

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

GoTo Webinar Link: <https://attendee.gotowebinar.com/register/7087909784033871447>

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

Open to Public

November 14, 2023
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 - October 10, 2023 Governing Board Meeting and Workshop Minutes
 - Agenda Item No. 11 - September 2023 Financial Report
 - Agenda Item No. 13 - Statement of Agency Operation and Organization Updates
 - Agenda Item No. 14 - Amend Rule 40B-400.091, Florida Administrative Code
 - Agenda Item No. 23 - Amendment to Contract 21/22-040 with Alliance Dairies, LLP, Levy and Gilchrist Counties

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6. October 10, 2023 Governing Board Meeting and Workshop 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

BCS Page 4 10. Olustee Creek Conservation Ingress/Egress Easement Exchange, Columbia County

Finance

BCS Page 6 11. September 2023 Financial Report – **Recommend Consent**

Resource Management

BCS Page 11 12. Permitting Summary Report

BCS Page 14 13. Statement of Agency Operation and Organization Updates – **Recommend Consent**

BCS Page 15 14. Rulemaking to Amend Rule 40B-400.091, Florida Administrative Code-**Recommend Consent**

BCS Page 18 15. Rulemaking to Amend Rules 40B-2.301, 40B-2.331, and 40B-2.351, Florida Administrative Code, for Permitting of Water Use

BCS Page 23 16. Works of the District Permit Application Number WOD-121-208958-4, Reichard Dock Restoration, Suwannee County

OUTREACH AND OPERATIONS
Katelyn Potter, Division Director

Outreach and Operations

OPS Page 1 17. Outreach and Communications Activity Summary

Land Management

OPS Page 3 18. Land Management Update

OPS Page 6 19. Contract with RES Environmental Operating Company LLC for Starke Bypass Mitigation Area Services

Hydrologic Data Services

OPS Page 8 20. Agricultural Water Use Monitoring Report

WATER RESOURCES
Amy Brown, Deputy Executive Director

21. Water Resources Division Updates

Agriculture and Environmental Projects

WR Page 1 22. Agriculture and Environmental Projects Monthly Report

WR Page 2 23. Amendment to Contract 21/22-040 with Alliance Dairies, LLP, Levy and Gilchrist Counties – **Recommend Consent**

EXECUTIVE OFFICE
Hugh Thomas, Executive Director

24. Announcements

25. Governing Board Comments

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

December 12, 2023

9:00 a.m.

Board Meeting

Workshop and/or Committee Meetings

Workshops and Committee Meetings will begin following the Board Meeting unless otherwise noted.

26. Adjournment

Any member of the public, who wishes to address the Board on any agenda item, or any other topic, must sign up (including the completion of the required speaker forms) with the Executive Director or designee before the time designated for Public Comment. During Public Comment, the Chair shall recognize those persons signed up to speak on agenda items first. To the extent time permits, the Chair shall thereafter recognize those persons signed up to speak on non-agenda items. Unless, leave is given by the Chair, (1) all speakers will be limited to three minutes per topic, (2) any identifiable group of three persons or more shall be required to choose a representative, who shall be limited to five minutes per topic. When recognized by the Chair during Public Comment, a speaker may request to be allowed to make his or her comments at the time the Board considers an agenda item. The Chair may grant or deny such request in the Chair's sole discretion.

Definitions:

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

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

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

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

AGENDA
SUWANNEE RIVER WATER MANAGEMENT DISTRICT
GOVERNING BOARD WORKSHOP

November 14, 2023
Following Board Meeting

District Headquarters
Live Oak, Florida

- Fiscal Year 2024-2025 Preliminary Budget Workshop
- 2023 Draft North Florida Regional Water Supply Plan Discussion

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

GoTo Webinar Link: <https://attendee.gotowebinar.com/register/5934915711063561824>

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 set out in full herein and are filed in the permanent files of the District.

October 10, 2023
9:00 a.m.

District Headquarters
Live Oak, Florida

Agenda Item No. 1 – Call to Order. The meeting was called to order at 9:03 a.m.

Moved Agenda Item No. 7 to this section on the agenda.

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

- A. Robbie McKinney, Chief, Office of Water Resources, gave a presentation of hydrologic conditions of the District.
- B. Cooperating Agencies and Organizations. Hugh Thomas recognized Chris Wynn, Florida Fish and Wildlife Commission.
- C. Service Recognition. Kelly Landis was recognized for five years of service with the District.

Agenda Item No 2 – Roll Call

Governing Board

Seat	Name	Office	Present	Not Present
Aucilla Basin	Vacant		-	-
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:

Deletion:

Investment Discussion Workshop

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

Agenda Item No. 4 – Public Comment:

- Tammy Bierman (online) – Did not respond when called on by the Chair.

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

- Agenda Item No. 6 - September 12, 2023 Governing Board Meeting, First Public Hearing on Fiscal Year 2023-2024 Millage and Budget Minutes, September 25, 2023 Workshop, Lands Committee Meeting, and Final Public Hearing on Fiscal Year 2023-2024 Millage and Budget Minutes
- Agenda Item No. 10 - Long Pond Conservation Easement, Levy County
- Agenda Item No. 11 - Rawson Conservation Easement, Lafayette County
- Agenda Item No. 12 - Taylor Conservation Easement, Gilchrist County
- Agenda Item No. 13 - Wright Utility Easement, Taylor County
- Agenda Item No. 17 - August 2023 Financial Report
- Agenda Item No. 20 - Renewal of Water Use Permit 2-007-216650-3, City of Starke, Bradford County
- Agenda Item No. 21 - Renewal of Water Use Permit 2-121-216465-8, Southern Cross Dairy, Suwannee County
- Agenda Item No. 26 - Prescribed Fire and Vegetation Management Services for Fiscal Year 2023-2024
- Agenda Item No. 33 - Five-Year Water Resource Development Work Program Report

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

Agenda Item No. 6 - September 12, 2023 Governing Board Meeting, First Public Hearing on Fiscal Year 2023-2024 Millage and Budget Minutes, September 25, 2023 Workshop, Lands Committee Meeting, and Final Public Hearing on Fiscal Year 2023-2024 Millage and Budget Minutes. Approved on Consent.

Agenda Item No. 7 - Items of General Interest for Information/Cooperating Agencies and Organizations. **Moved to beginning of agenda below Agenda Item No. 1**

GOVERNING BOARD LEGAL COUNSEL

Agenda Item No. 8 – Legal Activities Update. Tom Reeves, Board Legal Counsel, updated the Board on Declaratory Statement response received.

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 – Long Pond Conservation Easement, Levy County. Approved on Consent.

Agenda Item No. 11 – Rawson Conservation Easement, Lafayette County. Approved on Consent.

Agenda Item No. 12 – Taylor Conservation Easement, Gilchrist County. Approved on Consent.

Agenda Item No. 13 – Wright Utility Easement, Taylor County. Approved on Consent.

Agenda Item No. 14 – Ellison Utility Easement, Dixie County. Steve Schroeder, Chief, Office of Administration, presented this item to the Board.

MOTION WAS MADE BY SMITH, SECONDED BY SCHWAB TO APPROVE THE ITEM. MOTION CARRIED UNANIMOUSLY.

Agenda Item No. 15 – Governing Board Directive 23-0003, Fraud Policy. Mr. Schroeder presented this item to the Board.

MOTION WAS MADE BY KEITH, SECONDED BY SMITH TO APPROVE THE ITEM. MOTION CARRIED UNANIMOUSLY.

Agenda Item No. 16 – Governing Board Directive 23-0004, Whistle-Blower's Act. Mr. Schroeder presented this item to the Board.

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

Finance

Agenda Item No. 17 – August 2023 Financial Report. Approved on Consent.

Human Resources

Agenda Item No. 18 – Employee Health Care Insurance Coverages for Calendar Year 2024. Kelly Wooley, Human Resource Specialist, presented this item to the Board.

Ben Glass, Legislative and Governmental Affairs Chief, and Tyson Johnson, Gallagher Company, provided comments to the Board.

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

Resource Management

Agenda Item No. 19 – Permitting Summary Report. This report was provided as an informational item in the Board materials. Warren Zwanka, Director, Resource Management, updated the Board on the Woodborough North Subdivision permit.

Agenda Item No. 20 – Renewal of Water Use Permit 2-007-216650-3, City of Starke, Bradford County. Approved on Consent.

Agenda Item No. 21 – Renewal of Water Use Permit 2-121-216465-8, Southern Cross Dairy, Suwannee County. Approved on Consent.

Agenda Item No. 22 – Renewal of Water Use Permit 2-023-217754-4, City of Lake City, Columbia County. Mr. Zwanka presented this item to the Board.

MOTION WAS MADE BY SCHWAB, SECONDED BY SMITH TO APPROVE THE ITEM. MOTION CARRIED UNANIMOUSLY.

OUTREACH AND OPERATIONS

Communications and Outreach

Agenda Item No. 23 – Outreach and Communications Activity Summary. This summary is provided as an informational item to the Board.

Agenda Item No. 24 – Fiscal Year 2023-2024 Communications and Outreach Plan Presentation. Troy Roberts, Manager, Outreach and Operations Division, provided this presentation to the Board.

Land Management

Agenda Item No. 25 - Land Management Update. This summary was provided as an informational item in the Board materials. Katelyn Potter, Director, Outreach and Operations Division, updated the Board on the Hurricane Idalia cleanup on District Lands.

Agenda Item No. 26 – Prescribed Fire and Vegetation Management Services for Fiscal Year 2023-2024. Approved on Consent.

Hydrologic Data Services

Agenda Item No. 27 – Agricultural Water Use Monitoring Report. This report was provided as an informational item in the Board materials.

WATER RESOURCES

Agenda Item No. 28 – Water Resources Division Updates. Amy Brown, Deputy Executive Director, provided updates to the Board.

Agriculture and Environmental Projects

Agenda Item No. 29 – Agriculture and Environmental Projects Monthly Report. This report was provided as an informational item in the Board materials.

Agenda Item No. 30 – Task Work Assignment for Contract 20/21-069.003 with WSP, Inc. Leroy Marshall, Chief, Office of Agriculture and Environmental Projects, presented this item to the Board.

MOTION WAS MADE BY KEITH, SECONDED BY SMITH TO APPROVE THE ITEM. MOTION CARRIED UNANIMOUSLY.

Agenda Item No. 31 – Task Work Assignment for Contract 20/21-066.004 with AECOM, Inc. Mr. Marshall presented this item to the Board.

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

Workshop began at 11:23 a.m.

Investment Discussion Deleted from Workshop agenda.

Upper Suwannee Minimum Flows and Minimum Water Levels Discussion

Mr. King provided a powerpoint presentation on the progress of the Upper Suwannee Minimum Flows and Minimum Water Levels.

Workshop adjourned at 11:58 a.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: November 3, 2023
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
Approved for Detailed Assessment							
Owner	Project Name	Acres	County	Submittal Date	Asking Price	Acquisition Type	Comments
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. Appraisal ordered. Delayed completion due to flooding. ESA Phase 1 site visit scheduled 5.18.2022. ESA report received and reported no concerns. Appraisal pending. Appraisal received. Offer being extended to offeror. On March 2023 Board for action. Approved by GB March 2023 meeting. Contract being drafted. Resolution on April 2023 GB Agenda. Resolution approved. In closing pending termination of timber lease. Owner is having an OGM (Mineral Rights) title search completed. Final closing anticipated October 6. Closing to be extended - mineral right releases still being obtained by seller.
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. Pending Closing. Closing in process. Closing date pending - likely March 2023. Closing scheduled to be completed April 3, 2023. Closing complete. Closing delayed due to one owner being out of the County. Awaiting final documentation for closing. 10.11.23 - awaiting final action on 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. Staff met with County representatives 9.13.22 - MOA should be completed by 10.1.22. Still awaiting MOA from County. District has assumed responsibility for MOA anticipate completion by April 2023. Staff is meeting with County on May 18, 2023 to discuss. Awaiting comments from County legal counsel on MOA.
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. Approved by GB. Seller is clearing up title issues to get contract completed. Seller has received title report. Working on clearing title. Title issue resolved. Contract being prepared. Contract pending legal review and approval. Sellers title agent completing title search. Closing to occur before 9.30.22. Closing delayed due to Sellers not providing all required information to closing agent. Awaiting legal documentation of authority to sell from Offerors. Anticipate closing prior to 10.31.22 Status remains unchanged 11.14.22. Closing anticipated to occur in March. Closing still pending. Title documentation received. Awaiting clarification of 3 items before proceeding to closing. Final documents are being prepared, including affidavits from owners regarding unrecorded leases and easement extinguishment among current joint owners. Closing anticipated before October 1. Closed 9.29.23
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. Revised Agreement being reviewed by Bierman. New 1 acre tract has been created with Property Appraiser and Deed recorded to facilitate trade. Legal description of District land being verified. Contract pending final review and signature. Contract signed. Legal description complete. Resolution on May 2023 GB. Resolution approved. Closing pending. Closed 9.29.23
Waldo Tree Farm, LLC	Waldo Tree Farm	38 +/-	Alachua	5.10.22	TBD based on appraisal	Fee	8.9.22 LC authorized staff to expend not more than \$5,000 to acquire an appraisal and negotiate a price with the sellers. Recommended acquisition price to be presented to LC when available for further approval and recommendations to the Governing Board. Quotes pending for appraisal. Appraisal pending. Anticipated completion in February 2023. Appraisal received. Proposed acquisition price being submitted to LC March 2023. LC approved acquisition price at March 2023 meeting. On April 2023 GB Agenda. Contract being prepared. ESA Phase 1 being ordered. Phase 1 report anticipated in late August. Phase 1 underway (delayed due to contractor personell issues) due by November 1.
Hodges	Hodges	753 +/-	Levy	3.2023	TBD based on appraisal	Conservation Easement	5.9.23 Staff recommendation approved by LC. On June 2023 Governing Board agenda. Discussion of terms of CE in process.
Tanner Springs (Dixon)	Dixon	40 +/-	Hamilton	1.2023	TBD based on appraisal	Conservation Easement	5.9.23 Staff recommendation approved by LC. On June 2023 Governing Board agenda. Discussion of terms of CE in process.
Long Pond	Williams Family Investments, LLC.	947 +/-	Levy	6.2023	TBD based on appraisal	Conservation Easement	9.25.23 staff recommendation approved by Lands Committee. 10.10.23 LC action approved by Governing Board. CE terms being negotiated.
Rawson	Matthew Rawson	40 +/-	Lafayette	5.2023	TBD based on appraisal	Conservation Easement	9.25.23 staff recommendation approved by Lands Committee. 10.10.23 LC action approved by Governing Board. CE terms being negotiated.
Taylor	Johnny Taylor	941 +/-	Gilchrist	7.2023	TBD based on appraisal	Conservation Easement	9.25.23 staff recommendation approved by Lands Committee. 10.10.23 LC action approved by Governing Board. CE terms being negotiated.

LAND AND DISPOSITION ACTIVITY REPORT
SURPLUS

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: November 3, 2023

RE: Olustee Creek Conservation Ingress/Egress Easement Exchange, Columbia County

RECOMMENDATION

Approve an easement exchange on Olustee Creek Conservation Area in Columbia County with Weyerhaeuser NR Company and authorize the Executive Director to sign a contract to establish the terms and conditions of the exchange.

BACKGROUND

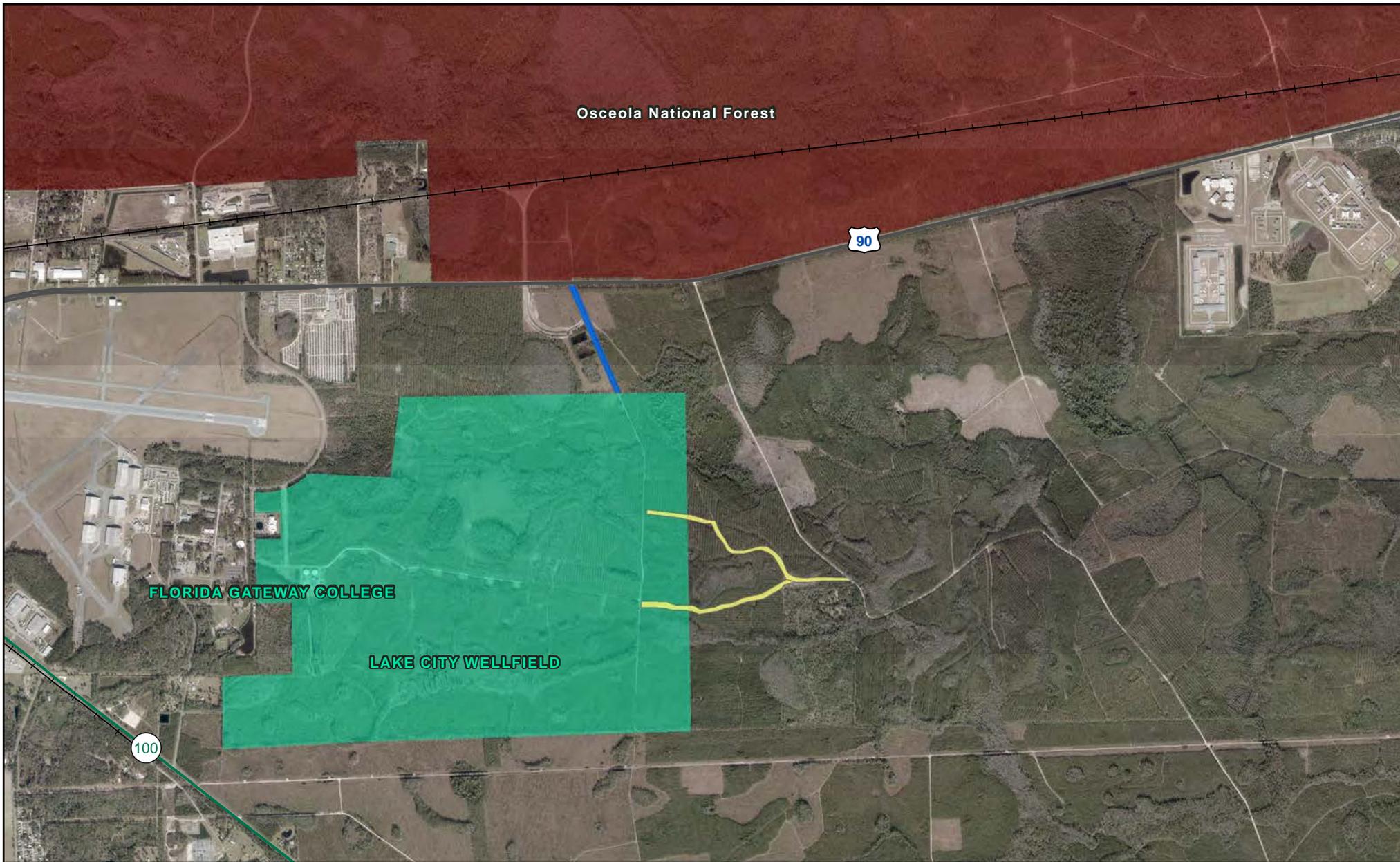
In September 2023, the District was contacted by Weyerhaeuser NR Company (Weyerhaeuser) regarding the potential relocation of the District's current ingress/egress easement over its parcel. Weyerhaeuser proposed to relocate the easement to nearby location at its expense in exchange. The District acquired the current easement as part of the original land acquisition in 2001.

The current easement bi-furcates a parcel of property on which Weyerhaeuser has a potential sale and the buyer would like to remove the easement so that the entire parcel can be utilized. Additionally, a railroad spur may be installed which would cross the easement and require additional agreements to accommodate. District staff visited the site of the proposed new easement and supports the exchange with certain conditions. First, that the new easement follows the proposed northwest route as it is more environmentally sound and will require less environmental impact to construct; the southern route would require the installation of several culverts and would cross through a wetland. Second, that the exchange not be finalized until Weyerhaeuser has completed construction of the new route to the District's satisfaction.

The District Acquisition and Surplus Team reviewed the proposal at its regular meeting in October and recommends that the District pursue the exchange on the above terms. Weyerhaeuser has agreed to absorb all the costs associated with the exchange, including construction of the new easement route.

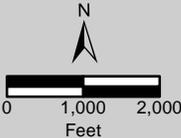
Maps of the existing and proposed easement routes are attached.

SCS/tm
File #00-007
Attachments



Lake City Wellfield Easement Exchange Request

- Current Easement
- Proposed Easement Paths
- SRWMD Ownership/CE
- Other Public Ownership



Note: This map was created by the Suwannee River Water Management District (SRWMD) to be used for planning purposes only. SRWMD shall not be held liable for any injury or damage caused by the use of data distributed as a public records request regardless of their use or application. SRWMD does not guarantee the accuracy, or suitability for any use of these data, and no warranty is expressed or implied. For more information please contact the SRWMD at 386-362-1001.
 Map Created on 10/19/2023

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: November 3, 2023

RE: September 2023 Financial Report

RECOMMENDATION

Approve the September 2023 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
September 2023**

Financial Institution/Account	Monthly Interest	Interest Rate %	Closing Balance
First Federal Permit Fee	\$0.00		\$22,065.83
First Federal Accounts Payable	\$0.00		\$35,000.00
First Federal EFT Disbursements	\$0.00		\$0.00
First Federal Depository	\$396.16	0.14%	\$292,695.48
Special Purpose Investment Account (SPIA)*	<u>\$87,695.35</u>	2.50%	<u>\$41,208,434.70</u>
TOTAL	<u><u>\$88,091.51</u></u>		<u><u>\$41,558,196.01</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 September 30, 2023
(Unaudited)**

	Current Budget	Actuals Through 9/30/2023	Variance (Under)/Over Budget	Actuals As A % of Budget
Sources				
Ad Valorem Property Taxes	\$ 6,525,588	\$ 6,659,440	\$ 133,852	102.1%
Intergovernmental Revenues	\$ 52,029,453	\$ 14,051,073	\$ (37,978,380)	27.0%
Interest on Invested Funds	\$ 130,000	\$ 799,245	\$ 669,245	614.8%
License and Permit Fees	\$ 163,000	\$ 310,799	\$ 147,799	190.7%
Other	\$ 1,086,480	\$ 2,604,617	\$ 1,518,137	239.7%
Fund Balance ¹	\$ 11,358,880	\$ 2,051,058	\$ (9,307,822)	18.1%
Total Sources	\$ 71,293,401	\$ 26,476,231	\$ (44,817,170)	37.1%

	Current Budget	Expenditures	Encumbrances ²	Available Budget	%Expended	%Obligated ³
Uses						
Water Resources Planning and Monitoring	\$ 12,179,535	\$ 6,131,096	\$ 4,983,760	\$ 1,064,679	50%	91%
Acquisition, Restoration and Public Works	\$ 48,736,400	\$ 10,909,513	\$ 35,821,702	\$ 2,005,185	22%	96%
Operation and Maintenance of Lands and Works	\$ 6,283,343	\$ 4,638,201	\$ 816,353	\$ 828,789	74%	87%
Regulation	\$ 2,040,044	\$ 1,588,771	\$ 34,075	\$ 417,198	78%	80%
Outreach	\$ 216,027	\$ 236,076	\$ 3,025	\$ (23,074)	109%	111%
Management and Administration	\$ 1,838,052	\$ 1,592,012	\$ 40,721	\$ 205,319	87%	89%
Total Uses	\$ 71,293,401	\$ 25,095,668	\$ 41,699,636	\$ 4,498,096	35%	94%

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, contracts, and task work assignments.

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

This financial statement is prepared as of September 30, 2023 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 9/30/2023

	Y-T-D ACTUAL	ENCUMBRANCE	ANNUAL BUDGET
<u>Report Recap -</u>			
REVENUES			
DISTRICT REVENUES	10,374,100	0	7,905,068
LOCAL REVENUES	0	0	0
STATE REVENUES	12,793,927	0	33,901,473
FEDERAL REVENUES	1,257,146	0	18,127,980
FUND BALANCE UTILIZATION	2,051,058	0	11,358,880
TOTAL REVENUES	26,476,231	0	71,293,401
EXPENDITURES			
SALARIES AND BENEFITS	6,751,515	0	7,483,656
CONTRACTUAL SERVICES	10,319,353	12,952,308	21,716,230
OPERATING EXPENDITURES	1,571,591	168,138	2,277,800
OPERATING CAPITAL OUTLAY	101,805	0	283,044
FIXED CAPITAL OUTLAY	998,531	378,805	4,766,000
INTERAGENCY EXPENDITURES	5,352,873	28,200,385	34,766,671
TOTAL EXPENDITURES	25,095,668	41,699,636	71,293,401
EXCESS REVENUES OVER (UNDER) EXPENDITURES	1,380,563	(41,699,636)	0
<u>General Fund -</u>			
REVENUES			
DISTRICT REVENUES	7,747,877	0	5,645,906
LOCAL REVENUES	0	0	0
STATE REVENUES	2,740,000	0	2,740,000
FEDERAL REVENUES	0	0	0
FUND BALANCE UTILIZATION	0	0	2,018,723
TOTAL REVENUES	10,487,877	0	10,404,629
EXPENDITURES			
SALARIES AND BENEFITS	5,153,085	0	5,635,346
CONTRACTUAL SERVICES	959,651	237,605	2,378,602
OPERATING EXPENDITURES	1,009,753	105,179	1,429,573
OPERATING CAPITAL OUTLAY	41,597	0	170,608
FIXED CAPITAL OUTLAY	0	0	0
INTERAGENCY EXPENDITURES	237,515	256,385	790,500
TOTAL EXPENDITURES	7,401,601	599,169	10,404,629
EXCESS REVENUES OVER (UNDER) EXPENDITURES	3,086,276	(599,169)	0
<u>Land Management Operations -</u>			
REVENUES			
DISTRICT REVENUES	2,462,655	0	2,259,162
LOCAL REVENUES	0	0	0
STATE REVENUES	2,339,437	0	2,291,119
FEDERAL REVENUES	58,791	0	40,000
FUND BALANCE UTILIZATION	3,561	0	1,988,062
TOTAL REVENUES	4,864,444	0	6,578,343
EXPENDITURES			
SALARIES AND BENEFITS	947,114	0	959,447
CONTRACTUAL SERVICES	2,364,387	367,015	3,089,398
OPERATING EXPENDITURES	539,549	59,050	776,227
OPERATING CAPITAL OUTLAY	60,208	0	112,436
FIXED CAPITAL OUTLAY	217,625	145,133	766,000
INTERAGENCY EXPENDITURES	512,880	245,156	874,835
TOTAL EXPENDITURES	4,641,763	816,354	6,578,343
EXCESS REVENUES OVER (UNDER) EXPENDITURES	222,681	(816,354)	0

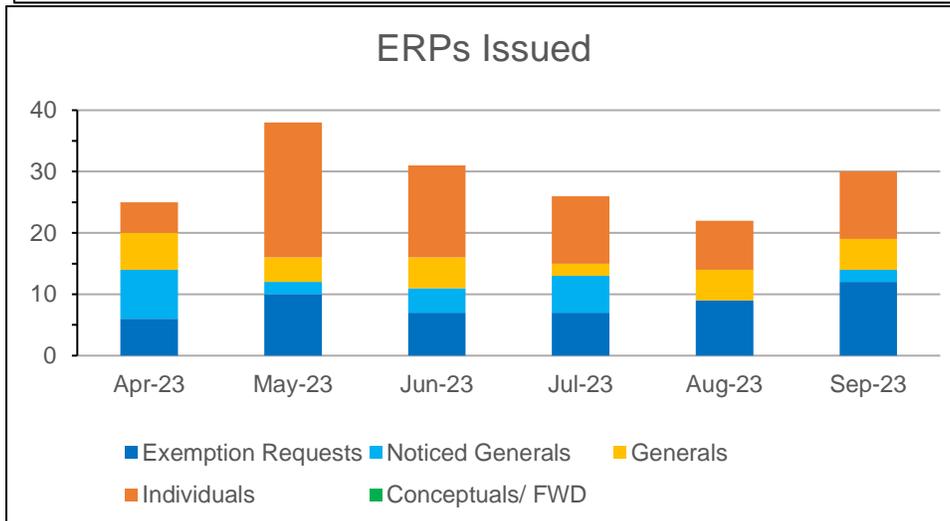
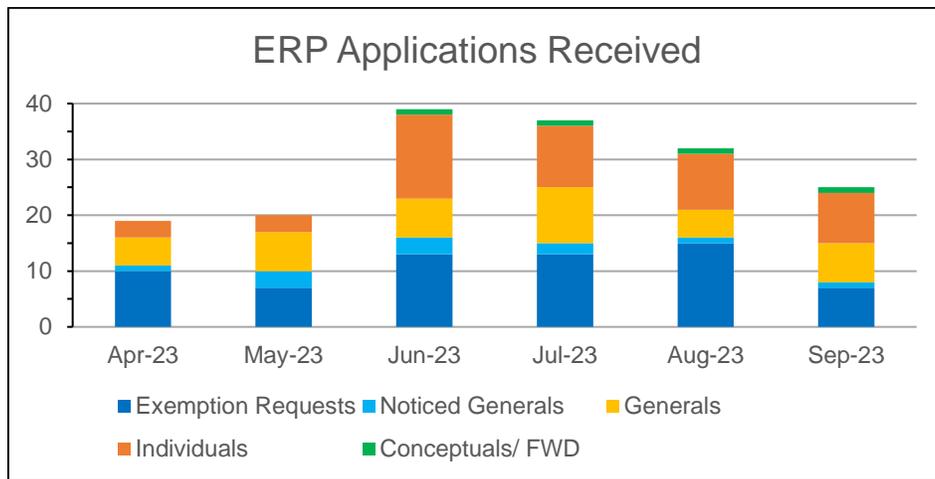
SUWANNEE RIVER WATER MANAGEMENT DISTRICT
STATEMENT OF ACTIVITY - REVENUE AND EXPENSE ROLLUP (UNAUDITED)
FOR 9/30/2023

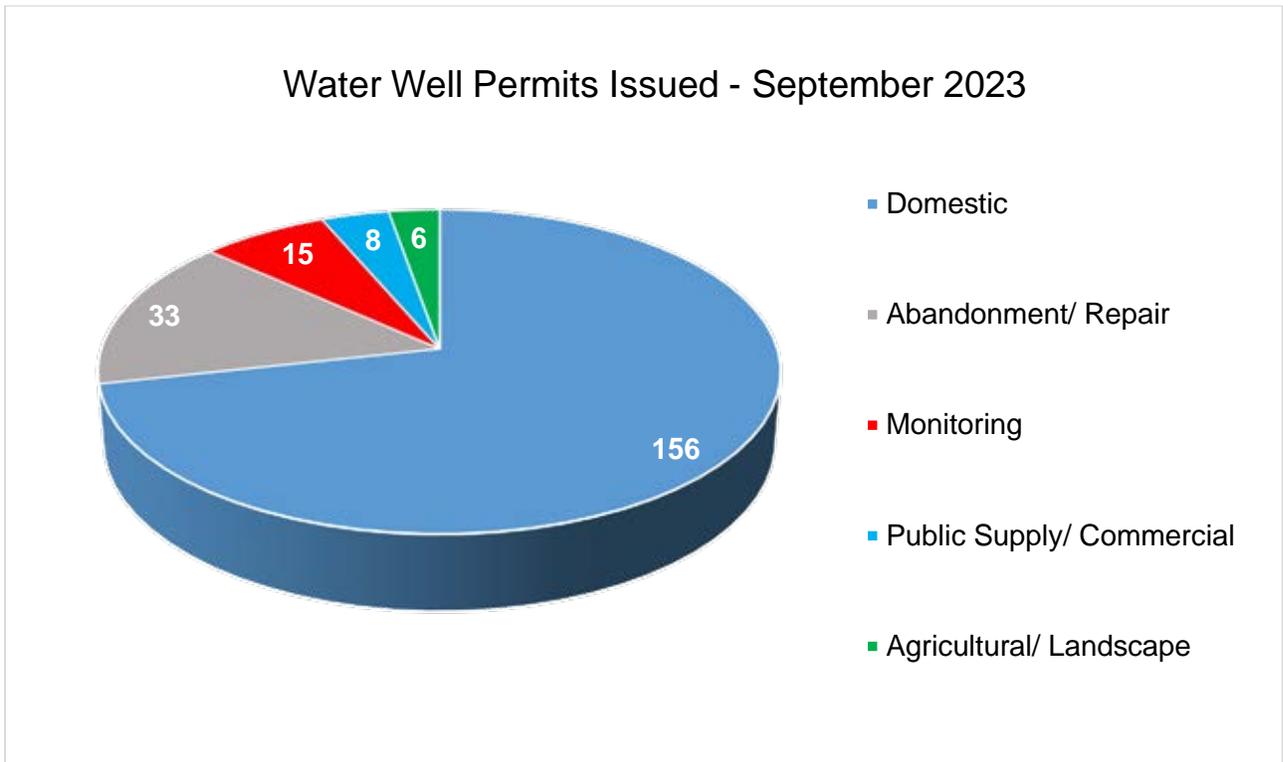
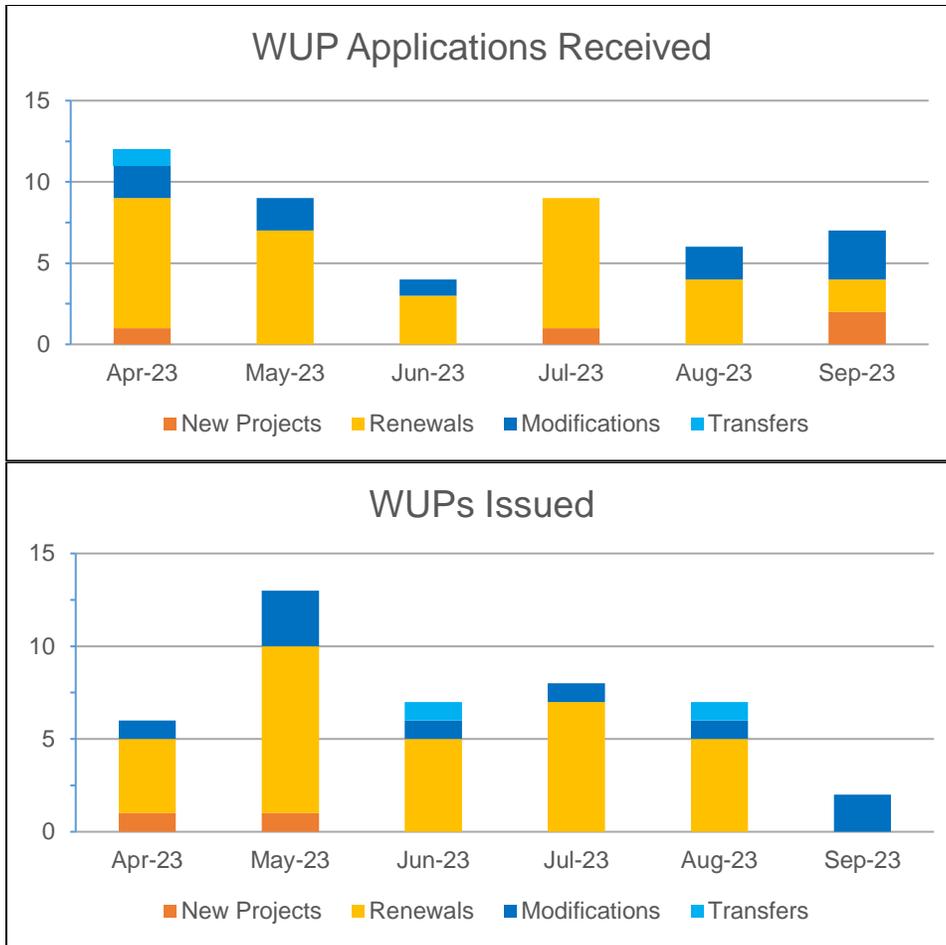
	Y-T-D ACTUAL	ENCUMBRANCE	ANNUAL BUDGET
<u>District Special Revenue -</u>			
REVENUES			
DISTRICT REVENUES	0	0	0
LOCAL REVENUES	0	0	0
STATE REVENUES	0	0	0
FEDERAL REVENUES	0	0	0
FUND BALANCE UTILIZATION	1,191,595	0	5,033,941
TOTAL REVENUES	1,191,595	0	5,033,941
EXPENDITURES			
SALARIES AND BENEFITS	0	0	0
CONTRACTUAL SERVICES	786,148	1,079,049	2,050,000
OPERATING EXPENDITURES	0	0	30,000
OPERATING CAPITAL OUTLAY	0	0	0
FIXED CAPITAL OUTLAY	0	0	0
INTERAGENCY EXPENDITURES	405,447	1,443,296	2,953,941
TOTAL EXPENDITURES	1,191,595	2,522,345	5,033,941
EXCESS REVENUES OVER (UNDER) EXPENDITURES	0	(2,522,345)	0
<u>State Special Revenue -</u>			
REVENUES			
DISTRICT REVENUES	163,567	0	0
LOCAL REVENUES	0	0	0
STATE REVENUES	7,714,491	0	28,870,354
FEDERAL REVENUES	0	0	0
FUND BALANCE UTILIZATION	855,902	0	2,318,154
TOTAL REVENUES	8,733,960	0	31,188,508
EXPENDITURES			
SALARIES AND BENEFITS	643,789	0	872,863
CONTRACTUAL SERVICES	5,244,082	6,496,290	9,614,000
OPERATING EXPENDITURES	19,239	3,910	36,000
OPERATING CAPITAL OUTLAY	0	0	0
FIXED CAPITAL OUTLAY	780,907	233,672	4,000,000
INTERAGENCY EXPENDITURES	3,882,386	12,850,893	16,665,645
TOTAL EXPENDITURES	10,570,403	19,584,765	31,188,508
EXCESS REVENUES OVER (UNDER) EXPENDITURES	(1,836,443) *	(19,584,765)	0
<i>*To be reimbursed by State Grants</i>			
<u>Federal Special Revenue -</u>			
REVENUES			
DISTRICT REVENUES	0	0	0
LOCAL REVENUES	0	0	0
STATE REVENUES	0	0	0
FEDERAL REVENUES	1,198,354	0	18,087,980
FUND BALANCE UTILIZATION	0	0	0
TOTAL REVENUES	1,198,354	0	18,087,980
EXPENDITURES			
SALARIES AND BENEFITS	7,527	0	16,000
CONTRACTUAL SERVICES	965,085	4,772,349	4,584,230
OPERATING EXPENDITURES	3,051	0	6,000
OPERATING CAPITAL OUTLAY	0	0	0
FIXED CAPITAL OUTLAY	0	0	0
INTERAGENCY EXPENDITURES	314,645	13,404,655	13,481,750
TOTAL EXPENDITURES	1,290,308	18,177,004	18,087,980
EXCESS REVENUES OVER (UNDER) EXPENDITURES	(91,954) *	(18,177,004)	0
<i>*To be reimbursed by Federal Grants</i>			

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: November 3, 2023
RE: Permitting Summary Report





40B-1.1010 Point of Entry into Proceedings

GB Authorized Rulemaking	2/14/2023
Notice of Rule Development	
Public Workshop	
Notice of Proposed Rule	
Notice of Correction/ Change	
File with DOS	
Effective Date	

40B-400.091 Statewide FDEP Stormwater

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

40B-2.301 AH Water Use Monitoring

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

40B-2.331 Modification of WUPs

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

40B-2.351 Transfer of WUPs

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

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

ERP/ WUP Compliance Agreements: None to report

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: November 3, 2023

RE: Statement of Agency Organization and Operation Updates

RECOMMENDATION

Accept the updated Statement of Agency Organization and Operation.

BACKGROUND

The Statement of Agency Organization and Operation (Statement) is issued and maintained as required by sections 120.53 and 120.54, Florida Statutes (F.S.), and Chapter 28-101, Florida Administrative Code. The purpose of the Statement is to assist the public in understanding how the District operates, its programs and organization, and how to do business or interact with the District; specifically, regarding permits, variances, and appeals. Florida statutes requires the Statement be posted on the District website.

The Statement was last revised in June 2023 to reflect the District's updated organizational structure. This revision updates the designated District Clerks, codifies Request for Additional Information signature authority for permit applications, and delegates to the Executive Director the authority to make non-substantive revisions to District Governing Board Directives.

The proposed amendments to the Statement are provided in the link below.

[DRAFT – Statement of Agency Organization and Operation](#)

WZ/tm

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Warren Zwanka, Division Director, Resource Management

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

DATE: November 03, 2023

RE: Rulemaking to Amend Rule 40B-400.091, Florida Administrative Code

RECOMMENDATION

Amend rule 40B-400.091, Florida Administrative Code, to incorporate revisions to Environmental Resource Permit Applicant's Handbook Volume II implementing statewide stormwater rulemaking set forth in Section 5 of Chapter 150, Laws of Florida.

BACKGROUND

Subsection 373.4131(6), Florida Statutes, required the Florida Department of Environmental Protection (FDEP) and all water management districts to initiate rulemaking by January 1, 2021, to update stormwater design and operation regulations. Stormwater system best management practices, design criteria that improve discharge nutrient removal, and consistent measures for pollutant load reductions to waterbodies were developed by the FDEP and representatives of all water management districts.

The new regulations would apply statewide through FDEP amendments to Chapter 62-330, Florida Administrative Code (F.A.C.), and their Environmental Resource Permit (ERP) Applicant's Handbook Volume I. Any conflicting rules contained in a water management district's ERP Applicant's Handbook Volume II would be removed upon adoption of the FDEP rules. The FDEP's new statewide regulations were not ratified in the 2023 Legislative Session, therefore, District staff withdrew the February 2023 Notice of Proposed Rule in order to make other requested amendments to ERP Applicant's Handbook Volume II. Those amendments have been completed and this requested rulemaking reopens District rule 40B-400.091, F.A.C., and ERP Applicant's Handbook Volume II to remove conflicting stormwater quality rule language if the FDEP's new regulations are ratified in 2024.

This request authorizes staff to publish a Notice of Rule Development, publish the Notice of Proposed Rule, and file the proposed rule 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 regulatory cost of the new regulations has been addressed by FDEP, and the rules require legislative ratification to become effective.

[DRAFT - ERP Applicant's Handbook Volume II](#)

WZ/tm
Attachment

Notice of Development of Rulemaking

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: RULE TITLE:

40B-400.091 Publications and Agreements Incorporated by Reference

PURPOSE AND EFFECT: In conjunction with the Florida Department of Environmental Protection (FDEP), Suwannee River Water Management District (SRWMD) is initiating rulemaking in accordance with Section 5 of Chapter 2020-150, Laws of Florida, to update the stormwater design and operation regulations adopted under Section 373.4131, F.S., using the most recent scientific information available. The purpose of this rulemaking is to remove stormwater quality criteria from SRWMD's Environmental Resource Permit (ERP) Applicant's Handbook Volume II (incorporated by reference in rule 40B-400.091, F.A.C.) so that the requirements can be consolidated in FDEP's Chapter 62-330, F.A.C., and its ERP Applicant's Handbook Volume I, and apply consistently statewide. The effect will be more streamlined, consistent, and understandable rules.

SUMMARY: Stormwater management systems; State stormwater quality standards; Best Management Practices; ERP Applicant's Handbook Volumes I and II

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 373.044, 373.046(4), 373.113, 373.118, 373.171, 373.4131, 373.414, 373.416, 373.418, 373.421(2) FS.

LAW IMPLEMENTED: 373.046, 373.118, 373.413, 373.4131, 373.414, 373.4135, 373.416, 373.418, 373.421(2)-(6), 373.426 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: SRWMD at (386)362-1001 or 1(800)226-1066 (FL only). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

40B-400.091 Publications and Agreements Incorporated by Reference.

The Governing Board incorporates herein by reference all the documents found in this section. All documents except for Chapter 62-330, F.A.C., and Chapter 373, F.S. can be obtained from the District website at <http://www.mysuwanneeriver.com/Permitting> or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060. Chapter 62-330, F.A.C., and Chapter 373, F.S. can be obtained from the District website at <http://www.mysuwanneeriver.com/Rules>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060. This rule is used in conjunction with Rule 62-330, F.A.C., [\[insert link\] \(effective date\) http://www.flrules.org/Gateway/reference.asp?No=Ref-03220 \(2013\)](#), to implement the District's responsibility under Part IV of Chapter 373, F.S. (2013).

(1) The Applicant's Handbook Volume I, [\[insert link\] \(effective date\) http://www.flrules.org/Gateway/reference.asp?No=Ref-03219, effective October, 2013.](#)

(2) The Applicant's Handbook Volume II, [\[insert link\] \(effective date\) http://www.flrules.org/Gateway/reference.asp?No=Ref-](#)

~~15406, effective July 5, 2023.~~

(3) No change.

(4) The “Florida Stormwater, Erosion and Sedimentation Control Inspectors Manual, Tier I”, [\[insert link\]](#) effective October 2018 ~~http://www.flrules.org/Gateway/reference.asp?No=Ref_03047, effective July 2008~~ and “Florida Stormwater, Erosion and Sedimentation Control Inspectors Manual, Tier II” [\[insert link\]](#) effective October 2018.

(5) The “State of Florida Erosion and Sediment Control Designer and Reviewer Manual”, [\[insert link\]](#) ~~http://www.flrules.org/Gateway/reference.asp?No=Ref_15407~~, effective ~~July 2013, June 2007~~

Rulemaking Authority 373.044, 373.046(4), 373.113, 373.118, 373.171, 373.4131, 373.414, 373.416, 373.418, 373.421(2) FS. Law Implemented 373.046, 373.118, 373.413, 373.4131, 373.414, 373.4135, 373.416, 373.418, 373.421(2)-(6), 373.426 FS. History—New 10-3-95, Amended 12-3-98, 3-7-02, 5-15-02, 7-1-07, 10-14-13, 4-26-18, 7-5-23, [\[DATE\]](#).

PROPOSED EFFECTIVE DATE: This rule will become effective on July 1, 2024, or upon the date that any related amendments to Chapter 62-330, F.A.C., proposed by the Florida Department of Environmental Protection in the Notice of Rule Development published in the Florida Administrative Register on November 19, 2020 (Vol. 46/236) take effect, whichever is later.

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: November 03, 2023

RE: Rulemaking to Amend Rules 40B-2.301, 40B-2.331, and 40B-2.351, Florida Administrative Code, for Permitting of Water Use

RECOMMENDATION

Amend rules 40B-2.301, 40B-2.331, and 40B-2.351, Florida Administrative Code.

BACKGROUND

Chapter 40B-2, Florida Administrative Code (F.A.C.), is a set of rules used by the District to regulate consumptive uses or diversion of water as set forth in Part II of Chapter 373 Florida Statutes (F.S.), through the issuance of Water Use Permits (WUPs). District staff has identified several areas where rule language could be amended to make the rules more understandable and less burdensome to the regulated public. This rulemaking request includes an 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. Specifically, the rule amendments include:

- 40B-2.301, F.A.C. (Conditions for Issuance of Permits) incorporates by reference the WUP Applicant's Handbook, which will be amended as follows:
 - Section 4.0 informs applicants that additional monitoring requirements may exist in Water Supply Planning Areas (WSPAs).
 - Section 4.1 provides additional information regarding the measurement of withdrawal quantities by detailing monitoring methods, District monitoring, self-monitoring and reporting requirements, and flow measurement verification.
 - Section 4.2 provides special case monitoring and reporting requirements for back-up, freeze protection, livestock/other non-irrigation agricultural, and seasonal/temporary water uses; and
 - Section 4.3 informs applicants that monitoring requirements may change in WSPAs pursuant to a minimum flows and levels prevention or recovery strategy.
- 40B-2.331, F.A.C. (Modification of Permits) amendments clarify the requirements that need to be met for a permit application to be considered a letter modification; and require Governing Board approval for modifications that increase permit duration.
- 40B-2.351, F.A.C. (Transfer of Permits) amendment incorporates by reference the WUP Transfer Form 40B-2.351A and extends the time to transfer a WUP from 30 to 180 days.

The proposed Notice of Rule Development and WUP transfer form are attached, and the proposed amendments to the WUP Applicant's Handbook are provided in the link below. These amendments clarify existing rule or reduce regulatory burdens; therefore, a Statement of Estimated Regulatory Cost is not necessary.

[DRAFT – Water Use Permit Applicant's Handbook](#)

WZ/tm
Attachments

Notice of Development of Rulemaking

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NOS.:	RULE TITLES:
40B-2.301	Conditions for Issuance of Permits
40B-2.331	Modification of Permits
40B-2.351	Transfer of Permits

PURPOSE AND EFFECT: The Suwannee River Water Management District (District) gives notice that it is initiating rulemaking for the purpose of amending water use permitting (WUP) rules to inform applicants that additional monitoring requirements may exist in Water Supply Planning Areas, provide additional information regarding the measurement of withdrawal quantities, provide special case monitoring and reporting requirements, clarify letter modifications, extend the time to transfer a WUP, and incorporate the WUP Transfer Form by reference. The effect will be more understandable and streamlined rules; and reduced regulatory burdens.

SUBJECT AREA TO BE ADDRESSED: Water Use Permits (WUPs); Water Use Monitoring; WUP Letter Modifications; WUP transfers

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 120.60, 373.016, 373.019, 373.023, 373.042, 373.0421, 373.083, 373.103, 373.116, 373.117, 373.1175, 373.118, 373.171, 373.175, 373.185, 373.216, 373.219, 373.223, 373.2234, 373.2235, 373.226, 373.227, 373.228, 373.229, 373.2295, 373.232, 373.236, 373.239, 373.243, 373.244, 373.246, 373.250 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SRWMD at (386)362-1001 or 1(800)226-1066 (FL only). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Warren Zwanka, P.G., Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida 32060, (386)362-1001 or 1(800)226-1066 (FL only)

40B-2.301 Conditions for Issuance of Permits.

(1) through (2) No change.

(3) The standards and criteria set forth in the Water Use Permit Applicant's Handbook, [\[HYPERLINK, EFFECTIVE DATE\]](http://www.flrules.org/Gateway/reference.asp?No=Ref-11315) <http://www.flrules.org/Gateway/reference.asp?No=Ref-11315>, effective December 4, 2019, hereby incorporated by reference into this chapter, if met, will provide the reasonable assurances required in Rule 40B-2.301, F.A.C. ~~This document is available at District headquarters or on the District's website: www.mysuwanneeriver.com.~~

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.0421, 373.185, 373.219, 373.223, 373.226, 373.227, 373.228, 373.229, 373.232, 373.236, 373.239, 373.250 FS. History—New 10-1-82, Amended 5-1-83, 1-6-10, 3-24-13, 8-22-13, 3-24-14, 1-9-19, 12-4-19, [DATE].

40B-2.331 Modification of Permits.

~~A permittee may seek modification of an unexpired permit consistent with Rule 40B-1.703, F.A.C.~~

- (1) An application to modify a valid water use permit shall be approved by the Executive Director or their designee without a hearing if all the following are met:
 - (a) The application meets the conditions for issuance in Rule 40B-2.301, F.A.C., that apply to the modification request;
 - (b) The application meets the provisions of subsections 373.229(4) and 373.239(2), F.S.;
 - (c) The application does not receive an agency recommendation for denial; and

- (d) The application, if approved, does not increase the permitted allocation to one million gallons per day or more.

~~A permittee may apply for modification by letter to the District if the proposed modification involves water use less than 100,000 gallons per day. Either the Executive Director or the Assistant Executive Director shall approve proposed modifications by letter without a hearing in the following circumstances, except that any request for modification recommended for denial shall be presented to the Governing Board for final agency action:~~

~~(a) When a change in conditions has resulted in the water allowed under the permit becoming inadequate for the permittee's need;~~

~~(b) When the proposed modification would result in a more efficient use of water than is possible under the existing permit; or~~

~~(c) When a public water supply permittee achieves demonstrable water savings attributable to implementation of a water conservation plan pursuant to subsection 2.3.2.3(b), Water Use Permit Applicant's Handbook.~~

~~(2) The Governing Board shall determine final agency action on any modification that increases the duration of a water use permit. A permittee may apply to modify an existing permit to voluntarily implement the District's water use monitoring and reporting requirements as set forth in Section 4.1 of the Water Use Permit Applicant's Handbook. The Governing Board shall determine final agency action on modifications under this paragraph.~~

~~(3) through (4) No change.~~

~~(5) Following the District's review of a ten-year compliance report, the Governing Board may modify the permit pursuant to subsection 1.4.10 5-2-10, Water Use Permit Applicant's Handbook.~~

~~(6) through (7) No change~~

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 120.60, 373.016, 373.019, 373.023, 373.042, 373.0421, 373.083, 373.103, 373.116, 373.117, 373.1175, 373.118, 373.171, [373.175](#), 373.185, 373.216, 373.219, 373.223, [373.2234](#), [373.2235](#), 373.226, 373.227, 373.228, 373.229, [373.2295](#), 373.232, 373.236, 373.239, [373.243](#), 373.244, 373.246, 373.250 FS. History—New 10-1-82, Amended 5-1-83, 1-6-10, 3-14-13, 3-24-14, [\[DATE\]](#).

40B-2.351 Transfer of Permits.

(1) An applicant requesting to continue all or part of a permitted water use that has changed ownership shall submit a complete Water Use Permit Transfer Form 40B-2.351A, [HYPERLINK, EFFECTIVE DATE], within 180 days of the acquisition of the property or properties on which the permitted water use is authorized. Water Use Permit Transfer Form: Form Number 40B-2.351A, effective January 6, 2010, is hereby incorporated by reference. This form is available at District headquarters and on the District's website at www.mysuwanneeriver.com.

~~(2) Applicants shall provide reasonable assurances of the ability to operate and maintain the withdrawal and/or diversion facilities in accordance with the transferred permit's terms and conditions. Persons who wish to continue a permitted water use and who have acquired the ability to operate and maintain the withdrawal and/or diversion facilities, shall apply to the District within 30 days of acquiring such ability, for the duration of the permit in accordance with the permit terms and conditions. Permit transfer requests shall be submitted on the District's Water Use Permit Transfer Form 40B-2.351A. The District shall transfer the permit provided the previously permitted use remains the same.~~

~~(3) Applications to transfer a permit under subsections (1) and (2) above that include a request to change the source, water use classification, withdrawal quantity, or permit duration from that which was previously permitted shall be processed as permit modifications as set forth in rule 40B-2.331, F.A.C. Persons who apply to transfer a permit under subsection (2) above and propose to change the source, use, or withdrawal quantity or source quality from those specified in the permit, must follow the procedures for modification in Rule 40B-2.331, F.A.C.~~

~~(4) through (5) No change.~~

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 120.60, 373.016, 373.019, 373.023, 373.042, 373.0421, 373.083, 373.103, 373.116, 373.117, 373.1175, 373.118, 373.171, [373.175](#), 373.185, 373.216, 373.219, 373.223, [373.2234](#), [373.2235](#), 373.226, 373.227, 373.228, 373.229, [373.2295](#), 373.232, 373.236, 373.239, [373.243](#), 373.244, 373.246, 373.250 FS. History—New 10-1-82, Amended 1-6-10, 3-24-14, [\[DATE\]](#).



SUWANNEE RIVER

WATER MANAGEMENT DISTRICT

WATER USE PERMIT TRANSFER FORM

Water Use Permit Number: _____

Relinquishing (Current) Permittee: _____

The new landowner/ permittee listed below requests that the District:

____ Transfer the permit listed above in its entirety.

____ Transfer only a portion of the permit listed above.

By signing this request, the new permittee agrees to comply with the terms and conditions of the permit. The new permittee shall notify the District if there is a change in source, water use classification, withdrawal quantity (i.e., crop type and/or irrigation system), or permit duration, to determine if a permit modification is required. A copy of the warranty deed (or other evidence of ownership) is enclosed.

Project Name: _____

New Permittee Name: _____

Title and Company: _____

Address, City, State, Zip: _____

Phone Number / E-mail*: _____

New Landowner Name: _____

Address, City, State, Zip: _____

Phone Number / E-mail*: _____

New Compliance Contact: _____

Address, City, State, Zip: _____

Phone Number / E-mail*: _____

Signature of the New Landowner / Permittee

Date

Signature of the Relinquishing Permittee

Date

* Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

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: November 3, 2023

RE: Works of the District Permit Application Number WOD-121-208958-4, Reichard Dock Restoration, Suwannee County

RECOMMENDATION

Deny, without prejudice, Works of the District Permit application number WOD-121-208958-4, submitted by Duane Reichard, for failure to provide a complete permit application within allotted timeframes.

BACKGROUND

This Works of the District Permit application for the restoration of an existing dock by replacing rotting wood with galvanized metal was received on February 14, 2023. District staff mailed a request for additional information (RAI) requesting plans and assurance of compliance with Chapter 40B-4, Florida Administrative Code (F.A.C.) and rule 62-330.427, F.A.C. to the applicant on March 7, 2023, with a response due date of June 5, 2023. A summary of staff's actions to assist the applicant with completing the permit application are detailed in the attached staff report.

An 18-day letter was emailed to the applicant on June 23, 2023; and, to date, an RAI response has not been received. The application has been under review over 246 days, and, on September 25, 2023, staff informed the applicant by letter that his application would be brought to the November Governing Board with a recommendation for administrative denial if a complete response was not received.

WZ/tm
Attachment

ENVIRONMENTAL RESOURCE PERMIT
TECHNICAL STAFF REPORT
November 3, 2023
APPLICATION NO.: WOD-121-208958-4

Applicant: Duane Reichard
5290 SE 55th Ave
Trenton, FL, 32693
(352)262-7798

Agent Duane Reichard
5290 SE 55th Ave
Trenton, FL, 32693
(352)262-7798

Project Name: Reichard Dock Restoration

Project Acreage: 0.14

County: Suwannee

Recommended Agency Action

Denial, without prejudice, for failure to provide a complete permit application within section 120.60, F.S. timeframes.

Project Review Staff

Sarah Corbett, Environmental Scientist IV, Ashley Stefanik*, P.E, Regulatory Office Chief, Leidyane dos Santos, Engineer II, and Sara Zybell, E.I., Engineer III, reviewed the project.

Project Location

The proposed project is located on parcel number 04-07S-14E-04542-001000 within Township 07 South, Range 14 East, Section 4 of Suwannee County.

Project Description

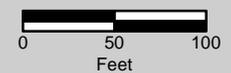
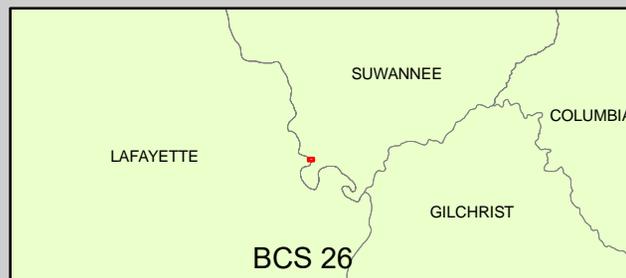
This application is for the restoration of the existing dock by replacing rotting wood with galvanized metal. The incomplete application was received on February 14, 2023, and the applicant has been unresponsive. The request for additional information (RAI) requesting plans and assurance of compliance with Chapter 40B-4, F.A.C. and rule 62-330.427, F.A.C. was emailed to the applicant on March 7, 2023, with a response due date of June 5, 2023. A summary of staff actions to assist the applicant in completing the permit application are detailed below:

DATE	ACTION
02/14/2023	Application received
03/07/2023	RAI sent
05/04/2023	Staff attempted to contact the applicant via email and phone call for clarification
06/23/2023	18-day letter sent
08/10/2023	Staff attempted to contact the applicant via email and phone call for clarification and requesting information about the status of the project
08/15/2023	Staff attempted to contact the applicant via phone call for clarification and requesting information about the status of the project
09/15/2023	Staff attempted to contact the applicant via phone call for clarification and requesting information about the status of the project
09/18/2023	Staff attempted to contact the applicant via email and phone call for clarification and requesting information about the status of the project
09/25/2023	Email to agent stating the application would be brought to the Governing Board with a staff recommendation of administrative denial
10/18/2023	Warren Zwanka left a voicemail stating a request to withdraw the application would be preferred over an administrative denial



 208958-4

Reichard Dock Restoration WOD-121-208958-4



Note: This map was created by the Suwannee River Water Management District (SRWMD) to be used for planning purposes only. SRWMD shall not be held liable for any injury or damage caused by the use of data distributed as a public records request regardless of their use or application. SRWMD does not guarantee the accuracy, or suitability for any use of these data, and no warranty is expressed or implied. For more information please contact the SRWMD at 386-362-1001.
Map Created on 10/20/2023

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board
FROM: Troy Roberts, Communications and Outreach Manager
THRU: Katelyn Potter, Director, Outreach and Operations
DATE: October 13, 2023
RE: Outreach and Communications Activity Summary

The following information summarizes Outreach and Communications activities for the month of September 2023:

Facebook	Twitter	Instagram
Total Posts: 17 Total Reach: 4,560 Total Likes: 178 Total Comments: 5 Total Shares: 30	Total Posts: 17 Total Impressions: 2,312 Total Engagement: 82 Engagement Rate: 2.2	Total Posts: 9 Total Reach: 697 Total Engagement: 126

Press Releases
<ul style="list-style-type: none">September 5 – Governing Board MeetingSeptember 18 – Water Supply Plan Comments SoughtSeptember 18 – Final Budget Public HearingSeptember 19 – Hydrological Conditions ReportSeptember 22 – Santa Fe Flood Risk maps update

Media Inquiries / Responses
<ul style="list-style-type: none">September 7 – Troy Roberts responded to a request for information from the Sun Sentinel regarding Hurricane Idalia and cleanup efforts.

Meetings with Vendors / Consultants / Public
<ul style="list-style-type: none">September 6 – Troy Roberts met with Moore regarding updates to the District Lands Web Map and Springs Additions booklet.September 7 – Troy Roberts met with Mark Wallheiser Photography for photo shoots related to ongoing feature story work. This day included photography for HDS and Land Management.September 8 – Troy Roberts met with SKYE to discuss ongoing edits to brochure work.

- September 11 – Troy Roberts met with Tim Wheeler of TREW Media to complete video work for work related to District videography projects. Troy and Tim met with Stacie Greco of Alachua County and visited Poe Springs for b-roll footage.
- September 14 – Troy Roberts met with Brandon Bivins of CivicPlus to discuss website updates.
- September 19 – Troy Roberts attended a Springs Education Workshop with DEP and other water management districts.
- September 21 – Troy Roberts presented at IFAS annual “Follow the Water” tour for community members. Roberts presented and talked about springs, specifically Suwannee Springs.
- September 21 – Troy Roberts attended the Columbia County Board of County Commission meeting with Board Member Charles Keith to discuss ongoing flood risk map work for the Santa Fe Watershed.
- September 22 – Troy Roberts met with Mark Wallheiser Photography to complete photography related to ongoing feature story work. This day included recreation and projects.
- September 27 – Troy Roberts attended the quarterly touch-base meeting with FDEP and other water management districts.

September Photo Highlight:

On September 21, the District assisted UF IFAS in support of its Follow the Water Program, a weeklong event that follows the Suwannee River from the Okefenokee to Cedar Key. During the program, residents from across Northeast Florida learn about water quality and conservation, movement across the state, and influences of human behavior on water.



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: October 10, 2023
 RE: Land Management Update

BACKGROUND

The following information summarizes land management activities for September 2023; and the final totals for Fiscal Year 2022-2023 (FY 2023).

Natural Communities Management: The following tables represent activities that support overall natural community restoration and management across District lands.

Vegetative Management (acres)	FY 2023 Planned	Reporting Period Completed	FY 2023 Total
Herbicide	180	312	312
Roller Chop Uplands	400	0	187
Mallory Swamp Mow/Chop	700	0	1,923
Woods Mowing	2,000	0	2,473
Totals	3,280	0	4,583

Prescribed Fire (acres)	FY 2023 Planned	Reporting Period Completed	FY 2023 Total
SRWMD	7,000	0	4,363
FFS - Twin Rivers State Forest	2,000	0	820
Totals	9,000	0	5,183

Invasive Plant Treatment	FY 2023 Planned	Reporting Period Completed	FY 2023 Total
SRWMD Staff Treat (# mapped infestations)	143	0	130
Edwards Bottomland (acres)	44	0	44
Contractors (acres)	78.4	0	78.4
FWC Uplands Program-Grant funded (acres)	53.85	Planned Fall 2023	0
Starke Bypass (acres)	251	0	251

Ecological Services Monitoring (Locations)	FY 2023 Planned	Reporting Period Completed	FY 2023 Total
Rare Plants Monitoring	50	0	58
Gopher Tortoise Surveys	3	0	4
Wading Bird Rookeries	5	0	10
Natural Community Mapping (acres)	1,500	2,990	2,990

Timber Harvests	County	Acreage	Type	Status or Revenue
Gilchrist Wellfield #1	Gilchrist	100	Thinning and Chipping	Active
Adams Tract #4	Lafayette	90	Thinning and Clearcut	Inactive
Sandlin Bay #9	Columbia	374	Thinning	Active
Dedan Loop #1	Bradford	60	Thinning	Inactive
Devils Hammock #2	Levy	144	Thinning	Inactive
Steinhatchee Springs #23	Lafayette	250	Thinning	Inactive
Shelly #1	Jefferson	121	Thinning	Inactive
Hurricane Idalia Ellaville Salvage	Madison	154	Salvage Clearcut	Harvesting Complete
Hurricane Idalia Mill Creek North Salvage	Madison	92	Salvage Clearcut	Inactive
Fiscal Year 2023 Revenue as of October 5, 2023 <i>*Estimated for this report only. Official accounting records have not yet been finalized.</i>				\$2,408,428.99

Land Management: The following tables represent tract and land management activities on the District's fee and less-than-fee owned properties.

Conservation Easements	FY 2023 Planned	Reporting Period Completed	FY 2023 Total
Monitor Current Easements	15	0	15

Hydrologic & Road Maintenance	FY 2023 Planned	Reporting Period Completed	FY 2023 Total
Culvert Replacements	20	0	20
Road Repairs (miles)	157.46	34.22	136.42

Tract Maintenance	FY 2023 Planned	Reporting Period Completed	FY 2023 Total
Mowing (miles per mowing cycle 3X per year)	1,746	47	1,304
Site Maintenance (tracts visited monthly)	114	114	114
Enhanced Patrols (hours)	944	0 ²	534.5
Sign Replacements	30	0	30
Boundary Line Painting (miles)	119	0	45 ¹

¹Contractor withdrew from contract and has been rebid. The new contractor begins October 1, 2023.

²There were no patrols at Goose Pasture Campground, Suwannee, Falmouth, and Pot Springs due to facilities were closed from Hurricane Idalia. Staff is waiting on billing from FWC for the total hours worked for the fourth quarter.

Special Projects: The following information provides a status update on special projects within the Office of Land Management.

Pinehatchee Tract (Steinhatchee Springs Tract addition): Survey work with WSP Environmental & Infrastructure, Inc. continues. All planned road edge clearing has been completed and now a rest period must occur to allow chopped material to decompose. Road patching and grading will begin soon. All-natural community mapping work is complete, and deliverables have been received.

Rock Bluff: The sanitation system permit has been submitted to the Florida Department of Health. A site development plan will be submitted to the Gilchrist Building and Zoning Department the week of October 16-20.

Aucilla River Access Improvement Project: The project is 100% complete.

Hurricane Idalia: Land Management contractors, NFWMD, and other cooperators have assisted with storm recovery of District lands. Most of the work is related to tree and debris removal along our road networks. Minor damage occurred to recreation facilities. Of the lands managed by this District, approximately 90% of the storm recovery is complete.

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: October 11, 2023
RE: Contract with RES Environmental Operating Company LLC for Starke Bypass Mitigation Area Services

RECOMMENDATION

Execute an agreement with RES Environmental Operating Company LLC for mitigation and replanting services at the Starke Bypass Mitigation Area for an amount not to exceed \$300,000.

BACKGROUND

Florida Statute 373.4137 allows for water management districts to create mitigation projects for the Florida Department of Transportation, if requested, who then allocates funding for the projects.

In 2015, the District entered into an agreement with the Florida Department of Transportation (FDOT) to complete mitigation services in Bradford County to offset impacts from the Starke Bypass Highway. The Starke Bypass Mitigation Area (SBMA) was established through a conservation easement on private property to enhance/create approximately 250 acres of wetlands. The creation of wetlands credits required permitting by the United States Army Corps of Engineers (USACE), as well as state environmental resource permits, which were issued to FDOT.

The original firm hired to create the mitigation area and satisfy the requirements of the permit was unsuccessful. Mitigation of the site and creation of the wetlands credits remains incomplete, with the FDOT permit currently not compliant. To date, zero credits have been released.

Over the last 10 months the District and FDOT have worked closely to develop a path forward that included obtaining USACE approval of a revised adaptive management plan to bring the project into compliance.

In October 2023, the District requested proposals for mitigation and replanting services at SBMA. The solicitation included a full legal review prior to posting, a pre-proposal meeting with six attendees, and later received three proposals. Of the proposals submitted, two were disqualified with incomplete submittals.

A selection committee evaluated the proposal by RES Environmental Operating Company LLC and found it to be of high-quality, demonstrating the firm's experience with mitigation work and ability to complete the work required in the adaptive management plan. Despite having only one qualified proposal, the selection committee thoroughly reviewed previous projects completed by the firm, finding success in their ability to create and release mitigation credits. The selection committee believes the firm to be highly qualified and the rates in line with market values for mitigation efforts. The rate schedule submitted by RES Environmental Operating Company LLC is included in Table 1.

Table 1. Starke By-Pass Mitigation Area - Project Fee Schedule - RES Environmental Operating Company		
	Rate/Acre	Rate/Hour
Invasive/Exotic Plant Treatment	\$540.00	\$325.00
Chemical Vegetation Control		
1) <i>Site Preparation</i>	\$275.00	\$150.00
2) <i>Post Planting</i>	\$350.00	\$200.00
Mechanical Vegetation Control		
1) <i>Tractor</i>	\$1,500.00	\$750.00
2) <i>Skidder</i>	\$280.00	\$175.00
Tree Stock Planting	\$536.59	\$0.00
Tree Stock		
1) <i>Upland Mixed Forest</i>	\$580.00	NA
2) <i>Hydric Pine Flatwood</i>	\$310.00	NA
3) <i>Wetland Forested Mixed</i>	\$650.00	NA
4) <i>Cypress</i>	\$645.00	NA
Personnel		
1) <i>Administration</i>	NA	\$60.00
2) <i>Project Manager</i>	NA	\$132.00
3) <i>Field - Professional</i>	NA	\$85.00
3) <i>Field - Technician</i>	NA	\$75.00
4) <i>GIS - Professional</i>	NA	\$85.00

To ensure compliance with the permit, timing is critical to allow for the completion of plantings by May 2025 and for the site to demonstrate success by 2027.

The agreement will be structured similar to land management projects with payment issued only upon completion and verification of deliverables. The firm will be required to submit periodic work plans that outline the type and extent of work they plan to conduct. These plans must be reviewed and approved by the District before work commences.

Funding for this work is included in the Fiscal Year 2023-2024 Final Budget and will be paid by insurance funds recovered from the initial vendor failure, as well as other funds provided by FDOT for mitigation projects.

KCP/ao

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Alejandro Arteaga Garcia, Senior Data Analyst, Hydrologic Data Services Office

THRU: Katelyn Potter, Director, Outreach and Operations

DATE: October 9, 2023

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 8 inches in diameter or greater.

As of October 3, 2023, the District is monitoring 1,606 (238.2 MGD) of a total of 1,698 active permitted wells (248.3 MGD). The remaining 92 active wells not yet monitored are scheduled for site visits to determine the type of monitoring that will be implemented. An additional 256 proposed wells have yet to be drilled.

The District offers three options for monitoring: electric provided by the power company, telemetry on diesel systems, and self-reporting. To date, farmer electric agreements from cooperatives are in effect on 842 (151.9 MGD) monitoring points. The District currently employs telemetry on 311 (51.4 MGD) diesel-powered systems. There are currently 18 (1.4 MGD) self-monitored points.

Additionally, there are currently 435 (33.5 MGD) sites for which monitoring is currently not feasible. Staff visit these sites each year to reevaluate the feasibility of monitoring.

The attached figures show the current well status and monitoring type for all wells with water use monitoring conditions (Figure 1), and the status of flow data collection by source within the Districts' agricultural monitoring network (Figure 2).

Agricultural Water Use Stations with Monitoring Conditions

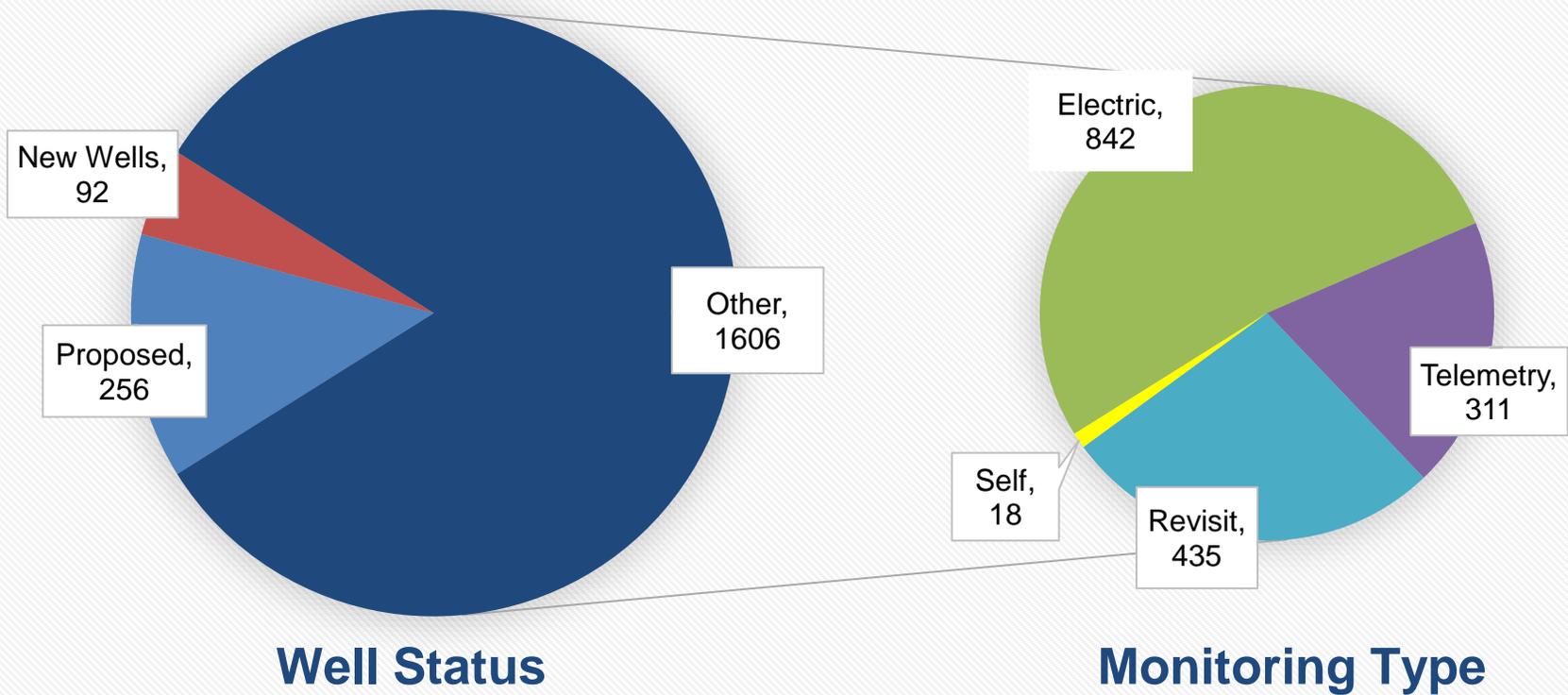
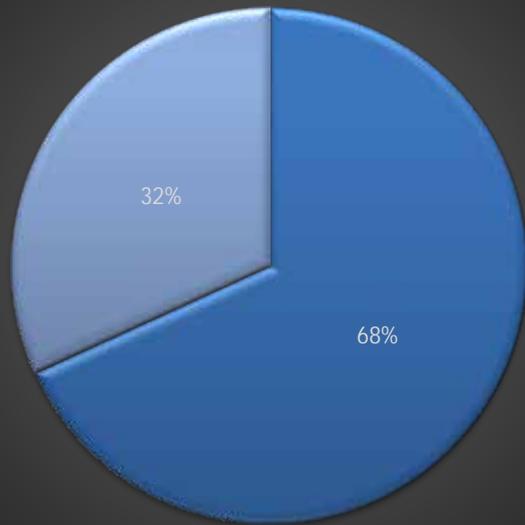


Figure 1. Well status and monitoring type for all wells with water use monitoring conditions as of October 3, 2023.

Flow Data Collection Status



■ Sites with Unique Flow Recorded, 1046
■ Sites Needing Flow Information, 488

Flows Recorded by Source

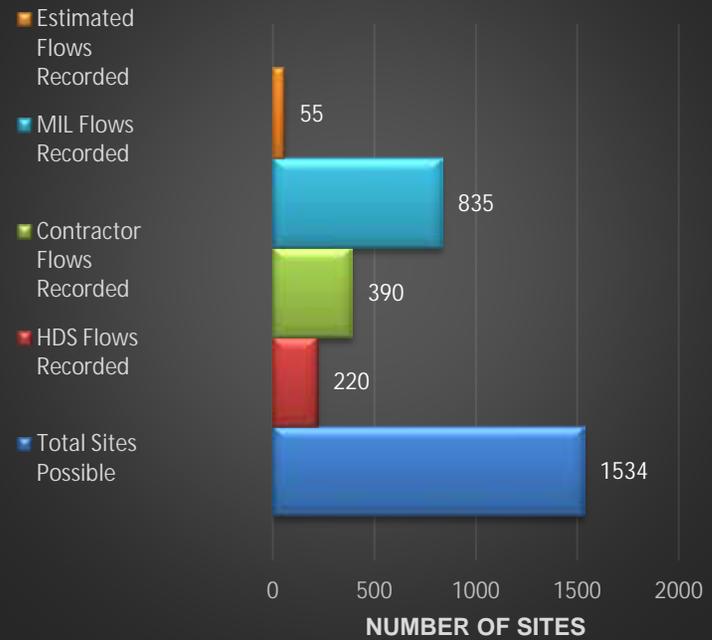


Figure 2. Status of flow data collection by source within the District's agricultural monitoring network as of October 3, 2023.

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, Division of Water Resources

DATE: November 3, 2023

RE: Agriculture and Environmental Projects Monthly Report

ENVIRONMENTAL PROJECTS PROGRAM		
	Number of Contracts	Amount Under Contract
Active Contracts	59	\$75,173,810
Completed within the last six months	2	\$199,206
Totals	61	\$73,373,016

AGRICULTURAL COST-SHARE PROGRAM		
	Number of Contracts	Amount Under Contract
Active Contracts	118	\$12,549,393
Completed within the last six months	22	\$1,024,772
Totals	140	\$13,574,165

FLOOD RISK OUTREACH AND MAPPING PROGRAM		
	Number of Contracts	Amount Under Contract
Number of Contracts (TWAs)	13	\$7,670,606
Completed within the last six months	0	-
Totals	13	\$7,670,606
TOTAL CONTRACTS / TWAs	214	\$96,617,788

AEP APPLICATIONS	
	Number of Projects
Agriculture applications under review	27
AWS and Springs	0
Conceptual projects under review	26
Projects in Queue	1
TOTAL	54

AEP FUNDING SOURCES		
	Number of Grants	Grant Amount Provided
District	3	\$10,461,592
FDEP	36	\$58,683,926
Federal through FDEP	5	\$14,600,000
Federal (CTP Program)	7	\$11,359,417
Cooperator Match	0	\$12,666,986
TOTAL	51	\$107,771,921

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: November 3, 2023

RE: Amendment to Contract 21/22-040 with Alliance Dairies, LLP, Levy and Gilchrist Counties

RECOMMENDATION

Amend Contract 21/22-040 with Alliance Dairies, LLP for additional agricultural cost-share funding of \$96,000, for a total amount not to exceed \$371,100.

BACKGROUND

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

Alliance Dairies, LLP has applied for agricultural cost-share under the District Agricultural Cost-Share Program for a project in Levy and Gilchrist counties. The original contract was approved by the Governing Board on October 12, 2021, and contained grid soil sampling, plant tissue sampling, and variable rate nutrient application for an amount not to exceed \$230,000. The first amendment to the original contract was approved by the Governing Board on January 10, 2023, and contained stationary fertigation systems, centralized remote-control system, GPS end-gun shutoffs, control panels, and remote controls for a total amount not to exceed \$265,200. The second amendment to the contract was approved by the Governing Board on June 13, 2023, and contained pivot retrofits for a total amount not to exceed \$275,100. This third amendment is to implement center pivot retrofits for use across 894 acres of corn, sorghum, and winter forage for an amendment cost not to exceed \$96,000 and a total contract amount not to exceed \$371,100. There are five different funding sources that will be used to execute this contract. The amount allocated by each funding source will not exceed \$300,000.

This project is located in the Suwannee River Basin Management Action Plan area, Fanning Manatee Priority Focus Area, and Eastern and Western Water Supply Planning Areas. The associated water savings estimate is 0.152 mgd.

Attachment A lists the amended cost share item and funding breakdown. Funding for this project is included in the Fiscal Year 2024 Final Budget.

SA/tm
Attachments

ATTACHMENT A

PRODUCER ALLIANCE DAIRIES
 WATER USE PERMIT 220483, 216471, 217981
 BMAP SUWA
 PFA Fanning Manatee
 COUNTY Levy
 COUNTY Gilchrist
 APPLICATION NO. 301

Reimbursable Rates for Cost-Share Equipment and Precision Agriculture Practices

Item	Percent Cost-Share	Maximum Cost-Share per Unit	Producer quote per Unit if provided	No. of Units	Estimated Cost-Share Total	Producer Share	Completion Due Date
LPS0087 Program Agricultural Springs Protection					\$96,000.00		
GBD23 Center Pivot Retrofit	90%	\$12,000.00		8	\$96,000.00	\$10,666.67	1 year from effective date

FUNDING

Estimated PRODUCER Funds \$10,666.67

DEP Funding \$96,000.00

Amendment Amount	\$96,000.00
-------------------------	--------------------

ATTACHMENT A

District Specifications

The PRODUCER shall not purchase, install, implement or complete the above authorized EQUIPMENT and/or PRECISION AGRICULTURE PRACTICES prior to the EFFECTIVE DATE of the CONTRACT.

The PRODUCER shall complete the purchase, installation and/or implementation of the authorized EQUIPMENT and/or PRECISION AGRICULTURE PRACTICES in accordance with the above schedule.

The PRODUCER shall be actively participating in the DISTRICT'S AUTOMATED WATER USE MONITORING PROGRAM prior to reimbursement.

The PRODUCER shall maintain compliance with the associated Water Use Permit(s) for the duration of the contract.

All invoices and payments shall have dates showing when they were invoiced and paid. The dates for all financial transactions must coincide within the contract term to be eligible for reimbursement.

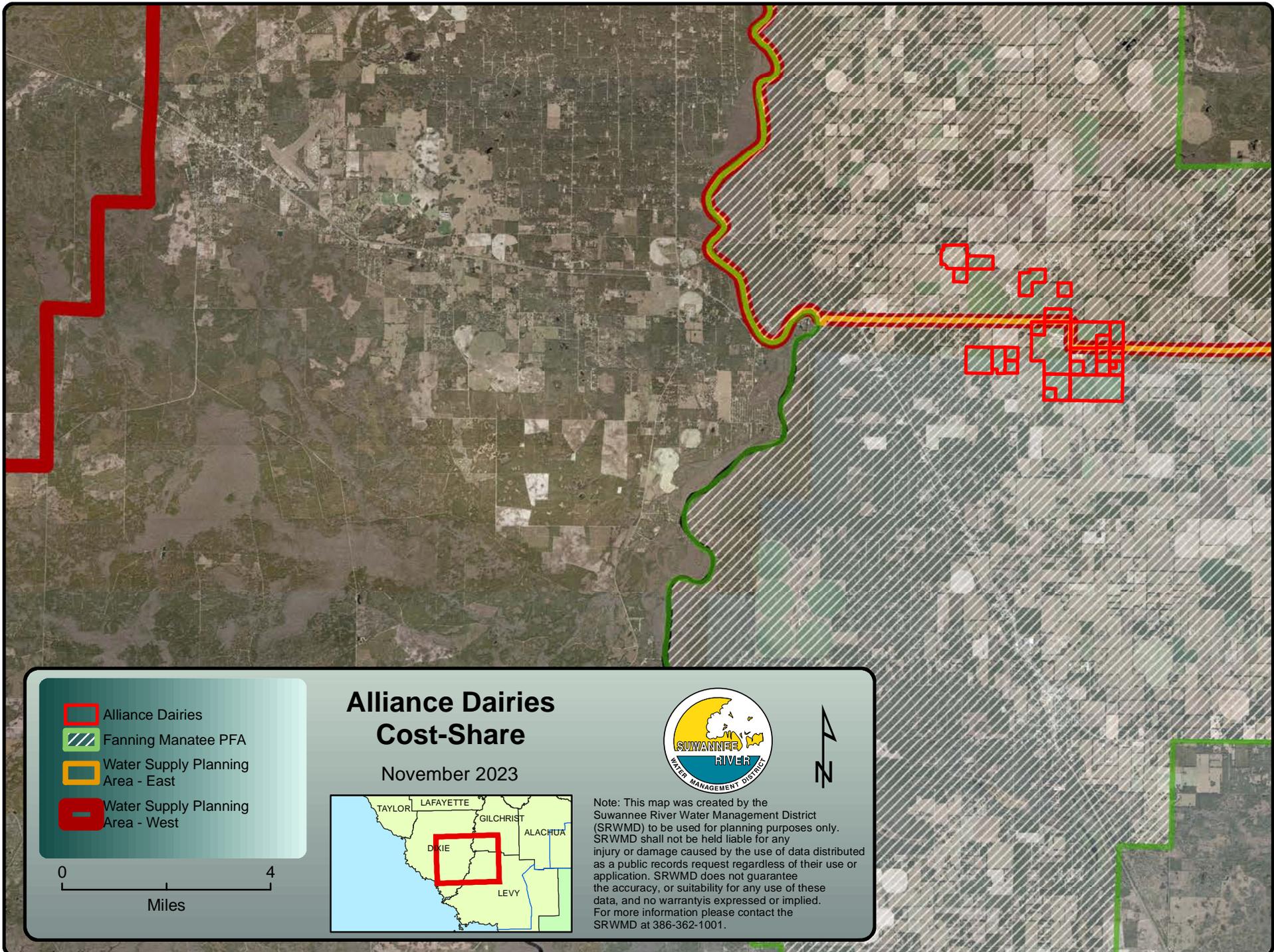
The PRODUCER shall own or have control of the property where the EQUIPMENT and/or PRECISION AGRICULTURAL PRACTICES are located for the duration of the CONTRACT.

The PRODUCER has executed and maintains a current FDACS Notice of Intent (NOI) to comply with Best Management Practices.

District Terms and Conditions

Center Pivot Retrofits

The producer must first select a Mobile Irrigation Lab (MIL) vendor to test the irrigation system. The MIL selected must follow the latest version of the MIL Handbook as developed by the Florida Department of Agriculture and Consumer Services (FDACS), Office of Agricultural Water Policy. Deliverables should include at a minimum: A uniformity score (Weighted Distribution and Christiansen's), recommendations to improve irrigation uniformity, and a laminated sprinkler chart with center pivot information. The selected MIL must also update the State of Florida MIL program website in accordance with FDACS Office of Agricultural Water Policy guidelines. The District will only reimburse for equipment recommended by the MIL and only for equipment considered newer technology. The District will not reimburse for equipment considered maintenance. Equipment eligible for reimbursement includes more efficient nozzle packages, such as Senninger IWOBs or Nelson Rotators, pressure regulators, drop down hoses, adjusting end guns and other associated water savings features. For reimbursement, the producer must provide a copy of the paid invoice, cancelled check (front and back) or some verifiable form of payment, copies of the pre- and post-MIL evaluations, and pictures of the pivot before, during and after the retrofit.



Alliance Dairies Cost-Share

November 2023



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