

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

OPEN TO THE PUBLIC

September 26, 2017
3:00 p.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 7 - Request for Approval and Authorization to submit the 2017-2018 Amended Annual Regulatory Plan to the Office of Fiscal Accountability and Regulatory Reform

**DIVISION OF ADMINISTRATION AND OPERATIONS
Roary Snider, Chief of Staff**

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6. Approval of Resolution No. 2017-13 Updating Classification of the Fiscal Year (FY) 2017 Reserves

**DIVISION OF RESOURCE MANAGEMENT
Tim Sagul, P.E., Director**

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7. Request for Approval and Authorization to submit the 2017-2018 Amended Annual Regulatory Plan to the Office of Fiscal Accountability and Regulatory Reform - **Recommend Consent**
8. Announcements

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

October 10, 2017 9:00 a.m. Board Meeting/Committee Meetings
District Headquarters

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

9. 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 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

September 26, 2017
Following Board Meeting

District Headquarters
Live Oak, FL

- Agricultural Program Update
- Agriculture and Natural Resource Perception Study

MEMORANDUM

TO: Governing Board
FROM: Roary Snider, Chief of Staff, Administration and Operations Division
DATE: September 18, 2017
RE: Approval of Resolution No. 2017-13 Updating Classification of the Fiscal Year (FY) 2017 Reserves

RECOMMENDATION

Staff recommends approval and execution of Resolution No. 2017-13 authorizing the assignment of the FY 2017 Reserves per the GASB 54 classifications, establishing the Economic Stabilization Reserve and the Operating Liquidity Reserve and Increasing the commitment to Local Government (RIVER) Cost Share Project.

BACKGROUND

The Governmental Accounting Standards Board (GASB) issued Statement No. 54, "Fund Balance Reporting and Governmental Fund Type Definitions: to address issues related to how fund balances were being reported by governmental entities. GASB 54 provides for consistent reporting procedures by governmental entities and classification structures to improve the understanding of constraints placed on fund balances being reported.

There are five fund balance categories in GASB 54 guidelines including:

Non-spendable – funds that are not in spendable form or funds that are legally or contractually required to be maintained.

Restricted – funds externally restricted or constrained by law.

Committed – funds that are restricted by the highest level of decision making authority in which the restriction is established by a formal action.

Assigned – funds that are not designated in non-spendable, restricted, or committed categories, but are intended for a specific purpose.

Unassigned – funds that are not designated in non-spendable, restricted, or committed categories but are available for any purpose.

Approval of Resolution No. 2017–13 will:

- Re-classify Fund Balance amounts to Audited Financial Statements dated September 30, 2016, and
- Adjust and re-assign Restricted Grant and Committed Match amounts from closed out projects, and
- Commit an additional **\$1,000,000** to the Local Government (RIVER) Cost Share Project. These funds are to assist government entities to implement projects that further the District's core mission (Established under Resolution 2013-24), and
- In keeping with the District's General Fund Reserve Policy, adopted July 11, 2017 to provide additional financial well-being and stability, Commit General Fund Reserves to an Economic Stabilization Reserve in the amount of **\$2,434,127** and Assign General Fund Reserves to an Operating Liquidity Reserve in the amount of **\$3,651,190**.

The Restricted Fund Balances for Preservation 2000, Florida Forever, Water Resource Development & Land Acquisition and PCS/WSA Mitigation are pending financial and legal examination and will be re-classified at a later date.

RES/pjs

Attachment (Fund Balance Classifications – FY2016-17)

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT
RESOLUTION NO. 2017-13**

**RESOLUTION APPROVING THE FUND BALANCE
CLASSIFICATIONS FOR FISCAL YEAR 2016-2017**

WHEREAS, the Suwannee River Water Management District (District) is required to submit a tentative budget to the Legislature; and

WHEREAS, in an effort to promote consistency in budget reporting, the Florida Department of Environmental Protection (FDEP) requested that all water management districts classify fund balances according to the Governmental Accounting Standards Board (GASB) Statement No. 54; and

WHEREAS, FDEP requested that the classification of District funds be formalized in a resolution approved by the Governing Board; and

WHEREAS, the Governing Board of the District re-classifies Fund Balance amounts to Audited Financial Statements dated September 30, 2016; and

WHEREAS, the Governing Board of the District adopted the General Fund Reserves Policy which defines, establishes, and maintains an Operating Liquidity Reserve and an Economic Stabilization Reserve.

WHEREAS, the Governing Board of the District commits an additional \$1,000,000 to the Local Government (RIVER) Cost Share Project.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Board of the District, that Fiscal Year 2016-2017 Fund Balance Classification shall be as shown on the Fund Balance Classifications attachment.

PASSED AND ADOPTED THIS _____ DAY OF SEPTEMBER, 2017 A.D.

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

MEMBERS OF THE BOARD:

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

ATTEST: _____

SUWANNEE RIVER WATER MANAGEMENT DISTRICT
FUND BALANCE CLASSIFICATIONS - FY 2016-17 (October 1, 2016 - September 30, 2017)
 Updated 08/30/17

FUND	CLASSIFICATIONS OF FUND BALANCE	Fund Balance Designations as of September 31, 2016 (per Audit)	Changes during FY17	Fund Balance Designations - 2016-17 FY	Explanation of Changes
NON-SPENDABLE					
	NON-SPENDABLE SUBTOTAL	\$ -	\$ -	\$ -	
RESTRICTED					
SRF - 10	Preservation 2000	\$ 6,975,465		\$ 6,975,465	Financial examination pending
SRF - 10	Florida Forever	\$ 2,481,501		\$ 2,481,501	Financial examination pending
SRF - 12	DOT ETDM	\$ 42,342		\$ 42,342	
SRF - 13	Water Resource Development & Land Acquisition	\$ 2,146,477		\$ 2,146,477	Financial examination pending
SRF - 19	DOT Mitigation	\$ 270,387		\$ 270,387	
SRF - 29	Suwannee River Partnership Projects	\$ 973,967		\$ 973,967	
SRF - 33	PCS/WSA Mitigation	\$ 110,787		\$ 110,787	
SRF - 60	Reimbursable Grants	\$ (293)	\$ 293	\$ -	Adjustment
	RESTRICTED SUBTOTAL	\$ 13,000,633	\$ 293	\$ 13,000,926	
COMMITTED - General Fund					
SRF - 51	Agricultural Cost Share	\$ 5,395,446		\$ 5,395,446	
SRF - 53	River Cost Share	\$ 3,760,836	\$ 1,000,000	\$ 4,760,836	Additional Commitment
SRF - New	Monitoring Well Installation / Waster Supply Planning	\$ 3,799,540		\$ 3,799,540	
	Surplus Land Acquisition Funds	\$ 2,427,836		\$ 2,427,836	
	Research, Data Collection, Analysis & Monitoring	\$ 1,269,267		\$ 1,269,267	
	Springs Project Match - FY15	\$ 295,008	\$ (295,008)	\$ -	Re-assigned
GF - 01	Economic Stabilization Fund	\$ -	\$ 2,434,127	\$ 2,434,127	Reserve Policy adopted
	COMMITTED SUBTOTAL	\$ 16,947,933	\$ 3,139,119	\$ 20,087,052	
ASSIGNED - General Fund					
GF - 01	Operating Liquidity Reserve	\$ -	\$ 3,651,190	\$ 3,651,190	Reserve Policy adopted
Project 2300-31	Springs Project Match - FY17	\$ -	\$ 204,066	\$ 204,066	Resolution 2017-06
Project 3100-05-13	Land Management Projects	\$ -	\$ 260,000	\$ 260,000	Resolution 2017-02
	ASSIGNED SUBTOTAL	\$ -	\$ 4,115,256	\$ 4,115,256	
UNASSIGNED - General Fund					
GF - 01	Available for Future Year Utilization	\$ 11,272,153	\$ (7,254,668)	\$ 4,017,485	Re-assigned
		\$ -		\$ -	
	UNASSIGNED SUBTOTAL	\$ 11,272,153	\$ (7,254,668)	\$ 4,017,485	
Total		\$ 41,220,719	\$ -	\$ 41,220,719	
Remaining Fund Balance at Fiscal Year End					
COMMENTS:					
SRF = Special Revenue Fund GF = General Fund					

MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Division Director, Resource Management

DATE: September 6, 2017

RE: Request for Approval and Authorization to submit the 2017-2018 Amended Annual Regulatory Plan to the Office of Fiscal Accountability and Regulatory Reform

RECOMMENDATION

Staff recommends the Governing Board:

- 1. Approve the 2017-2018 Amended Annual Regulatory Plan and**
- 2. Authorize Staff to submit the 2017-2018 Amended Annual Regulatory Plan to the Office of Fiscal Accountability and Regulatory Reform (OFARR), Joint Administrative Procedures Committee (JAPC), the Speaker of the House and the Senate President.**

BACKGROUND

Section 120.74, F.S., requires state agencies to annually submit their Annual Regulatory Plan (plan) to OFARR, JAPC, the Speaker of the House and the Senate President in order that they may have an expectation of the rules that will be updated and/or created during the upcoming year. The agency is not required to complete all proposed rulemaking in the plan, however, any changes or initiation of rules are required be listed on the plan before the agency proceeds with rulemaking. Additionally, a list of laws enacted during the previous 12 months that affect the duties or authority of the District, and whether the District must adopt rules to implement those laws, is also included with the plan.

The attached plan (Attachment A) has been amended to include two carry over items from the 2016-2017 list of laws enacted requiring rulemaking. One is related to setting any remaining MFLs for Outstanding Florida Springs that will not be set by FDEP, and the other is related to adoption of a unified definition of harm to water resources. The amended plan also includes the certification by the Governing Board Chairman and legal counsel as set forth in paragraph 120.74(1)(d), F.S.

WZ/tm
Attachment A

Suwannee River Water Management District
Laws Enacted Requiring Rulemaking

Laws enacted or amended during the previous 12 months that affect the duties or authority of SRWMD	Description	Rulemaking Action	Must SRWMD adopt rules to implement?	Proposed NOPR date
SB 80	Agency posting of public records custodian contact information	None	No	N/A
HB 181	Participation on interagency workgroup	None	No	N/A
HB 599	Contracts for construction services	None	No	N/A
	Carry Over from 2016-2017 Laws Enacted Requiring Rulemaking			
Paragraph 373.042(2)(a), F.S.	Adoption of Outstanding Florida Spring (OFS) MFLs.	New Rules	Yes – 40B-8, F.A.C.	8/1/2018*
Subsection 373.219(3), F.S.	Development of unified definition of “harm.”	Amendment	Yes – 40B-2, F.A.C.	8/1/2018*

* Awaiting FDEP guidance on rulemaking

Other laws to be implemented by rulemaking before July 1, 2018: None

Suwannee River Water Management District
2017-2018 Amended Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40B-1, F.A.C.	General and Procedural Rules	Rule Amendment	Implements District operational procedures	Amend rules to reflect operational or procedural changes resulting from Statewide ERP rulemaking effort	Update rule	None	No
40B-1.703, F.A.C.	Procedures for Consideration of Permit Applications	Rule Amendment	Describes permit types and noticing	Update and simplify rule	Update rule	None	No
40B-2.021, F.A.C.	Definitions	Rule Amendment	Implements Part II, Chapter 373, F.S.	Clarify the terms "common enterprise" and "harm"	Update rule	None	No
40B-2.041, F.A.C.	Permits Required	Rule Amendment	Implements Part II, Chapter 373, F.S.	Update permitting criteria for permittees acting as a common enterprise	Update rule	None	No
40B-2.301, F.A.C.	Conditions for Issuance of Permits	Rule Amendment	Implements Part II, Chapter 373, F.S.	Update, simplify, clarify rule and Appliant's Handbook	Update rule	None	No
40B-2.331, F.A.C.	Modification of Permits	Rule Amendment	Implements Part II, Chapter 373, F.S.	Clarify letter modification criteria	Update rule	None	No
40B-3, F.A.C.	Permitting of Well Construction	Rule Amendments	Implements Part III, Chapter 373, F.S.	Comprehensive rule updates, simplification, and revision to definitions and to incorporate Ch. 62-531 and 62-532, F.A.C., add GPBR for 62-780, F.A.C. wells, incorporate the statewide application and completion report	Update rules	Reduction in cost of doing business	Yes

Suwannee River Water Management District
2017-2018 Amended Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
				forms, remove elevation survey requirement in floodplain, and authorize alternative grouting/ construction methods			
40B-4, F.A.C.	Works of the District Permits	Rule Amendments	Implements Part IV, Chapter 373, F.S.	Amendments pursuant to the SWERP II statewide rule consistency effort and FEMA Risk MAP revisions	Update rules	None	No
40B-8.021, F.A.C.	Definitions	Rule Amendment	Rules defines terms related to the establishment of minimum flows and levels	Update, revise, and clarify definitions as new MFLs are established	Update rule	None	No
New Rules 40B-8.111 through 40B-8.151, F.A.C.	Minimum flows or minimum levels for Hampton Lake, Lake Butler, Lakes Santa Fe and Alto, Cherry Lake, and the Steinhatchee River	New Rules	Implements Sections 373.042 and 373.0421, F.S.	To provide criteria for determining whether the MFL for a water body is being met and the accompanying prevention or recovery strategy if necessary	New Rules	Dependent on MFL status	Yes
40B-21.631, F.A.C.	Water Shortage Plan, Phase II	Rule Amendment	These rules provide for the conservation, protection, and management of water during periods of water shortage	Revise language so that language in Phase II is at least as restrictive as current year-round lawn watering restrictions	Update rule	None	No

Suwannee River Water Management District
2017-2018 Amended Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40B-21.641, F.A.C.	Water Shortage Plan, Phase III	Rule Amendment	These rules provide for the conservation, protection, and management of water during periods of water shortage	Revise language so that language in Phase III is at least as restrictive as current year-round lawn watering restrictions	Update rule	None	No
40B-400, F.A.C.	Environmental Resource Permits	Rule Amendments	Implements Part IV, Chapter 373, F.S.	Remove references to 62-330, F.A.C., and Applicant's Handbook Volume I, and other amendments pursuant to the SWERP II statewide rule consistency effort and FEMA Risk MAP revisions	Update rules	None	No

We hereby certify that we have reviewed the Suwannee River Water Management District’s (District) 2017-2018 Amended Annual Regulatory Plan, pursuant to paragraph 120.74(1)(d), F.S. All District rules have been reviewed as of August 24, 2017, to determine if they remain consistent with the District’s rulemaking authority and the laws implemented.

Don Quincey, Jr.
Chair

Date

George T. Reeves
Legal Counsel

Date