

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

GoTo Webinar Link: <https://attendee.gotowebinar.com/register/8420506868997714700>

Public Comment Form Link: www.MySuwanneeRiver.com/Comments

Open to Public

April 12, 2022
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 No. 6 - March 8, 2022 Governing Board Meeting and Workshop Meeting Minutes
 - Agenda Item No. 12 - February 2022 Financial Report
 - Agenda Item No. 13 - Disaster Recovery as a Service Purchase
 - Agenda Item No. 18 - Communications and Outreach Services RFQ 21/22-012
 - Agenda Item No. 27 - Task Work Assignment 19/20-009.021 with HSW Consulting
 - Agenda Item No. 28 - Task Work Assignment 19/20-082.005 with Intera Inc.

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6. March 8, 2022 Governing Board Meeting and Workshop Meeting Minutes -
Recommend Consent
7. Items of General Interest for Information/Cooperating Agencies and Organizations
 - A. Hydrologic Conditions Report
 - B. Cooperating Agencies and Organizations

GOVERNING BOARD LEGAL COUNSEL
Tom Reeves

8. Update on Legal Activities

BUSINESS AND COMMUNITY SERVICES
Tim Alexander, Deputy Executive Director

Administration

BCS Page 1

9. Land Acquisition and Disposition Activity Report

10. RO Ranch Update

BCS Page 4 11. Resolution 2022-02, Final Acquisition of Lasky Tract, Gilchrist County

Finance

BCS Page 16 12. February 2022 Financial Report – **Recommend Consent**

Information Technology

BCS Page 21 13. Disaster Recovery as a Service Purchase – **Recommend Consent**

Resource Management

BCS Page 22 14. Permitting Summary Report

BCS Page 25 15. Rulemaking to Amend Rules 40B-4.1010, 40B-4.1040, and 40B-4.3035, Florida Administrative Code, for Works of the District Permits

BCS Page 27 16. Governing Board Directive 22-0002, Revised Regulatory Compliance and Enforcement Policy

OUTREACH AND OPERATIONS

Katelyn Potter, Division Director

Outreach and Operations

17. *Who We Are Campaign* Presentation

OPS Page 1 18. Communications and Outreach Services RFQ 21/22-012 – **Recommend Consent**

Land Management

OPS Page 3 19. District Land Management and Twin Rivers State Forest Activity Summary

OPS Page 6 20. Fiscal Year 2022 Vegetation Management Services Budget Increase

OPS Page 8 21. Amendment to Contract 19/20-015 with Agriculture Construction Services

Hydrologic Data Services

OPS Page 9 22. Agricultural Water Use Monitoring Report

WATER RESOURCES

Amy Brown, Deputy Executive Director

Agriculture and Environmental Projects

WR Page 1 23. Contract with Dusty Cone Farms, LLC for Agriculture Cost-Share Funding

WR Page 3 24. Contract with United Dairies of Florida, LLC for Agriculture Cost-Share Funding

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

April 12, 2022
Following Board Meeting

District Headquarters
Live Oak, Florida

- 40B-3 Rulemaking Discussion – Permitting of Well Construction
- Environmental Resource Permitting Stormwater System Design Discussion

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

GoTo Webinar Link: <https://attendee.gotowebinar.com/register/4023235512971941902>

Public Comment Form Link: www.MySuwanneeRiver.com/Comments

Open to Public

Note: A digital recording system was used to record these proceedings and is on file in the permanent files of the District. A copy of the 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.

March 8, 2022
9:00 a.m.

District Headquarters
Live Oak, Florida

Agenda Item No. 1 – Call to Order. The meeting was called to order at 9:00 a.m.

Agenda Item No 2 – Roll Call

Governing Board

Seat	Name	Office	Present	Not Present
Aucilla Basin	Dr. George Cole		X	
Coastal River Basin	Richard Schwab	Vice Chair	X	
Lower Suwannee Basin	Larry K. Thompson		X	
Santa Fe & Wacc. Basins	William Lloyd		X	
Upper Suwannee Basin	Larry Sessions		X	
At Large	Virginia H. Johns	Chair	X	
At Large	Charles Keith	Sec./Treas.	X	
At Large	Harry Smith		X	
At Large	Vacant		-	-

Governing Board Legal Counsel

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

Leadership Team

Position	Name	Present	Not Present
Executive Director	Hugh Thomas	X	
Deputy Executive Director	Tim Alexander	X	
Deputy Executive Director	Amy Brown	X	
Executive Office & Board Coordinator	Robin Lamm	X	

Agenda Item No. 3 - Announcement of any Amendments to the Agenda by the Chair: None

ADDITION:

GOVERNING BOARD LEGAL COUNSEL: Discussion of Interlocal Agreement with Columbia County Board of Commissioners regarding Country Club Road Property.

MOTION WAS MADE BY KEITH, SECONDED BY SCHWAB TO APPROVE THE ADDITION TO THE AGENDA. MOTION CARRIED UNANIMOUSLY.

Agenda Item No. 4 – Public Comment.

- Don Wainwright – Concerns with District permitting process regarding projects in Suwannee County.
- Greg Bailey, North Florida Professional Services – Concerns with District permitting process and growth development in our District. Provided handout to Board. Requested a workshop regarding the District permitting process.
- Dennis Music, DDP Development - Concerns with permitting process in our District.

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

- Agenda Item No. 6 - February 8, 2022 Board Meeting and Workshop Minutes
- Agenda Item No. 10 - Recission of Acceptance of Grant Funding for Acquisition of the Adams Aucilla Springs Tract, Madison County
- Agenda Item No. 13 - January 2022 Financial Report
- Agenda Item No. 15 - Florida Department of Transportation Mitigation Plan 2022-2026 – Revised
- Agenda Item No. 18 – Amendment to Contract 20/21-117 with Moore Communications
- Agenda Item No. 28 - Task Work Assignment 19/20-061.008 with Environmental Consulting and Technology Inc.

MOTION WAS MADE BY SCHWAB, SECONDED BY KEITH TO APPROVE THE RECOMMENDATION. MOTION CARRIED UNANIMOUSLY.

Agenda Item No. 6 - February 8, 2022 Governing Board Meeting and Workshop Minutes.
Approved on Consent.

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

- A. Robbie McKinney, Hydrologist IV, Office of Water Resources, gave a presentation of hydrologic conditions of the District.
- B. Cooperating Agencies and Organizations. Jim Suggs, Garrett Menichino and Vongmony Var, Unites States Army Corp of Engineers, provided a presentation regarding the engineering and economic analysis of flooding concerns along Alligator Creek in Bradford County.

GOVERNING BOARD LEGAL COUNSEL

Agenda Item No. 8 – Legal Activities Update. Tom Reeves, Board Legal Counsel, updated the Board on the following:

Addition:

Discussion of Proposed Interlocal Agreement between the District and Columbia County Regarding Country Club Road Property. Mr. Thomas and Board Member Keith informed the Board that they had attended the March 3, 2022 meeting of the Board of County Commissioners of Columbia County, Florida. At such meeting, the Board of County Commissioners considered and approved an updated version of the proposed Interlocal Agreement on behalf of Columbia County.

Tom Reeves, Board Legal Counsel, discussed with the Board the proposed Interlocal Agreement updates and changes.

Chair Johns found good cause to do so and amended the agenda for this meeting to add to the agenda consideration and possible approval of the proposed Interlocal Agreement.

MOTION WAS MADE BY SESSIONS, SECONDED BY KEITH TO AMEND THE AGENDA TO INCLUDE THE APPROVAL OF THE PROPOSED INTERLOCAL AGREEMENT WITH UPDATES. MOTION CARRIED UNANIMOUSLY.

MOTION WAS MADE BY KEITH, SECONDED BY SCHWAB TO APPROVE THE PROPOSED INTERLOCAL AGREEMENT AS PRESENTED. MOTION CARRIED UNANIMOUSLY.

MOTION WAS THEN MADE BY THOMPSON, SECONDED BY KEITH, TO RESCIND THE PREVIOUS ACTION OF THE BOARD AT ITS FEBRUARY 8, 2022 BOARD MEETING DIRECTING STAFF TO OBTAIN APPRAISALS FOR THE COUNTRY CLUB ROAD PROPERTY AND BEGIN THE PROCESS TO HAVE THE DAM ON SUCH PROPERTY PERMITTED AND DISPOSE OF PORTIONS OF THE PROPERTY. MOTION CARRIED UNANIMOUSLY.

BUSINESS AND COMMUNITY SERVICES

Administration

Agenda Item No. 9 – Land Acquisition and Disposition Activity Report. This report was provided as an informational item in the Board materials.

Agenda Item No. 10 – Recission of Acceptance of Grant Funding for Acquisition of the Adams Aucilla Springs Tract, Madison County. Approved on Consent.

Agenda Item No. 11 – Request for Qualifications 21/22-11, Facilities Construction Projects. Steve Schroeder, Chief, Office of Administration, presented this item to the Board.

MOTION WAS MADE BY COLE, SECONDED BY THOMPSON TO APPROVE THE RECOMMENDATION. MOTION CARRIED UNANIMOUSLY.

Agenda Item No. 12 – Surplus Vehicle and Acquisition of a Replacement Vehicle. Mr. Schroeder presented this item to the Board.

MOTION WAS MADE BY KEITH, SECONDED BY THOMPSON TO APPROVE THE RECOMMENDATION. MOTION CARRIED UNANIMOUSLY.

Finance

Agenda Item No. 13 – January 2022 Financial Report. Approved on Consent.

Resource Management

Agenda Item No. 14 – Permitting Summary Report. This report was provided as an informational item in the Board materials.

Agenda Item No. 15 – Florida Department of Transportation Mitigation Plan 2022-2026 – Revised. Approved on Consent.

OUTREACH AND OPERATIONS

Communications and Outreach

Agenda Item No. 16 – Springs Protection Awareness Month Proclamation. Troy Roberts, Manager, Outreach and Operations Division, presented this item to the Board.

MOTION WAS MADE BY SCHWAB, SECONDED BY SESSIONS TO APPROVE THE RECOMMENDATION. MOTION CARRIED UNANIMOUSLY.

Agenda Item No. 17 – Water Conservation Month Proclamation. Mr. Roberts presented this item to the Board.

MOTION WAS MADE BY KEITH, SECONDED BY LLOYD TO APPROVE THE RECOMMENDATION. MOTION CARRIED UNANIMOUSLY.

Agenda Item No. 18 – Amendment to Contract 20/21-117 with Moore Communications. Approved on Consent.

Land Management

Agenda Item No. 19 - District Land Management & Twin River State Forest (TRSF) Activity Summary. This summary was provided as an informational item in the Board materials.

Agenda Item No. 20 - Contract with Earth Balance for Groundcover Restoration Services. Bill McKinstry, Chief, Office of Land Management, presented this item to the Board.

MOTION WAS MADE BY LLOYD, SECONDED BY KEITH TO APPROVE THE RECOMMENDATION. MOTION CARRIED UNANIMOUSLY.

Hydrologic Data Services

Agenda Item No. 21 – Agricultural Water Use Monitoring Report. This report was provided as an informational item in the Board materials.

WATER RESOURCES

Agriculture and Environmental Projects

Agenda Item No. 22 – Agriculture and Environmental Projects Update. Leroy Marshall, Chief Professional Engineer, Office of Agriculture and Environmental Projects, provided this update to the Board.

Agenda Item No. 23 – Contract with 83 Farms, LLC for Agricultural Cost-Share Funding. Mr. Marshall presented this item to the Board.

MOTION WAS MADE BY SCHWAB, SECONDED BY KEITH TO APPROVE THE RECOMMENDATION. MOTION CARRIED UNANIMOUSLY.

Agenda Item No. 24 – Contract 20/21-114 Amendment with Dixie County for Cost Share Assistance. Mr. Marshall presented this item to the Board.

MOTION WAS MADE BY LLOYD, SECONDED BY SCHWAB TO APPROVE THE RECOMMENDATION. MOTION CARRIED UNANIMOUSLY.

Duane Cannon, Manager, Dixie County, thanked the District for support of this project.

Minimum Flows and Levels

Agenda Item No. 25 – Minimum Flows and Minimum Levels Update. Sean King, Chief, Office of Minimum Flows and Minimum Water Levels, provided an update to the Board.

Agenda Item No. 26 – Upper Suwannee MFL Presentation. Mr. King provided a powerpoint presentation to the Board.

Agenda Item No. 27 – Task Work Assignment 19/20-009.020 with HSW Consulting LLC. Mr. King presented this item to the Board.

MOTION WAS MADE BY SMITH, SECONDED BY SESSIONS TO APPROVE THE RECOMMENDATION. MOTION CARRIED UNANIMOUSLY.

Agenda Item No. 28 – Task Work Assignment 19/20-061.008 with Environmental Consulting and Technology, Inc. Approved on Consent.

Water Supply

Agenda Item No. 29 – Water Supply Update. Emily Ducker, Manager, Office of Water Supply, provided an update to the Board.

Water Resources

Agenda Item No. 30 – Water Quality Presentation. Susie Hetrick, Chief, Water Resources Office, provided a powerpoint presentation to the Board.

EXECUTIVE OFFICE

Agenda Item No. 31 - Announcements. Mr. Thomas updated the Board on District activities.

Agenda Item No. 31 - Governing Board Comments. None

Agenda Item No. 32 - Adjournment. Meeting adjourned at 12:24 p.m.

Chair

ATTEST:

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT
GOVERNING BOARD WORKSHOP**

March 8, 2022
Following Board Meeting

District Headquarters
Live Oak, Florida

Workshop began at 1:04 p.m.

District Facilities Discussion

Mr. Schroeder and Ashley Spivey, Asset and Purchasing Specialist, Office of Administration, provided a powerpoint presentation on the District facilities improvements and the interior LiDAR system of the buildings.

Workshop ended at 2:02 p.m.

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board
FROM: Stephen Schroeder, Chief, Office of Administration
THRU: Tim Alexander, Deputy Executive Director, Business and Community Services
DATE: April 1, 2022
RE: Land Acquisition and Disposition Activity Report

Attached for your information is the Land Acquisition and Disposition Activity Report.

SS/tm
Attachments

LAND ACQUISITION AND DISPOSITION ACTIVITY REPORT

Property Offers							
Owner	Tract	Acres	County	Submittal Date	Asking Price	Acquisition Type	Comments
	Gilchrist Lyme	17,854	Gilchrist	03.2019	Exchange acreage dependent on configuration/ Sandlin Bay 2,023 acre (USFS)	Conservation Easement	Tabled by Lands Committee (LC) 6.11.2019. Offeror has contract for sale of property. On hold.
Approved for Detailed Assessment							
Owner	Project Name	Acres	County	Submittal Date	Asking Price	Acquisition Type	Comments
McB-Pinehatchee	Steinhatchee North/ RO Ranch West-Equestrian	2950/1,277	Lafayette		Exchange	Exchange - Fee for Fee	Approved by Governing Board (GB)11.12.2019. Final exchange offer approved by GB 4.13.21. Request for GB approval of contract by GB 9.14.2021 for survey approved to obtain a metes and bounds/sketch for McB property. 12.14.21 Survey has commenced. Exchange agreement being reviewed by District legal counsel. McB-Pinehatchee is reviewing the exchange agreement as of 12.28.21. Survey complete. Exchange agreement remains under review by McB-Pinehatchee. 3.14.21 negotiations continuing regarding District access easement and some other minor issues. Exchange agreement revisions being reviewed by District legal counsel.
Michael and Freda Shaw	Shaw Conservation Easement Exchange	1,099	Lafayette			Conservation Easement	Negotiations ongoing.
Camp and Abel	Camp and Abel	266	Hamilton	09.23.20	\$948,000	Fee	Approved for detailed assessment and negotiations 12.8.20. Property being tasked to NFLT for negotiation and assessment. Transaction will be processed in house and not contracted. ESA Phase 1 ordered.
Pfleiger	Riverbend Estates	1.1	Dixie	03.20.20	\$11,000/Possible exchange	Fee	Staff recommendation to proceed with detailed assessment and negotiations. Approved by LC on 6.9.20. Approved by GB on 7.14.20. In discussions with Offeror to exchange for Timber River parcel in Madison County. Offeror has tentatively agreed to exchange. Draft contract submitted to Counsel for review on 3.3.21. Awaiting additional guidance from Counsel regarding appraisals. Contract revised and submitted to Pfleiger. Staff will order an ESA Phase 1 and appraisal of the Riverbend property; Pfleiger will order an appraisal on the District land in Timber River. Signed contract received from Pfleiger to be submitted for GB Chair signature. Satisfactory Phase 1 ESA was received. Appraisal in process. Final exchange approved by LC 1.11.22. . Approved by GB 2.8.22. Will proceed to closing.
Alachua Conservation Trust	Santa Fe Springs (ACT) a/k/a Zow, Graham Springs	282	Columbia		\$139,041	Conservation Easement	Staff recommendation to proceed with detailed analysis and negotiations approved by LC on 12.12.2019. Approved by GB on 1.14.20. Due diligence documentation submitted by ACT and being reviewed. Drafting CE to prepare for closing after Springs Grant funding released. Funded on Springs Grant list. Staff beginning process to finalize transaction including completion of CE terms. Draft CE submitted to ACT for review 12.9.2020. ACT comments received and being reviewed. Internal review complete. CE submitted for legal review 3.3.21. Legal comments received. Revised CE submitted to ACT for review on 6.9.21. Final revisions being made to CE language; expect completion before 7.31.21. Additional revisions submitted after conference with ACT; being reviewed internally. Terms of CE have been agreed to. Moving towards final closing.
Florida Department of Transportation	Quail Heights	40.63	Columbia		\$651,105	Fee	Staff review on 8.8.19 recommended purchase in partnership with FDOT. Approved by LC on 2.11.20. Approved by GB 3.10.20. Submitted for Springs Grant funding but not obtained for FY 20. Property acquired by FDOT on 9.10.20. LC approved contribution to acquisition costs 11.10.20. GB approved on consent agenda 12.8.20. FDOT contract completed. Resolution for acquisition on GB agenda 5.11.21 and was approved. Final revisions and resolution of all contingencies complete and satisfied. Funds will be distributed to FDOT before 6.1.21. Agreement with FDOT executed. Funds referred after due diligence. Staff is working on obtaining appropriate surveys and negotiating agreement with Columbia County. Interlocal agreement being drafted with Columbia County. Survey received from Columbia County. Determining next steps for completion of transaction.
Harpo Holdings, LLC	Rio Lindo Conservation Easement	313	Gilchrist	10.2.20	TBD based on appraisal	Conservation Easement	Staff recommendation to proceed with detailed assessments and negotiations was approve by GB agenda 1.12.21. CE terms being negotiated and under review by District Legal Counsel. CE terms in ongoing negotiations. CE terms agreed to. Seller is obtaining appraisal.
Lasky	Lasky	351.74	Gilchrist	11.2020	\$855,000	Fee	Approved for detailed assessment and negotiation by GB 4.13.21. Phase 1 ESA report received. No issues noted. Appraisal complete. Negotiations underway with owner.Offer submitted to owner 1.18.22. Potential agreed price of \$770,000 subject to GB approval. Resolution on Agenda for 4.12.22.
R.L. Henderson	Telford Springs	94	Suwannee	12.2020	\$1,135,000	Fee	Submitted to LC 3.9.21 as a Springs Restoration program acquisition. Approved by LC. Board agenda 4.13.21, approved as part of Spring Restoration Grant application. Submitted as a Springs Grant project. Springs Grant award notice released 11.9.21. Discussions underway with Seller and Alachua Conservation Trust for moving forward to complete transaction.
Adams	Adams Tract	231.1	Madison	08.2020	TBD	Fee	Submitted to LC 3.9.21 as a Springs Restoration program acquisition. Approved by LC. Board agenda 4.13.21, approved as part of Spring Restoration Grant application. Submitted as a Springs Grant project. Springs Grant award notice released 11.9.21. LC approved direct submission of final transaction to GB on 11.9.21. Staff negotiating final items for closing transaction. District legal counsel is reviewing various related agreements. GB rejected the proposed final resolution on 12.14.21. Item tentatively closed pending further communication from the sellers. Tall Timbers continuing discussion with owner and FDEP. Request for release of grant being submitted to Board on 3.8.22. Grant acceptance rescinded by GB 3.8.22 - transaction file closed.
Rayonier	Lake Sampson (Rayonier)	30+/-	Bradford	District Initiated	TBD	Fee	Submitted to LC on 5.11.21 to be funded through FDEP grant; acquisition if AWS project related. Approved by LC. On GB Agenda for 6.8.21 and was approved. TWA opened with NFLT for negotiations with Rayonier. Negotiations continuing.
Bierman	Luken's tract exchange	1 acre	Levy	8.2021	Exchange	Fee for Fee	10.12.21 LC approved staff moving forward with exchange negotiations. LC recommendation approved by GB 11.11.21. Survey completed for 1 acre parcel District will receive. Exchange agreement being reviewed by District's legal counsel.

Proposed for Surplus

Tract	Acres	County	Acquired Date	Funding	Appraisal Date	Price	Comments
None pending.							

Authorized for Surplus

Tract	Acres	County	Acquired Date	Funding	Appraisal Date	Price	Comments
Forest Woodlands	11	Gilchrist	10.11.1996	Save Our Rivers	TBD	To be determined by appraisal.	Staff recommended for surplus. Approved by Lands Committee (LC) on 10.10.19. Approved by Governing Board (GB) 11.12.19. Will be offered to adjacent property owners.
Santa Fe Oasis	1	Gilchrist	4.28.1998	Save Our Rivers	TBD	TBD by appraisal update.	Approved by LC on 4.14.20. Approved by GB 5.12.20. Offered for sale to adjacent owners, two offers received. Approved by LC 8.11.20 to accept highest offer. Withdrawn from GB on 9.8.20. Being resubmitted to LC for its 9.21.20 meeting for staff recommendation to reject all offers and offer for sale to the general public. GB approved LC recommendation on 10.13.20. All bids rejected and property will be offered for sale to the general public. Staff is trying to obtain a review appraisal to reconcile disparate appraisals received and determine minimum price for bids. Awaiting legal guidance on establishing minimum price for public notice of intent to sell.
Suwannee Run Shores	1.175	Dixie	12.30.1997	Save Our Rivers	TBD	To be determined by appraisal.	Staff recommended for surplus. Approved by LC 7.9.19. Approved by GB 8.13.19. Adjacent Property owners notified, responses/bids with appraisals due 4.15.20. No responses received, will be posted on website and offer for sale to general public.
Three Rivers Estates	1	Columbia	12.30.1997	Save Our Rivers	N/A	TBD by appraisal update.	Staff recommended for surplus. Approved by LC 7.9.19. Approved by GB 8.8.19. Adjacent Property owners notified, responses/bids with appraisals due 4.15.20. Two offers received, highest offer approved by LC 6.9.20. On GB agenda for 7.14.20 and approved. Contract being drafted.
Turtle Spring Surplus Tract	32	Lafayette	5.13.2015	Florida Forever	5.24.2015	TBD by appraisal update.	Suspended until further review. Attempting to verify final surplus status/approval by GB.
Newberry Wellfield	58.66	Alachua	1.11.2000	P-2000	N/A	\$0	3.9.21 LC recommended surplus and conveyance to the City of Newberry with specified conditions. Approved by GB 4.13.21. Conveyance documents being drafted for legal review. Conveyance on hold pending resolution of issues relating to timber operations by the District. Timber operations underway. Once complete, transaction will be closed.

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board
FROM: Stephen Schroeder, Chief, Office of Administration
THRU: Tim Alexander, Deputy Executive Director, Business and Community Services
DATE: April 1, 2022
RE: Resolution 2022-02, Final Acquisition of Lasky Tract, Gilchrist County

RECOMMENDATION

Approve Resolution 2022-02 for the final acquisition of a 351.74-acre +/- tract of real property (Lasky Tract) located in Gilchrist County and identifying the parcel as the Lasky Preserve.

BACKGROUND

The District received an offer to purchase the fee interest in a final acquisition of a 351.74-acre +/- tract of real property located in Gilchrist County. The Governing Board accepted the Lands Committee recommendation for staff to begin detailed assessment and negotiations for the acquisition at its regular meeting on April 13, 2021. Staff thereafter conducted an additional site visit, had a Phase 1 Environmental Site Assessment conducted, and had an appraisal of the property completed.

After negotiations, a price of \$770,000, or \$2,189 per acre, was agreed upon between the District and the seller. The seller also agreed to pay the documentary stamps on the deed to the District and 50% or \$2,000, whichever is less, towards other closing costs. As part of the negotiations, the seller has asked that the tract be identified as the "Lasky Preserve" or a similar name in any District publications or signage. The seller agrees that this request does not obligate the District to erect any signage or take any extraordinary measures to identify the tract. Staff is supportive of this recognition.

Funds from the PCS Mitigation and Save Our Rivers funds will be used to pay the purchase price, pre-acquisition, and closing costs related to the transaction. Funding is available in the Fiscal Year 2021-2022 Final Budget in account codes 33-5920-3-2100-00, 33-2580-3-2100-00, and 33-2586-3-2100-00.

An appraisal of the property was conducted in December 2021 and reflected a value of \$855,000. Additionally, a Phase I Environmental Site Assessment was conducted and found no concerns.

Staff has completed a site visit and developed a prospectus for the management of the tract.

A copy of the resolution, location map, summery triage map and LiDAR map are attached.

SCS/tm
Attachments
File #2020-005

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

RESOLUTION NO. 2022-02

AUTHORIZING THE FEE ACQUISITION OF THE LASKY TRACT CONSISTING OF 351.74 ACRES OF REAL PROPERTY LOCATED IN GILCHRIST COUNTY

WHEREAS the Suwannee River Water Management District (District) has been offered fee title to a 351.74 acre +/- tract of real property located in Gilchrist County, Florida, a description of said lands attached hereto as Attachment A; and

WHEREAS the Lasky tract is adjacent to the Suwannee River and to the Nature Coast Tract currently owned by the District; and

WHEREAS the parcel lies within the floodway and floodplain for the Suwannee River; and

WHEREAS the purchase price for said lands shall be \$770,000; and

WHEREAS acquisition costs to be funded include the cost of an appraisal of \$2,900, a Phase I Environmental Site Assessment at a cost of \$3,568; and closing costs of approximately \$4,000; and

WHEREAS the seller has agreed to pay documentary stamps on the deed to the District and to contribute 50% or \$2,000, whichever is less, toward other closing costs; and

WHEREAS the parcel shall be referred to in District documentation and on any signage associated with the parcel as the "Lasky Preserve;" and

WHEREAS the sum of \$780,000 is being requested for use from the PCS Mitigation and Save Our Rivers funds for the purchase price, pre-acquisition and closing costs; and

WHEREAS said lands are being acquired consistent with sections 373.139 and 373.199, Florida Statutes and with the District's annually updated Florida Forever Five-Year Work Plan filed with the Legislature and the Florida Department of Environmental Protection; and

WHEREAS said lands are being acquired in fee simple for water management purposes and the acquisition meets the goals and criteria of section 259.105, Florida Statutes; and

WHEREAS the funds hereinafter requested will be used only for the purchase price of said lands and related pre-acquisition and closing costs; and

WHEREAS said lands will be maintained in an environmentally acceptable manner compatible with the resource values for which acquired and, to the extent practical, in such a way as to restore and protect their natural state and condition; and

WHEREAS said lands have been appraised by a real estate appraiser and were approved for acquisition after duly noticed public meeting to inform the public of this acquisition; and

WHEREAS an environmental audit has been performed and reported no contamination or need for a Phase II Environmental Assessment.

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

1. The above statements are hereby certified and declared to be true and correct, and the acquisition of said lands are hereby further certified to be consistent with this District's plan of acquisition and Section 373.199, Florida Statutes.
2. The Chair and Secretary of the Governing Board, the Executive Director, the Governing Board attorney and all other officers and employees of the District are hereby authorized and directed to do all things necessary to close and complete the acquisition.
3. The District hereby approves the use of the PCS Mitigation/Save Our River funds for an amount not to exceed \$780,000 purchase price, pre-acquisition and closing costs.

PASSED AND ADOPTED THIS 12th DAY OF APRIL 2022

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

MEMBERS OF THE BOARD:

**VIRGINIA JOHNS, CHAIR
RICHARD SCHWAB, VICE-CHAIR
CHARLES KEITH, SECRETARY/TREASURER
DR. GEORGE COLE
WILLIAM LLOYD
LARRY SESSIONS
HARRY SMITH
LARRY K. THOMPSON**

ATTEST:

EXHIBIT "A"

Lots Eight and Nine (8&9) of Section Eighteen (18), Township Ten (10) South, Range Fourteen (14) East, Less 16.26 AC to Florida Power and Light; Lot Five (5) and the North Half (N1/2) of Lots Two (2), Three (3) and Four (4) of Section Nineteen (19), Township Ten (10) South, Range Fourteen (14) East; and Lot One (1) of Section Twenty-Four (24), Township Ten (10) South, Range Thirteen (13) East, Gilchrist County, Florida.

AND

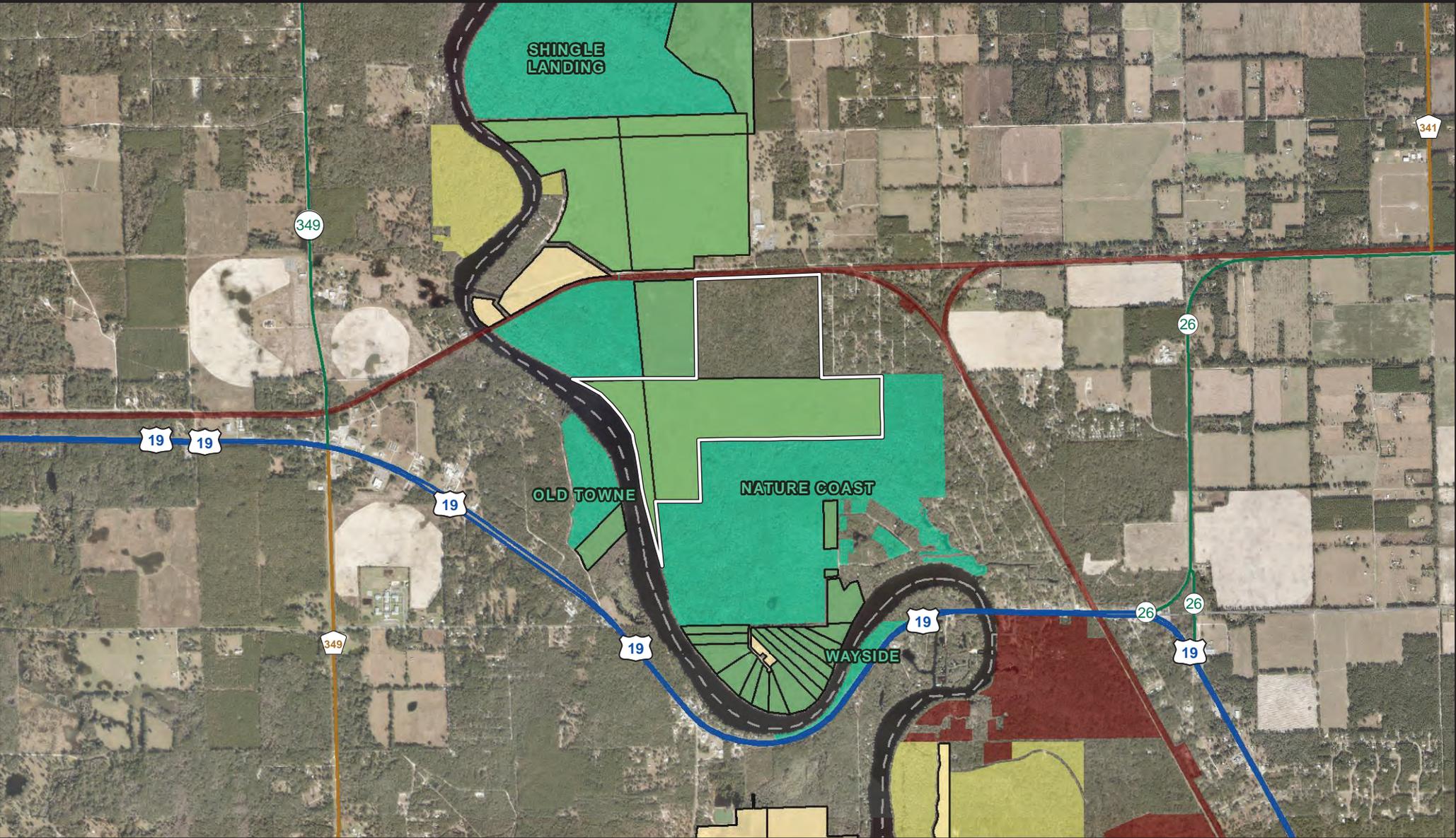
that portion of Government Lots 8 and 9 of Section 18, Township 10 South, Range 14 East, Gilchrist County, Florida, lying and being south of the railroad right -of-way.

AND

Government Lot 5 and the North one half of Government Lots 2,3 and 4 of Section 19, Township 10 South, Range 14 East, Gilchrist County, Florida.

AND

Government Lot 1 of Section 24, Township 10 South, Range 13 East, Gilchrist County, Florida.

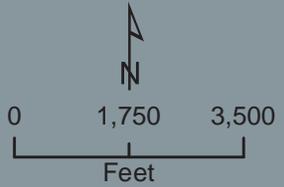


-  Property Boundary
-  SRWMD Ownership
-  Other Public Ownership
-  SRWMD Proposed Acquisitions

Adjacent Parcels Ranking

-  Primary
-  Secondary

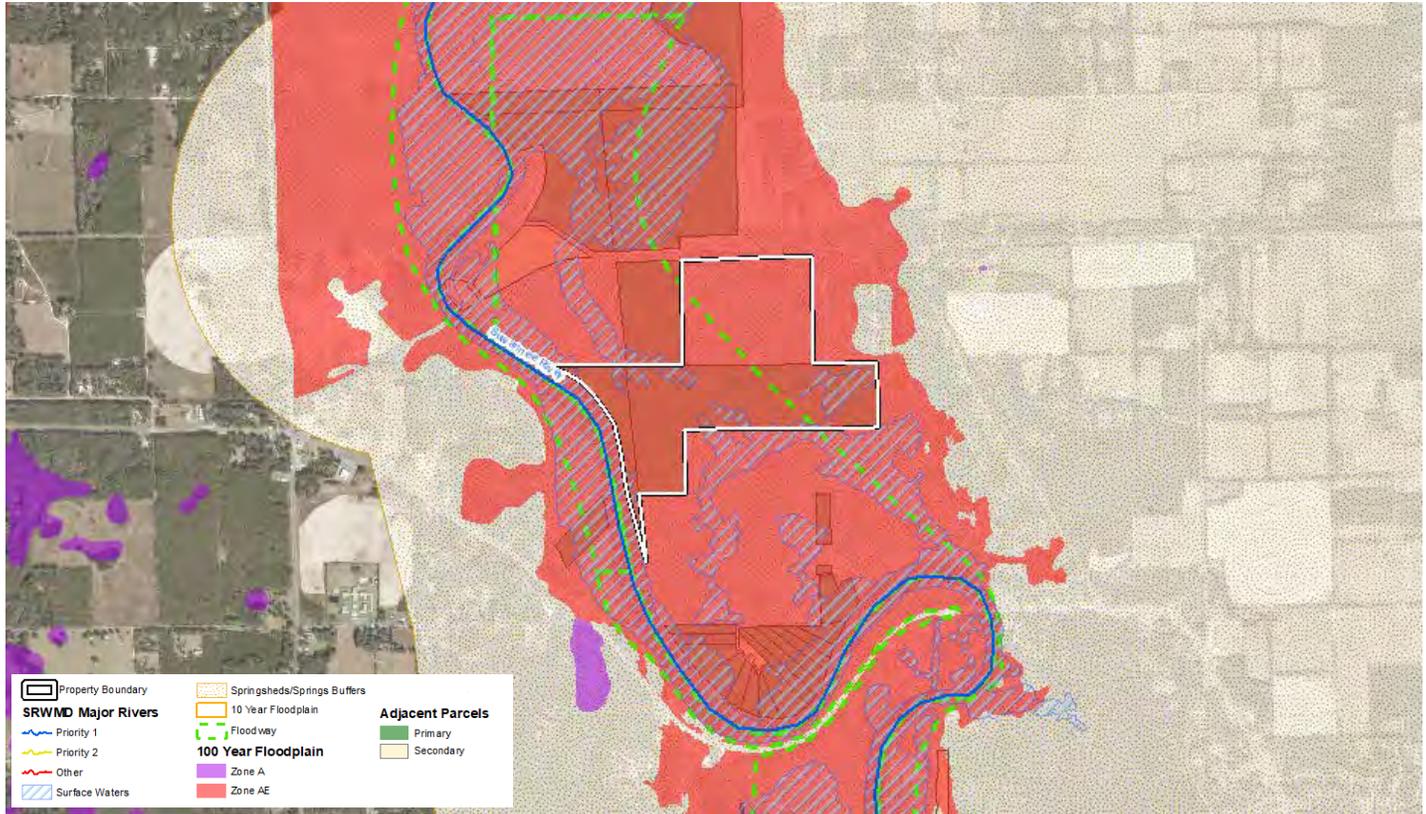
**Lasky Property
± 351.74 Ac
Gilchrist County**



Note: This map was created by the Suwannee River Water Management District (SRWMD) to be used for planning purposes only. SRWMD shall not be held liable for any injury or damage caused by the use of data distributed as a public records request regardless of their use or application. SRWMD does not guarantee the accuracy, or suitability for any use of these data, and no warranty is expressed or implied. For more information please contact the SRWMD at 386-362-1001. Map Created 12/8/2020



SUWANNEE TRIAGE ANALYSIS RESULTS



Property Name: Lasky Property

Date: 12/10/2020

Acreage: ± 351.74 ac

County: Gilchrist

Transaction Type: Acquisition

Florida Forever: Partial

Surface Water Protection

Major River: (Y) [Priority 1 – Suwannee]

Riverine Surface Waters: (Y) [± 40 ac]

Flood Protection

Floodway: (Y) [± 188 ac]

10 Year Floodplain: (Y) [± 207 ac]

100 Year Floodplain: (Y) [± 351.74 ac]

Springs Protection

Springshed: (Y) [Fanning Springshed] [± 351.74 ac]

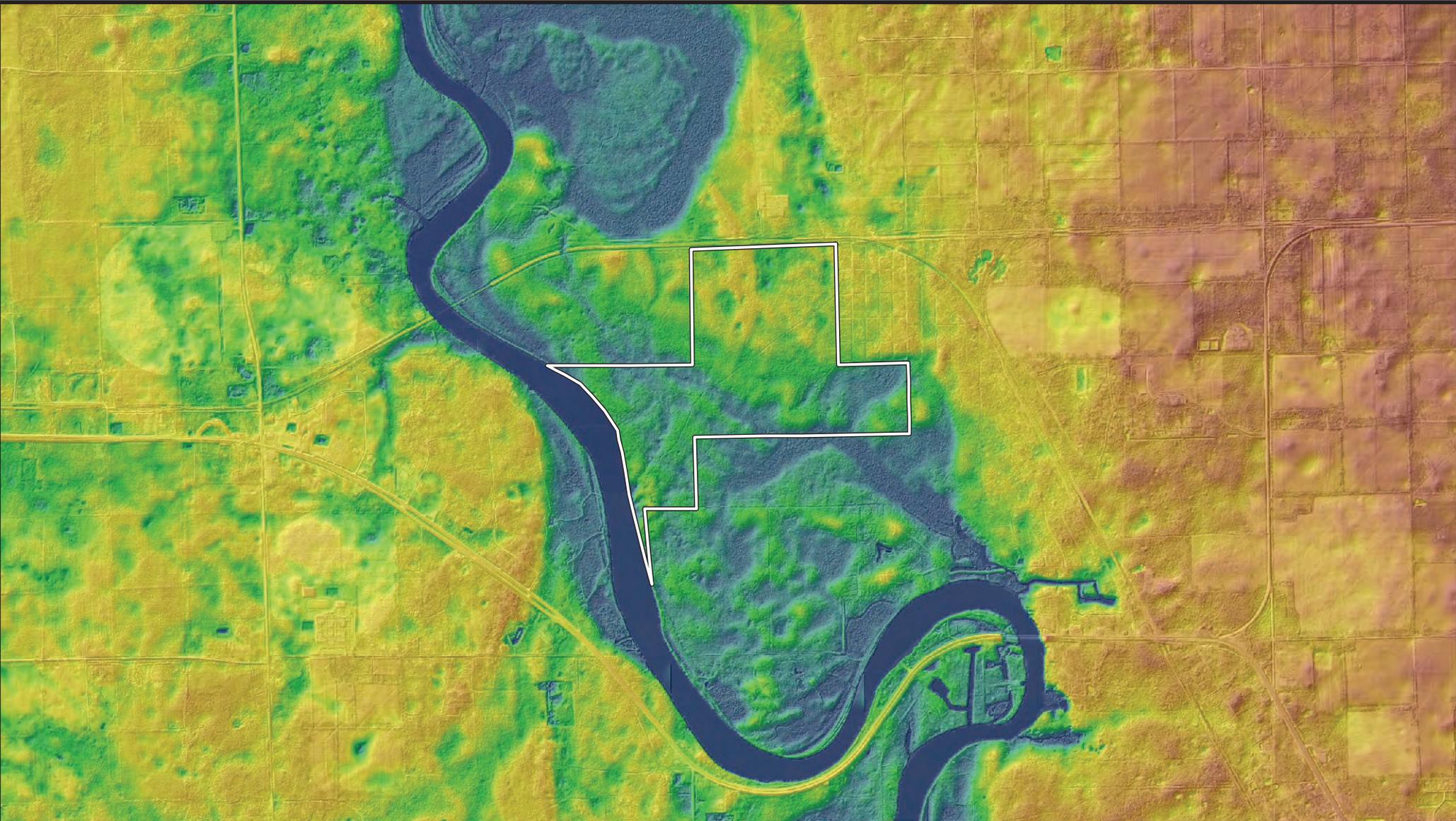
Adjacency: (Y) [Partial]

Miscellaneous

PFA: (Y) [Fanning Manatee]

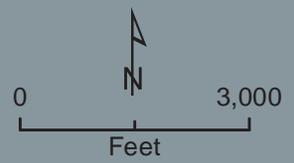
WSPA: (Y) [Eastern]

BMAP: (Y) [Suwannee]



Lasky Property Property Offer LIDAR

 Property Boundary
 Bare Earth Elevation
 High : 44
 Low : 0



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 12/8/2020

Lasky Tract (Nature Coast Addition)

District Staff Review: December 18, 2020.

Timber Resources: There are approximately 149 acres of operational uplands mostly located in the northern half of the property and generally outside of the 10-year floodplain and floodway. Most of the mature timber in the uplands appear to be scrubby hardwood which has marginal revenue benefit. There are portions of the uplands that contain pine trees (natural loblolly, slash, and longleaf) but not at a density that would require immediate timber management. In the future, the District could undertake a hardwood/loblolly pine harvest to open the canopy for prescribed fire and other natural resource benefits with the long-term goal of restoring the area to a multi-aged, vertically diverse forest community dominated by longleaf pine as typically pursued such as the lands in the District Land Management Plan. The achievable goal would be to serve as a source of revenue for the District in the future. Staff recommends not undertaking anything related to prescribed fire or heavy woods mowing until more of the pine trees become larger and more valuable to a timber harvest operation. In staff's opinion, a timber harvest could be viable in roughly 10 years. This means the District would not have additional costs associated with prescribed fire or mechanical vegetation control for such a period.

Exotic Invasive Vegetation Management: During the December review staff did not note any exotic vegetation. However, being along the river and near urban areas, there is a potential for some exotics to exist. The properties the District owns adjacent to the Lasky Tract have no known exotic invasive vegetation.

Recreation Management: This property would be part of the District's dispersed recreation management program, which carries a much lesser operational cost to the District when compared to our featured recreation sites like the Rock Bluff Tract. Dispersed recreation is recommended because it does appear to have the type of features that would draw a public presence routinely. The District's neighboring tracts are also dispersed recreation sites and thus this proposed use is consistent with those. The cost of recreation management would be minimal, probably visited only by our contractors twice-a-year to pick-up litter around the gate or along the roads. Recreation would be very passive such as hiking, biking, horseback riding, etc. Staff envisions a public parking area at the north gate to enter the property or to enter the property from the south using the existing roads on the District-owned Nature Coast Tract.

There is a potential future river access site along the Suwannee River that could be made into a paddle launch but before that should happen the site needs to be repaired or abandoned for a while so the current erosion is brought under control. Repairing the erosion problem may cost the District \$5,000-\$7,000 and would consist of planting potted trees densely and grassing the bare soil. A more expensive alternative could include adding structural measures for erosion control like using concrete (which would require permits). The less expensive and recommended route would be to abandon the site for a decade and let nature reoccupy the site before any steps are taken to officially open the site to recreational use (for example the Blue Sink Tract launch).

Wildlife Management Area: The District-owned Nature Coast Tract is part of the Florida Fish and Wildlife Conservation Commission's (FWC) Wildlife Management Area (WMA) program. There does not appear to be any reason the Lasky Tract could not be included in the program. This would nearly double the size of the existing Nature Coast WMA; from 417 acres to 772

acres. The enrollment of District lands in the WMA program is generally highly regarded by the public and does not cost the District anything.

Facility Management: Staff does not recommend placing facilities on the property except those needed to control access, such as a farm gate or barricades at the north entrance. A small entrance sign would be erected near the north entrance but that is not essential.

Once the initial boundary lines are surveyed and marked, the District 5-year rotation of boundary line maintenance (re-posting/painting) would entail a cost reduction of \$20. This is because the District currently marks 1.96 miles of boundary lines for the two separate Nature Coast Tract parcels which are split by the Lasky Tract. Construction of three separate parcels would then create a new boundary line with only 1.80 miles of boundary line.

Staff considers approximately 1.52 miles of existing roads to be essential for the management of the property and the road network would be supported as an administrative road for the near future. Administrative roads are typically mowed twice a year. The additional mowing would increase our yearly road mowing expenses by approximately \$61.

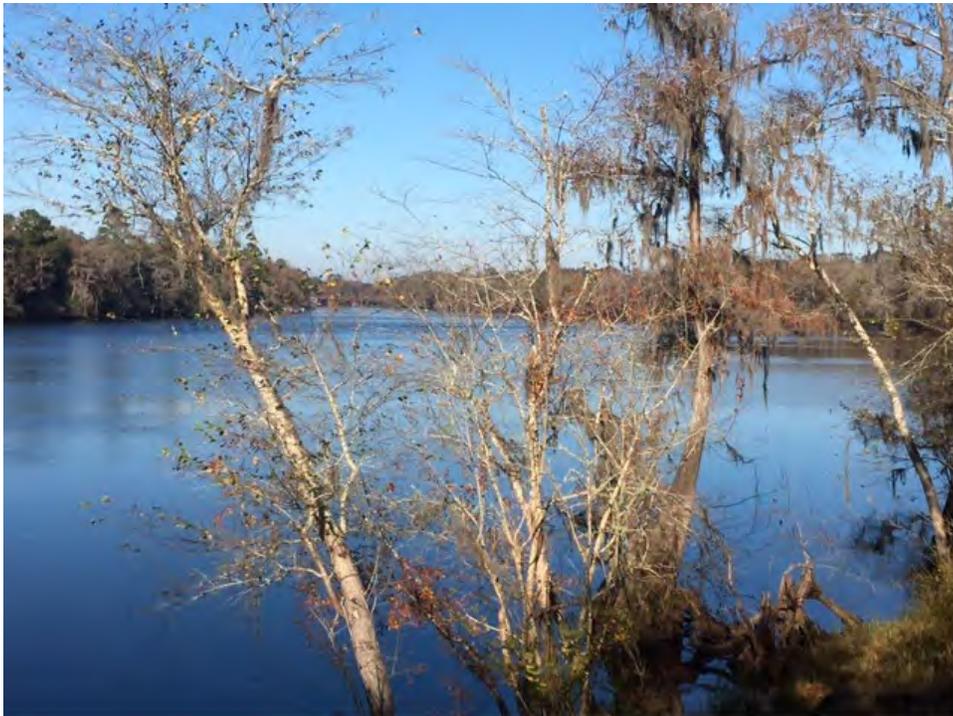
Immediate Needs: The 1.52 miles of roads would need improvements before any operations could happen; fortunately, the native roadbed is in remarkably decent shape. The only issues are associated with encroaching shrubs and low hanging tree branches. Before large equipment could enter the property, the roadsides would need to be mowed back and tree branches trimmed (daylighting). The cost of daylighting the roads would be approximately \$3,000.

The major issue on the property is associated with garbage. The roads appear to have been used by the local community as a place to dump household garbage for many decades. Garbage is scattered into the woods on both sides of the road network to the river or our property boundary. In places, the garbage is a continuous line on both sides of the road and probably started many years, if not decades ago, based on the condition and amount of garbage. Staff has discussed options on how to manage the issue and believes the best approach is a series of clean-up events over the course of a couple of years using inmate labor and renting large roll-off dumpsters. Inmate labor would be at no cost to the District and the renting cost for the dumpsters maybe \$2,000-\$3,000. If the District were to use contractors to complete the work it could cost the District around \$10,000-\$12,000 to clean up the tract (hourly contractors for a month, rental equipment, and dumpsters).

In the opinion of staff, the garbage situation on this property should be viewed as an opportunity for our District to improve the Suwannee River, its floodplains, and help the people that use and enjoy our area resources. By purchasing the Lasky Tract the District will have secured a locally mistreated parcel that is highly connected to the resources the District is here to protect. No matter how the District views the garbage on the property it is ending up in the river, in the downstream floodplain forests that are both privately and publicly owned, and in the Gulf of Mexico and along our coastal estuaries. This is an opportunity for the District to fix a negative impact on our natural resources (relatively inexpensive) by attempting to control future dumping issues with restrictive facilities like gates and barricades and work with area law enforcement to enforce District rules.



View Downstream of the Suwannee River



View Upstream of the Suwannee River (Rail-to-Trail Bridge in background)



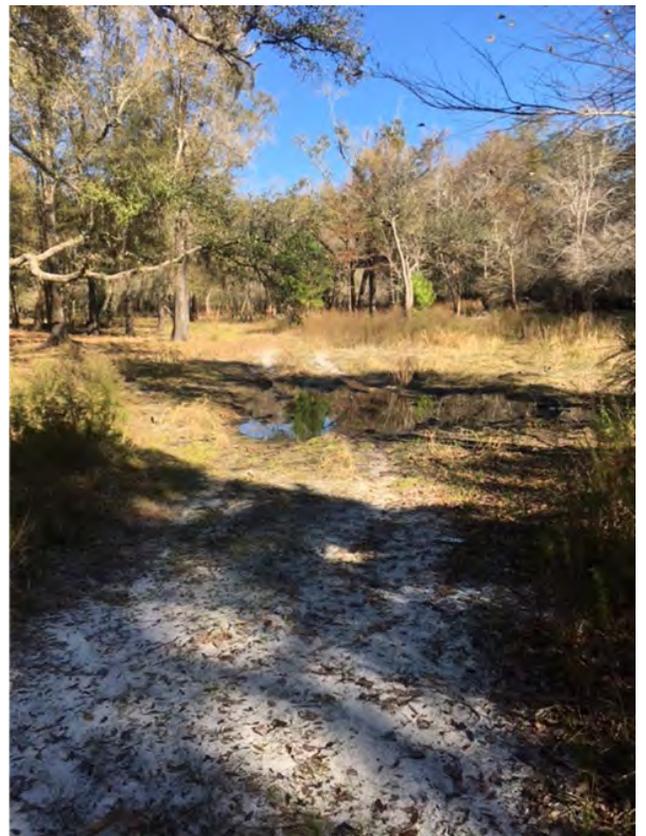
Young pines and scrubby hardwoods



Old archaeological looting site on the riverbank



Erosion by vehicles at potential recreation site.



Ephemeral wetlands being mud bogged in.



Example of roadside garbage (someone's closet belongings)

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Pam Shaw, Chief, Office of Finance

THRU: Tim Alexander, Deputy Executive Director, Business and Community Services

DATE: April 1, 2022

RE: February 2022 Financial Report

RECOMMENDATION

Approve the February 2022 Financial Report and confirm the expenditures of the District.

BACKGROUND

Section 373.553(1), Florida Statutes (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, F.S., the Governing Board of the Suwannee River Water Management District has directed staff to prepare a Financial Report as attached.

PS/tm
Attachments

**Suwannee River Water Management District
Cash Report
February 2022**

Financial Institution/Account	Monthly Interest	Interest Rate %	Closing Balance
First Federal Permit Fee	\$0.00		\$500.00
First Federal Accounts Payable	\$0.00		\$35,000.00
First Federal EFT Disbursements	\$0.00		\$211,185.17
First Federal Depository	\$35.46	0.01%	\$435,911.74
Special Purpose Investment Account (SPIA)*	<u>\$16,173.41</u>	0.48%	<u>\$43,532,747.13</u>
TOTAL	<u><u>\$16,208.87</u></u>		<u><u>\$44,215,344.04</u></u>

*SPIA is part of the Treasury Investment Pool administered by Florida Department of Financial Services.

**Suwannee River Water Management District
Statement of Sources and Uses of Funds
For the Month ending February 28, 2022
(Unaudited)**

	Current Budget	Actuals Through 2/28/2022	Variance (Under)/Over Budget	Actuals As A % of Budget
Sources				
Ad Valorem Property Taxes	\$ 6,233,836	\$ 5,571,107	\$ (662,729)	89.4%
Intergovernmental Revenues	\$ 40,025,263	\$ 3,645,510	\$ (36,379,753)	9.1%
Interest on Invested Funds	\$ 130,000	\$ 135,116	\$ 5,116	103.9%
License and Permit Fees	\$ 163,000	\$ 98,434	\$ (64,566)	60.4%
Other	\$ 1,000,000	\$ 517,575	\$ (482,425)	51.8%
Fund Balance ¹	\$ 12,090,274	\$ 529,258	\$ (11,561,016)	4.4%
Total Sources	\$ 59,642,373	\$ 10,497,000	\$ (49,145,373)	17.6%

	Current Budget	Expenditures	Encumbrances ²	Available Budget	%Expended	%Obligated ³
Uses						
Water Resources Planning and Monitoring	\$ 12,132,696	\$ 2,131,342	\$ 6,047,663	\$ 3,953,691	18%	67%
Acquisition, Restoration and Public Works	\$ 37,432,257	\$ 3,297,632	\$ 21,086,599	\$ 13,048,026	9%	65%
Operation and Maintenance of Lands and Works	\$ 6,260,432	\$ 1,230,495	\$ 1,391,690	\$ 3,638,247	20%	42%
Regulation	\$ 1,902,609	\$ 494,887	\$ 41,110	\$ 1,366,612	26%	28%
Outreach	\$ 195,233	\$ 67,183	\$ -	\$ 128,050	34%	34%
Management and Administration	\$ 1,719,146	\$ 632,165	\$ 119,638	\$ 967,343	37%	44%
Total Uses	\$ 59,642,373	\$ 7,853,704	\$ 28,686,699	\$ 23,101,970	13%	61%

¹ Actual Fund Balance used is recorded at the end of the fiscal year. This amount represents Fund Balance used for the Agricultural and RIVER Cost-Share, Regional Water Resource Development, and Project Effectiveness Metrics Programs.

² Encumbrances represent unexpended balances of open purchase orders and contracts.

³ Represents the sum of expenditures and encumbrances as a percentage of the available budget.

This financial statement is prepared as of February 28, 2022 and covers the interim period since the most recent audited financial statements.

SUWANNEE RIVER WATER MANAGEMENT DISTRICT
STATEMENT OF ACTIVITY - REVENUE AND EXPENSE ROLLUP (UNAUDITED)
FOR 2/28/2022

	Y-T-D ACTUAL	ENCUMBRANCE	ANNUAL BUDGET
<u>Report Recap -</u>			
REVENUES			
DISTRICT REVENUES	6,322,232	0	7,526,836
LOCAL REVENUES	16,480	0	86,480
STATE REVENUES	2,987,327	0	35,980,783
FEDERAL REVENUES	641,703	0	3,958,000
FUND BALANCE UTILIZATION	529,258	0	12,090,274
TOTAL REVENUES	10,497,000	0	59,642,373
EXPENDITURES			
SALARIES AND BENEFITS	2,380,676	0	6,923,044
CONTRACTUAL SERVICES	3,172,585	13,629,775	20,845,400
OPERATING EXPENDITURES	485,945	180,105	1,903,500
OPERATING CAPITAL OUTLAY	38,040	47,022	313,044
FIXED CAPITAL OUTLAY	0	192,743	5,251,000
INTERAGENCY EXPENDITURES	1,776,458	14,637,054	24,406,385
TOTAL EXPENDITURES	7,853,704	28,686,699	59,642,373
EXCESS REVENUES OVER (UNDER) EXPENDITURES	2,643,296	(28,686,699)	0
<u>General Fund -</u>			
REVENUES			
DISTRICT REVENUES	5,792,710	0	5,300,069
LOCAL REVENUES	16,480	0	86,480
STATE REVENUES	836,559	0	2,740,000
FEDERAL REVENUES	0	0	0
FUND BALANCE UTILIZATION	0	0	1,789,672
TOTAL REVENUES	6,645,749	0	9,916,221
EXPENDITURES			
SALARIES AND BENEFITS	1,764,110	0	5,297,558
CONTRACTUAL SERVICES	147,506	640,277	2,228,502
OPERATING EXPENDITURES	226,340	106,645	1,057,573
OPERATING CAPITAL OUTLAY	31,295	0	200,608
FIXED CAPITAL OUTLAY	0	0	0
INTERAGENCY EXPENDITURES	324,479	337,970	1,131,980
TOTAL EXPENDITURES	2,493,730	1,084,892	9,916,221
EXCESS REVENUES OVER (UNDER) EXPENDITURES	4,152,019	(1,084,892)	0
<u>Land Management Operations -</u>			
REVENUES			
DISTRICT REVENUES	493,423	0	2,151,767
LOCAL REVENUES	0	0	0
STATE REVENUES	226,541	0	2,290,119
FEDERAL REVENUES	0	0	40,000
FUND BALANCE UTILIZATION	0	0	2,323,546
TOTAL REVENUES	719,964	0	6,805,432
EXPENDITURES			
SALARIES AND BENEFITS	290,584	0	827,736
CONTRACTUAL SERVICES	680,899	998,888	3,129,898
OPERATING EXPENDITURES	256,914	68,541	773,927
OPERATING CAPITAL OUTLAY	6,746	47,022	112,436
FIXED CAPITAL OUTLAY	0	192,743	1,251,000
INTERAGENCY EXPENDITURES	28,163	232,492	710,435
TOTAL EXPENDITURES	1,263,306	1,539,686	6,805,432
EXCESS REVENUES OVER (UNDER) EXPENDITURES	(543,342) *	(1,539,686)	0
<i>*To be reimbursed by State Appropriations</i>			

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Tyler Jordan, Systems Administrator, Office of Information Technology

THRU: Tim Alexander, Deputy Executive Director, Business and Community Services

DATE: April 1, 2022

RE: Disaster Recovery as a Service Purchase

RECOMMENDATION

Authorize the Executive Director to purchase Disaster Recovery as a Service under a one-year agreement from vTech IO for a monthly cost of \$8,801.48 and a total amount not to exceed \$105,617.76

BACKGROUND

Disaster Recovery as a Service (DRaaS) is a cloud computing service model that allows an organization to back up its data and information technology (IT) infrastructure in a third-party cloud computing environment and provide all the disaster recovery orchestration through a software as a service (SaaS) solution to regain access and functionality to IT infrastructure after a disaster. The SaaS model means that the organization itself does not have to own all the resources or oversee all the management for disaster recovery. vTech IO has partnered iLand secure cloud services to offer disaster recovery services. iLand is a disaster recovery DRaaS provider that has been helping customers transform their mission critical applications to the secure cloud for hosting, protection, and recovery for over two decades. iLand has multiple global datacenters that meet the highest standards for security, compliance, and performance.

Disaster scenarios may include natural disasters (hurricanes, tornadoes, floods, and wildfires), equipment failures, air conditioning failures, power outages, and cyber-attacks.

Staff requests the Governing Board authorize the Executive Director to purchase a one-year agreement with vTech IO for disaster recovery services for a monthly cost of \$8,801.48 and a total amount not to exceed \$105,617.76.

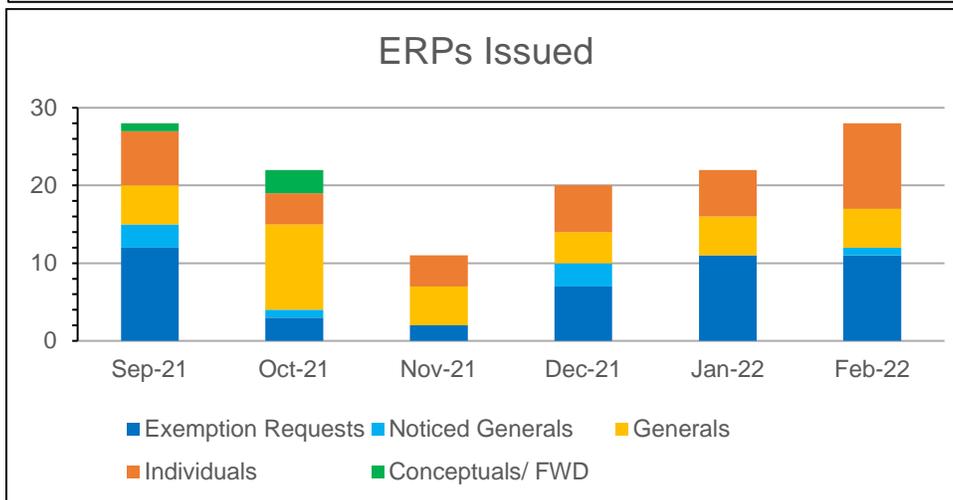
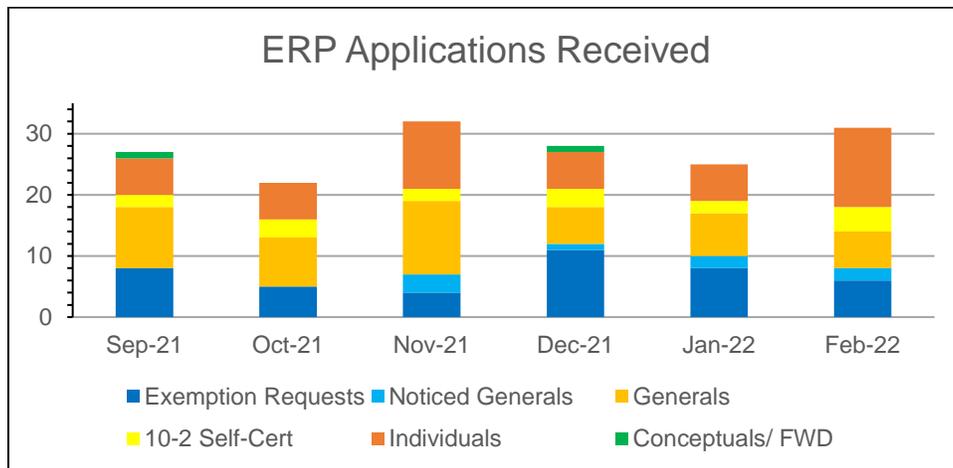
Pricing was negotiated through state term contract with the State of Florida (NCPA 01-97). Funding for this effort is included in the Fiscal Year 2021-2022 Final Budget under account codes 01-2-586-5-1500-17-00, 01-2-586-5-2700-17-00, 13-2-586-5-3700-17-00, 01-2-586-5-4500-17-00, and 01-2-586-5-6109-17-00.

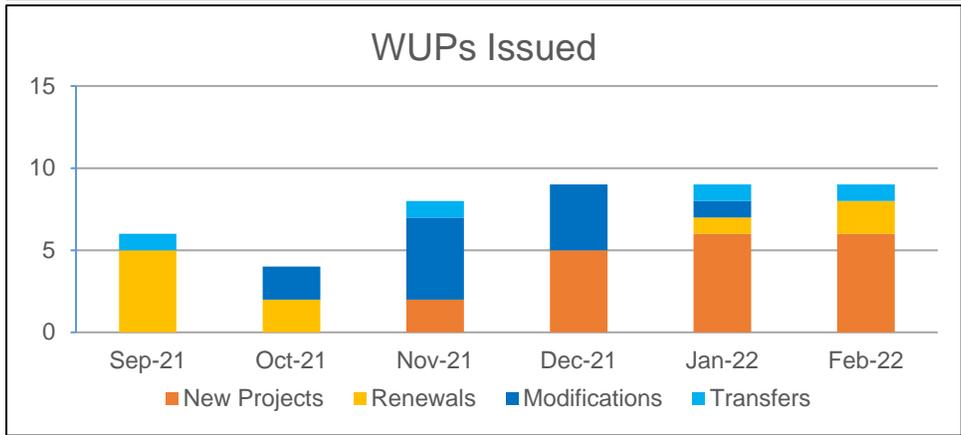
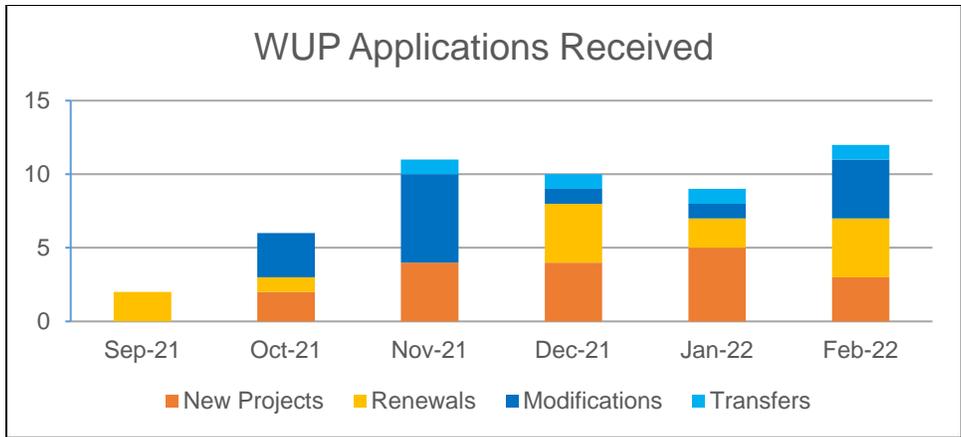
TJ/tm

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

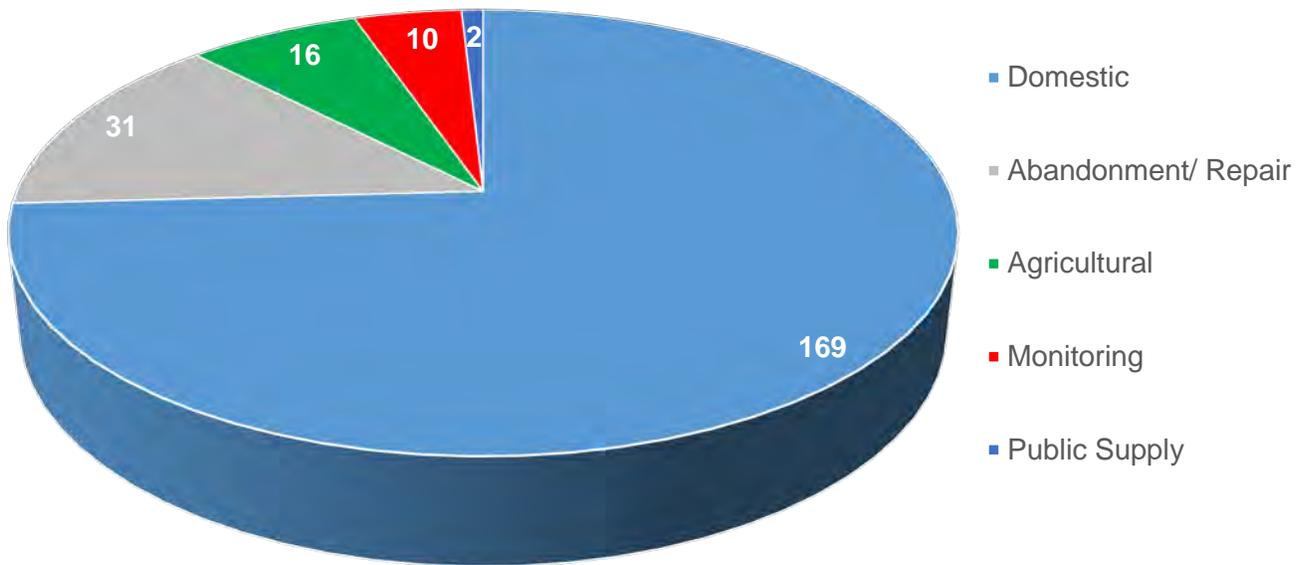
MEMORANDUM

TO: Governing Board
FROM: Warren Zwanka, Director, Division of Resource Management
THRU: Tim Alexander, Deputy Executive Director, Business and Community Services
DATE: April 1, 2022
RE: Permitting Summary Report





Water Well Permits Issued February 2022



40B-1.1010 Pt. of Entry into Proceedings

GB Authorized Rulemaking	6/8/2021
Notice of Rule Development	7/20/2021
Public Workshop	N/A
Notice of Proposed Rule	
Notice of Rule Change	
File with DOS	
Repealed	

40B-0, FAC Exceptions to Ch. 28, FAC

GB Authorized Rulemaking	
Notice of Rule Development	
Public Workshop	
Notice of Proposed Rule	
Notice of Rule Change	
File with DOS	
Effective Date	

40B-8.121 Lakes Alto and Santa Fe MFLs

GB Authorized Rulemaking	12/14/2021
Notice of Rule Development	12/27/2021
Public Workshop	12/16/2021
Notice of Proposed Rule	
Notice of Rule Change	
File with DOS	
Effective Date	

40B-8.121 Lake Hampton MFL

GB Authorized Rulemaking	1/11/2022
Notice of Rule Development	
Public Workshop	1/26/2022
Notice of Proposed Rule	
Notice of Rule Change	
File with DOS	
Effective Date	

GB Authorized Rulemaking	
Notice of Rule Development	
Public Workshop	
Notice of Proposed Rule	
Notice of Rule Change	
File with DOS	
Effective Date	

GB Authorized Rulemaking	
Notice of Rule Development	
Public Workshop	
Notice of Proposed Rule	
Notice of Rule Change	
File with DOS	
Effective Date	

Compliance Agreements:

None

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Warren Zwanka, Director, Division of Resource Management

THRU: Tim Alexander, Deputy Executive Director, Business and Community Services

DATE: April 1, 2022

RE: Rulemaking to Amend Rules 40B-4.1010, 40B-4.1040, and 40B-4.3035, Florida Administrative Code, for Works of the District Permits

RECOMMENDATION

Authorize staff to amend Works of the District rules 40B-4.1010, 40B-4.1040, and 40B-4.3035, Florida Administrative Code.

BACKGROUND

Chapter 40B-4, Florida Administrative Code (F.A.C.), is a set of rules used by the District to regulate activities within the floodways of five rivers (Suwannee, Santa Fe, Withlacoochee, Alapaha, Aucilla) as set forth in Section 373.085, Florida Statutes (F.S.). To make these complex Works of the District (WOD) rules more understandable to the regulated public, staff is engaged in an ongoing rulemaking process. In this third set of rulemaking, staff is requesting authorization to publish a Notice of Rule Development for the rules listed below, publish the Notice of Proposed Rule, and file the proposed rules and any changes that do not change the intent of the rulemaking with the Department of State if no objections are received.

The request also includes authorizing the Executive Director to certify that violations of the rules would not be minor violations pursuant to section 120.695, F.S. The intent of the rule amendments shown in Attachment A are as follows:

- 40B-4.1010, F.A.C. (Policy and Purpose) amendments remove references to stormwater management, which is regulated under Chapter 40B-400, F.A.C.
- 40B-4.1040, F.A.C. (Permits Required) amendment clarifies for the public that all regulated activities on contiguous properties are to be included under one permit.
- 40B-4.3035, F.A.C. (Minimum Operation and Maintenance Standards) amendment corrects a misspelling.

These amendments clarify existing rule or reduce regulatory burdens; therefore, a Statement of Estimated Regulatory Cost will not be necessary.

WZ/tm
Attachments

**CHAPTER 40B-4
WORKS OF THE DISTRICT PERMITS**

40B-4.1010 Policy and Purpose.

(1) through (2) no change.

(3) The district, consistent with the foregoing policies of the legislature and the Department of Environmental Protection, adopts the rules herein which are intended to:

(a) Prevent increase in existing flood hazard or damages by requiring that new development of water and related land resources:

1. Not restrict floodway conveyance through the use of fill or other obstruction;

~~2. Maintain pre-development rates of stormwater runoff and/or total volume of stormwater runoff as may be appropriate to the project and hydrologic conditions of the developed land;~~

3. ~~Not reduce net storage volumes (including wetland, depression, and soil storage volumes) within a project area; and~~

4. renumbered 2.

(b) through (e) no change.

(4) no change.

(5) The purpose of this chapter is ~~to implement the surfacewater management program provided in Part IV of Chapter 373, F.S., and the program~~ for use of works of the district provided in Section 373.085, F.S., in a manner consistent with the policies herein.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.084, 373.085, 373.086, 373.409, 373.413, 373.416, 373.426 FS. History—New 9-25-85, Amended 9-13-04, [DATE].

40B-4.1040 Permits Required.

(1) through (3) no change.

(4) A Works of the District permit applicant shall obtain one permit for all activities regulated under this part that are intended to serve contiguous property. Two or more properties represented to be separate properties shall be aggregated and treated as a single property for permitting purposes when the District determines that the properties are under common ownership or control.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.084, 373.085, 373.086, 373.413, 373.416, 373.426 FS. History—New 9-25-85, Amended 12-22-92, 10-3-95, 10-18-04, 10-14-13, 1-5-21, [DATE].

40B-4.3035 Minimum Operation and Maintenance Standards.

The permittee or operation and maintenance entity shall regularly inspect and maintain the work or development to ~~ensure~~^{insure} that:

(1) through (3) no change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.042, 373.084, 373.085, 373.086, 373.117, 373.409, 373.416, 373.426 FS. History—New 10-14-13, [DATE].

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Warren Zwanka, Director, Division of Resource Management

THRU: Tim Alexander, Deputy Executive Director, Business and Community Services

DATE: April 1, 2022

RE: Governing Board Directive 22-0002, Revised Regulatory Compliance and Enforcement Policy

RECOMMENDATION

Approve Governing Board Directive 22-0002, updating the District's Compliance and Enforcement policy for enforcing rule compliance pursuant to Chapters 120, 373, and 403, Florida Statutes and Chapter 28, Florida Administrative Code.

BACKGROUND

The current regulatory compliance and enforcement policy was revised in January 2021 to improve the organization of the compliance-enforcement process, reflect a revised maximum statutory penalty, and add a Water Use Permit penalty matrix. This requested revision will align the directive with the provisions of paragraph 403.121(3)(c), Florida Statutes (F.S.), which contains specific penalties for wetland dredge and fill violations, stormwater management system violations, and violations for failing to record a required conservation easement and complete required mitigation. The statute also provides for additional penalties that can be assessed against a contractor or agent for the owner that conducts unauthorized dredging or filling of wetlands, which are not currently in the policy.

The revision includes further defining the 'Respondent' as either a 'Respondent Contractor or Agent' or a 'Respondent Landowner,' and the addition of a second Environmental Resource Permit penalty matrix (Table 1) that contains the specific penalties for the violations discussed above. Language was added to the complaint and compliance phase sections of the policy to indicate that the respondent could include a landowner's contractor or agent when the violation includes wetland dredging or filling. Changes to the policy are shown in strike-through/underline format in Attachment A.

The addition of these specific dredge and fill and stormwater penalties does not change the current process of working with the respondent(s) to determine the extent of a violation or an alleged violation; and resolving any violation to the extent possible without the need for legal enforcement proceedings.

WZ/tm
Attachments

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

GOVERNING BOARD DIRECTIVE

Directive Number: ~~GBD21-0001-GBD22-0002~~

Date Approved: Date: _____

Subject: Regulatory Compliance and Enforcement Directive

Approval: _____
Governing Board Chair

Secretary/Treasurer



1.0 Prior Directives

Original directive GBD11-0005, effective March 2011

Revised directive GBD21-0001, effective January 12, 2021

Previous directive GBD11-0005, effective March 2011

2.0 Purpose and Intent

To implement the District's statutory authority to enforce rule compliance pursuant to Chapters 120, 373, and 403, Florida Statutes (F.S.) and Chapter 28, Florida Administrative Code (F.A.C.). This directive does not apply to immediate emergency actions taken by the District as necessary to protect the public health, safety, or welfare; the health of animals, fish, or aquatic life; the works of the District; a public water supply; or recreational, commercial, industrial, agricultural, or other reasonable uses of land and water resources, pursuant to rule 40B-1.711, F.A.C.

3.0 Definitions

- a) Administrative Complaint - means a written document issued to respondents that contains allegation(s) of violation(s) of F.S. or F.A.C., actions and timelines to bring the violation to resolution by the respondent when unable to do so through a compliance agreement or consent order.
- b) Compliance – means actions taken by staff, Governing Board, and respondents to resolve a violation without the need for legal enforcement action.
- c) Compliance Agreement – means a written agreement between staff and respondents that restores or permits violations without enforcement action. This agreement is for violations that are readily resolvable by remediation, restoration or by permit.
- d) Consent Order – means an agreement executed by respondents and approved by order of the Governing Board to resolve a violation.
- e) Counsel – means the Governing Board counsel or any legal services contracted by the District to assist with compliance or enforcement.

- f) Enforcement – means formal administrative or circuit court action(s) taken against respondents to achieve adherence to District rules, permit conditions, agreements, and orders.
- ~~g) Executive Leadership – means the Executive Director or a Deputy Executive Director.~~
- g) Notice of Complaint – means a written notification to a landowner detailing an alleged violation received by the District regarding an activity on the landowner’s property that may or may not be a violation of District rule(s).
- h) Notice of Non-compliance – means a written notification to respondents detailing the District’s determination of the extent of a violation, specific rule(s) violated, and recommended corrective actions.
- i) Permit Revocation - means to cancel the authorization(s) and legal right(s) granted in a District permit.
- j) Resource Management Division Leadership – means the Division Director or Program Chiefs in the Resource Management Division.
- k) Respondent Contractor or Agent – means the contractor or agent of the owner or tenant that conducts unpermitted or unauthorized wetland dredging or filling.
- l) Respondent Landowner - means the landowner(s), lessee(s), or riparian rights owner(s), whether a person or entity, that owns or has control of property on which a violation or an alleged violation has occurred.
- m) Staff – means staff employed by the District.
- n) Stop Work Order – means a declaratory statement contained in a Notice of Complaint, Notice of Non-Compliance, or hand-delivered notice that staff believes a respondent is conducting an activity that appears to be a violation of rule on a certain date.
- o) Written Notification – means an email sent with a read receipt notification, or a letter transmitted by regular or certified postal mail.

4.0 **Elements of Policy**

A. Applicability

1. Staff shall pursue resolution for violations of chapters 40B-2, 40B-4, 40B-8, 40B-21, and 40B-400, F.A.C., in accordance with this directive. Staff shall pursue resolution for violations of chapters 18-20, 18-21, 62-330, and 62-331, F.A.C., for which the District has jurisdiction per the effective Operating Agreement between the District and FDEP, in accordance with this directive.
2. Staff shall pursue resolution for violations of chapters 40B-3, 62-531, and 62-532, F.A.C., in accordance with the Water Well Construction Disciplinary Guidelines and Citations Dictionary (Citations Dictionary). Administrative fines shall be pursuant to the authority in subsection 373.333(5), F.S., and penalties shall be consistent with the Citations Dictionary.

B. Complaint / Staff Observation Phase

1. The objective of this phase is to establish contact with a respondent landowner, contractor, or agent ~~respondent~~ to determine the extent of a violation or an alleged violation, if any. Complaints received by staff or from staff observation of potential violations shall be investigated to the extent possible based on the information provided by a complainant or from field observations.
2. For an activity that appears to be a violation of District rule listed in 4.0 A.1. (above), staff shall notify the respondent landowner, contractor, or agent ~~respondent~~ by email

or letter with a Notice of Complaint giving them 10 calendar days to contact staff. If the activity is ongoing, the Notice of Complaint shall contain a Stop Work Order. The Notice of Complaint shall, at a minimum, also contain the following:

- i. The property location and parcel number of the alleged violation(s);
 - ii. The rule citation(s) for the alleged rule(s) violated (if known);
 - iii. Contact information for the staff member assigned to the item; and
 - iv. The due date by which the respondent must contact staff.
3. If a response to the Notice of Complaint is not received by staff within 10 days, a second notice giving the respondent 10 calendar days to reply is sent using certified mail. If no response from the certified notice is received by staff after the second 10 calendar days, staff will send respondent certified correspondence stating enforcement proceedings will commence at a specified Governing Board meeting. Certified mail that is delivered to the address on file with the Property Appraiser and returned, or delivered unsigned, is considered appropriate notice to the respondent.
 4. Respondent landowners, contractors, or agents ~~Respondents~~ observed by staff to be actively performing an activity that violates a rule listed in Section 4.0 A.1. shall be provided a Stop Work Order in the field if possible. This hand-delivered Stop Work Order shall be followed by a written Notice of Complaint within 10 days.
 5. Once contact is made with the respondent landowner, contractor, or agent ~~respondent~~, staff will expeditiously investigate to determine the full extent of the alleged violation and extent of culpability of either the landowner or the landowner's contractor or agent. This process could take several site visits to complete depending on the complexity of the violation(s). If the respondent becomes uncooperative during the investigation process, staff will send respondent certified correspondence stating enforcement proceedings will commence at a specified Governing Board meeting.
 6. If no violation is found, staff shall report their findings to the complainant and take no further action.
 7. If the activity appears to be a violation of a rule listed in Section 4.0 A.1. (above), but the District does not have jurisdiction, the complaint shall be expeditiously forwarded to the appropriate agency.

C. Compliance Phase

1. The objective of this phase is to resolve violations of a rules listed in Section 4.0 A.1. with a respondent landowner, contractor, or agent ~~respondent~~ without the need for legal enforcement proceedings. Staff negotiations with a respondent shall, however, be conducted under the advisement of counsel when the respondent has legal representation.
2. Once contact has made with the respondent landowner, contractor, or agent ~~respondent~~ and the full extent of the violation has been determined by staff, a Notice of Non-compliance is mailed to the respondent. The Notice of Non-Compliance shall, at a minimum, contain the following:
 - i. The property location and parcel number of the confirmed violation(s);
 - ii. The rule citation(s) for the specific rule(s) violated, and a statement that the activity could be a violation of other local, state, or federal rules;
 - iii. The recommended penalty based on the appropriate penalty matrix (Table 1, 2, or 3);

- iv. The current staff costs for the investigation and a statement that additional staff and legal fees may accrue;
 - v. A statement indicating the District's preference to resolve the violation(s) through a negotiated Compliance Agreement rather than enforcement; and
 - vi. A due date for the respondent to have negotiated and entered into a Compliance Agreement.
3. Corrective actions for a violation are primarily determined by whether the corrective action(s) require a permit, not if the violation(s) would have required a permit. When determining whether a permit or a Compliance Agreement is required to implement corrective actions, the following minimum guidelines apply:
 - i. A permit is required as part of corrective actions if the violation(s) occurred on a project previously permitted by the District, the corrective actions require the issuance of a variance, or the corrective actions have the potential to cause additional harm to water resources or flooding.
 - ii. A Compliance Agreement is required as part of corrective actions if a permit is required for the corrective action(s) but a permit application from the respondent has not been received by the District, or the corrective actions require payment of a penalty.
 4. Compliance Agreement corrective actions and penalties shall be negotiated by Resource Management Division Leadership and approved by the Executive Director or designee ~~Executive Leadership~~. A summary of executed Compliance Agreements shall be provided each month to the Governing Board in the Resource Management Summary Report.
 5. The following adjustment factors may be considered when determining the penalty cost for a violation:
 - i. Respondent's willingness to stop work upon notice;
 - ii. Respondent's willingness to bring the violation into compliance;
 - iii. Magnitude of harm to the water resources; and
 - iv. Recurrence of the violation(s) by the respondent.
 6. Penalty payment alone without corrective actions is not considered to be a sufficient resolution for a violation of rules listed in Section 4.0 A.1.
 7. At any point during the compliance phase, a respondent may request that staff's findings and recommended corrective actions be brought before the Governing Board. Corrective actions decided upon between the respondent and the Governing Board shall be codified in a Consent Order (delivered in a Notice of Violation) and shall supersede any agreement previously made with staff. The Governing Board may amend staff's recommended corrective actions to include, but not be limited to, assessed penalties, additional time to resolve the violation(s), and other requirements.

D. Enforcement Phase

1. The objective of this phase is to address harm to District water resources and violations of District rules through legal action.
2. Violations (either fully or partially verified by staff) that are unable to be resolved in the compliance phase transition to the enforcement phase when any of the following occur:

- i. Respondent is non-responsive to at least two attempts to contact, one of which being a certified letter.
 - ii. Respondent fails to sign either a Compliance Agreement or a Consent Order.
 - iii. Respondent fails to comply with the terms of either a Compliance Agreement or Consent Order in the timeframe(s) stipulated in the agreement or order.
3. To begin enforcement, staff brings a recommendation detailing the location, compliance timeline, rule(s) violated, and magnitude of violation(s), along with an Administrative Complaint to the Board for consideration. Administrative Complaints shall, at a minimum, contain the following:
 - i. The property location and parcel number of the confirmed violation(s);
 - ii. The rule citation(s) for the specific rule(s) violated;
 - iii. Required corrective actions and whether they require a District permit;
 - iv. The maximum penalty based on the appropriate penalty matrix ([Table 1, 2, or 3](#)), and whether it includes permit revocation;
 - v. Staff and legal costs accrued at the time the Administrative Complaint was drafted; and
 - vi. A notice of rights stating that the Administrative Complaint shall become final unless the respondent files a written petition for administrative hearing within 14 days, pursuant to subsection 373.119(1), F.S.
4. The Administrative Complaint shall be sent to the respondent using certified mail.
5. Mediation conducted by counsel to resolve litigation proceedings by court order or stipulation while the case is in the jurisdiction of circuit court will be conducted under the provisions of Rules 1.700-1.730, Florida Rules of Civil Procedure.

Table 1 ERP PENALTY MATRIX (Dredge and Fill and Stormwater Violations) *

<u>Violation</u>	<u>Penalty (per violation)</u>	<u>Additional Penalty (per violation)</u>
<u>Unpermitted or unauthorized wetland dredging or filling (landowner)</u>	<u>\$1,500</u>	
<u>Unpermitted or unauthorized wetland dredging or filling (contractor or agent of owner or tenant)</u>	<u>\$7,500</u>	
<u>Unpermitted or unauthorized wetland dredging or filling an area >0.25 acre but ≤0.5 acre</u>		<u>+\$1,500</u>
<u>Unpermitted or unauthorized wetland dredging or filling an area >0.5 acre but ≤1 acre</u>		<u>+\$1,500</u>
<u>Unpermitted or unauthorized wetland dredging or filling in an aquatic preserve, Outstanding Florida Water, conservation easement, or Class I or Class II surface water</u>		<u>+\$3,000</u>
<u>Unpermitted or unauthorized wetland dredging or filling an area >1 acre</u>	<u>\$4,500-\$15,000 per acre, as set forth in Table 2.</u>	
<u>Water quality violation resulting from dredging or filling</u>	<u>\$4,500</u>	
<u>Failure to complete required mitigation</u>	<u>\$4,500</u>	
<u>Failure to record a required conservation easement</u>	<u>\$4,500</u>	
<u>Unauthorized stormwater management system construction</u>	<u>\$1,500</u>	
<u>Failure to properly or timely construct a stormwater management system serving <5 acres</u>	<u>\$3,000</u>	
<u>Failure to properly or timely construct a stormwater management system serving ≥5 acres</u>	<u>\$4,500</u>	
<u>Water quality violation resulting from stormwater management system construction or failure of a stormwater treatment facility</u>	<u>\$4,500</u>	

*Pursuant to paragraph 403.121(3)(c), F.S.

Table 2. 4- ERP and WOD PENALTY MATRIX (Violation Not Included in Table 1)

EXTENT OF DEVIATION FROM RULE → → →	MAJOR	MODERATE	MINOR
IMPACT TO WATER RESOURCES OR PUBLIC HEALTH, SAFETY, OR WELFARE ↓ ↓ ↓	<ul style="list-style-type: none"> • Flagrant or repeated (willful) disregard for District rule, permit condition, compliance agreement, or Order • Falsification of documents required by District rule, permit condition, compliance agreement, or Order 	<ul style="list-style-type: none"> • Significant deviation from District rule, permit condition, compliance agreement, or Order • Violation occurred prior to obtaining required authorization 	<ul style="list-style-type: none"> • Deviation from District rule where no District permit is required • Failure to submit documents required by District rule, permit condition, compliance agreement, or Order • Inadvertent or self-reported violations
<p>MAJOR</p> <ul style="list-style-type: none"> • Violation results in an eminent threat to water resources or public health, safety, or welfare • Violation results in a permanent or continuing flood hazard, drainage of surface waters, aquifer dewatering, surface water storage loss, floodway conveyance loss, or a pollution source not confined to the project area • Violation results in significant wetland destruction or functional loss by drainage or other means 	<p>Maximum: \$15,000</p> <p>Minimum: \$9,000</p>	<p>Maximum: \$7,500</p> <p>Minimum: \$4,500</p>	<p>Maximum: \$3,750</p> <p>Minimum: \$2,250</p>
<p>MODERATE</p> <ul style="list-style-type: none"> • Violation results in a temporary flood hazard, drainage of surface waters, aquifer dewatering, surface water storage loss, floodway conveyance loss • Violation results in a pollution source not confined to the project area that does not impact offsite waters • Violation results in wetland destruction or functional loss by drainage or other means 	<p>Maximum: \$7,500</p> <p>Minimum: \$4,500</p>	<p>Maximum: \$3,750</p> <p>Minimum: \$2,250</p>	<p>Maximum: \$1,875</p> <p>Minimum: \$1,125</p>
<p>MINOR</p> <ul style="list-style-type: none"> • Violation results in no apparent impact • Violation has been corrected by respondent(s) and has no apparent permanent or continuing impacts 	<p>Maximum: \$3,750</p> <p>Minimum: \$2,250</p>	<p>Maximum: \$1,875</p> <p>Minimum: \$1,125</p>	<p>Maximum: \$950</p> <p>Minimum: \$575*</p>

* ~~Applied on a per acre of wetland impact basis, if applicable~~

** Or at least \$25/ day of continued violation

Table 3. WUP PENALTY MATRIX

EXTENT OF DEVIATION FROM RULE → → →	MAJOR	MODERATE	MINOR
IMPACT TO WATER RESOURCES OR PUBLIC HEALTH, SAFETY, OR WELFARE ↓ ↓ ↓	<ul style="list-style-type: none"> • >25% over-pumpage • Flagrant or repeated (willful) disregard for District rule, permit condition, compliance agreement, or Order • Falsification of documents required by District rule, permit condition, compliance agreement, or Order 	<ul style="list-style-type: none"> • 10-25% over-pumpage • Consumptive water use without a permit • Repeated Non-compliance with District rule or a permit condition 	<ul style="list-style-type: none"> • <10% over-pumpage • Non-compliance with a District rule or a permit condition • Failure to modify a permit when necessary • Failure to follow conservation measures
<p>MAJOR</p> <ul style="list-style-type: none"> • Violation by >0.5 mgd water user 	<p>Maximum: \$15,000</p> <p>Minimum: \$9,000</p>	<p>Maximum: \$7,500</p> <p>Minimum: \$4,500</p>	<p>Maximum: \$3,750</p> <p>Minimum: \$2,250</p>
<p>MODERATE</p> <ul style="list-style-type: none"> • Violation by 0.1-0.5 mgd water user 	<p>Maximum: \$7,500</p> <p>Minimum: \$4,500</p>	<p>Maximum: \$3,750</p> <p>Minimum: \$2,250</p>	<p>Maximum: \$1,875</p> <p>Minimum: \$1,125</p>
<p>MINOR</p> <ul style="list-style-type: none"> • Violation by <0.1 mgd water user 	<p>Maximum: \$3,750</p> <p>Minimum: \$2,250</p>	<p>Maximum: \$1,875</p> <p>Minimum: \$1,125</p>	<p>Maximum: \$950</p> <p>Minimum: \$575*</p>

* Or at least \$25/ day of continued violation

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

GOVERNING BOARD DIRECTIVE

Directive Number: GBD22-0002
Date Approved: Date: April 12, 2022
Subject: Regulatory Compliance and Enforcement Directive
Approval:



Governing Board Chair

Secretary/Treasurer

1.0 Prior Directives

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3.0 Definitions

- a) Administrative Complaint - means a written document issued to respondents that contains allegation(s) of violation(s) of F.S. or F.A.C., actions and timelines to bring the violation to resolution by the respondent when unable to do so through a compliance agreement or consent order.
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4.0 Elements of Policy

A. Applicability

1. Staff shall pursue resolution for violations of chapters 40B-2, 40B-4, 40B-8, 40B-21, and 40B-400, F.A.C., in accordance with this directive. Staff shall pursue resolution for violations of chapters 18-20, 18-21, 62-330, and 62-331, F.A.C., for which the District has jurisdiction per the effective Operating Agreement between the District and FDEP, in accordance with this directive.
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2. For an activity that appears to be a violation of District rule listed in 4.0 A.1. (above), staff shall notify the respondent landowner, contractor, or agent by email or letter with a Notice of Complaint giving them 10 calendar days to contact staff. If the activity is ongoing, the Notice of Complaint shall contain a Stop Work Order. The Notice of Complaint shall, at a minimum, also contain the following:
 - i. The property location and parcel number of the alleged violation(s).
 - ii. The rule citation(s) for the alleged rule(s) violated (if known);
 - iii. Contact information for the staff member assigned to the item; and
 - iv. The due date by which the respondent must contact staff.
3. If a response to the Notice of Complaint is not received by staff within 10 days, a second notice giving the respondent 10 calendar days to reply is sent using certified mail. If no response from the certified notice is received by staff after the second 10 calendar days, staff will send respondent certified correspondence stating enforcement proceedings will commence at a specified Governing Board meeting.

- Certified mail that is delivered to the address on file with the Property Appraiser and returned, or delivered unsigned, is considered appropriate notice to the respondent.
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 6. If no violation is found, staff shall report their findings to the complainant and take no further action.
 7. If the activity appears to be a violation of a rule listed in Section 4.0 A.1. (above), but the District does not have jurisdiction, the complaint shall be expeditiously forwarded to the appropriate agency.

C. Compliance Phase

1. The objective of this phase is to resolve violations of a rules listed in Section 4.0 A.1. with a respondent landowner, contractor, or agent without the need for legal enforcement proceedings. Staff negotiations with a respondent shall, however, be conducted under the advisement of counsel when the respondent has legal representation.
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 - ii. The rule citation(s) for the specific rule(s) violated, and a statement that the activity could be a violation of other local, state, or federal rules.
 - iii. The recommended penalty based on the appropriate penalty matrix (Table 1., 2., or 3.).
 - iv. The current staff costs for the investigation and a statement that additional staff and legal fees may accrue.
 - v. A statement indicating the District's preference to resolve the violation(s) through a negotiated Compliance Agreement rather than enforcement; and
 - vi. A due date for the respondent to have negotiated and entered into a Compliance Agreement.
3. Corrective actions for a violation are primarily determined by whether the corrective action(s) require a permit, not if the violation(s) would have required a permit. When determining whether a permit or a Compliance Agreement is required to implement corrective actions, the following minimum guidelines apply:
 - i. A permit is required as part of corrective actions if the violation(s) occurred on a project previously permitted by the District, the corrective actions require the issuance of a variance, or the corrective actions have the potential to cause additional harm to water resources or flooding.
 - ii. A Compliance Agreement is required as part of corrective actions if a permit is required for the corrective action(s) but a permit application from the respondent has not been received by the District, or the corrective actions require payment of a penalty.

4. Compliance Agreement corrective actions and penalties shall be negotiated by Resource Management Division Leadership and approved by the Executive Director or designee. A summary of executed Compliance Agreements shall be provided each month to the Governing Board in the Resource Management Summary Report.
5. The following adjustment factors may be considered when determining the penalty cost for a violation:
 - i. Respondent's willingness to stop work upon notice.
 - ii. Respondent's willingness to bring the violation into compliance.
 - iii. Magnitude of harm to the water resources; and
 - iv. Recurrence of the violation(s) by the respondent.
6. Penalty payment alone without corrective actions is not considered to be a sufficient resolution for a violation of rules listed in Section 4.0 A.1.
7. At any point during the compliance phase, a respondent may request that staff's findings and recommended corrective actions be brought before the Governing Board. Corrective actions decided upon between the respondent and the Governing Board shall be codified in a Consent Order (delivered in a Notice of Violation) and shall supersede any agreement previously made with staff. The Governing Board may amend staff's recommended corrective actions to include, but not be limited to, assessed penalties, additional time to resolve the violation(s), and other requirements.

D. Enforcement Phase

1. The objective of this phase is to address harm to District water resources and violations of District rules through legal action.
2. Violations (either fully or partially verified by staff) that are unable to be resolved in the compliance phase transition to the enforcement phase when any of the following occur:
 - i. Respondent is non-responsive to at least two attempts to contact, one of which being a certified letter.
 - ii. Respondent fails to sign either a Compliance Agreement or a Consent Order.
 - iii. Respondent fails to comply with the terms of either a Compliance Agreement or Consent Order in the timeframe(s) stipulated in the agreement or order.
3. To begin enforcement, staff brings a recommendation detailing the location, compliance timeline, rule(s) violated, and magnitude of violation(s), along with an Administrative Complaint to the Board for consideration. Administrative Complaints shall, at a minimum, contain the following:
 - i. The property location and parcel number of the confirmed violation(s).
 - ii. The rule citation(s) for the specific rule(s) violated;
 - iii. Required corrective actions and whether they require a District permit;
 - iv. The maximum penalty based on the appropriate penalty matrix (Table 1., 2., or 3.), and whether it includes permit revocation;
 - v. Staff and legal costs accrued at the time the Administrative Complaint was drafted; and
 - vi. A notice of rights stating that the Administrative Complaint shall become final unless the respondent files a written petition for administrative hearing within 14 days, pursuant to subsection 373.119(1), F.S.
4. The Administrative Complaint shall be sent to the respondent using certified mail.
5. Mediation conducted by counsel to resolve litigation proceedings by court order or stipulation while the case is in the jurisdiction of circuit court will be conducted under the provisions of Rules 1.700-1.730, Florida Rules of Civil Procedure.

Table 1. ERP PENALTY MATRIX (Dredge and Fill and Stormwater Violations) *

Violation	Penalty (per violation)	Additional Penalty (per violation)
Unpermitted or unauthorized wetland dredging or filling (landowner)	\$1,500	
Unpermitted or unauthorized wetland dredging or filling (contractor or agent of owner or tenant)	\$7,500	
Unpermitted or unauthorized wetland dredging or filling an area >0.25 acre but ≤0.5 acre		+\$1,500
Unpermitted or unauthorized wetland dredging or filling an area >0.5 acre but ≤1 acre		+\$1,500
Unpermitted or unauthorized wetland dredging or filling in an aquatic preserve, Outstanding Florida Water, conservation easement, or Class I or Class II surface water		+\$3,000
Unpermitted or unauthorized wetland dredging or filling an area >1 acre	\$4,500-\$15,000 per acre, as set forth in Table 2.	
Water quality violation resulting from dredging or filling	\$4,500	
Failure to complete required mitigation	\$4,500	
Failure to record a required conservation easement	\$4,500	
Unauthorized stormwater management system construction	\$1,500	
Failure to properly or timely construct a stormwater management system serving <5 acres	\$3,000	
Failure to properly or timely construct a stormwater management system serving ≥5 acres	\$4,500	
Water quality violation resulting from stormwater management system construction or failure of a stormwater treatment facility	\$4,500	

*Pursuant to paragraph 403.121(3)(c), F.S.

Table 2. ERP and WOD PENALTY MATRIX (Violation Not Included in Table 1.)

EXTENT OF DEVIATION FROM RULE → → →		MAJOR	MODERATE	MINOR
IMPACT TO WATER RESOURCES OR PUBLIC HEALTH, SAFETY, OR WELFARE ↓ ↓ ↓		<ul style="list-style-type: none"> • Flagrant or repeated (willful) disregard for District rule, permit condition, compliance agreement, or Order • Falsification of documents required by District rule, permit condition, compliance agreement, or Order 	<ul style="list-style-type: none"> • Significant deviation from District rule, permit condition, compliance agreement, or Order • Violation occurred prior to obtaining required authorization 	<ul style="list-style-type: none"> • Deviation from District rule where no District permit is required • Failure to submit documents required by District rule, permit condition, compliance agreement, or Order • Inadvertent or self-reported violations
MAJOR	<ul style="list-style-type: none"> • Violation results in an eminent threat to water resources or public health, safety, or welfare • Violation results in a permanent or continuing flood hazard, drainage of surface waters, aquifer dewatering, surface water storage loss, floodway conveyance loss, or a pollution source not confined to the project area 	<p>Maximum: \$15,000</p> <p>Minimum: \$9,000</p>	<p>Maximum: \$7,500</p> <p>Minimum: \$4,500</p>	<p>Maximum: \$3,750</p> <p>Minimum: \$2,250</p>
MODERATE	<ul style="list-style-type: none"> • Violation results in a temporary flood hazard, drainage of surface waters, aquifer dewatering, surface water storage loss, floodway conveyance loss • Violation results in a pollution source not confined to the project area that does not impact offsite waters 	<p>Maximum: \$7,500</p> <p>Minimum: \$4,500</p>	<p>Maximum: \$3,750</p> <p>Minimum: \$2,250</p>	<p>Maximum: \$1,875</p> <p>Minimum: \$1,125</p>
MINOR	<ul style="list-style-type: none"> • Violation results in no apparent impact • Violation has been corrected by respondent(s) and has no apparent permanent or continuing impacts 	<p>Maximum: \$3,750</p> <p>Minimum: \$2,250</p>	<p>Maximum: \$1,875</p> <p>Minimum: \$1,125</p>	<p>Maximum: \$950</p> <p>Minimum: \$575*</p>

* Or at least \$25/ day of continued violation

Table 3. WUP PENALTY MATRIX

EXTENT OF DEVIATION FROM RULE → → →	MAJOR	MODERATE	MINOR
IMPACT TO WATER RESOURCES OR PUBLIC HEALTH, SAFETY, OR WELFARE ↓ ↓ ↓	<ul style="list-style-type: none"> • >25% over-pumpage • Flagrant or repeated (willful) disregard for District rule, permit condition, compliance agreement, or Order • Falsification of documents required by District rule, permit condition, compliance agreement, or Order 	<ul style="list-style-type: none"> • 10-25% over-pumpage • Consumptive water use without a permit • Repeated Non-compliance with District rule or a permit condition 	<ul style="list-style-type: none"> • <10% over-pumpage • Non-compliance with a District rule or a permit condition • Failure to modify a permit when necessary • Failure to follow conservation measures
<p>MAJOR</p> <ul style="list-style-type: none"> • Violation by >0.5 mgd water user 	<p>Maximum: \$15,000</p> <p>Minimum: \$9,000</p>	<p>Maximum: \$7,500</p> <p>Minimum: \$4,500</p>	<p>Maximum: \$3,750</p> <p>Minimum: \$2,250</p>
<p>MODERATE</p> <ul style="list-style-type: none"> • Violation by 0.1-0.5 mgd water user 	<p>Maximum: \$7,500</p> <p>Minimum: \$4,500</p>	<p>Maximum: \$3,750</p> <p>Minimum: \$2,250</p>	<p>Maximum: \$1,875</p> <p>Minimum: \$1,125</p>
<p>MINOR</p> <ul style="list-style-type: none"> • Violation by <0.1 mgd water user 	<p>Maximum: \$3,750</p> <p>Minimum: \$2,250</p>	<p>Maximum: \$1,875</p> <p>Minimum: \$1,125</p>	<p>Maximum: \$950</p> <p>Minimum: \$575*</p>

* Or at least \$25/ day of continued violation

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board
FROM: Troy Roberts, Communications and Outreach Manager
THRU: Katelyn Potter, Director, Division of Outreach and Operations
DATE: March 23, 2022
RE: Communications and Outreach Services RFQ 21/22-012

RECOMMENDATION

Authorize the Executive Director to approve the list of pre-qualified firms and execute contracts, associated task work assignments, and task work assignment amendments for communications and outreach services for an amount not to exceed \$150,000.

BACKGROUND

Educating the public and providing communications and outreach services are vital parts of the mission of the Suwannee River Water Management District. Through these services, the District highlights its effort to protect natural resources through resource management, land management, projects, water supply, minimum flows and minimum water levels, water resources, and hydrologic data services.

These services will be used to help implement activities in the District Communications Plan which is presented annually to the Governing Board and was presented for FY 2022 at the February 8, 2022, Board meeting.

Due to the amount of work required for adequate outreach efforts, the District wishes to enter into contract with qualified firms that have expertise in communications/outreach. Evaluation criteria was based on the firm's ability to provide one or more services, including:

1. Campaign Development and Management
2. Graphic Design
3. Media Placement and Buying
4. Social Media Development and Management
5. Copy Writing
6. Website Design and Development
7. Website SEO and Analytics
8. Audio Recordings and Development
9. Videography
10. Photography
11. Drone Imagery
12. 360-degree Imagery
13. Survey Development and Market Research
14. Email Marketing
15. Media Monitoring and Media Management
16. Public Relations, Crisis Communication, and Grassroots Support
17. Media, Public Speaking, and Presentation Training

On March 18, 2022, 14 firms submitted request for qualification (RFQ) packages outlining their ability to provide services.

Request for Qualifications 21/22-012 Respondents	
NAME OF FIRM	FIRM'S LOCATION
Applied Research Associates, Inc.	Panama City, Florida
BowStern Marketing Communications	Tallahassee, Florida
Edge Cinema	Jennings, Florida
Frame LLC	Tallahassee, Florida
Frankel Agency	Gainesville, Florida
Moore Communications	Tallahassee, Florida
Quest Corporation of America	Land O'Lakes, Florida
Raftellis Financial Consultants	Charlotte, North Carolina
SA/Nelson	West Palm Beach, Florida
Skye Creative Marketing	Tallahassee, Florida
Strategic Digital Services	Tallahassee, Florida
TREW Media	Tallahassee, Florida
Valerin Group	Tampa, Florida
Vistra Communications	Lutz, Florida

The Communications and Outreach Services Selection Committee reviewed the qualified applicants. One of the applicants – SA/Nelson and Associations – was disqualified from consideration for missing the initial mandatory pre-submission meeting on February 11, 2022. Another firm, the Frankel Agency, was not considered due to an incomplete submission.

After reviewing the proposals, the committee determined that the remaining 12 firms were pre-qualified to provide one or more services. This selection meeting took place on March 23, 2022.

Based on their pre-qualified status, vendors will be issued task work assignments (TWA) that identify assigned projects and completion date requirements. TWAs evaluations may be based on:

- Cost
- Deadlines and how quickly project turnaround is needed
- Prior work with the District
- Productivity in completed assigned tasks
- Quality of work in that field
- Other efficiencies/logistical factors

This process will provide the flexibility needed to facilitate project completion and will help staff develop TWAs that make the most sense from both a cost-effectiveness and efficiency standpoint. All or part of a TWA may also be changed or canceled for reasons related to changes in objectives and reallocated to other work.

Funding for this work is included in the Fiscal Year 2021-2022 (FY 2022) Final Budget under codes 01-2-586-2-1101-00-00, 01-2-586-6-1102-00-00, 01-2-586-6-1200-00-00, 01-2-586-6-2300-00-00, 01-2-586-6-3100-00-00, 01-2-586-6-4300-00-00.

TR

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Bill McKinstry, Chief, Office of Land Management

THRU: Katelyn Potter, Director, Outreach and Operations

DATE: March 11, 2022

RE: District Land Management and Twin Rivers State Forest Activity Summary

BACKGROUND

District contractors completed road mowing on Steinhatchee River Tract and are now working on Upper Suwannee River tracts.

District road contractors are working in Devil's Hammock and Mallory Swamp tracts.

District staff met with representatives from Division of Historical Resources and identified an old cemetery on the Ellaville Tract in Twin Rivers State Forest.

District staff completed seedling checks on the Lake Butler Wellfield and Adams tracts.

District staff completed post-harvest timber inventory on the Withlacoochee Hills, Holton Creek, and Cuba Bay tracts.

District maintenance contractors repaired gates at Mattair Springs Tract.

Edwin McCook presented a program on "A Journey Down the Suwannee River" to Natural North Florida, hosted by Visit Suwannee County and held at the District Office.

Ryan Sims attended the Southeastern Society of American Foresters annual meeting at Pine Mountain, GA.

District staff met with a biologist from the Florida Fish & Wildlife Conservation Commission to discuss feral hog problems.

District staff continue rare species monitoring on District lands.

District contractors repaired the flood damaged steps at Suwannee Springs Tract. Visitors can now access the spring.

On Twin Rivers State Forest, the hand planters successfully completed the planting of 312 acres on the Withlacoochee and Ellaville tracts.

District and Florida Forest Service staff had a meeting to discuss future forest operations on Twin River State Forest where a decision was made to focus more on thinning operations than clear cuts, due to the lack of containerized longleaf seedling supply.

The attached report summarizes the status of current District and TRSF activities for the preceding month.

Conservation Easement Monitoring: None

Vegetation Management Projects: During the report period, 3.8 additional miles of ditch edge mowing was completed on the Camp Branch Tract in Hamilton County. An additional 254 acres of woods mowing was also completed on several tracts throughout the District.

In Fiscal Year 2022, vegetation management work will be conducted for fuel reduction, natural community restoration, and wildfire mitigation purposes.

Vegetation Management (10/01/2021 – 03/07/2022)

2022 ACTIVITY	ACRES	ACRES	MILES	MILES
	Planned	Complete	Planned	Complete
Herbicide	283	35	0	0
Roller Chop Uplands	375	0	0	0
Mulching	85	0	0	0
Woods Mowing	690	419	0	0
Ditch Edge Mowing	0	0	54	29.4

Invasive Plant Monitoring Program: During the report period, no additional infestations were monitored/treated by District staff.

Invasive Plant Treatments (10/01/2021 – 03/07/2022)

2022 ACTIVITY	INFESTATIONS	INFESTATIONS
	Planned	Complete
Invasive Plant	160	138

Rare Species Monitoring/Surveying Program: During the report period, seven additional Gopher Tortoise transects were surveyed and eight additional rare plant locations were monitored.

Rare Species Monitoring/Surveying (10/01/2021 – 03/07/2022)

2022 ACTIVITY	LOCATIONS OR TRANSECTS	LOCATIONS OR TRANSECTS
	Planned	Complete
Rare Plant Species Monitoring	150	11
Gopher Tortoise Surveys	100	67

Prescribed Fire Program:

- Contractors conducting prescribed burns on District lands include Attack-One Fire Management Services, B&B Dugger Inc., and Wildlands Services Inc. Also included in this report are the acres the Florida Forest Service (FFS) burns on Twin Rivers State Forest (TRSF). When available, the FFS will provide a crew to burn additional acres on both District tracts and TRSF.
- The following table provides information on the District’s Prescribed Fire Program. During the report period, 5,341 additional acres were burned on lands managed by the District and 29 acres were burned on TRSF which is managed by the FFS.

Prescribed Fire Summary Table (10/1/2021 – 03/07/2022)

	2022 TARGET ACRES	ACRES COMPLETED
SRWMD	10,700	9,848
FFS TRSF	2,000	795
TOTAL	12,700	10,643

Timber Sales: Open and Recently Completed Timber Sales

Recently Completed Timber Sales

SALE NAME	COUNTY	ACRES	HARVEST TYPE	REVENUE
Ellaville Chipping 2021	Madison	172	Site-Prep Chipping	\$655.46
Nature Coast Wellfield #2	Levy	110	Clearcut	\$265,991.53
High Springs Wellfield #1	Alachua	239	Hardwood Removal	\$17,035
Withlacoochee Hills #1	Hamilton	72	Hardwood Removal	Pending
Holton Creek #4	Hamilton	130	Hardwood Removal	Pending
Cuba Bay #3	Madison	80	Thinning and Clearcut	Pending

Open Timber Sales

SALE NAME	COUNTY	ACRES	HARVEST TYPE
Steinhatchee Springs #19	Lafayette	330	Thinning
Steinhatchee Springs #20	Lafayette	208	Thinning
Steinhatchee Springs #21	Lafayette	366	Thinning
Seven Bridges #1	Jefferson	224	Thinning
Sandlin Bay #6	Columbia	192	Thinning
Sandlin Bay #7	Columbia	219	Thinning
Sandlin Bay #8	Columbia	233	Thinning
High Springs Wellfield #1	Alachua	239	Thinning
Ellaville #21	Madison	140	Clearcut and Chipping
Little River #6	Suwannee	187	Clearcut
Withlacoochee #4	Hamilton	113	Clearcut and Chipping
Cabbage Grove #2	Taylor	222	Thinning
Newberry Wellfield #1	Alachua	52	Thinning and Clearcut

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board
FROM: Bill McKinstry, Chief, Office of Land Management
THRU: Katelyn Potter, Director, Division of Outreach and Operations
DATE: March 21, 2022
RE: Fiscal Year 2022 Vegetation Management Services Budget Increase

RECOMMENDATION

Authorize the Executive Director to increase funding for vegetation management services on District lands by \$303,030 for an amount not to exceed \$1,105,530 and approve additional task work assignments and amendments with contractors.

BACKGROUND

Prescribed burning and mechanical vegetation management are important tools needed to help meet the restoration goals identified in the District's Land Management Plan. This work is also an important component used to help protect District resources against the damaging effects of wildfire.

In October 2021, the Governing Board authorized the Executive Director to approve task work assignments with Attack-One Fire Management Services Inc., B&B Dugger Inc., Schmidt Reforestation Services Inc., and Wildlands Service Inc. who are currently under contract to provide prescribed fire and vegetation management services on District lands for FY 2022 for a total amount not to exceed \$802,500.

In FY 2022, task work assignments were assigned to these firms which includes the following work: conduct prescribed burning on approximately 10,700 acres, mechanically treat approximately 1,150 acres (woods mowing, mulching, roller-chopping), and conduct 54 miles of ditch edge mowing to facilitate the use of prescribed fire.

As of March 14, 2022, approximately 9,342 acres have been burned, 522 acres have been mechanically treated, and 29.4 miles of ditch edges have been mowed. More than \$484,000 of the total \$802,500 authorized budget amount has been expended or invoiced. Advanced progress with the prescribed fire work has been possible due to favorable burning conditions during the winter season. The mechanical vegetation management and remaining ditch edge mowing will be implemented primarily in the spring and summer. Staff expects this work to be fully completed by the end of the fiscal year.

Of the additional \$303,030 being requested, \$154,030 will be used to conduct additional mechanical vegetation management and prescribed fire work on various tracts throughout the District.

The remaining \$149,000 will be used on the Mallory Swamp Tract to conduct mechanical vegetation management (roller-chopping, mowing) and prescribed fire work on 1,000 – 1,500 acres based on current contractor rates. Work in the Mallory Swamp Tract is a priority due to a

buildup of hazardous levels of fuel as conditions have been too wet to conduct vegetation management work. Mitigation of these fuels during optimized conditions is vital to the prevention of wildfire and proper habitat management.

In the event site conditions become too wet or unfavorable to conduct this work, the additional funding will be used to conduct similar vegetation management work on drier, more favorable tracts throughout the District.

Staff recommends the Governing Board authorize the Executive Director to increase funding for vegetation management services on District lands by \$303,030 for an amount not to exceed \$1,105,530 and approve additional task work assignments and amendments with contractors.

Funding for this increase is included in the FY 2022 Final Budget and may affect the following budget codes: 13-2586-3-3100-02-04, 13-2586-3-3100-04-01, 13-2586-3-3100-05-04, 13-5922-7-3100-05-13, 13-2586-3-3100-07-02, and 13-2586-3-3100-13-00.

/sg

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board
FROM: Bill McKinstry, Chief, Office of Land Management
THRU: Katelyn Potter, Director, Outreach and Operations
DATE: March 10, 2022
RE: Amendment to Contract 19/20-015 with Agriculture Construction Services

RECOMMENDATION

Authorize the Executive Director to amend contract 19/20-015 with Agriculture Construction Services for featured site and dispersed recreation service to increase funding by \$19,000 for an amount not to exceed \$211,000.

BACKGROUND

On August 10, 2021, the Governing Board authorized Contract 19/20-015 with Agriculture Construction Services for featured site, dispersed recreation maintenance and mowing services on District lands. That agreement allows for road mowing on 565 miles of District lands.

In the past, all roads were mowed three times per year. Mowing frequency was reduced on secondary and administrative roads to two times per year during previous budget reductions. The additional mowing will allow safer and improved travel for staff, contractors, law enforcement, and the public. The additional funds are available to add a third mowing of secondary and administrative roads on District lands.

Funding for this contract is included in the Fiscal Year 2021-2022 Final Budget under code 13-2-586-3-3100-06-07.

EM/pf

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board
THRU: Katelyn Potter, Director, Outreach and Operations
DATE: March 14, 2022
RE: Agricultural Water Use Monitoring Report

BACKGROUND

In September 2012, the District began a program of water use monitoring for agricultural water use reporting on wells of 8" diameter or greater. As of March 14, 2022, the District has permitted 1,852 (263.1 MGD) irrigation wells which include a water use monitoring condition, of which 1,527 (229.2 MGD) wells are active, i.e., the wells have been drilled already. The District is monitoring 1,419 (212.9 MGD) of the 1,527 active wells. The remaining 108 active wells not yet monitored are scheduled for site visits to determine the type of monitoring that will be implemented.

Where possible, agricultural water use is estimated using monthly electric power consumption records provided by the electrical power provider. Estimation by power use is the most cost-effective method of water use reporting. To date, the farmer agreements authorizing the District to receive power usage reports directly from the cooperatives are in effect on 707 (134.2 MGD) monitoring points.

Not all withdrawal points are suitable for estimation using power consumption. Diesel-powered pumps and complex interconnected irrigation systems still require direct methods of monitoring. The District employs telemetry to conduct water use monitoring on diesel-power systems. There are currently 260 (45.9 MGD) telemetry systems installed by the District for this purpose.

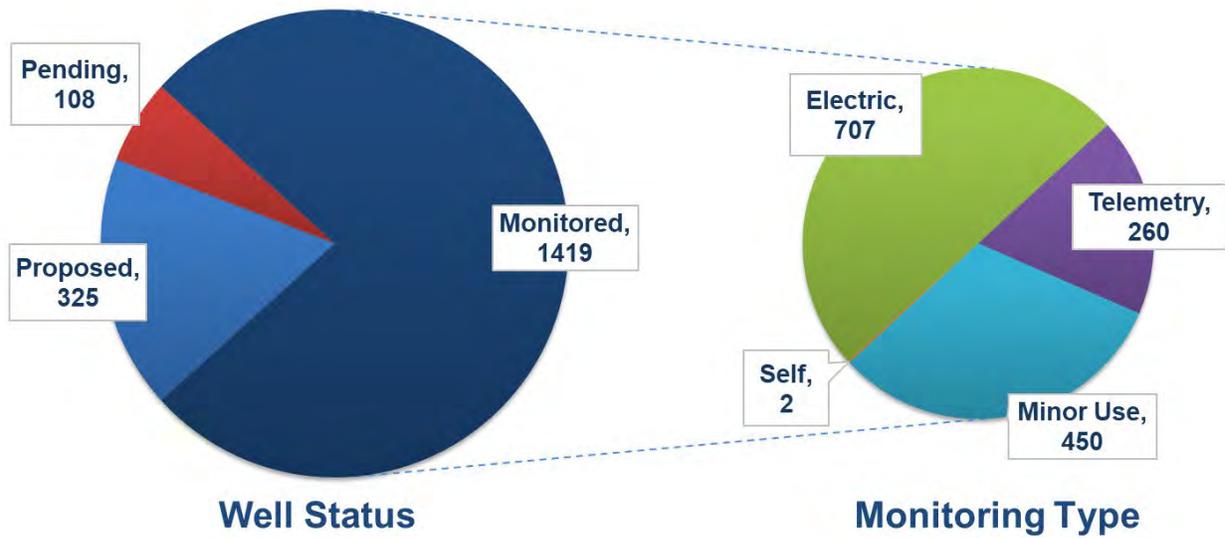
Some withdrawal points have extremely limited use (< 0.05 MGD each) and are monitored for status changes by individual site visits. There are currently 450 (32.4 MGD) limited use monitoring points in the District. Some users monitor their own water use and report that data to the District. There are currently two (0.28 MGD) self-monitored points.

Since April 2017, the District has consistently had over 92.5% of active wells and permitted allocation being monitored. To date, the District is monitoring approximately 92.9% of existing active wells (92.9% of allocation) with water use permit monitoring conditions.

The attached figure shows the current well status and monitoring type for all wells with water use monitoring conditions (Figure 1).

Figure 1: Graph on the left shows the current status of all permitted wells with a water use monitoring condition. The graph on the right shows the monitoring type for all currently monitored wells.

Agricultural Water Use Stations with Monitoring Conditions



SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Leroy Marshall, Chief, Office of Agriculture and Environmental Projects

THRU: Amy Brown, Deputy Executive Director, Water Resources

DATE: April 1, 2022

RE: Contract with Dusty Cone Farms, LLC for Agriculture Cost-Share Funding

RECOMMENDATION

Authorize Executive Director to enter into an agreement with Dusty Cone Farms, LLC for an amount not to exceed \$201,850.

BACKGROUND

The Suwannee River Water Management District (District) has provided agricultural cost-share funds along with the Florida Department of Agriculture and Consumer Services (FDACS) and the Florida Department of Environmental Protection (FDEP) as part of the Suwannee River Partnership (SRP) to help agricultural producers implement best management practices. Best management practices help farmers conserve water and improve water quality in the District.

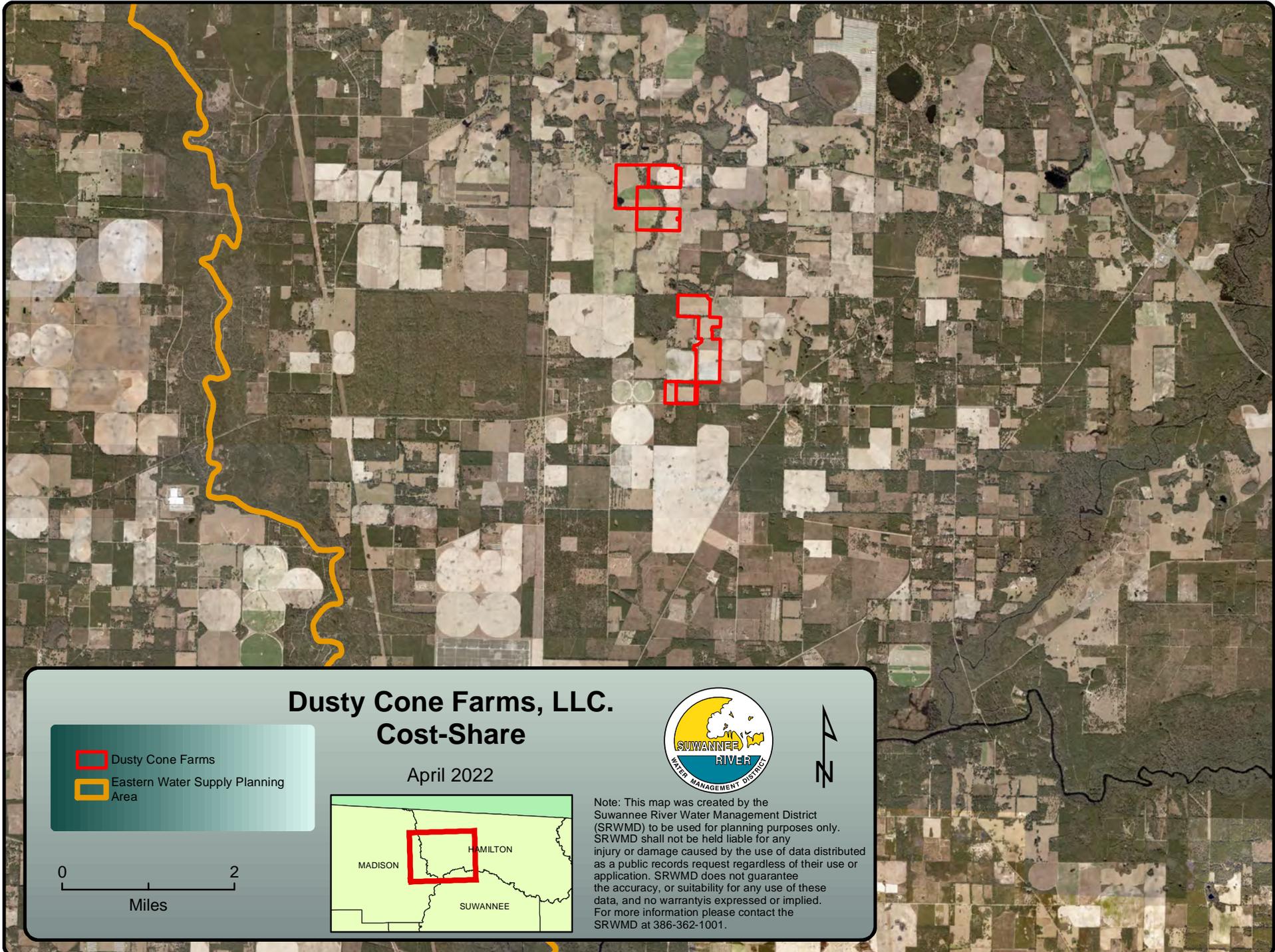
Dusty Cone Farms, LLC, located in Hamilton County, has applied for parts of the Precision Ag and District BMP Cost-Share Programs including center pivot retrofits, new control panels, GPS end-gun shutoffs, remote controlling center pivots, and soil moisture probes. It is estimated that a potential water savings of approximately 0.3255 mgd may be obtained through this project. Dusty Cone Farms, LLC has not been previously awarded agricultural cost-share funding over the past five years under these programs. This proposal, when combined with previous awards, will not exceed the total maximum cost-share amount of \$300,000 over five years allowed under this program.

Exhibit A lists the cost share items and funding breakdown. Funding for this project is included in the FY 2021-2022 Budget under account code 06-2586-7-2400-18-01 and 51-2586-7-2400-06-07.

Exhibit A – Itemized List

Producer	Item	Maximum Cost-Share	Quantity	SRWMD Total	Producer Share
Dusty Cone Farms, LLC	Center Pivot Retrofit ¹	\$9,900	10	\$99,000	\$11,000
	GPS End-gun Shutoff	\$1,500	10	\$15,000	\$5,000
	New Control Panel	\$4,500	10	\$45,000	\$15,000
	Remote Control Center Pivot	\$2,200	10	\$22,000	\$7,333.33
	Soil Moisture Probe ¹ purchase with 5-year service agreement	\$4,170	5	\$20,850	\$9,802.79
Project Totals:				\$201,850	\$48,136.12

¹These items are cost-shared at 90%.

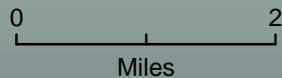


Dusty Cone Farms, LLC. Cost-Share

April 2022



- Dusty Cone Farms
- Eastern Water Supply Planning Area



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.

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board
FROM: Leroy Marshall, Chief, Office of Agriculture and Environmental Projects
THRU: Amy Brown, Deputy Executive Director, Water Resources
DATE: March 25, 2022
RE: Contract with United Dairies Farmers of Florida, LLC for Agriculture Cost-Share Funding

RECOMMENDATION

Authorize the Executive Director to enter into an agreement with United Dairies Farmers of Florida, LLC for an amount not to exceed \$500,000.

BACKGROUND

Groundwater nitrate levels in the District are a major concern due to their adverse ecological impacts on its springs and rivers. The focus of this project will be to make significant improvements in water quality and water conservation on agricultural farms by developing a detailed assessment of current conservation efforts on targeted farms and recommending additional systems/best management practices to further reduce impacts to and conserve natural resources.

The project will take a systematic approach to planning, prioritizing, and developing projects. The initial phase of the project will involve identifying participants from willing dairy farms and at least one traditional row crop farm in the District. Participating farms will then have sustainability plans developed and a detailed report will be finalized and submitted to the District. The sustainability plan will recommend farm-specific projects that work with the farm operation and complement adopted conservation efforts to maximize farm sustainability. In the second phase of the project, priority farms will have detailed implementation/ construction design plans developed. This effort will provide construction-ready designs, funding for all components including operations and maintenance, cost efficiencies, and monitoring plans. Refer to Exhibit A for the itemized list.

Funding for this project is included in the FY 2022 Budget under Code 32-2-586-7-2400-21-00.

Exhibit A - Itemized List

Phase	Item	Description	Budget
1	Pre-Design Study	Identify participants and develop individual "Farm Sustainability Plans"	\$300,000
2	Design	Develop a "Strategic Plan" to implement the Sustainability Plan	\$200,000
3	Implementation/Construction	Utilize any remaining funds, combined with other available funding, to commence construction	Remaining funds from Phases 1 & 2

LMS/tm

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Leroy Marshall, Chief, Office of Agriculture and Environmental Projects

THRU: Amy Brown, Executive Deputy Director, Water Resources

DATE: April 1, 2022

RE: Amendment to Contract 20/21-086 with North Florida Holsteins, L.C., Gilchrist County

RECOMMENDATION

Authorize Executive Director to amend Agriculture Cost-Chare Contract 20/21-086 with North Florida Holsteins, L.C. to an amount not to exceed \$1,758,468.

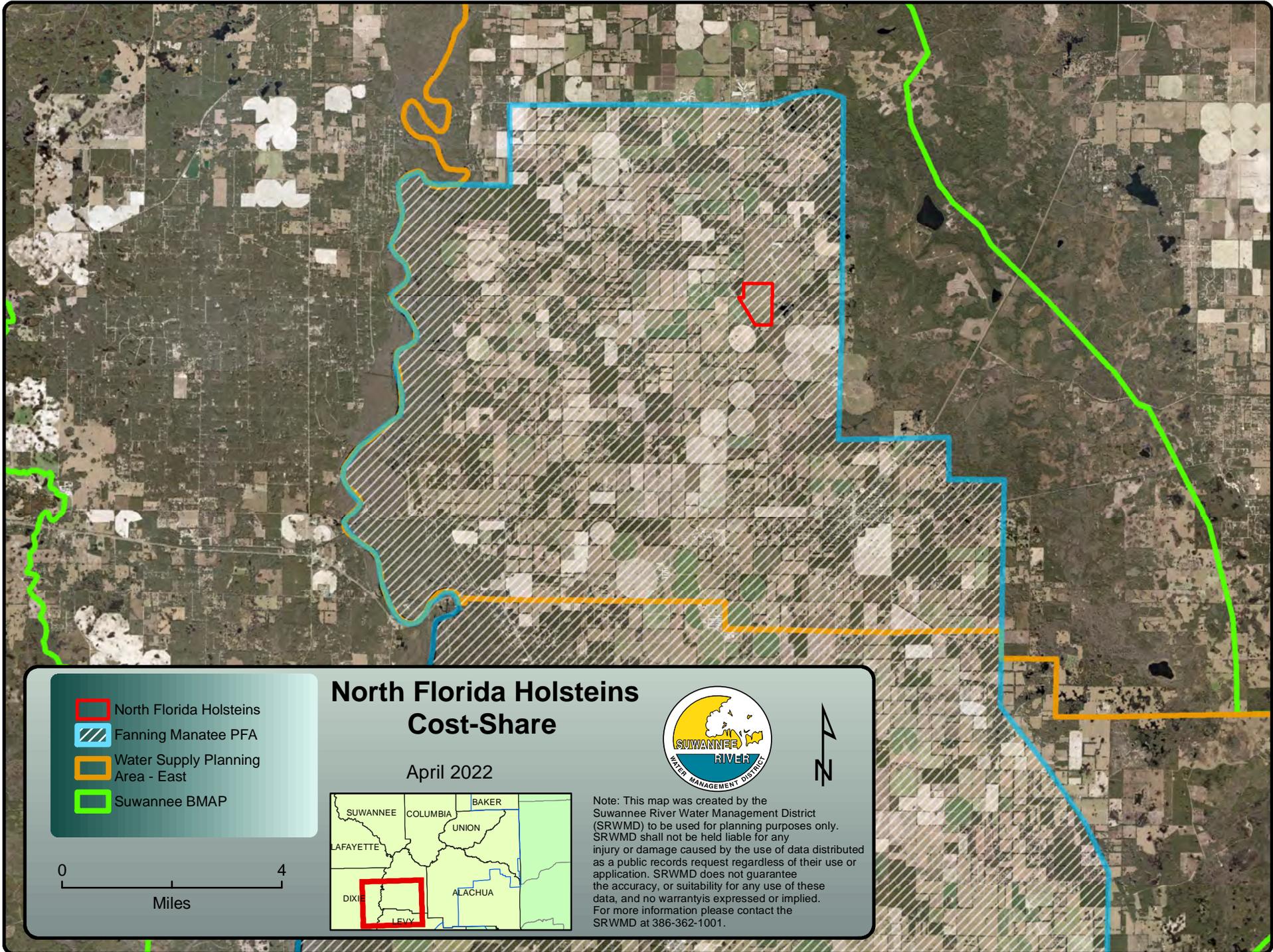
BACKGROUND

The District has provided agricultural cost-share funds along with the Florida Department of Agriculture and Consumer Services (FDACS) and the Florida Department of Environmental Protection (FDEP) as part of the Suwannee River Partnership (SRP) to help agricultural producers implement Best Management Practices (BMPs). These BMPs help farmers conserve water and improve water quality in the District.

At the November 25, 2020, Governing Board meeting, the Governing Board authorized the Executive Director to enter into contract with North Florida Holsteins, L.C., located in Gilchrist County, for an amount not to exceed \$1,754,297.30 to upgrade their waste management systems to provide improved storage, treatment and management of wastewater, and to increase the reuse capacity of the treated wastewater for crop irrigation and flush water as an alternative to use of potable groundwater. On February 08, 2022, the Governing Board approved an amendment to the project work plan and extended the contract term. North Florida Holsteins has made an additional request to purchase one (1) soil moisture probe with a 5-year service agreement for use over 215 irrigated acres producing Coastal Bermuda hay and small grains at a cost of \$4,200. This project will conserve water by increasing the producer's management of irrigation events in applying irrigation water. It is estimated the project has the potential to conserve approximately 0.0672 MGD. This amendment will have a 6-year term and will increase the total contract amount to \$1,758,468.

Funding for this project is included in the FY 2021 Final Budget under account code 06-2586-7-2400-06-06, 06-2586-7-2400-06-02, 06-2586-7-2400-06-05, and 51-2586-7-2400-06-07.

LMS/tm
Attachments



SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Sean King, Chief, Office of Minimum Flows and Minimum Water Levels

THRU: Amy Brown, Deputy Executive Director, Water Resources

DATE: March 31, 2022

RE: Task Work Assignment 19/20-009.021 with HSW Consulting LLC

RECOMMENDATION

Authorize the Executive Director to approve Task Work Assignment 19/20-009.021 with HSW Consulting LLC to assist the District in developing minimum flows and minimum water levels for the Upper Suwannee River and associated priority springs for an amount not to exceed \$50,000.

BACKGROUND

The District and HSW Consulting LLC (HSW) executed Task Work Assignment (TWA) 19/20-009.014 to update the draft minimum flows and minimum water levels (MFL) report for the Upper Suwannee River and associated priority springs, which was completed in February 2022. The District requires the assistance of HSW to conduct additional technical analyses to further develop and refine the draft MFLs for this system on an as-needed basis.

District staff have worked with HSW to update the draft MFL report completed in 2016, primarily to incorporate the reference timeframe flow and level records generated using output from the North Florida Southeast Georgia Groundwater Model. Additional work is anticipated, which may include revised and new analyses, updates to the technical report, and associated discussions with District staff. This additional work will use the best available information to develop a more robust and defensible MFL technical report that will be subsequently peer reviewed.

Funding for this effort is included in the Fiscal Year 2021-2022 Final Budget under code 20-2-586-1-1102-18-00 and will be assigned the Upper Suwannee River MFL code 20-2-586-1-1102-3-00.

SK/ab

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Sean King, Chief, Office of Minimum Flows and Minimum Water Levels

THRU: Amy Brown, Deputy Executive Director, Water Resources

DATE: March 31, 2022

RE: Task Work Assignment 19/20-082.005 with Intera Inc.

RECOMMENDATION

Authorize the Executive Director to approve Task Work Assignment 19/20-082.005 with Intera Inc. to assist the District in compiling and analyzing groundwater-level datasets to improve the North Florida Southeast Georgia Groundwater Model for an amount not to exceed \$126,528.

BACKGROUND

The District collaborated with the St Johns River Water Management District (SJRWMD) to develop the North Florida Southeast Georgia (NFSEG) Groundwater Model, which was peer reviewed and completed in 2019. The District uses the NFSEG model for water supply planning and minimum flows and minimum water levels (MFLs) establishment and assessment. The District is also using the model as part of the review of consumptive water use permits.

In coordination with SJRWMD, the District is moving forward with improvements to the NFSEG model that will lead to the next model version. One of the model improvement tasks requires compiling and analyzing groundwater-level data that will be ranked and used for model calibration. The District requires the assistance of Intera Inc. to develop and refine this groundwater-level data assessment process for the Hildreth groundwater basin, which includes the groundwater contributing area to the Santa Fe River. Subsequent work will apply this process to additional groundwater basins within the NFSEG model domain.

Funding for this effort is included in the Fiscal Year 2021-2022 Final Budget under code 20-2-586-1-1102-18-00.

SK/ab