board  
FROM: Glenn Horvath, Agriculture and Special Advisory Director, Executive Office  
DATE: December 28, 2015  
RE: Approval to Enter into Contract for the January 2016 Florida Department of Environmental Protection Springs Agricultural Cost-Share Program

### RECOMMENDATION

**Staff recommends the Governing Board authorize the Executive Director to enter into contract with two applicants for the January 2016 Florida Department of Environmental Protection Springs Agricultural Cost-Share Program in the amount of \$81,500.**

### BACKGROUND

At the January 2015 Governing Board meeting, the Board accepted \$2,712,000 from the Florida Department of Environmental Protection (DEP) for agricultural water conservation, nursery water conservation, and nutrient management cost-share activities.

One project with Suwannee Dairy, Inc. is for cost-share of mobile irrigation evaluations, irrigation system retrofits and a fertigation system for four center pivot irrigation systems. These tools can reduce groundwater use and nutrient leaching by allowing the producer to gauge the uniformity of their pivots, improve their pivots uniformity and the ability to fertigate. The project meets the intent and scope of the District's agreement with DEP to disperse the funding. The water savings are estimated to reduce irrigated pumpage by 131,000 gallons per day of water at a cost of \$0.13 of public funds per thousand gallons over a 5-year period. Use of the fertigation system is estimated to reduce nutrient use by 21,000 pounds per year at a cost of \$0.09 of public funds per pound over a 5-year period. The project area is located in Suwannee County within the proposed Suwannee River Basin Management Action Plan.

The other project with Shenandoah Dairy, Inc. is for cost-share of remote controls for irrigation systems and fertigation systems for eight irrigation systems. These tools can reduce groundwater use and nutrient leaching by increasing management control and protecting the producer against mechanical malfunctions, failures and allowing for the ability to fertigate. The project meets the intent and scope of the District's agreement with DEP to disperse the funding. The water savings are estimated to reduce irrigated pumpage by 82,000 gallons per day of water at a cost of \$0.05 of public funds per thousand gallons over a 5-year period. Use of the fertigation systems on this operation is estimated to reduce nutrient use by 63,000 pounds per year at a cost of \$0.09 of public funds per pound over a 5-year period. The project area is located in Suwannee County within the proposed Suwannee River Basin Management Action Plan.

The total DEP springs cost-share recommended for Governing Board approval for January 2016 is \$81,500. The applicant's portion for these items will be \$42,500, or 34% of the equipment cost.

The total District cost-share funds to be dispersed to date for the DEP Springs Agricultural Cost-Share Program is \$359,882 for a cost-benefit of \$0.13 of public funds per thousand gallons and \$0.09 of public funds per pound of nutrients.

Both Suwannee Dairy, Inc. and Shenandoah Dairy, Inc, are compliant with District permitting and voluntary automated monitoring has been applied to all permits covered by the proposed cost-share.

Exhibit A is a list of the proposed recipient, proposed funding amount, and best management practices. Exhibit B is a breakdown of the items being cost-shared. Exhibit C is the cumulative results for this fiscal year.

GH/rl

**Exhibit A**

Owner Name	County	Improved Water Conservation	Advanced Nutrient Management	Nursery Water Conservation	Project Description
Suwannee Dairy, Inc.	Suwannee	\$30,500	\$9,000	-	8 Mobile Irrigation Evaluations, 4 Center Pivot Retrofits, 1 Fertigation System
Shenandoah Dairy, Inc.	Suwannee	\$15,000	\$27,000	-	10 Remote Controlling of Pivots, 3 Fertigation Systems
	<b>Total Estimated</b>	<b>\$45,500</b>	<b>\$36,000</b>	<b>-</b>	<b>\$81,500</b>

**Exhibit B – Itemized List**

Producer	Item	Maximum Cost Share Amount	Quantity	SRWMD Total	Producer Share
Suwannee Dairy, Inc.	Mobile Irrigation Lab Evaluations	\$1,000	8	\$8,000	\$0
	Retrofits	\$5,625	4	\$22,500	\$7,500
	Fertigation	\$9,000	1	\$9,000	\$3,000
				<b>\$39,500</b>	<b>\$10,500</b>

Producer	Item	Maximum Cost Share Amount	Quantity	SRWMD Total	Producer Share
Shenandoah Dairy, Inc.	Remote Controlling of Pivots	\$1,500	10	\$15,000	\$15,000
	Fertigation	\$9,000	3	\$27,000	\$9,000
				<b>\$42,000</b>	<b>\$24,000</b>

**Exhibit C – Fiscal Year to Date Cumulative Results for the DEP Springs Agricultural Cost-Share Program**

Estimated Groundwater Savings	Estimated Annual Nutrient Reduction	SRWMD Cost
1.34 MGD	96,000 Pounds	\$359,882

## MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Division Director, Resource Management

DATE: December 31, 2015

RE: Approval of Florida Department of Transportation Mitigation Plan  
2016-2020

### RECOMMENDATION

## **Staff requests that the Governing Board approve the Florida Department of Transportation (FDOT) Mitigation Plan 2016-2020.**

### BACKGROUND

Section 373.4137, Florida Statutes, identifies an environmental mitigation process for transportation projects. The statute requires that mitigation for transportation projects be accomplished through regional, long-term planning instead of on a project-by-project basis. The statute also requires that FDOT fund the mitigation and the District carry out the plans.

Each year, FDOT submits a work plan to the District that identifies environmental impacts from planned transportation projects. District staff is required to develop a mitigation plan capable of securing all state and federal permits for the impacts. The mitigation plan must be updated each year for approval by the District's Governing Board.

This approved plan forms the basis of permit review by the District for state road projects during the year. Along with adequate mitigation, the District is also responsible for securing the Army Corps of Engineers permit, if applicable.

This year's plan adds two new potential projects (CR 231 New River Bridge Replacement in Union County and construction of a westbound turn lane at SR 26 and SE 25<sup>th</sup> Avenue in Levy County) and provides the status of the Starke Bypass Wetland Mitigation Project which is ongoing. Location of impacts and additional mitigation information is in the attached report.

PW/tm  
Attachment

**Florida Department of Transportation  
Mitigation Plan**

**2016 - 2020**

**Suwannee River Water  
Management District**

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## **EXECUTIVE SUMMARY**

In accordance with 373.4137, Florida Statutes, the Suwannee River Water Management District (District) must develop and implement regional, long-range mitigation planning for wetland impacts associated with Florida Department of Transportation (FDOT) projects.

The FDOT has 2 new projects in 2016.

A total of 16 wetland mitigation projects have been initiated since 1996, 12 of which have been completed. The District has received a sum total of \$6,060,856 from FDOT for wetland mitigation activities.

## **BACKGROUND INFORMATION**

Section 373.4137, Florida Statutes, states that environmental mitigation for the impact of transportation projects proposed by the FDOT can be more effectively achieved by regional, long-range mitigation planning rather than on a project-by-project basis. The statute sets forth specific language designed to provide funding to the Florida Department of Environmental Protection (FDEP) and the water management districts (WMDs) to develop mitigation to offset wetland impacts from FDOT road projects. The FDOT must submit to the WMDs an environmental impact inventory containing a list of projects with proposed wetland impacts. The list is published at least three years prior to planned construction. Based on the yearly inventory, WMD staff develops a mitigation plan capable of securing all local, regional, state, and federal permits for the proposed impacts.

The statute requires each WMD in consultation with the FDEP, the United States Army Corps of Engineers (USACE), and other appropriate federal, state, and local governments, to develop a mitigation plan for presentation to the Governing Boards of the WMD's for approval before March 1<sup>st</sup> each year. Once the mitigation plan is approved, the WMDs issue permits for the work, apply for USACE permits, and implement mitigation projects as outlined in the mitigation plan.

FDOT wetland impacts in the District have or will occur in the river basins of the Santa Fe, Withlacoochee, Waccasassa, Steinhatchee, Fenholloway, Econfinia, and Suwannee Rivers (Figure 1). This mitigation plan is designed to provide in-kind mitigation for impacted wetlands within the same basin the impacts occur. The plan consists of one or more mitigation alternatives for each FDOT project (Figure 2). In some cases, alternatives include more than one mitigation project that, when taken together, yield an alternative that will offset the FDOT impacts and secure the appropriate permits.

Mitigation planning projects undertaken since February of 2004 have used the Uniform Mitigation Assessment Method (UMAM), in accordance with chapter 62-345, F.A.C., to calculate the gain for each mitigation proposal. For these projects, the Relative Functional Gain of the proposed mitigation is used in place of wetland mitigation ratios.

## **NEW MITIGATION PROJECTS**

### 1) FDOT Project: CR 231 New River Bridge Replacement

FDOT will construct a new bridge over the New River on CR 231 in Union County with an estimated permit application submittal date of June 6, 2016 and anticipated construction date of December 2, 2019. FDOT has estimated that 1.5 acres of wetlands (FLUCCS 510, 615, 630, and 631) will be impacted as a result of the project. The project will occur in the Santa Fe River basin and the mitigation will occur in the same basin. Mitigation options are being evaluated. Total projected mitigation costs are calculated to be \$181,890.00.

### 2) FDOT Project: Construction of Westbound Turn Lane - SR 26 and SE 25<sup>th</sup> Avenue

Construction of a westbound turn lane on SR 26 at the SE 25<sup>th</sup> Avenue intersection will impact approximately one acre of wetlands. The construction of the westbound turn lane is a safety project. The wetlands impacted are part of the FLUCCS class 2112 and the project is located in Levy County in the Waccasassa River Basin. The date for the submittal of the permit application has been estimated to occur on or about February 21, 2017 and the estimated date construction will begin on the project is to be determined. Mitigation options are being evaluated. Total projected mitigation costs are calculated to be \$121,260.00.

## **ONGOING MITIGATION PROJECTS**

### 1) FDOT Project: Starke By-Pass Project (SR 223) Mitigation Project: Starke Bypass Mitigation Area (SBMA)

New roadway corridor which will bypass around the City of Starke in Bradford County. Project will impact 58.06 acres of wetlands with a net functional loss of 46.470 UMAM credits. A Wetland Mitigation Project to offset these impacts was advertised under a Low Bid Design-Build procedure. The District awarded the contract to one of two shortlisted design-build firms. The winning bid was \$2,980,000 submitted by Alligator Creek Mitigation Bank, LLC. Alligator Creek Mitigation Bank, LLC, initiated construction activities in December 2015.

### 2) FDOT Project: CR 241 Bridge Replacement over Olustee Creek Mitigation Project: In Planning.

Replacement of CR 241 Bridge over Olustee Creek in Columbia County. Project was originally determined to impact approximately 2.0 acres of wetlands. As of December, 2015, FDOT has not determined the actual wetland impact on this project, but it appears that the impacts may be less than 0.5 acres which may qualify the project for a General Permit. If the project does not qualify for a General Permit, mitigation will most likely take place on public lands within the Santa Fe Basin.

## **COMPLETED MITIGATION PROJECTS**

### **AUCILLA RIVER BASIN**

- 1) FDOT Project: US 98 Aucilla Bridge Replacement  
Mitigation Project: San Pedro Bay Mitigation Bank

Replacement of US 98 Bridge across Aucilla River impacted 5.7 acres of wetlands. Mitigation included purchase of mitigation credits from San Pedro Bay Mitigation Bank, and water quality improvements for District owned Cabbage Grove and Mt. Gilead tracts. Mitigation credits (0.87 units) were purchased in November 2010, by the District using a total of \$43,500 in funding received from the FDOT.

### **UPPER SUWANNEE RIVER BASIN**

- 1) FDOT Project: CR 143 Road Widening  
Mitigation Project: Woods Ferry Hydrologic Enhancements

Widening of CR 143 in Hamilton County from CR 146 to I-75 impacted approximately 1.23 acres of wetlands. District contracted with consultants to identify, evaluate, and construct mitigation activities within District-owned Woods Ferry Tract in Suwannee County. Mitigation involved hydrologic enhancement of seven wetland sites by improving drainage features to restore natural water flow. Mitigation activities were completed in November 2006. District received \$110,970 from FDOT. Evaluation of mitigation success was conducted by Jones, Edmunds and Associates in 2010 and shown to have met mitigation requirements.

### **WACCASSASSA RIVER BASIN**

- 1) FDOT Project: SR 24 Widening from U.S. 19 to Rosewood  
Mitigation Project: Devil's Hammock Hydrological Enhancement and Preservation

Widening of SR 24 in Levy County impacted 9.95 acres of wetlands. The District contracted with consultants to identify, evaluate, and construct mitigation activities within District-owned Devils Hammock in Levy County. Mitigation provided hydrologic enhancement of multiple wetland sites by improving drainage features to restore natural water flow. Mitigation activities were completed in January 2007. District received \$180,913 from FDOT. Evaluation of mitigation success was conducted by Jones, Edmunds and Associates in 2010 and shown to have met mitigation requirements.

- 2) FDOT Project: US 27/SR 500 Widening  
Mitigation: 1. Cedar Key Water Quality Restoration Project  
2. Cow Creek Road Restoration  
3. Wetland Preservation

Widening of US 27/SR 500 from Chiefland to Bronson impacted 23.0 acres of wetlands. Mitigation involved improvements to the Cedar Key storm water system to prevent discharge of sediments, nutrients, bacteria, and heavy metals into the Gulf of Mexico. In addition natural water flow into wetlands was restored within the Goethe State Park, and approximately 1,000 acres of wetlands in Levy County were preserved by conservation easements to the District. Mitigation activities were completed in May 2007. District received \$1,713,490 from FDOT. Mitigation success will be evaluated in 2016.

### **SANTA FE BASIN**

- 1) FDOT Project: US 441 Santa Fe River Bridge Replacement  
FDOT Project: SR 121 Santa Fe River Bridge Replacement  
Mitigation Project: Alligator Lake Surface Water Improvement and Management (SWIM) Program

Replacement of the bridges impacted 2.3 acres of wetlands. Mitigation restored natural water flow between wetlands adjacent to Alligator Lake and Price Creek (both in Columbia County). Mitigation activities were completed in March 2001. District received \$60,000 from FDOT. Mitigation success will be evaluated in 2016.

- 2) FDOT Project: CR 231 Road Widening  
Mitigation Project: Floodplain Restoration at San Felasco Hammock State Preserve

Widening of CR 231 in Union County between SR 100 and the Baker County line impacted 1.96 acres of wetlands. Mitigation restored natural water flow, and removal of exotic plant species within wetlands in San Felasco Hammock State Preserve (Alachua County). Construction activities were completed in August 2004, and exotic plant removal was completed in June, 2011. The District received a total of \$166,476 from FDOT for wetland mitigation and a final report from FDEP in January, 2011. Mitigation activities were evaluated in 2013 and deemed to be a success.

- 3) FDOT Project: CR 229 New River Bridge Replacement  
Mitigation: Lake Rowell Tract Restoration/Enhancement

Replacement of CR 229 Bridge over the New River between Union and Bradford counties impacted 2.44 acres of wetlands. Mitigation restored natural water connections between Alligator Creek and Lake Rowell (both in Bradford County). District received \$180,214 from FDOT. Mitigation activities were completed in 2006.

Mitigation success was evaluated in 2012. Mitigation activities conducted at the CR 229 Bridge and the Lake Rowell project area were evaluated in 2013 and deemed to be a success.

## **STEINHATCHEE RIVER BASIN**

- 1) FDOT Project: SR 51 Road Widening Taylor County  
Mitigation Project: Steinhatchee River Basin Hydrological Improvements

Widening of SR 51 impacted 3.5 acres of wetlands in 2002. Mitigation restored natural water connections for wetlands in District owned Steinhatchee Springs Tract. District received \$279,174 from FDOT. Mitigation success will be evaluated in 2016.

- 2) FDOT Project: SR 51 Road Widening Taylor and Dixie Counties  
Mitigation Project: San Pedro Bay Mitigation Bank

Widening of SR 51 in Dixie and Taylor Counties from the town of Steinhatchee to the Dixie/Lafayette County line impacted 1.27 acres of wetlands. Mitigation was by purchase of mitigation credits from San Pedro Bay Mitigation Bank. District received \$10,200 from FDOT for mitigation. District purchased 0.6 mitigation credits from San Pedro Mitigation Bank in 2006.

## **WITHLACOOCHEE RIVER BASIN**

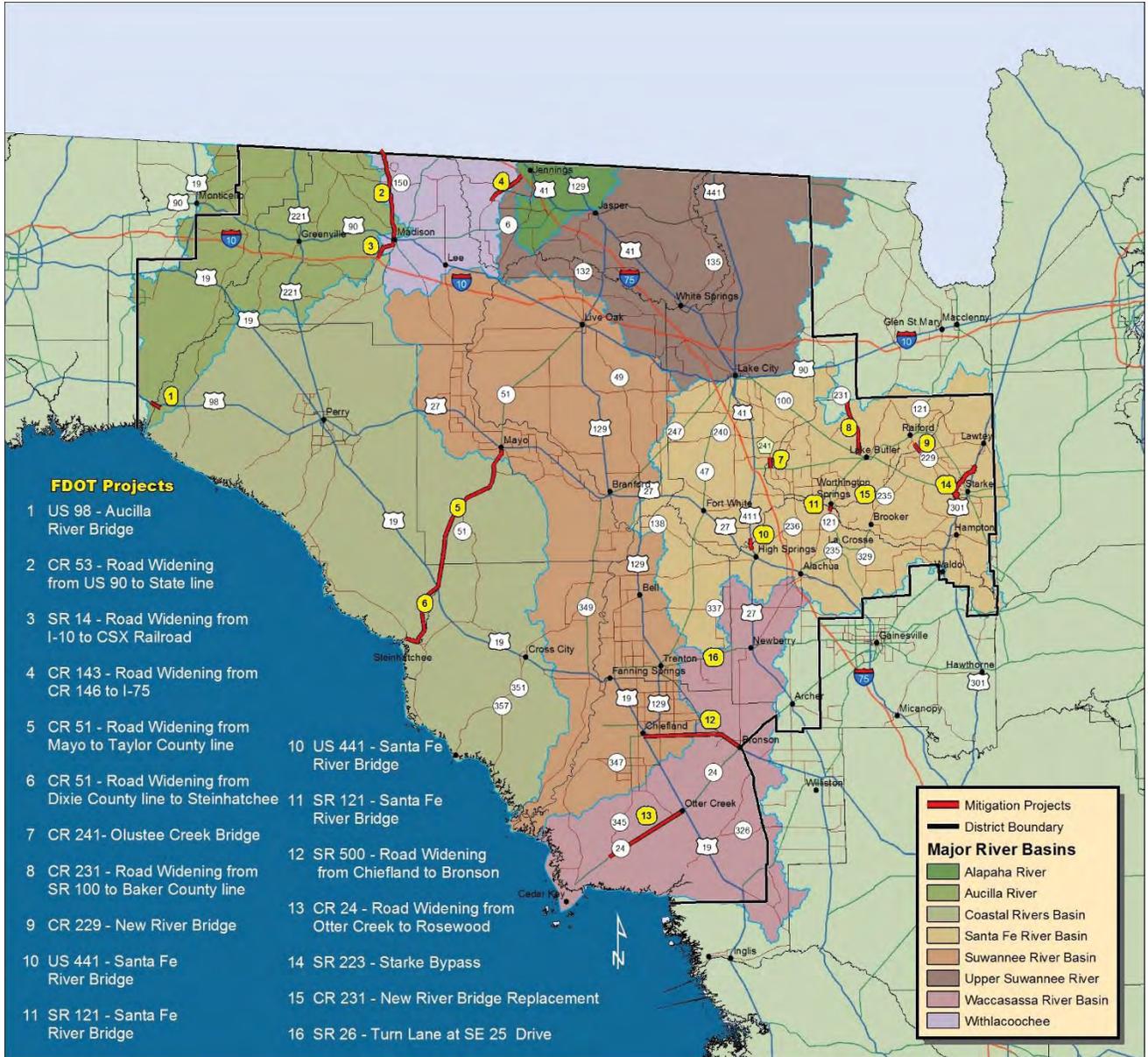
- 1) FDOT Project: CR 53 Road Widening  
Mitigation: West Farm Storm Water Pond Project

Widening of SR 53 impacted 1.6 acres of wetlands. Mitigation created wetland and lake habitat at the West Farm Storm Water Facility in Madison County. Mitigation activities were completed in March 2001. District received \$260,325 from FDOT. Mitigation success will be evaluated in 2016.

- 2) FDOT Project: SR 14 Widening  
Mitigation Project: Cabbage Grove Wetland Enhancement

Widening of SR 14 between Interstate 10 and the Madison city limits impacted 0.89 acres of wetlands. Mitigation restored natural water flow in wetlands within District owned Cabbage Grove Tract in Taylor County. District received \$75,594 from FDOT. Project was completed in 2006. District conducted operation and maintenance improvements at this site in December 2011. Mitigation success will be evaluated in 2016.

**Figure 1. General location of FDOT construction projects within SRWMD requiring wetland mitigation.**





**TABLE 1. FDOT CONSTRUCTION PROJECTS WITH WETLAND IMPACTS AND ASSOCIATED MITIGATION PROJECTS.**

<i>River Basin</i>	<i>FDOT Project Location</i>	<i>FDOT Work Number</i>	<i>ERP Number</i>	<i>Impact Acres</i>	<i>Wetland Type</i>	<i>Mitigation Project</i>	<i>Revenue from FDOT</i>	<i>Total Funds Expended</i>
<b>Aucilla</b>	US 98 Aucilla River Bridge	2108732	10-0057	5.70	Forested	San Pedro Bay Mitigation Bank	\$43,500	\$43,500
<b>Santa Fe</b>	1. US 441/Santa Fe River Bridge and SR 121 Santa Fe River Bridge	2110486	00-0067	1.00	Forested	Alligator Lake Surface Water Improvement and Management Program (SWIM)	\$60,000	\$60,000
		2110344	99-0069	1.30	Forested			
	2. CR.231 Road Widening from S. R. 100 to the Baker County Line	2128801	02-0497	1.96	Forested	Cellon Creek Floodplain Restoration at San Felasco Hammock State Preserve	\$166,476	\$72,180
	3. CR. 229 New River Bridge	2128761	03-0089	2.44	Forested	Lake Rowell Tract Restoration/Enhancement	\$180,214	\$180,214
	4. CR 241 Over Olustee Creek Bridge Replacement	2116631	TBD	2.00	Forested	TBD	TBD	TBD
	5. SR 223 Starke Bypass	2080014,5,6	ERP-007-213985-1	58.47	Forested	Starke Bypass Mitigation Area	\$2,980,000	\$2,517,000
	6. CR 231 Bridge Replacement	433957	TBD	1.5	Forested	TBD	TBD	
<b>Steinhatchee</b>	1. SR 51 Widening from Mayo to Taylor County Line	2100751 2100851	06-0600	3.50	Herbaceous	Restoration of areas impacted by silviculture activities on District property (Steinhatchee Falls)	\$279,174	\$279,174
	2. SR 51 Widening Steinhatchee to Dixie/Taylor County Line	2108502 2084662	05-0597	1.27	Herbaceous	San Pedro Bay Mitigation Bank credits	\$10,200	\$10,200
<b>Upper Suwannee</b>	CR 143 Widening from CR 146 to I-75	2122181	05-0081	1.23	Herbaceous and Forested	Woods Ferry Hydrologic Enhancements	\$110,970	\$53,848
<b>Waccasassa</b>	1. US 27 Widening from Chiefland to Bronson	2117089	96-0039	23.00	Forested	A. Upgrade of storm water management system to improve water quality in Cedar Key	\$1,713,490	\$1,713,490
						B. Cow Creek restoration in Goethe State Forest		
						C. Wetland preservation in Levy County		
	2. SR 24 Widening from Otter Creek to Rosewood	210384	04-0477	9.95	Forested	Devil's Hammock/47 Runs Enhancement/ Restoration	\$180,913	\$190,694
3. SR 26 Westbound Turn Lane	438077	TBD	1.0	Forested	TBD	TBD	TBD	
<b>Withlacoochee</b>	1. CR 53 Road Widening from US 90 to State Line	2117565	98-0041	1.60	Forested and Herbaceous	West Farm Storm water Project	\$260,325	\$260,325
	2. SR 14 Road Widening from I-10 to CSX Railroad	2105281	02-0528	0.90	Forested and Herbaceous	Cabbage Grove Wetland Enhancement	\$75,594	\$46,459

MEMORANDUM

TO: Governing Board

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

DATE: December 31, 2015

RE: Authorization to Publish Notice of Rule Development and Notice of Proposed Rule to Amend Rules 40B-5.0011 and 40B-5.0091, Florida Administrative Code (F.A.C.), and File Rules and any 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 Rule Development to amend Rules 40B-5.0011 and 40B-5.0091, Florida Administrative Code (F.A.C.);**
- 2. Publish a Notice of Proposed Rule for Rules 40B-5.0011 and 40B-5.0091, (F.A.C.); and**
- 3. File the proposed rule amendments and any recommended changes with the Department of State if no objections are received.**

BACKGROUND

Pursuant to Executive Order 11-211, District 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. As a result staff identified and repealed 38 rules. Now, in order to clarify the process for review and issuance of Underground Injection Control well permits given the repeal of several duplicative rules contained in Chapter 40B-5, (F.A.C.), amendment of the two remaining rules, 40B-5.0011 and 40B-5.0091, (F.A.C.), is required. This memo serves to obtain Governing Board approval to commence rulemaking to amend these rules. The draft Notice of Rule Development is contained in Attachment A.

WZ/tm  
Attachment

## Notice of Rule Development

### WATER MANAGEMENT DISTRICTS

#### Suwannee River Water Management District

RULE NO.: RULE TITLE:

[40B-5.0011](#) Policy and Purpose.

[40B-5.0091](#) Permit Processing.

PURPOSE AND EFFECT: The Suwannee River Water Management District (District) gives notice that it is initiating rulemaking to amend Rules 40B-5.0011 and 40B-5.0091, F.A.C., for the purpose of clarifying the process for implementing the District's exclusive authority to permit Underground Injection Control wells within its jurisdictional boundaries. The effect will be to clarify regulatory requirements and achieve other streamlining benefits for the regulated public.

SUMMARY: Rule amendment – 40B-5.0011 and 40B-5.0091, F.A.C. Incorporation of Chapter 62-528, F.A.C., into Rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The District has completed for the Governor's Office of Fiscal Accountability and Regulatory Reform (OFARR) the "Is a SERC Required?" form and prepared a summary of the proposed rule amendment, which are both available upon request. Based on the completed "Is a SERC Required?" form and summary and the analysis performed by the District, the proposed rule amendment is not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

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

RULEMAKING AUTHORITY: [373.044](#), [373.046](#), [373.106](#), [373.113](#), [373.171 FS](#).

LAW IMPLEMENTED: [373.106](#), [373.126](#), [373.133](#), [373.171 FS](#).

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Warren Zwanka, Senior Hydrologist, Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida 32060, (386)362-1001 or 1(800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULE IS:

**40B-5.0011 Policy, and Purpose, and Rules Incorporated by Reference.**

The purpose of this chapter is to establish rules governing the processing and issuance of permits for the construction of artificial recharge projects pursuant to District activity relative to the requirements of Section 373.106, F.S., which requires~~require~~ written permission of the Governing Board prior to the construction of any artificial recharge project. It is the policy of the District to exercise this responsibility through a cooperative review of applications for Underground Injection Control projects as set forth in Chapter 62-528, F.A.C., effective February 16, 2012 and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-#####>, which is hereby incorporated by reference and made a part of this rule~~pursuant to 62-28, F.A.C., Rules of the Department of Environmental Regulation. The administrative details of this cooperative process are set forth in the Memorandum of Understanding Between Suwannee River Water Management District and the Department of Environmental Regulation dated September 16, 1982, which is incorporated by reference in subsection~~~~set out in total in paragraph 40B-1.106(2)(a), Chapter 62-28, F.A.C., Rules of the Department of Environmental Protection are made part of this chapter by reference.~~

*Rulemaking Authority 373.044, 373.046, 373.106, 373.113 FS. Law Implemented 373.106 FS. History--New 4-20-78, Amended 4-15-81, 1-31-83, Formerly 16H-5.01, 40B-5.01, 40B-5.011, [DATE].*

**40B-5.0091 Permit Processing.**

(1) Permit application for the construction of artificial recharge projects shall be made to the Department of Environmental Protection pursuant to Chapter 62-528, F.A.C., with a copy provided by the applicant to the District within two (2) business days of the submission of the application to the Department~~The District shall provide a permit application and all necessary forms to the applicant within seven (7) days from the receipt of a written request. An initial meeting may be held in response to the applicant's request to explain the permit process and what is required of the applicant.~~

(2) Copies of supporting documentation submitted subsequent to the initial application for the purpose of completing the application shall also be provided to the District within two (2) business days of submission to the Department~~the permit application and supporting documents will be forwarded by the District to the Department and other agencies for their review and comments.~~

(3) The Department's approval of a permit under Chapter 62-528, F.A.C., shall be considered written permission by the Governing Board under Section 373.106, F.S.~~The District shall complete action on any permit within sixty (60) days after receipt of the completed application and supporting forms.~~

(4) Permit application to the District shall result in one of the following actions:

(a) Permit is granted as requested.

(b) Permit is granted not as requested but with certain conditions or restrictions as agreed to by the applicant.

(c) Permit is not granted.

(5) In the event the applicant or other affected parties are dissatisfied with the action of the District as described under this section, the applicant receiving notice of rejection may request a hearing by filing a written petition to the District within thirty (30) days of receipt of the notice. The hearing shall be conducted pursuant to Chapter 120, F.S. and Chapter 40B-1, F.A.C.

*Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.106, 373.126, 373.133, 373.171 FS. History--New 4-20-78, Amended 4-15-81, Formerly 16H-5.05, 40B-5.05, 40B-5.091, [DATE].*

NAME OF PERSON ORIGINATING PROPOSED RULE: Warren Zwanka, Senior Hydrologist

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Suwannee River Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 13, 2016

MEMORANDUM

TO: Governing Board

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

DATE: December 31, 2015

RE: Request for Authorization to Publish Notice of Rule Development and Notice of Proposed Rule to Amend Rule 40B-21.221, Florida Administrative Code (F.A.C.), and File Rule and any 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 Rule Development to amend Rule 40B-21.221, Florida Administrative Code (F.A.C.);**
- 2. Publish a Notice of Proposed Rule for Rule Chapter 40B-21.221, (F.A.C.); and**
- 3. File the proposed rule amendment and any recommended changes with the Department of State if no objections are received.**

BACKGROUND

Pursuant to Executive Order 11-211, District 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. As a result staff identified and repealed 38 rules. Additionally, staff has now identified one rule section, 40B-21.221(1), (F.A.C.), as unnecessary since it restates requirements contained in Rule 40B-21.211, (F.A.C.). This memo serves to obtain Governing Board approval to commence rulemaking to amend the rule to remove this duplicative language. The draft Notice of Rule Development is contained in Attachment A.

WZ/tm  
Attachment

Notice of Rule Development

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

RULE NO.: RULE TITLE:

40B-21.221 Evaluating Hydrologic Conditions.

PURPOSE AND EFFECT: The Suwannee River Water Management District (District) gives notice that it is initiating rulemaking to amend Rule 40B-21.221 for the purpose of removing rule language that restates the requirements of Rule 40B-21.211, F.A.C. The effect will be to reduce unnecessary regulatory burdens and achieve other streamlining benefits for the regulated public.

SUMMARY: Rule amendment – 40B-21.221, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The District has completed for the Governor’s Office of Fiscal Accountability and Regulatory Reform (OFARR) the “Is a SERC Required?” form and prepared a summary of the proposed rule amendment, which are both available upon request. Based on the completed “Is a SERC Required?” form and summary and the analysis performed by the District, the proposed rule amendment is not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

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

RULEMAKING AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.175, 373.246 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Warren Zwanka, Senior Hydrologist, Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida 32060, (386)362-1001 or 1(800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULE IS:

**40B-21.221 Evaluating Hydrologic Conditions.**

~~(1) The District shall monitor the condition of the water resources in the District as provided in Rule 40B-21.211, F.A.C.~~

~~(1)(2)~~ Current data shall be compared to historical data to determine whether serious harm to the water resources can be expected.

~~(2)(3)~~ Evaluations under this rule shall consider established minimum flows and levels and associated rules regarding implementation of water shortage provisions contained in Chapter 40B-8, F.A.C.

*Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History–New 7-30-06, [DATE].*

NAME OF PERSON ORIGINATING PROPOSED RULE: Warren Zwanka, Senior Hydrologist

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Suwannee River Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 13, 2016

MEMORANDUM

TO: Governing Board  
 FROM: Tim Sagul, P.E., Division Director, Resource Management  
 DATE: December 31, 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 November 2015 and program totals from January 2012 to November 2015.

November 2015	Exemption Requests	Noticed Generals	Generals	10-2 Self Certifications	Individuals	Conceptuals	Total
Applications received	3	0	1	4	5	0	13
Permits issued	2	0	2	0	7	0	11
Inspections	3	5	0	0	0	0	8
<b>Total permits issued from January 2012 to November 2015</b>	205	168	208	117	146	10	854

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

File Number	Project Name	County	Issue Date
ERP-001-209128-2	Turnberry Lake NW 143 <sup>rd</sup> Street and NW 32 <sup>nd</sup> Avenue Signalization Project	Alachua	11/18/2015
ERP-125-212295-5	New River Forest Villas Mod	Union	11/30/15
ERP-007-223088-1	Starke Bypass Mitigation Area	Bradford	11/6/2015
ERP-007-225914-2	Starke Group Facility Transition House Modification	Bradford	11/20/2015
ERP-079-226104-1	West Farm Lake Outfall Structure Modifications	Madison	11/18/2015
ERP-121-226141-1	Dowling Park Library	Suwannee	11/06/2015
ERP-007-226162-1	Clay Electric New River Substation	Bradford	11/30/2015

### **Water Use Permitting and Water Well Construction Activities**

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

<b>November 2015</b>	<b>Received</b>		<b>Issued</b>
<b>Water Use Permits</b>	17		10
<b>Water well permits issued: 155</b>			
Abandoned/Destroyed	42	Livestock	2
Agricultural Irrigation	4	Monitor	11
Aquaculture	0	Nursery	0
Climate Control	2	Other	0
Fire Protection	0	Public Supply	3
Garden (Non Commercial)	0	Self-supplied Residential	87
Landscape Irrigation	3	Drainage or Injection	0
Commercial or Industrial	1	Remediation Recovery	0

### **Rulemaking Schedule December 2015**

#### **40B-1**

General and Procedural Rules - Repeal

GB Rule Dev. Auth.	11/12/2015
Notice of Rule Dev.	N/A
GB Proposed Rule Auth.	11/12/2015
Send to JAPC/OFARR	11/10/2015
Notice of Proposed Rule	11/20/2015
Notice of Rule Change	N/A
Mail to DOS	12/28/2015
Effective Date	

#### **40B-3.529**

Permitting of Well Construction - Repeal

GB Rule Dev. Auth.	11/12/2015
Notice of Rule Dev.	N/A
GB Proposed Rule Auth.	11/12/2015
Send to JAPC/OFARR	11/10/2015
Notice of Proposed Rule	11/20/2015
Notice of Rule Change	N/A
Mail to DOS	12/28/2015
Effective Date	

**40B-3 (Amendments)**  
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	

**40B-4**  
Work of the District Permits

GB Rule Dev. Auth.	12/9/2014
Notice of Rule Dev.	
GB Proposed Rule Auth.	12/9/2014
Send to JAPC/OFARR (Tentative)	
Notice of Proposed Rule	
Notice of Rule Change	
Mail to DOS	
Effective Date	

**40B-5**  
Permitting of Artificial Recharge Projects - Repeal

GB Rule Dev. Auth.	11/12/2015
Notice of Rule Dev.	N/A
GB Proposed Rule Auth.	11/12/2015
Send to JAPC/OFARR	11/10/2015
Notice of Proposed Rule	11/20/2015
Notice of Rule Change	N/A
Mail to DOS	12/28/2015
Effective Date	

**40B-9**  
Water Management  
Lands Acquisition  
Procedures -Repeal

GB Rule Dev. Auth.	11/12/2015
Notice of Rule Dev.	N/A
GB Proposed Rule Auth.	11/12/2015
Send to JAPC/OFARR	11/10/2015
Notice of Proposed Rule	11/20/2015
Notice of Rule Change	N/A
Mail to DOS	12/28/2015
Effective Date	

**40B-21**  
Water Shortage Plan - Repeal

GB Rule Dev. Auth.	11/12/2015
Notice of Rule Dev.	N/A
GB Proposed Rule Auth.	11/12/2015
Send to JAPC/OFARR	11/10/2015
Notice of Proposed Rule	11/20/2015
Notice of Rule Change	N/A
Mail to DOS	12/28/2015
Effective Date	

**40B-400**  
Environmental Resource Permits

GB Rule Dev. Auth.	12/9/2014
Notice of Rule Dev.	
GB Proposed Rule Auth.	12/9/2014
Send to JAPC/OFARR (Tentative)	
Notice of Proposed Rule	
Public Hearing (if necessary)	
Notice of Rule Change	
Mail to DOS	
Effective Date	

**40B-5.0011 and 40B-5.0091 (Amendments)**  
Permitting of Artificial Recharge Projects

GB Rule Dev. Auth.(tentative)	1/12/2016
Notice of Rule Dev. (tentative)	1/13/2016
GB Proposed Rule Auth. (tentative)	1/12/2016
Send to JAPC/OFARR	1/6/2016
Notice of Proposed Rule	
Notice of Rule Change	
Mail to DOS (tentative)	
Effective Date	

**MEMORANDUM**

TO: Governing Board

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

DATE: December 15, 2015

RE: Enforcement Status Report

**Matters Staff is attempting to gain compliance without enforcement action**

<b>Respondent</b>	<b>Justin M. Fitzhugh</b>
<b>Enforcement Number / County</b>	<b>CE05-0046 / Columbia</b>
<b>Violation</b>	<b>Non-Functioning Stormwater Management System &amp; Failure to Submit As-Builts</b>
<b>Legal Counsel</b>	<b>Brannon, Brown, Haley &amp; Bullock, P.A.</b>
<b>Date Sent to Legal</b>	<b>July 1, 2010</b>
<b>Target Date</b>	<b>December 31, 2015</b>
<b>Legal Fees to date</b>	<b>\$2,274</b>
<b>Last Update</b>	<b>December 15, 2015</b>

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. 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. **FDOT has again notified the owner that they are still contemplating road improvements. Staff will follow up with the owner and FDOT regarding this issue.**

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

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.**

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

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

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

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

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

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**

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

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

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 cancelled the December 1, 2015 sale date and will be resetting it at a later date.**

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

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

The Sheriff's Sale of Defendant's real property pursuant to two writs of execution occurred on May 3, 2011. The Executive Director and Counsel were present at the sale. After an opening bid by Jeffrey Hill of ten dollars, Mr. Still bid \$390,000, which was also the highest bid. Twenty-two minutes prior to the sale, Jeffrey Lance Hill, Sr., filed a chapter 12 case with the U.S. Bankruptcy Court in Jacksonville, Florida. Counsel has since consulted with Lance Cohen, a bankruptcy attorney in Jacksonville, whom the District retained in 2008 when 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 3<sup>rd</sup> 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 11<sup>th</sup> 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.**

<b>Plaintiff</b>	<b>Jeffrey L. Hill, Sr. and Linda P. Hill</b>
<b>Enforcement Number / County</b>	<b>CE11-0045 / Columbia</b>
<b>Violation</b>	<b>NA</b>
<b>Legal Counsel</b>	<b>SRWMD Insurance Legal Counsel</b>
<b>Date sent to legal</b>	<b>August 2011</b>
<b>Target Date</b>	<b>Ongoing</b>
<b>Legal Fees to date</b>	<b>\$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).</b>
<b>Last Update</b>	<b>September 29, 2015</b>

This is not a District enforcement matter, but appears to have been prompted by one. This matter concerns a circuit court complaint recently filed against the District by Jeffrey and Linda Hill arising out of the District's enforcement litigation against El Rancho No Tengo, Inc. In summary, the Complaint alleges that the District has violated Plaintiffs' personal and property rights, acted with recklessness and malice, taken Plaintiffs' personal 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.**

<b>Respondent</b>	<b>Jeffrey Hill / Haight Ashbury Subdivision</b>
<b>Enforcement Number / County</b>	<b>CE04-0003 / Columbia</b>
<b>Violation</b>	<b>Not Built in Accordance with Permitted Plans</b>
<b>Legal Counsel</b>	<b>Davis, Schnitker, Reeves and Browning, P.A.</b>
<b>Date sent to legal</b>	<b>May 2006</b>
<b>Target Date</b>	<b>November 30, 2015</b>
<b>Legal Fees to date</b>	<b>\$13,209</b>
<b>Last Update</b>	<b>August 28, 2015</b>

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. **Columbia County has finished the remedial work. Staff will follow up with the County for the as-built certification in order to close out this file.**

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

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MEMORANDUM

TO: Governing Board

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

FROM: Noah Valenstein, Executive Director

DATE: December 24, 2015

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

**December 7, 2015 Stakeholder Advisory Committee (SAC) Meeting:**

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

- Briefing: Model development update and Technical Team guidance regarding land use changes for the North Florida Southeast Georgia (NFSEG) Regional Groundwater Flow Model.
- Presentation: Water Supply and Water Resource Development Projects: SAC process/criteria for evaluating projects.
- Briefing: Water resource assessment methodology and NFSEG Regional Groundwater Flow Model simulations.
- Briefing: Water supply planning framework.

Other information was presented and discussed at the meeting. This summary is intended as an update to the technical information presented to the SAC as it relates to the joint regional water supply planning process between the St. Johns River 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/rl

MEMORANDUM

TO: Governing Board  
FROM: Noah Valenstein, Executive Director  
DATE: December 24, 2015  
RE: District's Weekly Activity Reports

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

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 November 23-29, 2015**

### ***Executive/ Management***

- Noah Valenstein and Glenn Horvath met with Rod Land and Ray Hodge of Southeast Milk dairies to discuss the status of dairies in north Florida.
- Steve Minnis, Tom Mirti and Patrick Webster met with staff from the City of Alachua Public Services Department regarding potential funding opportunities.

### ***Water Resources***

- Tom Mirti participated in a conference call with Barnes Ferland and Associates staff. Regarding the Monitoring Well Network Improvement Project.

### ***Water Supply***

- Justin Garland and Glenn Horvath met with Bob Hochmuth and Ben Broughton at the Suwannee Valley Agriculture Extension Center to discuss future research plans with the Center.

### ***Resource Management***

- Pat Webster and Brian Brooker attended the monthly projects coordination meeting with staff from Bradford County.

### ***Communications***

- Abby Johnson published an article regarding the restoration of Hart Springs.
- Steve Minnis addressed inquiries from the Gainesville Sun regarding the JTC Chicken Farm.

### ***Announcements for the week of December 7***

- The North Florida Regional Water Supply Partnership Stakeholder Advisory Committee Meeting is scheduled on December 7 at 1:00 p.m. at Florida Gateway College.
- The Governing Board Meeting is scheduled on December 8, at 9:00 a.m. followed by a Governing Board Workshop at the District Headquarters
- The Lands Committee Meeting is scheduled on December 8 following the Governing Board Workshop at the District Headquarters.



## Weekly Activity Report to Governing Board for Nov. 30 - Dec. 6, 2015

### ***Executive/ Management***

- Steve Minnis attend the 6<sup>th</sup> Legislative Interim Committee Week in Tallahassee.

### ***Administration and Operations***

- Dave Dickens attended a collaboration task force gap analysis meeting with FFS, FWCC, NFWFMD and UF in Tallahassee.
- Dave Dickens and Bill Mckinstry held the Quarterly Land Management Iner-district Meeting in Lake City.

### ***Water Resources***

- Glenn Horvath spoke to the Suwannee Valley Watermelon Institute about MFLs, water use monitoring and agricultural cost- share.
- Glenn Horvath participated in the Suwannee County IFAS Extension Office's Agricultural Advisory Committee.
- Tom Mirti, Darlene Saindon, Henry Richardson, Vince Robinson, Tara Rodgers, Tyler Schaper, and Brain Sparks attended Campbell Scientific Inc. data logger programming training.

### ***Resource Management***

- Tim Sagul and Warren Zwanka participated in the (CUP) Anti-Drift conference call along with staff from DEP and the other WMDs.
- Warren Zwanka, Justin Garland, and Stefani Leavitt met with staff from Southwest Florida Water Management District to review their agricultural WUP processes.

### ***Communications***

- Abby Johnson addressed inquiries from WCJB TV regarding the petition against the JTC chicken farm.
- Abby Johnson addressed inquiries from Politico regarding the status of Noah Valenstein as Executive Director.

### ***Announcements for the week of December 14***

- The Jefferson County Legislative Delegation meeting is scheduled for December 17 at 6:00pm at the Board of County Commissions Chambers.



## **Weekly Activity Report to Governing Board for December 7 - 13, 2015**

### ***Executive / Management***

- Noah Valenstein and Glenn Horvath met with Alliance Dairy regarding their operation.
- Abby Johnson represented the District at the Madison County Legislative Delegation Meeting.

### ***Administration and Operations***

- Dave Dickens attended the Cedar Key Aquaculture Association Board meeting to discuss the Lukens Tracts.

### ***Water Resources***

- Tom Mirti and Tara Rodgers met with the Florida Geological Survey to coordinate Alapaha Dye Trace activities.
- Tom Mirti met with DEP to discuss the establishment of a coastal groundwater salinity program.

### ***Water Supply***

- Carlos Herd and Tom Kiger attended the North Florida Regional Partnership, Stakeholder Advisory Committee meeting.
- Carlos Herd attended the North Central Florida Regional Planning Council meeting in Lake City.

### ***Resource Management***

- Tim Sagul and Pat Webster attended the closing on the conservation easement for the Starke Bypass Mitigation Area.

### ***Communications***

- Abby Johnson published an article entitled, "November 2015 Hydrological Conditions across SRWMD."
- Abby Johnson published an article entitled, "Hoover Family Farms – A Suwannee Valley BMP Success Story".

### ***Announcements for the week of December 21***

- District offices will be closed on December 24 and 25, in observation of the Christmas Holiday.



## Weekly Activity Report to Governing Board for December 14-20, 2015

### ***Executive/ Management***

- Noah Valenstein, Tim Sagul and Glenn Horvath met with Columbia County Commissioner Ron Williams, County Manager Ben Scott and Public Works Director Chad Williams future egarding Columbia County projects.
- Bradley Williams and Noah Valenstein attended Jefferson County Legislation Delegation.
- Noah Valenstein and Steve Minnis met with Gilchrist County Commissioner Todd Gray, County Manager Bobby Crosby, County Engineer Consultant Frank Durbi and ForVets, Inc. Otter springs Park Manager Dan Cavanah attended a meeting regarding the County's Otter Springs project proposal.
- Noah Valenstein and Brian Kauffman met with Lafayette County Commissioner Donnie Hamlin, Sheriff Brian Lamb, Scott Saddler, and Frank Darabi.

### ***Water Resources***

- Tom Mirti, Steve Minnis, Glenn Horvath, Louis Mantini, Robbie McKinney, and Mark Minno met with Mike Allen from the IFAS Nature Coast Biological Station to discuss the center's purpose and how the District could be involved.
- Tom Mirti and Warren Zwanka toured a new monitoring well site with BFA Environmental Manager. Reconnaissance of well locations for expansion of SRWMD's monitor well network.
- Tara Rodgers and Darlene Saindon toured the Indian River monitoring station with SJR field team to procedures and protocols used for seagrass and continuous water quality monitoring in coastal locations.

### ***Resource Management***

- Tim Sagul and Mike Fuller attended the North Central Florida Water Well Association (NCFWWA) meeting in Ocala.
- Mike Fuller participated in a conference call with staff from DEP and the other WMDs regarding wetland Cumulative Impact Assessments.

### ***Communications***

- Abby Johnson addressed an inquiry from the Florida Specifier regarding the completion of Hart Springs.

### ***Announcements for the week of December 28***

- District offices will be closed on January 1 in observation of the New Year holiday.