



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

YouTube Link: <https://www.youtube.com/@SRWMD>

Open to Public

August 13, 2024
9:00 a.m.

District Headquarters
Live Oak, FL

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 - July 9, 2024 Governing Board Meeting and Lands Committee Meeting Minutes
 - Agenda Item No. 11- Amendment to Contract 23/24-086 with Tillis Farms, LLC, Alachua, Gilchrist, and Levy Counties
 - Agenda Item No. 12 - June 2024 Financial Report
 - Agenda Item No. 14 - Rulemaking to Amend Rule 40B-400.091, Florida Administrative Code
 - Agenda Item No. 15 - Water Use Permit 2-001-220667-3, City of Alachua, Renewal, Alachua County
 - Agenda Item No. 19 - Task Work Assignment with Northstar Contracting Group, Inc
 - Agenda Item No. 26 - Gilchrist Wellfield Tract Management Agreement with the Gilchrist County School Board
 - Agenda Item No. 27 - Leland Wright Conservation Easement Donation, 149 +/- Acres, Gilchrist County
 - Agenda Item No. 28 - Florida Department of Transportation, Temporary Construction Easement, Britt Creek Bridge, Lafayette County
 - Agenda Item No. 29 - Florida Department of Transportation, Temporary Construction Easement, Camp Grade Road Tract, Lafayette County
 - Agenda Item No. 30 - Goosen Access Easement, Country Club Road Tract, Columbia County
 - Agenda Item No. 31 - Denial of Exchange Offer from Mikel Koon, Suwannee County
 - Agenda Item No. 32 - Zellwin Farms Company - Jennings Bluff Conservation Easement, Right of First Refusal, Hamilton County
 - Agenda Item No. 34 - Task Work Assignment with 3G Environmental Services, LLC
 - Agenda Item No. 35 - Task Work Assignment with Schmidt Reforestation Services, Inc
 - Agenda Item No. 36 - Task Work Assignment with B&B Dugger, Inc
 - Agenda Item No. 37 - Task Work Assignment with Lieupo's Maintenance Group, LLC

- Agenda Item No. 40 - Task Work Assignment with Water & Air Research, Inc
- Agenda Item No. 41 - Task Work Assignment with WSP USA Environment and Infrastructure

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6. July 9, 2024 Governing Board Meeting and Lands Committee 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

LC 1

8. Settlement of Suwannee River Water Management District vs. Brandon Creasy

LC 6

9. Cancellation of Interlocal Agreement with Columbia County Concerning Country Club Road Property

BUSINESS AND COMMUNITY SERVICES
Tim Alexander, Deputy Executive Director

Administration

10. Facilities Update

Agriculture Projects

BCS Page 1

11. Amendment to Contract 23/24-086 with Tillis Farms, LLC, Alachua, Gilchrist, and Levy Counties – **Recommend Consent**

Finance

BCS Page 5

12. June 2024 Financial Report – **Recommend Consent**

Resource Management

BCS Page 10

13. Permitting Summary Report

BCS Page 13

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

Water Use Permitting

BCS Page 15

15. Water Use Permit 2-001-220667-3, City of Alachua, Renewal, Alachua County – **Recommend Consent**

Environmental Projects

- BCS Page 23 16. Environmental and Agriculture Projects Monthly Report
- BCS Page 25 17. Regional Initiative Valuing Environmental Resources Cost-Share Program Recommendations for Fiscal Year 2024-2025
- BCS Page 28 18. Projects Database Solution Request for Proposal
- BCS Page 30 19. Task Work Assignment with Northstar Contracting Group, Inc – **Recommend Consent**
- BCS Page 31 20. Task Work Assignment with WSP USA Environment & Infrastructure Inc for Edwards Bottomlands
- BCS Page 32 21. Task Work Assignment with Wetland Solutions, Inc

OUTREACH AND OPERATIONS
Katelyn Potter, Division Director

Outreach and Operations

- OPS Page 1 22. Outreach and Communications Activity Summary

Land Acquisition

- OPS Page 3 23. Land Acquisition and Disposition Activity Report
- OPS Page 6 24. Governing Board Directive 24-0004, Access and Utility Easement Requests Directive - Revised
- OPS Page 12 25. Governing Board Directive 24-0005, Land Acquisition and Surplus Guidelines - Revised
- OPS Page 29 26. Gilchrist Wellfield Tract Management Agreement with the Gilchrist County School Board - **Recommend Consent**
- OPS Page 36 27. Leland Wright Conservation Easement Donation, 149 +/- Acres, Gilchrist County – **Recommend Consent**
- OPS Page 44 28. Florida Department of Transportation, Temporary Construction Easement, Britt Creek Bridge, Lafayette County – **Recommend Consent**
- OPS Page 50 29. Florida Department of Transportation, Temporary Construction Easement, Camp Grade Road Tract, Lafayette County – **Recommend Consent**
- OPS Page 55 30. Goosen Access Easement, Country Club Road Tract, Columbia County - **Recommend Consent**
- OPS Page 59 31. Denial of Exchange Offer from Mikel Koon, Suwannee County – **Recommend Consent**

- OPS Page 67 32. Zellwin Farms Company - Jennings Bluff Conservation Easement, Right of First Refusal, Hamilton County – **Recommend Consent**

Land Management

- OPS Page 74 33. Land Management Update Report
- OPS Page 77 34. Task Work Assignment with 3G Environmental Services, LLC – **Recommend Consent**
- OPS Page 78 35. Task Work Assignment with Schmidt Reforestation Services, Inc – **Recommend Consent**
- OPS Page 79 36. Task Work Assignment with B&B Dugger, Inc – **Recommend Consent**
- OPS Page 80 37. Task Work Assignment with Lieupo's Maintenance Group, LLC – **Recommend Consent**

Hydrologic Data Services

- OPS Page 81 38. Agricultural Water Use Monitoring Report

WATER RESOURCES
Amy Brown, Deputy Executive Director

39. Water Resources Division Updates

Water Resources

- WR Page 1 40. Task Work Assignment with Water & Air Research, Inc – **Recommend Consent**
- WR Page 2 41. Task Work Assignment with WSP USA Environment and Infrastructure – **Recommend Consent**

EXECUTIVE OFFICE
Hugh Thomas, Executive Director

42. Announcements
43. Governing Board Comments

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

September 10, 2024	3:00 p.m.	Board Meeting
	5:05 p.m.	First Public Hearing on FY2025 Millage and Budget
September 23, 2024 (MONDAY)	3:00 p.m.	Workshops and/or Committee Meetings
	5:05 p.m.	Final Public Hearing on FY2025 Millage and Budget

44. 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.

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

YouTube Link: <https://www.youtube.com/@SRWMD>
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.

July 9, 2024
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	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:

UPDATED:

Agenda Item No. 14 - Business and Community Services - Tentative Fiscal Year 2024-2025 Millage and Budget

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

Agenda Item No. 4 – Public Comment:

- Mayor Frank Davis, City of Live Oak – Thanks the District for support of upcoming approval item regarding septic to sewer with assistance with the Florida Department of Environmental Protection grant.
- Jeff Hill – Concerns regarding irrigation pipe.

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

- Agenda Item No. 6 - June 11, 2024 Governing Board, Executive Director Evaluation Committee, and Audit Committee Meetings Minutes
- Agenda Item No. 9 - Performance Evaluation Review of Executive Director
- Agenda Item No. 11 - Amendment to Contract 23/24-044 with SanRiver Farms, LLC in Suwannee County
- Agenda Item No. 12 - Amendment to Contract Number 21/22-192, Sustainable Suwannee Nutrient Mitigation Project with the United Dairy Farmers of Florida
- Agenda Item No. 13 - May 2024 Financial Report
- Agenda Item No. 16 - Inspector General Audit Report Number 24-01, Internal Audit of Cybersecurity
- Agenda Item No. 17 - Inspector General Audit Report Number 24-02, Follow-up on District Corrective Actions Regarding Prior Internal Audit Findings
- Agenda Item No. 18 - Inspector General Audit Report Number 24-03, Internal Audit of Cost-Share Agreements
- Agenda Item No. 21 - Task Work Assignment with AECOM, Inc. for Federal Emergency Management Agency Fiscal Year 2023 Risk Mapping Assessment and Planning Program Services
- Agenda Item No. 22 Task Work Assignment with AtkinsRealis, Inc. for Federal Emergency Management Agency Fiscal Year 2023 Risk Mapping Assessment and Planning Program Services
- Agenda Item No. 23 - Task Work Assignment with Dewberry Engineers, Inc. for Federal Emergency Management Agency Fiscal Year 2023 Risk Mapping Assessment and Planning Program Services
- Agenda Item No. 24 - Task Work Assignment with WSP, Inc. for Federal Emergency Management Agency Fiscal Year 2023 Risk Mapping Assessment and Planning Program Services
- Agenda Item No. 29 - Clarification of Rate-Based Agreements for Road, Hydrological, and Ditch-Mowing Services
- Agenda Item No. 30 - Clarification of Rate-Based Agreements for Prescribed Fire and Vegetative Management Services
- Agenda Item No. 35 - Memorandum of Agreement with St. Johns Water Management District for Surface and Groundwater Chemistry Analysis

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

Agenda Item No. 6 - June 11, 2024, Governing Board, Executive Director Evaluation Committee, and Audit Committee Meetings Minutes. Approved on Consent.

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

- A. Robbie McKinney, Manager, Office of Water Resources, gave a presentation of hydrologic conditions of the District.
- B. Cooperating Agencies and Organizations. None

Hugh Thomas, Executive Director, recognized Leroy Marshall, and Mary Diaz for the Association of State Floodplain Managers award received for the District outreach efforts.

GOVERNING BOARD LEGAL COUNSEL

Agenda Item No. 8 – Update on Legal Activities Tom Reeves, Board Legal Counsel, updated the Board on the Jeff Hill District Court appeal pending in the courts.

Agenda Item No. 9 - Performance Evaluation Review of Executive Director. Approved on Consent.

BUSINESS AND COMMUNITY SERVICES

Administration

Agenda Item No. 10 – Facilities Update. Ben Glass, Chief, Office of Administration, provided an update to the Board.

Agriculture Projects

Agenda Item No. 11 – Amendment to Contract 23/24-044 with SanRiver Farms, LLC, Suwannee County. Approved on Consent.

Agenda Item No. 12 – Amendment to Contract Number 21/22-192, Sustainable Suwannee Nutrient Mitigation Project with the United Dairy Farmers of Florida Amendment. Approved on Consent.

Finance

Agenda Item No. 13 – May 2024 Financial Report. Approved on Consent.

Agenda Item No. 14 – Tentative Fiscal Year 2024-2025 Millage and Budget - **UPDATED.** Kristin Thompson, Finance Program Manager, Office of Finance, presented this item to the Board,

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

Agenda Item No. 15 – Resolution Number 2024-04, Release of Fiscal Year 2024-2025 State Appropriations. Pam Shaw, Chief, Office of Finance, presented this item to the Board.

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

Agenda Item No. 16 – Inspector General Audit Report Number 24-01, Internal Audit of Cybersecurity. Approved on Consent.

Agenda Item No. 17 – Inspector General Audit Report Number 24-02, Follow-up on District Corrective Actions Regarding Prior Internal Audit Findings. Approved on Consent.

Agenda Item No. 18 – Inspector General Audit Report Number 24-03, Internal Audit of Cost-Share Agreements. Approved on Consent.

Resource Management

Agenda Item No. 19 – Permitting Summary Report. This report was provided as an informational item in the Board materials.

Environmental Projects

Agenda Item No. 20 – Environmental and Agriculture Projects Monthly Report. This report was provided as an informational item in the Board materials.

Agenda Item No. 21 – Task Work Assignment with AECOM, Inc. for Federal Emergency Management Agency Fiscal Year 2023 Risk Mapping Assessment and Planning Program Services. Approved on Consent.

Agenda Item No. 22 – Task Work Assignment with AtkinsRealis, Inc. for Federal Emergency Management Agency Fiscal Year 2023 Risk Mapping Assessment and Planning Program Services. Approved on Consent.

Agenda Item No. 23 – Task Work Assignment with Dewberry Engineers, Inc. for Federal Emergency Management Agency Fiscal Year 2023 Risk Mapping Assessment and Planning Program Services. Approved on Consent.

Agenda Item No. 24 – Task Work Assignment with WSP, Inc. for Federal Emergency Management Agency Fiscal Year 2023 Risk Mapping Assessment and Planning Program Services. Approved on Consent.

Agenda Item No. 25 – Amend Contract with the Florida Department of Environmental Protection and Contract with City of Live Oak for Cost Share Assistance. Mary Diaz, Professional Engineer, Resource Management/Environmental Projects Program, presented this item to the Board.

Mr. Sessions announced a conflict of interest and abstained from voting on this item. The Conflict of Interest form was completed and signed by Mr. Sessions and is hereby made part of these minutes and is filed in the permanent Governing Board Meeting minutes files of the District.

MOTION WAS MADE BY SCHWAB, SECONDED BY SMITH TO APPROVE THE ITEM. MOTION CARRIED WITH THE EXCEPTION OF SESSIONS.

OUTREACH AND OPERATIONS

Communications and Outreach

Agenda Item No. 26 – Outreach and Communications Activity Summary. This summary was provided as an informational item in the Board materials.

Land Management

Agenda Item No. 27 – Land Management Update Report. This report was provided as an informational item in the Board materials.

Agenda Item No. 28 – Land Acquisition and Disposition Activity Report. This report was provided as an informational item in the Board materials.

Agenda Item No. 29 - Clarification of Rate-Based Agreements for Road, Hydrological, and Ditch-Mowing Services. Approved on Consent.

Agenda Item No. 30 – Clarification of Rate-Based Agreements for Prescribed Fire and Vegetative Management Services. Approved on Consent

Agenda Item No. 31 – Task Work Assignment with Sunshine Outdoor Services, LLC for Road and Hydrological Facility Maintenance for Fiscal Year 2024-2025. Lorna Ratliff, Chief, Office of Land Management, presented this item to the Board.

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

Hydrologic Data Services

Agenda Item No. 32 – Agricultural Water Use Monitoring Report. This report was provided as an informational item in the Board materials.

WATER RESOURCES

Agenda Item No. 33 – Water Resources Division Updates. Amy Brown, Deputy Executive Director, provided updates to the Board.

Water Resources

Agenda Item No. 34 – Annual Water Quality Update. Susie Hetrick, Chief, Office of Water Resources, presented this update to the Board.

Agenda Item No. 35 - Memorandum of Agreement with St. Johns Water Management District for Surface and Groundwater Chemistry Analysis. Approved on Consent.

Agenda Item No. 36 - Interagency Joint Funding Agreement with United States Geological Survey. Ms. Hetrick presented this item to the Board.

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

EXECUTIVE OFFICE

Agenda Item No. 37 - Announcements. Tyler Winburn, Coordinator, Legislative and Governmental Affairs, provided a Legislative update to the Board. Mr. Thomas updated the Board on District activities.

Agenda Item No. 38 - Governing Board Comments. None

Agenda Item No. 39 - Adjournment. Meeting adjourned at 11:10 a.m.

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT
MINUTES OF LANDS COMMITTEE MEETING**

YouTube Link: <https://www.youtube.com/@SRWMD>

Open to Public

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July 9, 2024
Following Board Meeting

District Headquarters
Live Oak, FL

1. Call to Order / Committee Roll Call. Meeting began at 11:25 a.m.

Committee Members

Present

Not Present

Richard Schwab - Chair

X

Charles Keith

X

Larry Sessions

X

Harry Smith

X

Larry Thompson

X

-Mr. Lloyd also attended the Lands Committee Meeting.

2. Public Comment. None

Management Agreements

3. Gilchrist Wellfield Tract Management Agreement with the Gilchrist County School Board. Katelyn Potter, Division Director, Outreach and Operations Division, presented this item to the Committee. Mrs. Potter corrected the memo to read 15 years not 50 years as stated.

MOTION MADE BY SMITH, SECONDED BY THOMPSON TO APPROVE THE RECOMMENDATION. MOTION CARRIED.

Conservation Easements

4. Leland Wright Conservation Easement Donation, 149 +/- Acres, Gilchrist County. Mrs. Potter presented this item to the Committee.

MOTION MADE BY SMITH, SECONDED BY KEITH TO APPROVE THE RECOMMENDATION. MOTION CARRIED.

Access/Utility Easements

5. Florida Department of Transportation, Temporary Construction Easement, Britt Creek Bridge, Lafayette County.
6. Florida Department of Transportation, Temporary Construction Easement, Camp Grade Road, Tract, Lafayette County. Mrs. Potter presented this item to the Committee

Mrs. Potter presented item numbers 5 and 6 together to the Committee and was voted on with one vote.

MOTION MADE BY SMITH, SECONDED BY SESSIONS TO APPROVE THE RECOMMENDATIONS ON THE BRITT CREEK BRIDGE AND THE CAMP GRADE ROAD BRIDGE. MOTION CARRIED WITH ONE VOTE FOR AGENDA ITEM 5 AND AGENDA ITEM 6.

7. Goosen Access Easement, Country Club Tract, Columbia County. Mrs. Potter presented this item to the Committee.

MOTION MADE BY THOMPSON, SECONDED BY SESSIONS TO APPROVE RECOMMENDATION. MOTION CARRIED.

Land Acquisition / Property Offers

8. Denial of Exchange Offer from Mikel Koon, Suwannee County. Mrs. Potter presented this item to the Committee.

MOTION MADE BY THOMPSON, SECONDED BY SMITH TO APPROVE THE RECOMMENDATION. MOTION CARRIED.

9. Right of Refusal on Zellwin Farms Company – Jennings Bluff Conservation Easement, Hamilton County. Mrs. Potter presented this item to the Committee.

MOTION MADE BY SMITH, SECONDED BY THOMPSON TO APPROVE THE RECOMMENDATION. MOTION CARRIED.

10. Update on Existing Projects. Mrs. Potter updated the Committee on the existing projects and status of these projects.
11. Governing Board Directive GBD24-0004, Utility and Right of Way Easements. Mrs. Potter presented this item to the Committee.

MOTION MADE BY SMITH, SECONDED BY KEITH TO APPROVE THE RECOMMENDATION. MOTION CARRIED.

12. Governing Board Directive GBD24-0005, Land Acquisition and Surplus Guidelines. Mrs. Potter presented this item to the Committee.

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

Discussion Items

13. 5-Year Workplan Discussion
Mrs. Potter discussed the 5-Year workplan with the Committee.
14. Announcements: None
15. Adjournment. Meeting adjourned at 12:04 p.m.

Chair

ATTEST:

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board
FROM: George T. Reeves, General Counsel
DATE: July 25, 2024
RE: Settlement of Suwannee River Water Management District vs. Brandon Creasy

RECOMMENDATION

Approve the Stipulated Final Judgment regarding Brandon Creasy.

BACKGROUND

Previously, the District learned that Mr. Brandon Creasy of Hahira, Georgia had been drilling water wells within the District without a license to be a water well contractor as required by Chapter 373, Florida Statutes.

The District issued cease and desist notices to Mr. Creasy. Under the Section 373.323(7), Florida Statutes, the District may enforce its cease and desist orders by filing a lawsuit in the name of the state seeking issuance of an injunction. With the approval off the governing board, such a lawsuit was filed and is styled as *State of Florida, ex rel, Suwannee River Water Management District v. Brandon Creasy*, Case No. 2024-78 CA, in the Circuit Court of the Third Judicial Circuit in and for Suwannee County, Florida.

District staff and Mr. Creasy have, pending approval by the governing board, reached a settlement of this lawsuit. The settlement is to jointly ask the court to enter a stipulated final judgment in the attached form. The stipulated final judgment grants the injunction against Mr. Creasy.

The stipulated final judgment does not impose attorney's fees, costs, penalties or other monetary sanctions that the District would normally assess. This is because Mr. Creasy filed for bankruptcy protection in *In Re: Brandon Ray Creasy, debtor*, Case No. 23-70562-JTL, in the United States Bankruptcy Court for the Middle District of Georgia. The filing of bankruptcy does not prohibit the District from seeking such monetary awards. But the District would be required to seek them in the bankruptcy court and then any amounts awarded by the bankruptcy court would be an unsecured claim in the bankruptcy case. This results in a very low likelihood that the District would actually recover any sums of money and, in my opinion, does not justify the expenditure of funds necessary to pursue such awards.

/tr
Attachment

IN THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT,
IN AND FOR SUWANNEE COUNTY, FLORIDA

STATE OF FLORIDA, *ex rel*,
SUWANNEE RIVER WATER
MANAGEMENT DISTRICT

Plaintiff,

vs.

CASE NO. 2024-78 CA

BRANDON CREASY.

Defendant.

_____ /

STIPULATED FINAL JUDGMENT

THIS CAUSE having come before the court on the stipulation of the parties and the court being fully advised in the premises it is hereby finds as follows:

1. The Plaintiff, SUWANNEE RIVER WATER MANAGEMENT DISTRICT (the “DISTRICT”) is a Florida water management district created pursuant to § 373.069(1)(b), Fla. Stat.
2. The Defendant, BRANDON RAY CREASY, a/k/a Brandon Creasy (“CREASY”) is a natural person residing at 5292 Futch Road, Hahira, Georgia 31632 which is located in Cook County, Georgia.
3. The boundaries of the DISTRICT are as provided in § 373.069(2)(b), Fla. Stat.
4. Pursuant to § 373.323(1), Fla. Stat., every person who wishes to engage in business as a water well contractor within the boundaries of the DISTRICT must obtain from the DISTRICT a license to conduct such business. The term “water well contractor” means a person who is responsible for the construction, repair, or abandonment of a water well and who is

licensed under this part to engage in the business of construction, repair, or abandonment of water wells. § 373.303(6), Fla. Stat.

5. Pursuant to § 373.336(1), Fla. Stat., it is unlawful for any person to: (a) practice water well contracting without an active license issued pursuant to this part, or (b) construct, repair, or abandon a water well, or operate drilling equipment for such purpose, unless employed by or under the supervision of a licensed water well contractor or exempt under § 373.326, Fla. Stat.

6. CREASY holds no license and has never held any license as referenced in § 373.336(1), Fla. Stat.

7. The DISTRICT asserts the following action of CREASY:

a. In the past CREASY has practiced water well contracting by drilling the following water wells within the boundaries of the DISTRICT:

DISTRICT's Assigned Well Number	County	Parcel No.	Approximate Date Drilled
140925	Gilchrist	03-10-14-0000-0007-0010	3/2021
148830	Alachua	01884-001-000	3/2022
148787	Gilchrist	26-09-16-0000-0001-0000	3/2022
148785	Alachua	02604-001-000	3/2022
148784	Alachua	02604-001-000	3/2022
153241	Levy	0103100000	3/2021

b. While drilling and constructing the water wells referenced in the immediately preceding paragraph, CREASY was not employed by or under the supervision of a licensed water well contractor nor exempt under § 373.326, Fla. Stat.

8. CREASY neither admits nor denies the allegations of paragraphs 7(a) and (b).

CREASY agrees that such allegations, if proven, would constitute a violation of § 373.326, Fla. Stat.

9. On or about April 29, 2021, the DISTRICT sent to CREASEY a NOTICE OF VIOLATION in which the DISTRICT ordered CREASY to immediately cease and desist all unlicensed construction, repair, or abandonment of water wells.

10. On or about March 24, 2023, the DISTRICT sent to CREASEY a NOTICE OF VIOLATION in which the DISTRICT again ordered CREASY to immediately cease and desist all unlicensed construction, repair, or abandonment of water wells.

11. Pursuant to § 373.323(7), Fla. Stat., the DISTRICT may enforce its cease and desist orders by filing a proceeding in the name of the state seeking issuance of an injunction against any person who violates any provision of such order.

THEREFORE it is hereby ORDERED and ADJUDGED as follows:

A. CREASY is hereby permanently enjoined from practicing water well contracting within the boundaries of the DISTRICT without first obtaining and holding an active water well contractor license from the DISTRICT. For the purposes of this order, the term “water well contracting” means being responsible for the construction, repair, or abandonment of a water well and/or engaging in the business of construction, repair, or abandonment of water wells.

B. This injunction shall be binding on CREASY and his officers, agents, servants, employees, and attorneys and on those persons in active concert or participation with CREASY who receive actual notice of the injunction.

C. This injunction shall not prohibit CREASY from constructing, repairing, or abandoning a water well, or operating drilling equipment for such purpose, while employed by or

under the supervision of a Florida licensed water well contractor or for a water well exempt under § 373.326(2), Fla. Stat.

D. This final judgment shall not affect CREASY's ability to apply to a Florida water management district for a water well contractor license. Further, this final judgment shall not affect such Florida water management district's ability to consider or not consider the matters set out herein when processing and taking action on any such application which might be filed.

E. No fines, penalties, attorney's fees or costs are being assessed against CREASY for the actions set out in this final judgment. However, fines, penalties, attorney's fees or costs may be assessed in any proceedings to enforce this final judgment as provided by law.

F. The court retains jurisdiction over the action and personal jurisdiction over the parties for the purposes of enforcing this final judgment.

DONE and ORDERED in chambers on _____, 2024.

David W. Fina
Circuit Judge

Copies to:

M. Christopher Bryant
P.O. Box 1110
Tallahassee, Florida 32302-1110
Email: cbryant@ohfc.com
bpetty@ohfc.com

George T. Reeves
Post Office Drawer 652
Madison, Florida 32341
Email: tomreeves@earthlink.net

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: George T. Reeves, General Counsel

DATE: July 25, 2024

RE: Cancellation of Interlocal Agreement with Columbia County Concerning Country Club Road Property

RECOMMENDATION

Approve the cancellation of the Interlocal Agreement with Columbia County concerning Country Club Road Property.

BACKGROUND

A memo setting out the history of the Country Club Road Property (the "Property") and how the District came to own the Property is attached hereto.

Located on the Property is a certain earthen structure (the "Dam") which impounds water flowing in a stream. The Dam is approximately 910 feet in length and 20 feet in height at the downstream maximum section. The top of the Dam is about 12 feet wide. When water reaches the top of the Dam approximately 78 million gallons of water are stored behind the Dam and at the normal pool elevation of the Dam there is approximately 49 million gallons of water stored behind the DAM, which is over 400,000,000 pounds (200,000 tons) of water.

Since acquiring the Property, the District has been exploring the best way to dispose of the Property. The biggest issue with disposing of the Property is that the Dam is not properly permitted. Therefore, whoever acquires title to the Property would be acquiring the liability to do whatever construction or reconstruction is necessary to have the Dam permitted. The cost of such construction and reconstruction is likely to be considerable.

In late 2021 and early 2022 District staff began negotiating with the staff of Columbia County (the "County") concerning a possible agreement between the District and the County concerning disposition of the Property and permitting of the Dam.

As part of these negotiations, staff prepared an Interlocal Agreement for consideration by the Board of County Commissioners of the County and the Governing Board of the District. This Interlocal Agreement provided in pertinent part:

- A. The District would immediately convey to the County an approximately 0.51 acre parcel of property (which the District had no use for) and the approximately 25.34 acre parcel on which was located the water system serving the neighboring community was located.
- B. The County would have the Dam permitted and do whatever work was necessary for this to be accomplished.
- C. The District would provide up to \$150,000 of funding to the County to repair and permit the Dam.

- D. Once the Dam was repaired and permitted, the District would convey to the County, the portion of the Property lying north of SE Fritzi court.
- E. Pursuant to the Permit for the Dam, the County would thereafter maintain the Dam.
- F. Within the first five years of the Interlocal Agreement, if the County could obtain a general release of all claims from the Hill family the District would convey to the County the remainder of the Property and assign to the County the District's interest under the various money judgments the District has obtained against Mr. Hill and Ms. Hill.

At its March 3, 2022 meeting, the Board of County Commissioners of the County approved the Interlocal Agreement. At its March 8, 2022 meeting, the governing board of the District approved the Interlocal Agreement. A copy of the executed and recorded Interlocal Agreement is included.

Immediately after the Interlocal Agreement was approved, the District sent to the County, a deed conveying to the County the approximately 0.51 acre parcel of property (which the District had no use for) and the approximately 25.34 acre parcel on which was located the water system serving the neighboring community was located.

On March 21, 2022, (prior to the recording of the above deed), Mr. Hill commenced a lawsuit styled *Hill v. Suwannee River Water Management District*, Case No. 2022-91 CA, In the Circuit Court of the Third Judicial Circuit in and for Columbia County, Florida. In this case, Mr. Hill again sought quiet title to the Property in the name of Mr. Hill. (This is the SECOND QUIET TITLE LAWSUIT referenced in the enclosed memorandum.) The trial court has ruled against Mr. Hill in the lawsuit and enjoined him from filing similar lawsuits in the future. This matter is presently before the First District Court of Appeal awaiting disposition of the appeal.

Due to the pending lawsuit, the County did not record the above deed and the Interlocal Agreement has been on hold ever since.

Recently the District staff has been in contact with County staff and learned that the County no longer wishes to go forward with the Interlocal Agreement and wishes to cancel the Interlocal Agreement.

At their July 18, 2024 meeting, the Board of County Commissioners of the County approved a Cancellation of the Interlocal Agreement. A copy is enclosed. The cancellation cancels the Interlocal Agreement and releases all parties from any further obligation thereunder. I have been informed that the County is mailing back the unrecorded deed.

Due to the delay caused by the lawsuit it is unlikely that either party could enforce the terms of the Interlocal Agreement and therefore cancellation is recommended.

/tr
Attachments

MEMORANDUM

To: The Members of the Governing Board of the Suwannee River Water Management District.

Copies to: Hugh Thomas, Executive Director
Robin Lamm, Governing Board Coordinator

From: George T. Reeves, Esq., Governing Board General Counsel.

Date: July 25, 2024.

Re: Background of controversy with El Rancho No Tengo, Inc. and the Hill family concerning the Country Club Road Property and the Dam located thereon.

DEFINED TERMS

1. *DAM* means that certain earthen impoundment presently located on the PROPERTY.
2. *DISTRICT* means the Suwannee River Water Management District.
3. *HILL* means Mr. Jeffrey L. Hill, Sr.
4. *PROPERTY* means that certain parcel of real property located in Columbia County, Florida and assigned Parcel No. 03-4S-17-07486-001. The PROPERTY is also referred to as the “County Club Road Property.”
5. *RANCH* means El Rancho No Tengo, Inc., a Florida corporation.

DESCRIPTION OF THE DAM

6. The DAM is approximately 910 feet in length and 20 feet in height at the downstream maximum section. The top of the DAM is about 12 feet wide. When water reaches the top of the DAM approximately 78 million gallons of water are stored behind the DAM and at the normal pool elevation of the DAM there is approximately 49 million gallons of water stored behind the DAM, which is over 400,000,000 pounds (200,000 tons) of water.

TIMELINE

7. In 1966, the DAM was constructed on the PROPERTY. HILL participated in the

construction of the DAM as a boy.

8. On August 31, 1971, the RANCH received title to certain real property in Columbia County, Florida which included the PROPERTY. At all times material to the DISTRICT's conflict with HILL, the RANCH has been owned and controlled by HILL.
9. Between March 2003 and March 2006, there were correspondences and face to face meetings between the representatives of the RANCH and the DISTRICT. During these contacts, the representatives of the DISTRICT notified the RANCH that under the applicable law an environmental resource permit from the DISTRICT was required to perform any repairs on the DAM. The representatives of the RANCH contended that the work performed on the DAM was exempt from the requirement for an environmental resource permit.
10. Between December 2005 and June 2006, the RANCH, through HILL and his children, drained the DAM and excavated out a 23 foot wide by 20-25 foot high section of the DAM, replaced the spillway pipe for the DAM, and then rebuilt the 23 foot wide by 20-25 foot high section of the DAM. No permits, from the DISTRICT or otherwise, were sought or obtained by the RANCH, HILL or anyone else for the above excavation and rebuilding of the DAM.

FIRST LAWSUIT

11. On May 26, 2006, the DISTRICT commenced an action styled *Suwannee River Water Management District v. El Rancho No Tengo, Inc.*, Case No. 2006-203-CA, in the Circuit Court of the Third Judicial Circuit in and for Columbia County, Florida (the "FIRST LAWSUIT"). In this case, the DISTRICT sought a temporary and permanent injunction against the RANCH requiring the RANCH to obtain an environmental resource permit for the actions it had taken with regards to the DAM and the assessment of penalties, costs and attorneys fees.
12. On August 6, 2007, the trial court entered its FINAL ORDER GRANTING PERMANENT INJUNCTIVE RELIEF, DENYING DEFENDANT'S MOTION FOR DISMISSAL, DISMISSING COUNT III OF THE AMENDED COMPLAINT, AND RETAINING JURISDICTION OVER COUNT IV OF AMENDED COMPLAINT (hereinafter the "INJUNCTION"). In the INJUNCTION, the trial court ruled that the RANCH's excavation and rebuilding of the DAM, without a permit, were unlawful and required the RANCH to take certain corrective actions. At the time of the entry of the INJUNCTION and at all times prior thereto in the FIRST LAWSUIT, the RANCH was represented by attorneys Robert Moeller, Esq., and Paul Smith, Esq.
13. The RANCH appealed the INJUNCTION to the First District Court of Appeal in *El Rancho No Tengo, Inc., v. Suwannee River Water Management District*, Case No. 1D07-

4185, In the District Court of Appeal of the State of Florida, First District. This appeal was affirmed without opinion. *El Rancho No Tengo, Inc. v. Suwannee River Water Management Dist.*, 6 So. 3d 56 (Fla. 1st DCA 2009) During the appeal, the RANCH was represented by attorneys Robert Moeller, Esq., and Paul Smith, Esq.

14. After the appeal, the trial court entered a final money judgment (hereinafter the “FIRST MONEY JUDGMENT”) in the amount of \$100,000.00 against the RANCH and in favor of the DISTRICT. The FIRST MONEY JUDGMENT was entered as a penalty against the RANCH for, among other things, failing to comply with the INJUNCTION. At the time of the entry of the FIRST MONEY JUDGMENT, the RANCH was represented by attorneys Robert Moeller, Esq., and Paul Smith, Esq.
15. The RANCH appealed the FIRST MONEY JUDGMENT to the First District Court of Appeal in *El Rancho No Tengo, Inc., v. Suwannee River Water Management District*, Case No. 1D08-2568, In the District Court of Appeal of the State of Florida, First District. This appeal was affirmed without opinion. *El Rancho No Tengo, Inc. v. Suwannee River Water Management Dist.*, 6 So. 3d 56 (Fla. 1st DCA 2009) No further appeals of the FIRST MONEY JUDGMENT were pursued and the time for all permitted appeals has run. During the appeal, the RANCH was represented by attorneys Robert Moeller, Esq., and Paul Smith, Esq.
16. On May 3, 2010, the trial court entered another final money judgment (hereinafter the “SECOND MONEY JUDGMENT”) in the amount of \$280,376.20 against the RANCH and in favor of the DISTRICT. The SECOND MONEY JUDGMENT was entered against the RANCH as a recovery of the DISTRICT’s attorneys fees and costs incurred in the FIRST LAWSUIT. The RANCH was not represented by counsel at the time of the entry of the SECOND MONEY JUDGMENT or thereafter. There was no appeal of the SECOND MONEY JUDGMENT and the time for any such appeal has run.

THE RANCH DEEDS THE PROPERTY TO HILL

17. On December 6, 2010, a certain deed was recorded which conveyed the PROPERTY from the RANCH to HILL. (HILL signed the deed as the representative of the RANCH.) As the FIRST MONEY JUDGMENT and SECOND MONEY JUDGMENT were recorded before the deed, title to the property was conveyed subject to the lien of the FIRST MONEY JUDGMENT and SECOND MONEY JUDGMENT.

DISTRICT ATTEMPTS TO USE SHERIFF’S SALE PROCESS

18. During 2011, the DISTRICT attempted to utilize the execution process set forth in §§ 56.21-56.25, Fla. Stat., and execute on the PROPERTY to satisfy the FIRST MONEY JUDGMENT and the SECOND MONEY JUDGMENT. As a result of such process the Sheriff of Columbia County, Florida, acting through his deputy, executed and delivered to

the DISTRICT, a Sheriff's Deed for the PROPERTY.

HILL FILES FOR BANKRUPTCY PROTECTION

19. On May 3, 2011 (prior to the above Sheriff's sale), HILL (who had been deeded the PROPERTY) filed a voluntary petition in bankruptcy. The case which resulted from the filing of such petition was styled in *In Re: JEFFREY LANCE HILL, SR.*, Case No. 3:11-bk-03247-PMG, In the United States Bankruptcy Court for the Middle District of Florida. As the petition in the above bankruptcy case was filed prior to the sheriff's sale, the automatic bankruptcy stay was in effect at the time the sheriff's sale. 11 U.S.C. § 362(a) HILL did not disclose that he had filed for bankruptcy protection to the Sheriff or the DISTRICT prior to the sale.
20. On March 23, 2012, the BANKRUPTCY CASE was dismissed by the bankruptcy court. This dismissal was appealed to and affirmed by both the U.S. District Court for the Middle District of Florida and the U.S. Court of Appeals for the Eleventh Circuit. *In re Hill*, 583 Fed. Appx. 894 (11th Cir. 2014)

FORECLOSURE LAWSUIT

21. On or about December 13, 2013, the DISTRICT commenced an action styled *Suwannee River Water Management District v. El Rancho No Tengo, Inc.*, Case No. 2013-666-CA, in the Circuit Court of the Third Judicial Circuit in and for Columbia County, Florida (the "FORECLOSURE CASE") in which the DISTRICT sought to foreclose the lien of the FIRST MONEY JUDGMENT and the SECOND MONEY JUDGMENT against the PROPERTY.
22. On November 4, 2014, the court below entered its FINAL SUMMARY JUDGMENT OF FORECLOSURE (the "FINAL JUDGMENT OF FORECLOSURE") and ordered that the PROPERTY be sold at a public sale.
23. HILL appealed the FINAL JUDGMENT OF FORECLOSURE to the First District Court of Appeal in *Hill v. Suwannee River Water Management District*, Case No. 1D14-5653, In the District Court of Appeals, First District. This appeal was affirmed without opinion. *Hill v. Suwannee River Water Management Dist.*, 171 So.3d 705 (Fla. 1st DCA 2015)
24. HILL attempted to appeal this matter further by filing a petition for review with the Florida Supreme Court which was styled *Hill v. Suwannee River Water Management District*, Case No. SC15-1568, In the Supreme Court of Florida. On August 26, 2015, the Florida Supreme Court entered its order dismissing the petition for review for lack of jurisdiction and declaring no motion for rehearing would be allowed. No further appeal has been filed and all times for appeal have run.

25. On remand after appeal, the trial court set a judicial sale of the PROPERTY for December 10, 2014.

Settlement Offer

26. On December 9, 2014 the governing board had its regular meeting. At that meeting the governing board had counsel draft one last offer of a settlement agreement with HILL. The proposed settlement agreement provided:
- A. The DISTRICT would pay \$164,000.00 to purchase a flowage easement on HILL's other property (across County Club road from the PROPERTY) and \$7,500.00 to settle all other matters including damage to equipment, etc. Provided that these monies went into a closing fund to repair and permit the DAM.
 - B. HILL would then use the funds to repair and permit the DAM. How, the DAM would be repaired or permitted would be up to HILL. If he wished he could repair the DAM exactly as it was or could repair it to a lower level where it would impound less water. HILL could make this decision based on the relative costs.
 - C. Once the DAM was repaired and permitted:
 - i. The remainder of the above funds would be disbursed to HILL.
 - ii. The PROPERTY would be conveyed to HILL.
 - iii. HILL would dismiss all pending lawsuits.
 - iv. The parties would give mutual releases to each other.
27. To accept the above offer, HILL was required to return the agreement, fully executed, by no later than the morning of December 10, 2014 with no changes. HILL returned the agreement at the right time but it had considerable changes to it including changes to the drawing of the area of the flowage easement.

Judicial Sale Goes Forward

28. On December 10, 2014, the judicial sale of the PROPERTY was held. The DISTRICT was the successful high bidder at the sale.
29. In response to motions filed by HILL, the court struck the results of the judicial sale and reset another judicial sale of the PROPERTY.

30. On March 25, 2015, the second judicial sale of the PROPERTY was held. The DISTRICT was again the successful high bidder at the sale.
31. On July 23, 2015, after the court heard and denied various motions by HILL, the clerk issued its certificate of title which was recorded in the public records of Columbia County, Florida on July 24, 2015. A copy of the Certificate of Title is attached. The certificate of title, like a deed, is the document that transfers title to real property after a judicial sale. Section 45.031(6), Florida Statutes. Therefore, this is the point at which the DISTRICT took title to the PROPERTY.

HILL MOVES TO VACATE FINAL JUDGMENT IN FORECLOSURE LAWSUIT

32. HILL then moved to vacate the FINAL JUDGMENT OF FORECLOSURE which was denied by the trial court. HILL then again appealed to the First District Court of Appeal in *Hill v. Suwannee River Water Management District*, Case No. 1D15-3772, In the District Court of Appeals, First District. This appeal was affirmed without opinion. *Hill v. Suwannee River Water Management Dist.*, 189 So. 3d 762 (Fla. 1st DCA 2016)
33. HILL attempted to appeal this matter further by filing a petition for review with the Florida Supreme Court which was styled *Hill v. Suwannee River Water Management District*, Case No. SC16-826, In the Supreme Court of Florida. On May 16, 2016, the Florida Supreme Court entered its order dismissing the petition for review for lack of jurisdiction and declaring no motion for rehearing would be allowed. No further appeal has been filed and all times for appeal have run.

HILL FILES FIRST QUIET TITLE LAWSUIT

34. On October 13, 2016, HILL commenced a lawsuit styled *Hill v. Suwannee River Water Management District*, Case No. 2016-374 CA, In the Circuit Court of the Third Judicial Circuit in and for Columbia County, Florida. In this case, HILL sought to quiet title to the property in the name of HILL for various reasons.
35. On December 5, 2016, the DISTRICT moved to dismiss CASE NO 2016-374 on the grounds that HILL's claims were on matter previously decided and are therefore barred.
36. On April 3, 2017, the court entered its Final Judgement in CASE NO 2016-374 finding that HILL's claims were barred.
37. On April 21, 2017, HILL appealed the Final Judgement in CASE NO 2016-374 to the First District Court of Appeal.
38. On February 14, 2018, the First District Court of Appeal affirmed the Final Judgement in CASE NO 2016-374 without written opinion. This affirmance is reported at *Hill v.*

Suwannee River Water Management District, 241 So. 3d 95 (Fla. 1st DCA 2018)

39. On May 1, 2018, the Florida Supreme Court issued its order dismissing HILL's petition to review to the Florida Supreme Court. *Hill v. Suwannee River Water Management District*, 2018 WL 2024902 (Fla. May 1, 2018).

HILL FILES SECOND QUIET TITLE LAWSUIT

40. On March 21, 2022, HILL commenced a lawsuit styled *Hill v. Suwannee River Water Management District*, CASE No. 2022-91 CA, In the Circuit Court of the Third Judicial Circuit in and for Columbia County, Florida. In this case, HILL again sought to quiet title to the property in the name of HILL for various reasons.
41. On November 28, 2022, the DISTRICT filed its Motion for Summary Judgment in CASE No. 2022-91 CA on the grounds that HILL's claims were on matter previously decided and are therefore barred. At that time, the DISTRICT also filed a Motion to Bar Further Pro Se Filings, and a Motion for Sanctions.
42. On July 20, 2023, the court in CASE No. 2022-91 CA entered its:
- A. ORDER GRANTING DEFENDANT, SUWANNEE RIVER WATER MANAGEMENT DISTRICT'S, MOTION FOR SUMMARY JUDGMENT AND ENTERING FINAL JUDGMENT IN DEFENDANT'S FAVOR (Finding that HILL's claims were on matter previously decided and are therefore barred.);
 - B. ORDER GRANTING DEFENDANT, SUWANNEE RIVER WATER MANAGEMENT DISTRICT'S MOTION TO BAR FURTHER *PRO SE* FILINGS AND ENJOINING PLAINTIFF, JEFFREY LANCE HILL, SR., FROM FURTHER *PRO SE* FILINGS (Barring HILL from filing any lawsuits in any Florida State Court concerning or related to the above listed lawsuits, unless such lawsuits are signed by a member of the bar.); AND,
 - C. ORDER GRANTING DEFENDANT, SUWANNEE RIVER WATER MANAGEMENT DISTRICT'S, MOTION FOR SANCTIONS.
43. Thereafter HILL filed various motions for rehearing which the court denied.
44. On January 16, 2024, HILL appealed the court's ruling in CASE No. 2022-91 CA to the First District Court of Appeal which assigned the appeal APPEAL NO. 1D2024-0139.
45. On May 9, 2024, the last brief in APPEAL NO. 1D2024-0139 was filed.
46. The DISTRICT is presently awaiting an opinion in APPEAL NO. 1D2024-0139.

Should APPEAL NO. 1D2024-0139 be decided in the DISTRICT's favor, then HILL would be barred from filing future lawsuits concerning the ownership of the PROPERTY in Florida State Courts.

This MEMO attempts to include all of the lawsuits dealing with title to the PROPERTY. HILL has filed other lawsuits which seek damages which are not set out herein.

END

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INTERLOCAL AGREEMENT
BETWEEN
SUWANNEE RIVER WATER MANAGEMENT DISTRICT
AND
COLUMBIA COUNTY, FLORIDA

This Interlocal Agreement is made and entered into as of its EFFECTIVE DATE (as defined below) by and between the Suwannee River Water Management District, a Florida water management district created and operating under Ch. 373, Florida Statutes, (hereinafter called the "DISTRICT"), and Columbia County, a political subdivision of the State of Florida (hereinafter called the "COUNTY"), (all of the foregoing may be collectively called the "PARTIES"), and pursuant to Section 163.01, Florida Statutes, the PARTIES agree as follows:

WITNESSETH:

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

WHEREAS, the COUNTY is a political subdivision of the State of Florida and a charter county as that term is used in Article VIII, Section 1(f), Florida Constitution; and,

WHEREAS, the COUNTY is located wholly within the boundaries of the DISTRICT; and,

WHEREAS, the PARTIES have reached an agreement between them as to a way and method to reach their mutual goals and wish to formalize such agreement by committing such agreement to writing and thereby create a legally enforceable obligation for both PARTIES.

NOW, THEREFORE, for and in consideration of the mutual covenants, promises and agreements herein contained, and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the PARTIES hereby agree as follows:

1. RECITALS. The foregoing recitals are true and correct and incorporated herein by this reference.
2. DEFINITIONS. The following terms shall have the following meanings herein unless a contrary intention is clearly expressed:
 - 2.1 *AGREEMENT* shall mean this interlocal agreement.
 - 2.2 *COUNTRY CLUB ROAD PARCEL* shall mean those certain parcels of real property located entirely in Columbia County, Florida and designated as parcel no. 03-4S-17-07487-000 (27973) and parcel no. 03-4S-17-07486-001 (27930). The COUNTRY CLUB ROAD PARCEL shall be divided into the NORTHERN SLIVER PARCEL, the WATER SYSTEM PARCEL, the DAM PARCEL and the

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REMAINING PARCEL which are each defined herein.

- 2.3 *COUNTY* shall mean Columbia County, a political subdivision of the State of Florida.
- 2.4 *DAM* shall mean that certain earthen structure located on the western side of the COUNTRY CLUB ROAD PARCEL and in close proximity to the right-of-way for Country Club Road which, in the past, impounded water from the stream running through the COUNTRY CLUB ROAD PARCEL to create the IMPOUNDMENT.
- 2.5 *DAM PARCEL* shall mean that portion of the COUNTRY CLUB ROAD PARCEL which includes (1) all of parcel no. 03-4S-17-07487-000 (27973) except the NORTHERN SLIVER PARCEL and (2) that portion of parcel no. 03-4S-17-07486-001 (27930) lying to the north of SE Fritzi Ct.
- 2.6 *DISTRICT* shall mean the Suwannee River Water Management District, a Florida water management district created and operating under Chapter. 373, Florida Statutes.
- 2.7 *EFFECTIVE DATE* shall mean the earliest date this AGREEMENT has been executed by both PARTIES and has been filed with the clerks of the circuit court for both Suwannee County and Columbia County pursuant to Section 163.01(11), Florida Statutes.
- 2.8 *ERP* shall mean an environmental resource permit permitting the DAM and the IMPOUNDMENT as it may be lawfully amended and changed from time to time.
- 2.9 *FDEP* shall mean the Florida Department of Environmental Protection, an agency of the State of Florida.
- 2.10 *IMPOUNDMENT* shall mean the body of water created by the DAM (when the DAM holds water) and which is located, in part, on the COUNTRY CLUB ROAD PARCEL.
- 2.11 *NORTHERN SLIVER PARCEL* shall mean that certain separate portion of parcel no. 03-4S-17-07487-000 (27973) which is roughly triangular in shape contains 0.51 acres (+/-) and lies roughly between that certain development known as the East Side Village on the east and that certain development known as the Oak Hill Estates on the west.
- 2.12 *PARTIES* shall mean the DISTRICT and the COUNTY.
- 2.13 *REMAINING PARCEL* shall mean all of the COUNTRY CLUB ROAD PARCEL less and except the NORTHERN SLIVER PARCEL, the WATER SYSTEM

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PARCEL, and the DAM PARCEL.

- 2.14 *TERM OF THIS AGREEMENT* shall mean from the EFFECTIVE DATE until January 1, 2061.
- 2.15 *WATER SYSTEM PARCEL* shall mean the separate southern portion of parcel no. 03-4S-17-07486-001 (27930) containing about 25.34 acres (+/-). The WATER SYSTEM PARCEL is not contiguous to any other portion of parcel no. 03-4S-17-07486-001 (27930).
3. CONVEYANCE OF THE NORTHERN SLIVER PARCEL AND THE WATER SYSTEM PARCEL. No later than 30 days after the EFFECTIVE DATE, the DISTRICT shall convey title to the NORTHERN SLIVER PARCEL and to the WATER SYSTEM PARCEL to the COUNTY by quit claim deeds for nominal consideration. Such quit claim deeds shall not contain any restrictions on the COUNTY's use or further conveyance of such parcels nor any reverter clauses. Regardless of what else may occur with regards to this AGREEMENT, title to the NORTHERN SLIVER PARCEL and the WATER SYSTEM PARCEL shall not be reconveyed back to the DISTRICT.
4. PRESENT CONDITION OF THE DAM. The PARTIES understand that there is presently no valid ERP covering the DAM. Therefore the DISTRICT does not presently allow the DAM to hold water and create the IMPOUNDMENT.
5. COUNTY TO OBTAIN AN ERP AND MODIFY THE DAM. Beginning immediately after the EFFECTIVE DATE, the COUNTY shall take whatever steps are necessary to obtain an ERP for the DAM, these steps shall include, without limitation, the following:
- 5.1 Retain engineers and other professionals as needed to prepare plans and schematics and otherwise assist in the other matters set out herein;
- 5.2 Apply for an ERP in the name of the COUNTY (The ERP shall provide that the DAM will be constructed, re-constructed and/or altered so that the level of the water in the IMPOUNDMENT is maintained at a safe level as provided in the ERP. The level of the water in the IMPOUNDMENT which is sought in the ERP application and ultimately approved as part of the ERP shall be at the discretion of the COUNTY.);
- 5.3 Purchase materials needed for the construction and/or reconstruction of the DAM and other matters set out herein;
- 5.4 Using its own forces or hired contractors to construct and/or reconstruct the DAM or any portion thereof including the moving of earth, compaction of earth, placement of concrete, piping and other structures, placement of sod and landscaping, temporarily breaching the DAM and building a spillway or similar outfall structure;

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- 5.5 Have as-built plans prepared and finally approved; and,
- 5.6 Perform or have performed whatever else may be necessary to have an ERP issued for the DAM and to complete the construction and/or reconstruction of the DAM and have all as-built plans finally approved.

As the DISTRICT owns the COUNTRY CLUB ROAD PARCEL, FDEP will be required to handle the ERP permitting process set out in this AGREEMENT.

6. FUNDING THE COUNTY'S COSTS TO BE INCURRED HEREIN. The COUNTY shall bear all of the costs of fulfilling the COUNTY's duties and responsibilities as provided in this AGREEMENT except as expressly provided herein. The DISTRICT shall reimburse the COUNTY for a portion of the COUNTY's costs in fulfilling the COUNTY's duties and responsibilities as provided in Section 5 herein (the immediately preceding section) as follows:

- 6.1 The COUNTY shall initially pay all such costs.
- 6.2 The procedure for reimbursement shall be as follows:
 - 6.2.1 No more often than once a quarter, the COUNTY shall (1) invoice the DISTRICT for the actual costs incurred by the COUNTY (including allocated employee time) incurred since the last invoice. Each invoice shall give a breakdown of the total matters completed and costs paid with sufficient detail to allow for verification by the DISTRICT.
 - 6.2.2 Within 60 days after receipt of such invoice and verification of the matters completed and costs paid, the DISTRICT shall pay the verified amount of the invoice.
- 6.3 Notwithstanding anything else herein to the contrary, in no event will the total amount reimbursed by the DISTRICT to the COUNTY under this AGREEMENT

be greater than the total sum of \$150,000.00.

7. SURVEY OF THE DAM PARCEL AND THE REMAINING PARCEL. While the COUNTY is completing the construction and reconstruction of the DAM and completing the ERP process, the DISTRICT shall, at the DISTRICT's sole expense, have the DAM PARCEL and the REMAINING PARCEL surveyed. Such survey shall (a) be prepared by a registered Florida surveyor of the DISTRICT's choosing, (b) meet the standards of practice for surveying required by the Department of Agriculture and Consumer Services, (c) be certified to the DISTRICT, the COUNTY, the closing agent, if any and the COUNTY's title insurer, if any, and (d) depict and provide "metes and bounds" legal descriptions of both the DAM PARCEL and the REMAINING PARCEL.

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8. CONVEYANCE OF THE DAM PARCEL TO THE COUNTY. No later than 60 days after the COUNTY has received an ERP for the DAM, has completed all construction and reconstruction activities and had its as-built plans finally approved, the DISTRICT shall convey title to the DAM PARCEL to the COUNTY by quit claim deed for nominal consideration. The quit claim deed shall reference that the conveyance is pursuant to and governed by this AGREEMENT and a copy of this AGREEMENT shall be attached thereto. Prior to recording, the COUNTY shall execute an acknowledgment on the quit claim deed. Notwithstanding anything else herein to the contrary, the DISTRICT shall not convey title to the DAM PARCEL prior to the DAM receiving an ERP including the completion of all construction and/or reconstruction and receiving final approval of all as-built plans. The COUNTY shall complete all necessary requirements to entitle it to be conveyed the DAM PARCEL no later than 36 months after the EFFECTIVE DATE.

9. MAINTENANCE OF THE DAM AND IMPOUNDMENT. Beginning upon conveyance of title to the DAM PARCEL to the COUNTY as provided herein and continuing throughout the TERM OF THIS AGREEMENT, the COUNTY shall:
 - 9.1 Continue to hold fee title to the DAM PARCEL, and shall not convey to any other person or entity or otherwise divest itself of any part of the title to the DAM PARCEL;
 - 9.2 Not lease any portion of the DAM PARCEL to any other person or entity;
 - 9.3 Continue to be the permit holder for the ERP;
 - 9.4 At the COUNTY's sole expense, use the DAM PARCEL only for the purposes of water management and public recreation and keep the DAM PARCEL reasonably open to the public;
 - 9.5 At the COUNTY's sole expense, perform all reasonable and necessary maintenance of the DAM PARCEL;
 - 9.6 At the COUNTY's sole expense, use, operate and maintain the DAM in compliance with the terms and conditions of the ERP; and,
 - 9.7 At the COUNTY's sole expense, take all actions and perform all maintenance necessary to ensure that the DAM, IMPOUNDMENT and DAM PARCEL are in compliance with the terms and conditions of the ERP.

10. AMENDMENT AND MODIFICATION OF THE ERP AND MODIFICATION OF THE DAM AND IMPOUNDMENT. After the conveyance of the COUNTRY CLUB ROAD PARCEL to the COUNTY as provided herein, this AGREEMENT shall not be deemed to prohibit or limit the ability of the COUNTY to, at the COUNTY'S sole expense, apply for or lawfully seek an amendment to the ERP. The COUNTY's maintenance and other obligations concerning the ERP shall be interpreted to apply to the ERP, as it may be

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amended from time to time. Additionally, after the conveyance of the COUNTRY CLUB ROAD PARCEL to the COUNTY as provided herein, this AGREEMENT shall not be deemed to prohibit or limit the ability of the COUNTY to, at the COUNTY's sole expense, modify or reconstruct the DAM or IMPOUNDMENT as provided in a lawfully amended ERP.

11. INSPECTION OF THE DAM PARCEL. At all times during the TERM OF THIS AGREEMENT, the DISTRICT, through its staff and agents shall have the right to, from time to time, enter the DAM PARCEL and inspect the DAM, IMPOUNDMENT and the rest of the DAM PARCEL in a reasonable manner and at reasonable times with prior notification to document compliance with this AGREEMENT.
12. CONVEYANCE OF THE REMAINING PARCEL TO THE COUNTY. At any time during the first 5 years of the TERM OF THIS AGREEMENT, but only after the DISTRICT has conveyed the DAM PARCEL to the COUNTY, should the COUNTY procure from EL RANCHO NO TENGO, a Florida corporation, JEFFREY LANCE HILL SR., a natural person, LINDA P. HILL, a natural person and JEFFREY LANCE HILL JR., a natural person and as the sole proprietor of Lance Water, a General Release in favor of the DISTRICT, substantially in the form attached hereto as Exhibit "A," the DISTRICT shall convey to the COUNTY the REMAINING PROPERTY by quit claim deed for nominal consideration. Such quit claim deed shall not contain any restrictions on the COUNTY's use or further conveyance of the such parcel nor any reverter clauses. As additional consideration for the above release, at the same time the DISTRICT conveys the REMAINING PROPERTY to the COUNTY, and provided that the COUNTY has met all of the requirements therefore, the DISTRICT shall also assign to the COUNTY all of the DISTRICT's right, title and interest in that certain money judgment against Jeffrey Lance Hill, Sr., recorded in the public records of Columbia County, Florida at O.R. Book 1409, Page 925 and that certain money judgment against Jeffrey Lance Hill, Sr. and Linda Petry Hill, recorded in the public records of Columbia County, Florida at O.R. Book 1438, Page 184.
13. NO WARRANTIES OF TITLE GIVEN. The DISTRICT does not herein, and in the deeds of conveyance shall not, warrant (or make any representations concerning) the title to any of the parcels of real property it is to convey as provided herein. See, Section 373.099, Florida Statutes.
14. GENERAL PROVISIONS.
 - 14.1 This AGREEMENT shall become effective immediately on the EFFECTIVE DATE and remain in effect throughout the TERM OF THIS AGREEMENT.
 - 14.2 This AGREEMENT shall not amended, revoked, or abandoned except through a written agreement approved by a majority vote of the governing board of the DISTRICT and executed by the DISTRICT, approved by a majority vote of the Board of County Commissioners of the COUNTY and executed by the COUNTY

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and filed with the clerks of the circuit court for Suwannee County and Columbia County pursuant to Section 163.01(11), Florida Statutes.

- 14.3 The terms of this AGREEMENT shall survive the closing and/or conveyance of any real property as may be provided herein.
- 14.4 The exclusive venue and jurisdiction for any litigation enforcing, construing or relating to this AGREEMENT shall be the State of Florida, Circuit Court or County Court in and for Columbia County, Florida.
- 14.5 The PARTIES mutually and forever waive any and all right to trial by jury in any legal proceeding arising out of or relating to this AGREEMENT and agree to have any such actions decided by a judge alone, without a jury.
- 14.6 No provision of this AGREEMENT will be deemed for the benefit of the public generally nor for any persons or entities other than the DISTRICT and the COUNTY. Thus there shall be no third party beneficiary of this AGREEMENT.
- 14.7 The terms of this AGREEMENT have been negotiated between the PARTIES and shall not be construed against either PARTY as the drafter.
- 14.8 The PARTIES shall execute such further documents and do any and all such further things as may be necessary to implement and carry out the intent of this AGREEMENT.
- 14.9 This AGREEMENT contains the entire agreement between the PARTIES and supercedes all prior oral and written contracts, agreements or understandings between the PARTIES. Each PARTY represents and warrants to the other that no contract, agreement or representation, oral or written, on any matter exists between the PARTIES except as expressly set out herein.
- 14.10 Neither PARTY may assign any of its rights or duties under this AGREEMENT.
- 14.11 Execution of this AGREEMENT in no way affects any of the PARTIES' obligations pursuant to Chapter 267, Florida Statutes concerning the collection of artifacts or the disturbance of the archaeological and historic sites.
- 14.12 This AGREEMENT shall not be construed to grant any permits or regulatory authority as to any uses or activity contemplated in this AGREEMENT. The COUNTY shall be responsible for obtaining all permits and other regulatory approvals necessary for any of the activities set out herein.
- 14.13 Any and all notices, requests or other communications hereunder shall be deemed to have been duly given if in writing and if transmitted by hand delivery with receipt therefore, or by registered mail posted prior to the expiration date for such

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notice, return receipt requested and first class postage prepaid as follows:

To the COUNTY: Columbia County, Florida
c/o County Manager
Post Office Box 1529
Lake City, FL 32056-1529

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

- 14.14 This AGREEMENT will be governed, construed and enforced in accordance with the laws of the State of Florida.
- 14.15 Notwithstanding anything else herein to the contrary, nothing in the AGREEMENT is intended or is to be construed as a waiver of either PARTY's sovereign immunity or an expansion of liability beyond the limits established as provided under Section 768.28, Florida Statutes, or as otherwise provided by law.
- 14.16 Time is of the essence in this AGREEMENT.
- 14.17 If either PARTY commits a material breach of this AGREEMENT the non-breaching PARTY may bring an action in court to enforce this AGREEMENT. Provided that no such action shall be commenced until and unless the breaching PARTY has failed to cure the breach within 30 days after being given written notice thereof by the non-breaching PARTY. Except as may be expressly limited in the terms of this AGREEMENT, the PARTIES may enforce the terms of this AGREEMENT by specific performance, injunctive process or may recover damages or utilize any other available legal or equitable remedy. Each PARTY recognizes and acknowledges that a breach by it of any of the terms of this AGREEMENT will cause the other PARTY to sustain damages for which it would not have an adequate remedy at law for money damages, and therefore each PARTY agrees that in the event of any such breach the aggrieved PARTY shall be entitled to the remedy of specific performance of such breached term and injunctive and other equitable relief in addition to any other remedy to which it may be entitled, at law or in equity.
- 14.18 Each PARTY may enforce the terms of this AGREEMENT at its discretion, but if a PARTY declines to exercise its rights under the terms of this AGREEMENT, such PARTY's forbearance shall not be construed to be a waiver by the PARTY of such term, or of any subsequent breach of the same, or any other term of this AGREEMENT, or of any of the PARTY's rights under the terms of this AGREEMENT. No delay or omission by a PARTY in the exercise of any right or remedy upon any breach of the terms of this AGREEMENT shall impair such

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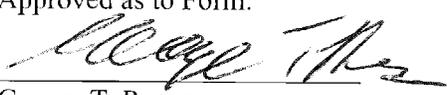
right or remedy or be construed as a waiver. No PARTY shall be obligated to any member of the public or to any other person or entity, to enforce the terms of this AGREEMENT.

APPROVED upon motion, second and majority vote of the governing board of the DISTRICT and EXECUTED on this 24 day of MARCH, 2022.

GOVERNING BOARD OF THE SUWANNEE RIVER WATER MANAGEMENT DISTRICT

By: 
Virginia H. Johns
Its chair

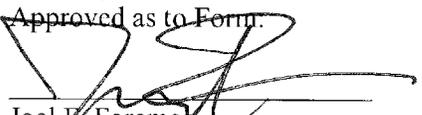
ATTEST: 
Charles Keith
Secretary/Treasurer

Approved as to Form:

George T. Reeves,
General Counsel

APPROVED upon motion, second and majority vote of the board of county commissioners of the COUNTY and EXECUTED on this 17th day of MARCH, 2022.

BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA
BY: 
Its Chair

ATTEST: 
Clerk

Approved as to Form:

Joel F. Foreman,
County Attorney

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EXHIBIT "A"

GENERAL RELEASE

KNOW ALL MEN BY THESE PRESENTS that EL RANCHO NO TENGO, a Florida corporation, JEFFREY LANCE HILL SR., a natural person, LINDA P. HILL, a natural person, and JEFFREY LANCE HILL JR., a natural person and as the sole proprietor of Lance Water, (hereinafter collectively the "Claimants") for and in consideration of the total sum of ten and no/100 (\$10.00) Dollars, the receipt and sufficiency of which is hereby acknowledged, do hereby release and forever discharge the District, from any and all claims, demands, damages, actions, causes of action or suits of any kind or nature whatsoever, including attorney's fees and costs, that Claimants may have, may have had, may now have, against the District, by reason of any matter, cause, happening, or thing whatsoever occurring from the beginning of time up to the date of this General Release, including, without limitation by enumeration, any matter or claim arising out of or related to:

1. *Suwannee River Water Management District v. El Rancho No Tengo, Inc.*, Case No. 2006-203-CA, in the Circuit Court of the Third Judicial Circuit in and for Columbia County, Florida, and its appeals, if any.
2. *Suwannee River Water Management District v. El Rancho No Tengo, Inc. and Jeffrey L. Hill*, Case No. 2013-666 CA, in the Circuit Court of the Third Judicial Circuit in and for Columbia County, Florida, and its appeals, if any.
3. *Hill, et al v. Suwannee River Water Management District*, Case No. 2011-340 CA, in the Circuit Court of the Third Judicial Circuit in and for Columbia County, Florida, and its appeals, if any.
4. *Hill, et al v. Suwannee River Water Management District*, Case No. 2015-351 CA, in the Circuit Court of the Third Judicial Circuit in and for Columbia County, Florida, and its appeals, if any.
5. *Hill v. Suwannee River Water Management District*, Case No. 2016-374 CA, in the Circuit Court of the Third Judicial Circuit in and for Columbia County, Florida, and its appeals, if any.
6. *Columbia County v. Hill, et al*, Case No. 2017-132 CA, in the Circuit Court of the Third Judicial Circuit in and for Columbia County, Florida, and its appeals, if any.
7. *In Re: JEFFREY LANCE HILL, SR.*, Case No. 3:11-bk-03247-PMG, In the United States Bankruptcy Court for the Middle District of Florida, and its appeals, if any.
8. *In Re: JEFFREY LANCE HILL, SR.*, Case No. 3:15-bk-01290-PMG, In the United States Bankruptcy Court for the Middle District of Florida, and its appeals, if any.
9. *Hill et al v. Suwannee River Water Management District*, Case No. 3:14-cv-326-J-39PDB, In the United States District Court for the Middle District of Florida, and its appeals, if any.
10. *Hill v. Suwannee River Water Management District*, Case No. 3:15-cv-1013-J-32, In the United States District Court for the Middle District of Florida, and its appeals, if any.
11. *Hill et al v. Suwannee River Water Management District*, Case No. 3:16-cv-00169-TJC-MCR, In

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the United States District Court for the Middle District of Florida, and its appeals, if any.

12. *Hill v. Johnson, et al*, Case No. 3:17-cv-1342-HLA-JRK, In the United States District Court for the Middle District of Florida, and its appeals, if any.
13. *Hill v. Johnson, et al*, Case No. 3:20-cv-0895-TJC, In the United States District Court for the Middle District of Florida, and its appeals, if any.

The term "Claimants" shall include the Claimants' heirs, successors and assigns and all persons claiming by, through or on behalf of the Claimants.

The term "District" shall mean the Suwannee River Water Management District, a Florida water management district created and operating under Ch. 373, Florida Statutes, with offices at 9225 County Road 49, Live Oak, Florida 32060, and shall include its Governing Board, the members of its Governing Board, its Executive Director and all of their agencies, departments, subdivisions, predecessors, successors, agents, insurers, principals, officers, directors, members, partners, administrators, attorneys, employees, successors and assigns, in both their official and individual capacities, and all other persons, firms, entities, agencies, departments, subdivisions, and corporations liable or who may be claimed to be liable through the District.

The Claimants also agree to indemnify, defend and hold harmless the District from any and all claims, actions, demands, attorney fees and costs, which may arise out of any claim, or actions made against the District, arising out of or related to the claims and actions released herein by the Claimants.

It is understood and agreed that the settlement of the above-referenced claims and the acceptance of this General Release is not to be construed as an admission of liability on the part of any party, but that said payment is in compromise and settlement of any and all claims, which are not admitted but are denied and disputed; that no promise or agreement not expressed herein has been made; that this General Release is not executed in reliance upon any statement or representation made by the District; that said consideration is the sole consideration for this General Release, and is accepted in full compromise, settlement and satisfaction of any and every such claim, demand, or cause of action, including all claims, demands and causes of action for or on account of all injuries, damages and consequences which may hereafter become known, develop or accrue, as well as those already known, developed or accrued up to the date of this General Release; that the terms of this General Release have been completely read and that the Claimants fully understands the tenor and effect of the release and indemnification agreement; and that the terms of this General Release have been given voluntarily.

The Claimants requests any court of competent jurisdiction which is called upon to construe this General Release to broadly construe it in favor of releasing all claims against the District which the Claimants may have, whether known or unknown. Should the District be required to bring any action to construe or enforce this General Release, the District shall be entitled to recover all its costs (including reasonable attorney's fees and suit moneys) from the Claimants in addition to any other damages which may be recoverable. The Claimants hereby waive any and all right to trial by jury in any action or proceeding arising directly or indirectly under this General Release.

The Claimants represent to the District that there are no pending lawsuits, appeals or other contested legal proceedings involving any of the Claimants and the District. Should there, in fact, exist any such pending lawsuits, appeals or other contested legal proceedings, this General Release shall be deemed to release all of the Claimants claims which may be pending therein and authorize and direct the

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subject court or tribunal to dismiss such lawsuit, appeal or other contested legal proceeding, with prejudice.

THE CLAIMANTS HAVE READ THIS RELEASE AND FULLY UNDERSTAND IT.

IN WITNESS WHEREOF this General Release has been signed and sealed by the Claimants as follows:

EL RANCHO NO TENGO, INC.
a Florida corporation

By: _____

As its authorized representative.
Claimant

STATE OF FLORIDA
COUNTY OF _____

The foregoing GENERAL RELEASE was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 20____, by _____, in his capacity as the authorized representative of EL RANCHO NO TENGO, INC., who is personally known to me or who has produced _____, as identification.

(Signature of Notary Public--State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Jeffrey Lance Hill Sr.
Claimant

STATE OF FLORIDA
COUNTY OF _____

The foregoing GENERAL RELEASE was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 20____, by JEFFREY LANCE HILL SR., who is personally known to me or who has produced _____, as identification.

(Signature of Notary Public--State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

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Linda P. Hill
Claimant

STATE OF FLORIDA
COUNTY OF _____

The foregoing GENERAL RELEASE was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 20____, by LINDA P. HILL, who is personally known to me or who has produced _____, as identification.

(Signature of Notary Public--State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Jeffrey Lance Hill Jr., individually and as
proprietor of Lance Water
Claimant

STATE OF FLORIDA
COUNTY OF _____

The foregoing GENERAL RELEASE was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 20____, by JEFFREY LANCE HILL JR., who is personally known to me or who has produced _____, as identification.

(Signature of Notary Public--State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

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CANCELLATION OF INTERLOCAL AGREEMENT
BETWEEN
SUWANNEE RIVER WATER MANAGEMENT DISTRICT
AND
COLUMBIA COUNTY, FLORIDA

THE PARTIES the Suwannee River Water Management District, a Florida water management district created and operating under Ch. 373, Florida Statutes, (hereinafter called the "DISTRICT"), and Columbia County, a political subdivision of the State of Florida (hereinafter called the "COUNTY"), (all of the foregoing may be collectively called the "parties" or singularly a "party"), and pursuant to Section 163.01, Florida Statutes, the parties agree as follows:

WITNESSETH:

WHEREAS, in March 2022, the DISTRICT and the COUNTY entered into that certain interlocal agreement (the "AGREEMENT") titled INTERLOCAL AGREEMENT BETWEEN SUWANNEE RIVER WATER MANAGEMENT DISTRICT AND COLUMBIA COUNTY, FLORIDA which was recorded in the public records of Suwannee County, Florida on March 30, 2022 at O.R. Book 2346, Page 236 and in the public records of Columbia County, Florida on March 31, 2022 at O.R. Book 1463, Page 271; and,

WHEREAS, the parties have not previously amended the AGREEMENT; and,

WHEREAS, neither party is in default under the terms of the AGREEMENT; and,

WHEREAS, the parties now desire to cancel the AGREEMENT.

NOW, THEREFORE, for and in consideration of the mutual covenants, promises and agreements herein contained, and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. RECITALS. The foregoing recitals are true and correct and incorporated herein by this reference.
2. CANCELLATION OF THE AGREEMENT. The AGREEMENT is hereby fully and forever CANCELLED, shall be of no further effect and each party is released from all obligations thereunder.
3. APPROVAL OF THIS CANCELLATION. The cancellation of this AGREEMENT shall be effective once approved by a majority vote of the governing board of the DISTRICT and executed by the DISTRICT, approved by a majority vote of the Board of County Commissioners of the COUNTY and executed by the COUNTY and filed with the clerks of the circuit court for Suwannee County and Columbia County pursuant to Section 163.01(11), Florida Statutes.

APPROVED upon motion, second and majority vote of the governing board of the DISTRICT and EXECUTED on this ____ day of _____, 2024.

GOVERNING BOARD OF THE SUWANNEE RIVER WATER MANAGEMENT DISTRICT

By: _____
Virginia H. Johns
Its chair

ATTEST: _____
Charles Keith
Secretary/Treasurer

Approved as to Form:

George T. Reeves,
General Counsel

APPROVED upon motion, second and majority vote of the board of county commissioners of the COUNTY and EXECUTED on this 18th day of July _____, 2024.

BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA

BY: _____
Its Chair

ATTEST: _____
Clerk

Approved as to Form:

Joel F. Foreman
County Attorney



SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Ben Glass, Chief, Office of Administration

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

DATE: July 28, 2024

RE: Amendment to Contract 23/24-086 with Tillis Farms, LLC, Alachua, Gilchrist, and Levy Counties

RECOMMENDATION

Amend Contract 23/24-086 with Tillis Farms, LLC for additional agricultural cost-share funding of \$30,045 for an amended amount not to exceed \$114,045.

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.

Tillis Farms, LLC has applied for agricultural cost-share under the District Agricultural Cost-Share Program for a project in Alachua, Gilchrist, and Levy counties. The original contract was approved by the Executive Director on April 19, 2024, and contained pivot retrofits. This first amendment contains soil moisture probes and soil moisture probe service agreements for use across 3,515 acres of corn, watermelons, and peanuts for an amendment cost not to exceed \$30,045 and a total contract amount not to exceed \$114,045. There is one funding source that will be used to execute this contract. The amount allocated by the funding source will not exceed \$300,000.

This project is located in the Suwannee Basin Management Action Plan, Fanning Manatee Priority Focus Area, and the Eastern and Western Water Supply Planning Area. The associated water savings estimate is 0.0927 million gallons per day.

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

JC/tm
Attachments

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.

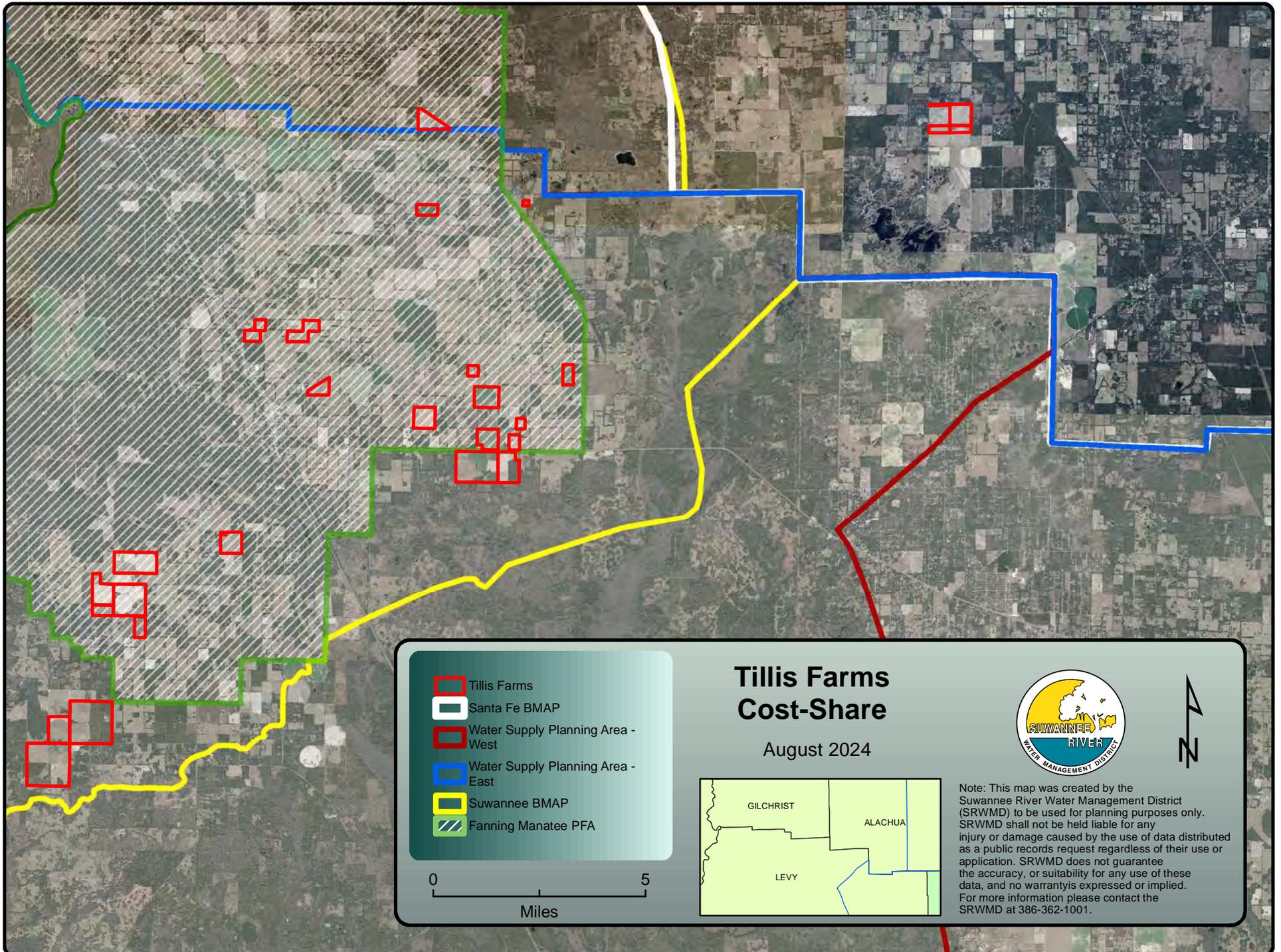
District Terms and Conditions

Soil Moisture probe service agreement

Soil moisture probes (or sensors) measure the soil moisture and electrical conductivity at varying depths within the soil profile, providing real-time data that allows the producer to make informed decisions on when to irrigate and how much irrigation water is needed. This technology when applied properly results in a more efficient and effective use of irrigation water in responding to the crops moisture needs. Probe installation should provide a remote access data platform and a service agreement to help the producer implement the technology. For reimbursement, the producer must provide a copy of the paid invoice, cancelled check (front and back) or some verifiable form of payment to the vendor, installation locations, proof of data reporting, and pictures of the installed probe on an annual basis. For this item one unit is one probe.

Soil Moisture Probes Purchase

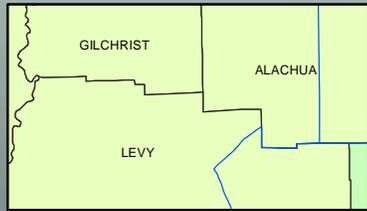
Soil moisture probes (or sensors) measure the soil moisture and electrical conductivity at varying depths within the soil profile, providing real-time data that allows the producer to make informed decisions on when to irrigate and how much irrigation water is needed. This technology when applied properly results in a more efficient and effective use of irrigation water in responding to the crops moisture needs. Probe installation should provide a remote access data platform and a service agreement to help the producer implement the technology. For reimbursement, the producer must provide a copy of the paid invoice, cancelled check (front and back) or some verifiable form of payment to the vendor, installation locations, proof of data reporting, and pictures of the installed probe. For this item one unit is one probe.



-  Tillis Farms
-  Santa Fe BMAP
-  Water Supply Planning Area - West
-  Water Supply Planning Area - East
-  Suwannee BMAP
-  Fanning Manatee PFA

Tillis Farms Cost-Share

August 2024



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: Pam Shaw, Chief, Office of Finance
THRU: Tim Alexander, Assistant Executive Director, Business and Community Services
DATE: August 2, 2024
RE: June 2024 Financial Report

RECOMMENDATION

Approve the June 2024 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
June 2024**

Financial Institution/Account	Monthly Interest	Closing Balance
First Federal Permit Fee	\$9.57	\$509.57
First Federal Accounts Payable	\$54.28	\$35,000.00
First Federal EFT Disbursements	\$83.04	\$71,076.35
First Federal Depository	\$980.45	\$627,065.02
First Federal ICS Custodian Account	\$64,935.29	\$17,641,172.80
Special Purpose Investment Account (SPIA)*	\$68,587.89	\$23,670,426.19
TOTAL	<u>\$134,650.52</u>	<u>\$42,045,249.93</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 June 30, 2024
(Unaudited)**

	Current Budget	Actuals Through 6/30/2024	Variance (Under)/Over Budget	Actuals As A % of Budget
Sources				
Ad Valorem Property Taxes	\$ 6,889,956	\$ 6,911,245	\$ 21,289	100.3%
Intergovernmental Revenues	\$ 56,272,469	\$ 10,019,015	\$ (46,253,454)	17.8%
Interest on Invested Funds	\$ 130,000	\$ 916,943	\$ 786,943	705.3%
License and Permit Fees	\$ 223,000	\$ 250,245	\$ 27,245	112.2%
Other	\$ 1,390,000	\$ 995,242	\$ (394,758)	71.6%
Fund Balance ¹	\$ 11,728,665	\$ 1,352,473	\$ (10,376,192)	11.5%
Total Sources	\$ 76,634,090	\$ 20,445,164	\$ (56,188,926)	26.7%

	Current Budget	Expenditures	Encumbrances ²	Available Budget	%Expended	%Obligated ³
Uses						
Water Resources Planning and Monitoring	\$ 12,182,776	\$ 4,588,669	\$ 4,456,401	\$ 3,137,706	38%	74%
Acquisition, Restoration and Public Works	\$ 51,444,966	\$ 7,741,492	\$ 35,239,923	\$ 8,463,551	15%	84%
Operation and Maintenance of Lands and Works	\$ 8,457,072	\$ 3,821,004	\$ 2,092,676	\$ 2,543,392	45%	70%
Regulation	\$ 2,368,342	\$ 1,172,849	\$ 20,002	\$ 1,175,491	50%	50%
Outreach	\$ 227,719	\$ 173,680	\$ 4,662	\$ 49,377	76%	78%
Management and Administration	\$ 1,953,215	\$ 1,246,558	\$ 60,784	\$ 645,873	64%	67%
Total Uses	\$ 76,634,090	\$ 18,744,251	\$ 41,874,448	\$ 16,015,391	24%	79%

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 June 30, 2024 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 6/30/2024**

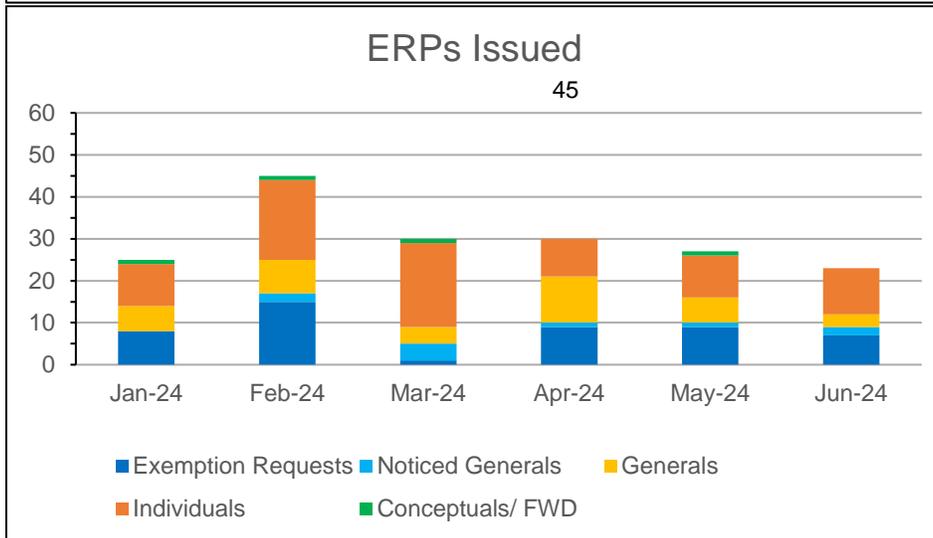
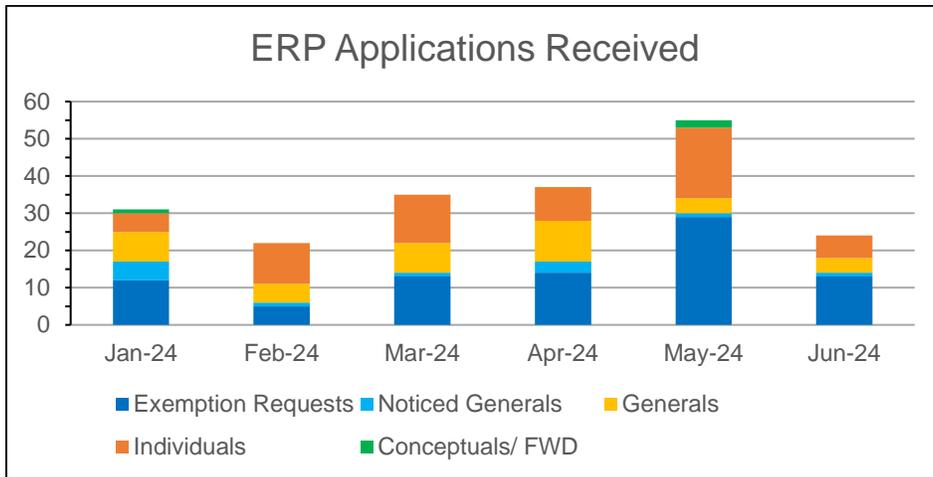
	Y-T-D ACTUAL	ENCUMBRANCE	ANNUAL BUDGET
<u>Report Recap -</u>			
REVENUES			
DISTRICT REVENUES	9,073,676	0	8,632,956
LOCAL REVENUES	0	0	0
STATE REVENUES	8,993,392	0	40,994,469
FEDERAL REVENUES	1,025,623	0	15,278,000
FUND BALANCE UTILIZATION	1,352,473	0	11,728,665
TOTAL REVENUES	20,445,164	0	76,634,090
EXPENDITURES			
SALARIES AND BENEFITS	5,037,430	0	8,426,206
CONTRACTUAL SERVICES	7,235,659	14,353,357	31,544,876
OPERATING EXPENDITURES	1,215,471	125,244	2,334,500
OPERATING CAPITAL OUTLAY	212,070	49,791	343,044
FIXED CAPITAL OUTLAY	1,127,443	1,132,065	5,816,000
INTERAGENCY EXPENDITURES	3,916,178	26,213,991	28,169,464
TOTAL EXPENDITURES	18,744,251	41,874,448	76,634,090
EXCESS REVENUES OVER (UNDER) EXPENDITURES	1,700,913	(41,874,448)	0
<u>General Fund -</u>			
REVENUES			
DISTRICT REVENUES	7,992,327	0	5,135,254
LOCAL REVENUES	0	0	0
STATE REVENUES	2,278,717	0	4,740,000
FEDERAL REVENUES	0	0	0
FUND BALANCE UTILIZATION	0	0	3,066,077
TOTAL REVENUES	10,271,044	0	12,941,331
EXPENDITURES			
SALARIES AND BENEFITS	3,848,187	0	6,482,354
CONTRACTUAL SERVICES	614,830	423,420	4,019,204
OPERATING EXPENDITURES	812,636	52,425	1,452,457
OPERATING CAPITAL OUTLAY	179,782	4,149	226,816
FIXED CAPITAL OUTLAY	0	0	0
INTERAGENCY EXPENDITURES	101,480	313,761	760,500
TOTAL EXPENDITURES	5,556,915	793,755	12,941,331
EXCESS REVENUES OVER (UNDER) EXPENDITURES	4,714,129	(793,755)	0
<u>Land Management Operations -</u>			
REVENUES			
DISTRICT REVENUES	906,657	0	2,707,020
LOCAL REVENUES	0	0	0
STATE REVENUES	1,290,876	0	3,691,119
FEDERAL REVENUES	139,304	0	40,000
FUND BALANCE UTILIZATION	35,826	0	2,253,933
TOTAL REVENUES	2,372,663	0	8,692,072
EXPENDITURES			
SALARIES AND BENEFITS	618,048	0	1,081,015
CONTRACTUAL SERVICES	1,939,589	736,236	3,914,672
OPERATING EXPENDITURES	376,629	72,819	807,543
OPERATING CAPITAL OUTLAY	32,288	45,642	116,228
FIXED CAPITAL OUTLAY	251,919	898,393	1,816,000
INTERAGENCY EXPENDITURES	598,313	344,516	956,614
TOTAL EXPENDITURES	3,816,786	2,097,606	8,692,072
EXCESS REVENUES OVER (UNDER) EXPENDITURES	(1,444,123) *	(2,097,606)	0

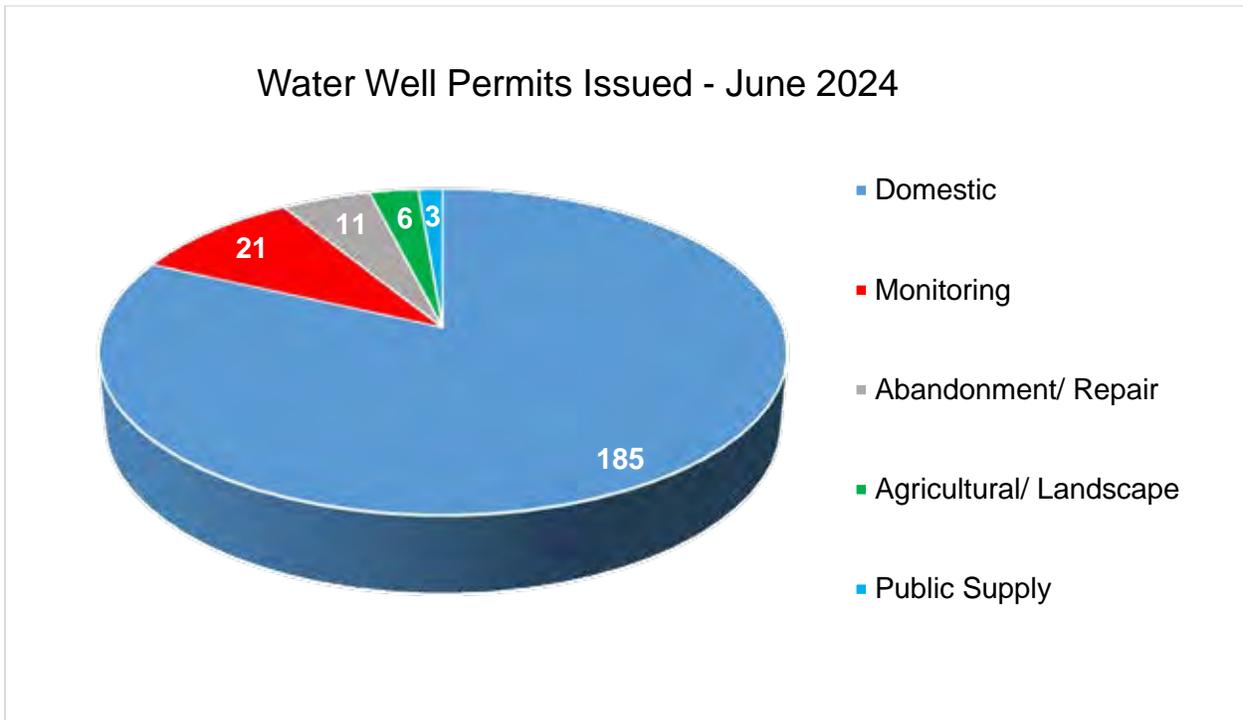
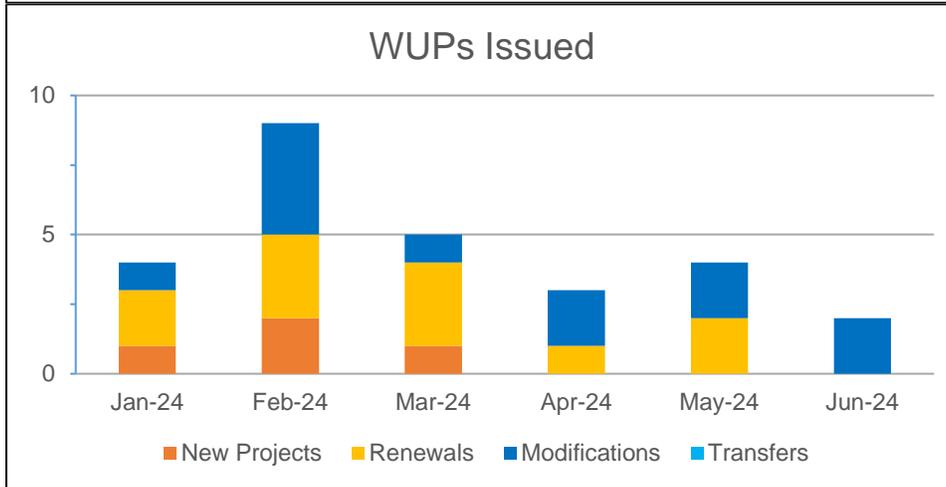
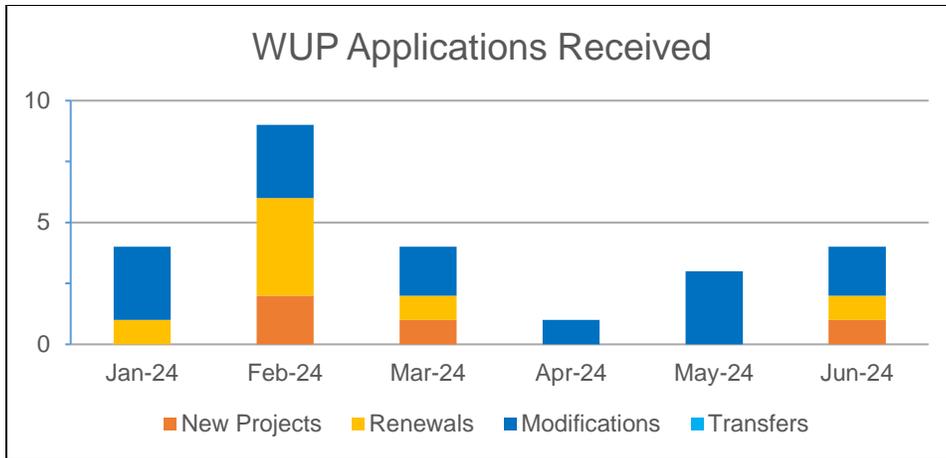
*To be covered by State and District Revenue

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board
FROM: Leroy Marshall, Director, Resource Management/Projects Division
THRU: Tim Alexander, Assistant Executive Director, Business and Community Services
DATE: August 2, 2024
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	11/14/2023
Notice of Rule Development	12/15/2023
Public Workshop	
Notice of Proposed Rule	1/3/2024
Notice of Correction/ Change	
File with DOS	2/7/2024
Effective Date	7/1/2024

40B-4.1020 Definitions

GB Authorized Rulemaking	4/9/2024
Notice of Rule Development	
Public Workshop	
Notice of Proposed Rule	
Notice of Correction/ Change	
File with DOS	
Effective Date	

40B-4.1090 Docs Incorporated by Ref

GB Authorized Rulemaking	4/9/2024
Notice of Rule Development	
Public Workshop	
Notice of Proposed Rule	
Notice of Correction/ Change	
File with DOS	
Effective Date	

40B-4.3010 WOD Permits

GB Authorized Rulemaking	4/9/2024
Notice of Rule Development	
Public Workshop	
Notice of Proposed Rule	
Notice of Correction/ Change	
File with DOS	
Effective Date	

40B-4.3030 WOD Cond for Issuance

GB Authorized Rulemaking	4/9/2024
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: Leroy Marshall, Director, Resource Management/Projects Division

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

DATE: August 2, 2024

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

RECOMMENDATION

Authorize staff to amend rule 40B-400.091, Florida Administrative Code, to incorporate Chapter 62-330, Florida Administrative Code., which was amended through chapter 2024-275, Laws of Florida, the 2024 statewide stormwater rule.

BACKGROUND

The Florida Department of Environmental Protection's (FDEP's) 2024 statewide stormwater rule ratification bill (Senate Bill 7040) was signed into law by Governor DeSantis on June 28, 2024, and is now codified as chapter 2024-275, Laws of Florida. The rules are ratified as of the date the bill was signed and are now effective.

District staff completed rulemaking concurrently with FDEP and have successfully incorporated their new Environmental Resource Permit (ERP) Applicant's Handbook Volume I and the District's new ERP Applicant's Handbook Volume II. A final version of FDEP's chapter 62-330, Florida Administrative Code (F.A.C.), however, was not available for incorporation during the rulemaking process.

This request authorizes staff to publish a Notice of Rule Development and Notice of Proposed Rule to incorporate FDEP's new chapter 62-330, F.A.C. by reference. This authorization also includes the delegation of minor violation certification set forth in section 120.695, Florida Statutes, to the Executive Director. The regulatory cost of FDEP's rules has been addressed in the ratification process, and staff will file the proposed rule and any changes that do not change the intent of the rulemaking with the Department of State when complete.

WZ/tm
Attachment

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: The Suwannee River Water Management District (SRWMD) is initiating rulemaking in accordance Chapter 2024-275, Laws of Florida, for the purpose of incorporating Florida Department of Environmental Protection's Chapter 62-330, F.A.C., by reference. The effect will be more streamlined and understandable rules.

SUBJECT AREA TO BE ADDRESSED: Stormwater management systems; State stormwater quality standards

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 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)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

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 June 28, 2024, to implement the District's responsibility under Part IV of Chapter 373, F.S. (2024) ~~(2013)~~.

(1) through (5) No change.

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, 7-1-24, [DATE].

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Leroy Marshall, Director, Resource Management/Projects Division

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

DATE: August 2, 2024

RE: Water Use Permit 2-001-220667-3, City of Alachua, Renewal, Alachua County

RECOMMENDATION

Approve renewal of water use permit number 2-001-220667-3, with eighteen standard conditions and twelve special limiting conditions to the City of Alachua in Alachua County.

BACKGROUND

This water use permit application is for the renewal of the public water supply for the City of Alachua (City) in Alachua County. The City's utility supplies potable water to a projected population of 12,600 residents and 400 commercial connections with groundwater from three wells located at the downtown wellfield. One well at the new ground storage tank wellfield has been constructed in the last month and will be in use upon successful testing. Three wells at the Turkey Creek Wellfield will be placed in standby for back-up supply should any issues arise with the other wells.

The City's utility uses a tiered rate billing structure, posts water conservation information on their website and in customer bills, provides faucet aerator/ shower head giveaways, offers plumbing retrofit rebates, and implements a landscape watering ordinance consistent with District rules. Residential water use accounts for approximately 60 percent of the water demand with an 87 gallons residential per capita day water usage. The 1.7843 million gallons per day groundwater allocation is based on this historic per capita usage plus the potential additional per capita usage for commercial growth for a total projected per capita use of 154 gross per capita day, and an annual 1.2 percent population growth rate.

All of the utility's active wells are monitored using totalizing flowmeters. There have been no reports of interference or observed harm to water resources associated with the utility's continued withdrawals. The City's total groundwater withdrawals do impact the Lower Santa Fe River and, pursuant to the minimum flow and minimum level recovery strategy, the permit renewal is limited to five years. Staff has determined that the application is complete and satisfies the conditions for issuance in chapter 40B-2, Florida Administrative Code.

DK/tm
Attachment

WATER USE TECHNICAL STAFF REPORT
24-Jul-2024
APPLICATION NO.: 2-001-220667-3

Owner: Rodolfo Valladares
City of Alachua
PO Box 9
Alachua, FL 32616-0009
(386) 418-6202

Applicant: Same as Owner

Agent: Not Applicable

Compliance Contact: Rodolfo Valladares
City of Alachua
PO Box 9
Alachua, FL 32616-0009
(386) 418-6202

Project Name: City of Alachua
County: Alachua

WSPA: Yes
Objectors: No

Authorization Statement:

The permittee is authorized to withdraw a maximum of 1.7843 mgd of groundwater for public supply use.

Recommendation: Approval

Reviewers: Stephanie Armstrong; David King

Allocation Summary	
Average Daily Rate (Million Gallons Per Day)	Allocation Change (Million Gallons Per Day)
1.7843	0.0000

Permit Expiration: 5-year permit duration, consistent with the Lower Santa Fe and Ichetucknee River MFL regulatory strategy

ACTION REQUESTED: Permit renewal

PROJECT DESCRIPTION:

The City of Alachua's (City) utilities department operates a public water and wastewater system in Alachua County. The potable supply system consists of three wellfields; the Downtown wellfield, Turkey Creek wellfield, and the Ground Storage Tank wellfield. The Downtown wellfield consists of three wells (Station IDs 120167, 119041, and 120166) and is located in and around downtown

Alachua near the intersection of US HWY 441 and NW 140th Street. The Turkey Creek wellfield consists of three wells (Station IDs 2949, 120908, and 121264) and is located in the southeastern project area near US HWY 441 and NW 59th Terrace, just east of the Turkey Creek Golf Course. It will be used for back-up supply. The Ground Storage Tank wellfield consists of the one newly constructed well (Station ID 120473) and one proposed well (Station ID 155087) and is located in the central project area, just north of San Felasco Hammock Preserve State Park. During the renewal of the previous permit sequence, a fourth wellfield (West Alachua wellfield) was proposed but it is currently not being proposed for use or expansion. Water treatment involves low-level chlorination for residential and commercial customers within the service area. Residential water use accounts for approximately 60 percent of the water demand.

The City has experienced a 1.3% annual growth in population for the last five years. The University of Florida Bureau of Economic and Business Research (BEBR) anticipates a higher growth rate in the area for the long term, and staff determined it is reasonable to expect a slightly higher rate. Therefore, the recommended allocation is based on a 1.4% annual population growth. The wells are equipped with totalizing flowmeters the City will use to report monthly water use online biennially using District form EN-50.

The City operates the Paul O' Dea Wastewater Treatment Facility (WWTF) located at 13700 NW 126th Terrace. The WWTF has a treatment capacity of 1.5 million gallons per day (mgd), with a public access reuse capacity of 1.23 mgd. Reclaimed water not utilized for public access reuse is applied to an on-site 105-acre spray-field.

WATER USE CALCULATIONS:

The permitted allocation was based on the historic per capita usage plus the potential additional per capita usage for commercial growth for a total projected per capita use of 154 gpcd, and an annual 1.4 percent population growth rate (a residential population of 12,594 in year 2045). The slight increase in allocation is attributed to incorporating the demand and replacing the Santa Fe Hills subdivision's water system, thus no net increase in aquifer withdrawals.

PERMIT APPLICATION REVIEW:

Staff have determined this application meets the conditions for issuance set forth in section 373.223, Florida Statutes, and rule 40B-2.301, Florida Administrative Code. A summary of the staff review is provided below:

Project withdrawals were modeled and showed a simulated maximum Upper Floridan aquifer drawdown of less than 0.5 feet. Therefore, continued groundwater withdrawals at this project are not expected to interfere with any presently existing legal uses of water.

The permittee provided a standard water conservation plan for public supply use that includes a tiered rate structure, posting both indoor and outdoor water conservation information on the website and in customer bills, faucet aerator and shower head giveaways, plumbing retrofit rebates, and maintaining a landscape ordinance in accordance with District rules. The current water conservation measures have resulted in a water use of 87 gallons residential per capita day.

Staff evaluated wetland and natural systems at the City wellfields. The Ground Storage Tank wellfield is located approximately 0.3 miles north of Cellon Creek, which is designated as an Outstanding Florida Water pursuant to Chapter 62-302, Florida Administrative Code (F.A.C.), and Itchy Bottom Lake. The Turkey Creek wellfield is located in an area mostly of urban and residential land use, with some upland forest and wetlands. The Downtown wellfield is located in an area largely of urban land use, with the only significant wetland features mapped within a half mile of these wells are associated with stormwater ponds. Based on field observations and a review of NRCS soil database, staff does not expect this proposed use of groundwater to cause harm to crops and other types of vegetation,

including wetlands and other surface waters, or cause damage to the habitat of endangered or threatened species at the site or adjacent properties for the duration of the permit. Prior to installation of the second well at the Ground Storage Tank wellfield, the permittee is required to establish wetland baseline conditions at Cellon Creek and Itchy Bottom Lake and monitor the wetland conditions.

The proposed withdrawals, are in accordance with MFLs and MFL recovery strategies pursuant to Chapters 62-42 and 40B-8, F.A.C.; and Emergency Rule 40BER17-01. Additionally, cumulative reductions in flow from the allocation were evaluated at the Outstanding Florida Springs (OFS) and no measurable reductions were recorded. No OFS listed in 40BER17-01 has an estimated cumulative flow decline of 9.9%.

WITHDRAWAL POINT INFORMATION:

Site Name: City of Alachua

Well Details					
District ID	Station Name	Casing Diameter (inches)	Source Name	Status	Use Type
120167	Downtown 1	12	Upper Floridan Aquifer	Active	Public Supply
119041	Downtown 2	12	Upper Floridan Aquifer	Active	Public Supply
120166	Downtown 3	8	Upper Floridan Aquifer	Active	Public Supply
120473	GST 1	12	Upper Floridan Aquifer	Active	Public Supply
155087	GST 2	12	Upper Floridan Aquifer	Proposed	Public Supply
120908	Turkey Creek North	10	Upper Floridan Aquifer	Active	Public Supply
121264	Turkey Creek East	10	Upper Floridan Aquifer	Active	Public Supply
2949	Turkey Creek South	10	Upper Floridan Aquifer	Active	Public Supply

Conditions

1. All water uses authorized by this permit shall be implemented as conditioned by this permit, including any documents incorporated by reference in a permit condition. The District may revoke this permit, in whole or in part, or take enforcement action, pursuant to sections 373.136 or 373.243, F.S., unless a permit modification has been obtained. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
2. This permit does not convey to the permittee any property rights or privileges other than those specified herein, nor relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
3. The permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and / or

related facilities from which the permitted water use is made. Where the permittee's control of the land subject to the permit was demonstrated through a lease, the permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system / project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of rule 40B-2.351, F.A.C. Alternatively, the permittee may surrender the water use permit to the District, thereby relinquishing the right to conduct any activities under the permit.

4. Nothing in this permit should be construed to limit the authority of the District to declare a water shortage and issue orders pursuant to chapter 373, F.S. In the event of a declared water shortage, the permittee must adhere to the water shortage restrictions, as specified by the District. The permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
5. With advance notice to the permittee, District staff with proper identification shall have permission to enter, inspect, observe, collect samples, and take measurements of permitted facilities to determine compliance with the permit conditions and permitted plans and specifications. The permittee shall either accompany District staff onto the property or make provision for access onto the property.
6. A permittee may seek modification of any term of an unexpired permit. The permittee is advised that section 373.239, F.S. and rule 40B-2.331, F.A.C., are applicable to permit modifications.
7. Source classification is **Groundwater**.
8. The permitted water withdrawal facilities consist of the stations in the Withdrawal Point Information table(s).
9. The permittee must mitigate interference with existing legal uses caused in whole or in part by the permittee's withdrawals, consistent with a District-approved mitigation plan. As necessary to offset such interference, mitigation may include, but is not limited to, reducing pumpage, replacing the existing legal user's withdrawal equipment, relocating wells, changing withdrawal source, supplying water to existing legal user, or other means needed to mitigate the impacts.
10. The permittee must mitigate harm to existing off-site land uses caused by the permittee's withdrawals. When harm occurs, or is imminent, the permittee must modify withdrawal rates or mitigate the harm.
11. The permittee must mitigate harm to the natural resources caused by the permittee's withdrawals. When harm occurs or is imminent, the permittee must modify withdrawal rates or mitigate the harm.
12. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to chapter 373, F.S.
13. The permittee must notify the District in writing prior to implementing any changes in the water use that may alter the permit allocations. Such changes include, but are not limited to, change in irrigated acreage, crop type, irrigation system, water treatment method, or entry into one or more large water use agreements. In the event a proposed change will alter the allocation, permittee must first obtain a permit modification.

14. The District reserves the right to open this permit, following notice to the permittee, to include a permit condition prohibiting withdrawals for resource protection.
15. The lowest quality water source, such as reclaimed water or surface water, shall be used in lieu of groundwater at this project when technically, economically, and environmentally feasible.
16. The permittee's water use shall be consistent with the MFL prevention or recovery strategy developed for any water body from which this permitted water use directly or indirectly withdraws or diverts water, pursuant to subsection 40B-2.301(2)(h), F.A.C.
17. The permittee shall maintain all totalizing flow meters. In case of failure or breakdown of any meter, the District shall be notified in writing within five days of its discovery. A defective meter shall be repaired or replaced within 30 days of its discovery.
18. The permittee shall have all flow meters checked for accuracy once every five years within 30 days of the anniversary date of the issuance of this permit. The meters must be recalibrated if the difference between the actual flow and the meter is greater than five percent
19. The permittee shall notify the District of any change in service area within 30 days of change in boundary.
20. Following the effective date of the re-evaluated Minimum Flows and Levels adopted pursuant to subsection 62-42.300(1)(e), F.A.C., this permit is subject to modification during the term of the permit, upon reasonable notice by the District to the permittee, to achieve compliance with any approved MFL recovery or prevention strategy for the Lower Santa Fe River, Ichetucknee River, and Associated Priority Springs. Nothing herein shall be construed to alter the District's authority to modify a permit under circumstances not addressed in this condition.
21. This permit shall expire on **08/14/2029**. The permittee must submit the appropriate application form incorporated and the required fee to the District pursuant to rule 40B-2.361, F.A.C., up to one year prior to this expiration date in order to continue the use of water.
22. Use classification is **Public Supply**.
23. All correspondence sent to the District regarding this permit must include the permit number **(2-001-220667-3)**.
24. The permittee shall implement and/or maintain the District-approved conservation practices selected in the Water Conservation Plan submitted to the District. Any new practices selected shall be implemented within one year from the date of permit issuance. Practices that involve scheduling methods or maintenance shall be documented. Documentation for implementation and/or maintenance shall be maintained on all practices and available upon request.
25. The permittee is authorized to withdraw a maximum of 1.7843 million gallons per day (mgd) of groundwater for public supply use. Daily allocations are calculated on an average annual basis.
26. Total withdrawal from wells Downtown 1 (Station ID 120167), Downtown 2 (Station ID 119041), Downtown 3 (Station ID 120166), Turkey Creek North (Station ID 120908), Turkey Creek East (Station ID 121264), Turkey Creek South (Station ID 2949), GST 1 (Station ID 120473), and GST 2 (Station ID 155087), must be recorded continuously, totaled monthly, and reported to the District at least every six months for the duration of this permit using Water Use

Pumpage Report Form (EN-50). The meter reading or quantity withdrawn must be reported in gallons and should be submitted on-line at <https://permitting.sjrwmd.com/srep/#/ep> whenever possible. Reporting is required, even if there is no use.

The reporting dates each year will be as follows:

Reporting Period Report Due Date

January - June July 31

July - December January 31

27. The permittee shall collect and compile **daily water level data** at the Groundwater Storage Tank site, and at a District approved location. If the permittee utilizes a monitor well to collect groundwater levels that is not an active station in the District monitoring well network, then the permittee shall submit an annual summary of daily water levels in tabular format by January 31 of the following year.
28. Prior to construction of well GST 2 (Station ID), the permittee shall establish a minimum of one transect for each wetland systems at a District approved locations at Cellon Creek and at Itchy Bottom Lake, and prior to well construction, the permittee shall submit in an electronic format to the District a **Baseline Monitoring Report** for Cellon Creek and Itchy Bottom Lake.

Each transect shall be a minimum of 150 feet in length, located such that 50 feet of the adjacent upland is included, and oriented either towards the geometric center of the wetland, or perpendicular to the wetland edge. If the adjacent upland consists of placed fill, then the transect may be limited to 120 feet in length, such that 20 feet of the adjacent upland is included. Permanent photo stations along with permanent soil subsidence markers, must be established and monumented, at the wetland/upland interface and at the end of the transect.

Within 30 days of transect location approval, the permittee shall install shallow monitoring wells (piezometers) near the wetland/upland interface at each of the transect locations. The piezometers shall be screened from above the high table to below the low water table. Upon installation, daily average piezometer water levels shall be recorded daily using well transducers with data loggers, to an accuracy of +/- 0.02 foot and referenced to NAVD88 datum.

The Baseline Monitoring Report must include the following information for each wetland transect:

- a. A diagram of the wetland shape, transect location, and plant communities located at each 50-foot interval along the transect.
 - b. A summary of the vegetation data collected, including a listing of all vascular plant species present within 10 feet of the transect line, their relative abundance, and the diameter at breast height (DBH) of any woody plants greater than 1 inch DBH.
 - c. Cardinal-direction (N, E, S, W) photographs of the vegetation along each transect, taken from the permanent photo stations. The photographs should be high-resolution quality and should incorporate the permanent soil subsidence markers near the wetland/upland interface.
 - d. The initial water level data collected from each piezometer.
 - e. An assessment of the current condition of these wetlands compared to year 2019 condition of these wetlands, using best available data and modeling.
29. Prior to installation of well GST-2 (Station ID) the permittee shall collect **daily water level data** at each wetland piezometer.

The permittee shall collect the following information for each wetland transect every five years in September following the baseline monitoring report:

- a. Cardinal-direction (N, E, S, W) photographs taken of the vegetation along each transect at the wetland/upland interface and at the end of the transect, including the permanent soil subsidence markers near the wetland/upland interface.
 - b. Other environmental features such as the upland/wetland interface, presence of surface water, and the lower edge of the saw palmetto fringe must be measured along the transect, if present.
 - c. Plant communities must be described at each 50-foot interval, including a listing of all vascular plant species present within 10 feet of the transect line, their relative abundance, and the diameter at breast height (DBH) of any woody plants greater than 1 inch DBH.
30. The permittee shall submit a **Wetland Monitoring Report** by December 31 every five years following the baseline monitoring report summarizing wetland monitoring. The report must be in electronic format and include the following information:
- a. The wetland transect data stipulated in condition 29 (above) recorded in the prior September, comparison of the wetland transect data with the baseline report and previous monitoring reports, and summary of data trends.
 - b. Daily average piezometer water level data stipulated in conditions 27 and 29 (above) recorded in the preceding period of record on separate hydrographs for each piezometer (using the identical scales for the X axis and Y axis on all hydrographs), daily average piezometer water level data recorded in previous calendar years added to the aforementioned hydrographs, all piezometer water level data collected to date in spreadsheet format, and a summary of data trends.
 - c. A compilation of the monthly reports of daily groundwater withdrawals submitted during the last calendar year and any previous years for the well field production wells.

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board
FROM: Leroy Marshall, Director, Resource Management/Projects Division
THRU: Tim Alexander, Assistant Executive Director, Business and Community Services
DATE: August 2, 2024
RE: Agriculture and Environmental Projects Monthly Report

Attached for your information is the Agriculture and Environmental Projects Monthly Report.

LMII/tm
Attachment

Office of Agriculture and Environmental Projects Monthly Report

Period ending June 30, 2024

ENVIRONMENTAL PROJECTS PROGRAM		
	Number of Contracts	Amount under contract
Active Contracts	29	\$ 33,519,375
Completed within the last 6 months	14	\$ 11,371,228
Totals	43	\$ 44,890,603

AGRICULTURAL COST-SHARE PROGRAM		
	Number of Contracts	Amount under contract
Active Contracts	139	\$ 10,703,859
Completed within the last 6 months	26	\$ 798,691
Totals	165	\$ 11,502,551

FLOOD RISK OUTREACH AND MAPPING PROGRAM		
	Number of Contracts	Amount under contract
Number of Contracts (TWAs)	12	\$ 6,880,106
Completed within the last 6 months	1	\$ 790,500
Totals	13	\$ 7,670,606
TOTAL CONTRACTS / TWAs	221	\$ 64,063,760

AEP APPLICATIONS	
	Number of Projects
Agriculture Applications under review	37
AWS and Springs	16
Conceptual Projects under review	16
Projects in Queue	4
TOTAL	73

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	-	\$ 12,666,986
TOTAL	51	\$ 107,771,921

FDEP	Florida Department of Environmental Protection
CTP	Cooperating Technical Partner (FEMA)
AEP	Agriculture and Environmental Projects
TWA	Task Work Order
FEMA	Federal Emergency Management Agency

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Leroy Marshall, Director, Resource Management/Projects Division

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

DATE: August 2, 2024

RE: Regional Initiative Valuing Environmental Resources Cost-Share Program
Recommendations for Fiscal Year 2024-2025

RECOMMENDATION

Authorize the Executive Director to execute contracts for projects with the appropriate entities for the Fiscal Year 2024-2025 Regional Initiative Valuing Environmental Resources Cost-Share Program.

BACKGROUND

The Fiscal Year 2024-2025 Tentative Budget includes funding for Regional Initiative Valuing Environmental Resources (RIVER) projects that enhance or address the District's water supply, water quality, flood protection and/or natural systems core missions. This funding is consistent with sections 373.703 and 373.705, Florida Statutes, which state that water management districts may provide assistance to local governments, regional water supply authorities, and water utilities. The funding awarded in prior years has facilitated the District's mission and achieved improvements to the infrastructure, economy, and public health of communities throughout the District. Since 2013, the District has funded 81 projects and \$8.7 million in cost-share.

Since the last Governing Board update in August 2023, staff have received 18 new applications and conducted outreach assistance on eight projects that previously not ready for implementation.

Of the 26 applications, four projects were withdrawn, three projects have been funded by other funding sources, seven projects have been placed in the projects queue, four projects are recommended for District RIVER funding, and eight projects are not currently recommended for consideration.

The remaining projects are under review and staff are working with applicants to complete the information necessary to prepare a recommendation for funding.

Attachment A shows all projects that have been reviewed since August 1, 2023, and the status of each.

MD/tm
Attachments

Conceptual Portal Submittals

Project ID	Project Name	Cooperator	Description	Cost-Share Amount Requested	Status of Application
Project Queue (Complete Applications, District Seeking Funding Source)					
3237	Wilson Robinson Park Stormwater Pond Improvements	City of Archer	This project aims to expand and improve the existing stormwater pond in Wilson Robinson Park to mitigate adverse effects of storm events.	\$112,276.00	Queue
3238	Depot Street Stormwater Pond	City of Archer	A stormwater pond is to be constructed in a parcel owned by the City of Archer which will mitigate flooding in the area and provide needed stormwater treatment.	\$137,906.00	Queue
3274	Gwen Lake Restoration	City of Lake City	Sediment and nuisance vegetation removal from Gwen Lake. Reconstruction of outlet control structure and restoration of open water habitats.	\$1,580,000.00	Queue
3352	Automatic Meter Reading Installation for Water Meters	City of Perry	The new meters will be more accurate and have the ability to detect leaks and high usage for the customer and will reduce labor to read.	\$1,500,000.00	Queue
3378	Large AWS Projects Spend Plan	Columbia County Board of County Commissioners	Design, permitting, and construction of a new 500,000 gpd WWTP, lift stations, force mains, reuse mains, and sprayfield in Ellenville.	\$59,500,000.00	Queue
3393	Park Street Drainage Well Replacement	City of Live Oak, Florida	Rreplacement of a Class V injection well within the City of Live Oak and the construction of a stormwater management facility to provide water quality treatment and sediment/trash screening.	\$481,031.00	Queue
3394	Lake Mary Drainage Improvements	City of Live Oak, Florida	Replacement of two (2) Class V injection wells within the City of Live Oak and the installation of sediment/trash screening.	\$856,400.00	Queue

District Identified Funding from an External Funding Source

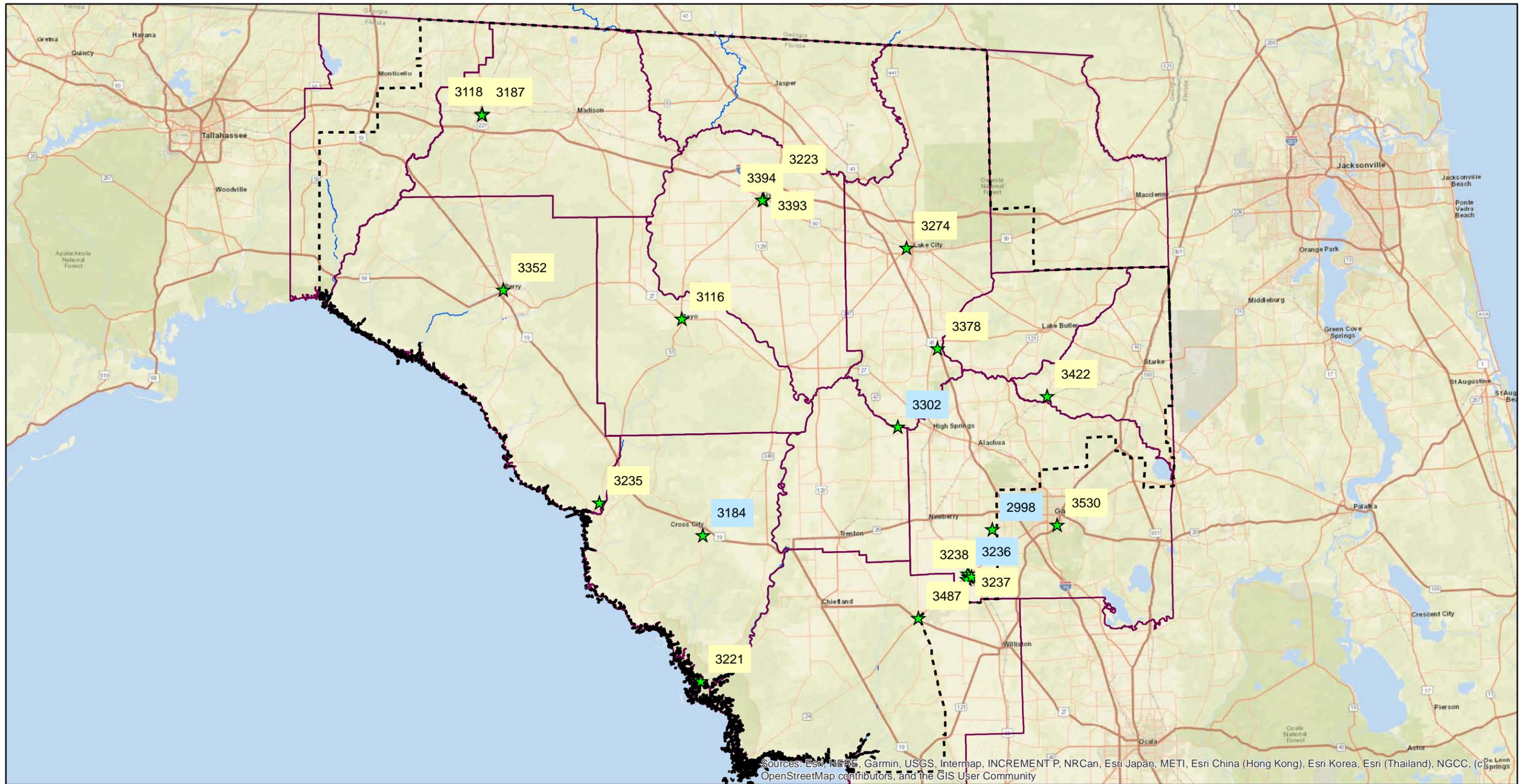
3223	Suwannee River Water Management District Watershed Planning Initiative	AECOM	Creation of preliminary scope of work, initial flood modeling & submission of draft WMP to CRS officials for approval.		Project has been initiated or funded
3422	Water Meter Purchase Project	Town of Brooker	Purchase and install approximately 234 water meters to include software.	\$230,000.00	Project has been initiated and funded
3487	W3C Start-Up and Operational Costs	Waccasassa Water and Wastewater Cooperative (W3C)	This project will provide estimated start-up and operational costs for the W3C from formation through the first 2 years of operation.	\$50,000.00	Project has been initiated and funded

Recommended for RIVER Funding

3184	Cross City Flood Management Improvements	Town of Cross City	Improve the stormwater management system located west of Ruth Rains Middle School on the west side of CR 351.	\$66,891.83	Recommended for RIVER
3236	Holly Hills Stormwater Pond Improvements	City of Archer	This project seeks to expand and replace non-functional structures of the current ponds to reduce issues.	\$55,930.00	Recommended for RIVER subject to Resilient Florida funding award.
3302	Rum Island - Stabilization & Boardwalk	Columbia County	Repair the previously installed Shoresox, provide additional riverbank stabilization, and install 117 linear feet of boardwalk over the Shoresox and stabilized areas.	\$212,900.00	Recommended for RIVER
2998	Oakmont Reclaimed Water Ext Ph 6	GRU	Extend reclaimed water lines to 158 homes plus common areas to offset 0.055mgd of groundwater for irrigation.	\$226,542.00	Previously submitted under AWS and recommended for RIVER

Not Recommended, applied for Other Funding or Withdrawn for District Funding (Project will be Released from Tracking List in One Year)

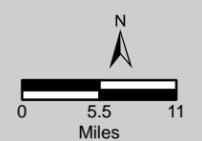
3221	Public Water Supply Efficiency Improvements/Meter installation	Suwannee Water and Sewer District	Older community with aging infrastructure. This project will provide for the needed improvements to accurately measure water consumption and water loss.	\$190,410.00	Application withdrawn
3118	Town of Greenville Water Distribution System Improvements	Town of Greenville	Repalce the Town of Greenvilles water distribution system to conserve of 1.3 million gallons/year of water loss.	\$4,128,160.00	Application withdrawn
3300	Agricultural Regional Water Quality Projects - Enhanced BMAP Implementation	Florida Department of Agriculture and Consumer Services	Control and/or mitigate water quality impacts associated with agricultural production by providing cost share funding to implement a suite of BMPs	\$15,000,000.00	Application withdrawn
3299	Agricultural Regional Water Quality Projects - Enhanced BMP Implementation Pilot Project	Florida Department of Agriculture and Consumer Services	Pilot phase of agricultural regional water quality project aimed at increasing nutrient and water use efficiency.	Not provided	Application withdrawn
3187	Greenville Southside Flooding Mitigation	Town of Greenville	Match funding for Resilience and Coastal Protection for improvements to two stormwater culverts and build a more defined channel between them to reduce flooding of residents on the south side of town.	\$25,000.00	Applied but not funded
3132	New Mag Meters At Well	City of Archer	Mag Meters will be installed at the new well in the City of Archer to improve water quality and replace aging infrastructure.	\$87,840.00	Applied but not funded
3131	Raising of Elevated Storage Tank	City of Archer	Increase the elevation of the elevated storage tank in the City of Archer to increase water pressure and reduce flushing caused by boil water notices.	\$260,400.00	Applied but not funded
3130	New Well Installation	City of Archer	A new well will be installed in the City of Archer to improve water quality and replace aging infrastructure.	\$567,600.00	Applied but not funded
3116	Clyde Street Stormwater Pond Repairs	Town of Mayo	Design and construct repairs and improvements to the Clyde Street SWMF in Mayo, FL.	\$218,580.00	Applied for other funding
3235	Quail Run Test Well	Big Bend Water Authority	Construct a 500 gpm test well north of the existing wellfield to determine water quantity and water quality. Well will be designed and constructed to potable well standards.	\$270,000.00	Recommend further development
3134	Smart Meter Installation at Homes	City of Archer	Smart Meters will be installed at the homes of users in the City of Archer to improve water quality and replace aging infrastructure.	\$1,140,480.00	Recommend further development
3530	Unifying Coastal-Inland Compound Flood Maps in the SRWMD Region	University of Florida	This project will produce a unified coastal-inland compound flood map	\$ 750,827.00	Recommended not to be funded



 Recommended for RIVER funding

- ★ FY24_25_Conceptual
- District_24k_Poly
- County_TIGER_100k_Shaded
- Major Rivers Polygon (USGS)

World Street Map



RIVER and FY24-25 Applications



Note: This map was created by the Suwannee River Water Management District (SRWMD) to be used for planning purposes only. SRWMD shall not be held liable for any injury or damage caused by the use of data distributed as a public records request regardless of their use or application. SRWMD does not guarantee the accuracy, or suitability for any use of these data, and no warranty is expressed or implied. For more information please contact the SRWMD at 386-362-1001. Map Created on 7/23/2024

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Leroy Marshall, Director, Resource Management/Projects Division

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

DATE: August 2, 2024

RE: Projects Database Solution Request for Proposal

RECOMMENDATION

Authorize the Executive Director to enter into negotiations with Paul Consulting Group, execute a contract for the development and implementation of a new database solution for the environmental projects and agriculture programs for an amount not to exceed \$200,000; and, if unable to reach agreeable terms with the top firm, enter into negotiations with the next ranking firm(s) until an agreement is reached.

BACKGROUND

The District maintains an in-house database recording environmental project and agricultural cost-share information. The information housed in the current database is critical for reporting to the Florida Department of Environmental Protection, the District, and other agencies for statutorily required reports, budget development, and audit reporting.

The current database requires manual data entry which results in a duplication of effort and an increased risk of human error. The database also duplicates information from other District systems but does not mirror updates or sync information. Due to the amount of data required to manage and report on its various projects, and the desire for a more automated solution, the District solicited proposals from interested data management and software development firms through a Request for Proposal (RFP) 23/24-013. The deadline to receive proposals under this RFP was May 28, 2024.

The District received 19 qualified proposals. Based on the proposals received, staff determined that a new database solution can be developed that establishes data connections with other District systems that will enable the automation of data entry into the new database. The selection committee ranked and scored all qualified proposals, with Paul Consulting Group ranking the highest. The initial contract will be for a period of two years with the potential for three subsequent one-year renewals for support and maintenance post-launch.

Attachment A includes the list of respondents to the RFP. Paul Consulting Group was selected by the selection committee based on the criteria listed in the Request for Proposal and the submitted information.

Funding for this agreement is included in the Fiscal Year 2024-2025 (FY 2025) Tentative Budget and is contingent upon approval of the FY 2025 Final Budget.

MD/tm
Attachment

Attachment A: Respondent Scores

Firm	Score
Paul Consulting Group	95
ISF	90
Trinnex	85
DragonPoint	81
Winmill Software	81
CCS Global Tech	78
Silverlogic	76
Intellectyx	75
PK Traffic	75
AgileGov	73
Chetu	73
Watkyn LLC	73
Autocene Government Solutions, Inc.	72
V2Soft	71
Jai-Alexia Consulting, Inc.	69
Inzata Analytics	56
Tessa	54
Motion Reboot LLC dba Doctors in Tech	56
ESA	8
Future Cybernetics	0

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Leroy Marshall, Director, Resource Management/Projects Division

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

DATE: August 2, 2024

RE: Task Work Assignment with Northstar Contracting Group, Inc

RECOMMENDATION

Authorize the Executive Director to execute a task work assignment with Northstar Contracting Group, Inc. for the Mallory Swamp Data Collection and Phase 3 Modeling Plan for an amount not to exceed \$76,000.

BACKGROUND

Northstar Contracting Group, Inc. (Northstar) completed a Phase 1 and Phase 2 hydraulic modeling for the Mallory Swamp Tract and surrounding area as part of Task Work Assignment (TWA) 19/20-045.005 and TWA 19/20-045.006. Phase 1 included developing and testing groundwater and surface water models for the area. Phase 2 included developing a plan to utilize the model to assess impacts of water resource development objectives and operations in Mallory Swamp and the surrounding areas. Phase 3 will include implementing the plan developed in Phase 2, designing structures, and developing an operation and maintenance plan for Mallory Swamp.

This TWA will use the developed models to address the objectives and provide the basis for a watershed master plan. It will also include retrieving data collected by instruments in Mallory Swamp since the end of 2021 for use with model validation and simulations.

Funding for this agreement is in the Fiscal Year Final 2023-2024 Budget.

MD/tm

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Leroy Marshall, Director, Resource Management/Projects Division

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

DATE: August 2, 2024

RE: Task Work Assignment with WSP USA Environment & Infrastructure Inc

RECOMMENDATION

Authorize the Executive Director to execute a task work assignment with WSP USA Environment & Infrastructure Inc. for additional engineering analysis services at Edwards Bottomlands Mitigation Project in Bradford County, for an amount not to exceed \$215,000.

BACKGROUND

In January 2017, the Governing Board approved the Florida Department of Transportation (FDOT) Mitigation Plan that authorized the District to mitigate for wetland impacts associated with FDOT projects. The Edwards Bottomlands Wetland Mitigation Project was designated to offset wetland impacts associated with the CR 231 New River Bridge Replacement Project along with other FDOT projects.

The project constructed a two-stage channel on the Edwards Bottomlands parcel to replace a constructed drainage ditch passing through a historic floodplain, which bypassed and drained the original stream channel and bottomlands.

The purpose of this task work assignment is to assess the impact that the restoration of flow through Edwards Bottomlands has had on flood elevations in the surrounding area; and compare the existing project to the pre-permitted and permitted conditions.

Funding for this agreement is included in the Fiscal Year 2024-2025 (FY 2025) Tentative Budget and is contingent upon approval of the FY 2025 Final Budget.

MAD/tm

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Leroy Marshall, Director, Resource Management/Projects Division

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

DATE: August 2, 2024

RE: Task Work Assignment with Wetland Solutions, Inc.

RECOMMENDATION

Authorize the Executive Director to execute Task Work Assignment 23/24-113.001 with Wetland Solutions, Inc., for the Santa Fe River Basin Cow Creek Recharge and Wetland Enhancement/Mitigation Investigation project for an amount not to exceed \$275,000.

BACKGROUND

The District is developing an updated Recovery and Prevention Strategy for the Lower Santa Fe and Ichetucknee Rivers and Associated Priority Springs in coordination with the Florida Department of Environmental Protection and St Johns River Water Management District. This strategy will include recharge projects that will contribute to the recovery of the natural systems, as well as other project options that focus on conservation and the development of alternative water supplies.

The purpose of the task work assignment is to complete additional analyses for the Cow Creek watershed to further investigate the feasibility of implementing a recharge project fed by excess creek flows and the potential to develop wetland mitigation credits that can be used by the Florida Department of Transportation.

The project will include GIS data evaluation as well as data collection and analysis for Cow Creek and the Santa Fe River to determine high-water events and flow estimates. Once this phase is complete, potential parcels will be recommended for consideration based on watershed models and parcel hydro-geologic characteristics. The selected locations will be assessed for wetland mitigation potential, as well as project impacts and costs.

Funding for this agreement is included in the Fiscal Year 2024-2025 (FY 2025) Tentative Budget and is contingent upon approval of the FY 2025 Final Budget.

MD/tm

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board
FROM: Troy Roberts, Office Chief, Communications and Outreach
THRU: Katelyn Potter, Director, Outreach and Operations
DATE: July 10, 2024
RE: Outreach and Communications Activity Summary

The following information summarizes Outreach and Communications activities for the month of June 2024:

Facebook	Twitter	Instagram
Total Posts: 14 Total Reach: 20,700 Content Interactions: 387 Link Clicks: 94	Total Posts: 13 Total Impressions: 672	Total Posts: 9 Total Reach: 506 Total Engagement: 129

Press Releases
<ul style="list-style-type: none">• June 3 – Great Outdoors Month• June 4 – Governing Board Meeting• June 12 – Hydrologic Conditions Report• June 28 – Flood Risk Outreach Award

Media Inquiries / Responses
<ul style="list-style-type: none">• June 10 – Troy Roberts worked with the Florida Specifier regarding an upcoming published article.• June 27 – Troy Roberts worked with Family Magazine for an upcoming advertorial highlighting District activity.

Meetings with Vendors / Consultants / Public
<ul style="list-style-type: none">• June 4 – Troy Roberts and Katie McBride attended a meeting of the Florida Department of Environmental Protection (FDEP) Blue Green Algae Task Force at the UF IFAS Center in Wellborn.• June 12 – Troy Roberts met with Strategic Digital Services to discuss schedule for final feature story.• June 18 – Troy Roberts and Stephanie Armstrong presented at the Water Matters! Day camp in Hamilton County.• June 18 – Troy Roberts and Stephanie Armstrong assisted with a tour of Ichetucknee Springs as part of the National Association of Corporate Directors (NACD) regional conference.

- June 26 – Troy Roberts attended the bi-monthly touch-base meeting with FDEP and other water management district communications staff.
- June 26 – Troy Roberts met with Moore Communications for a check-in on the online SUA website.
- June 28 – Troy Roberts met with Southern Accent Woodcrafting in O'Brien to discuss signage for the District Office lobby.
- June 28 – Troy Roberts and Edge Cinema conducted Institutional Knowledge interviews for Edwin McCook and Jon Wood.

June Photo Highlight:

The District was honored for its efforts during last year's Santa Fe Flood Risk Review. The District received the 2024 Outreach Award from the Association of State Floodplain Managers (ASFPM) during its annual conference at the end of June. Leroy Marshall was on hand to accept the award on behalf of the District.



SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

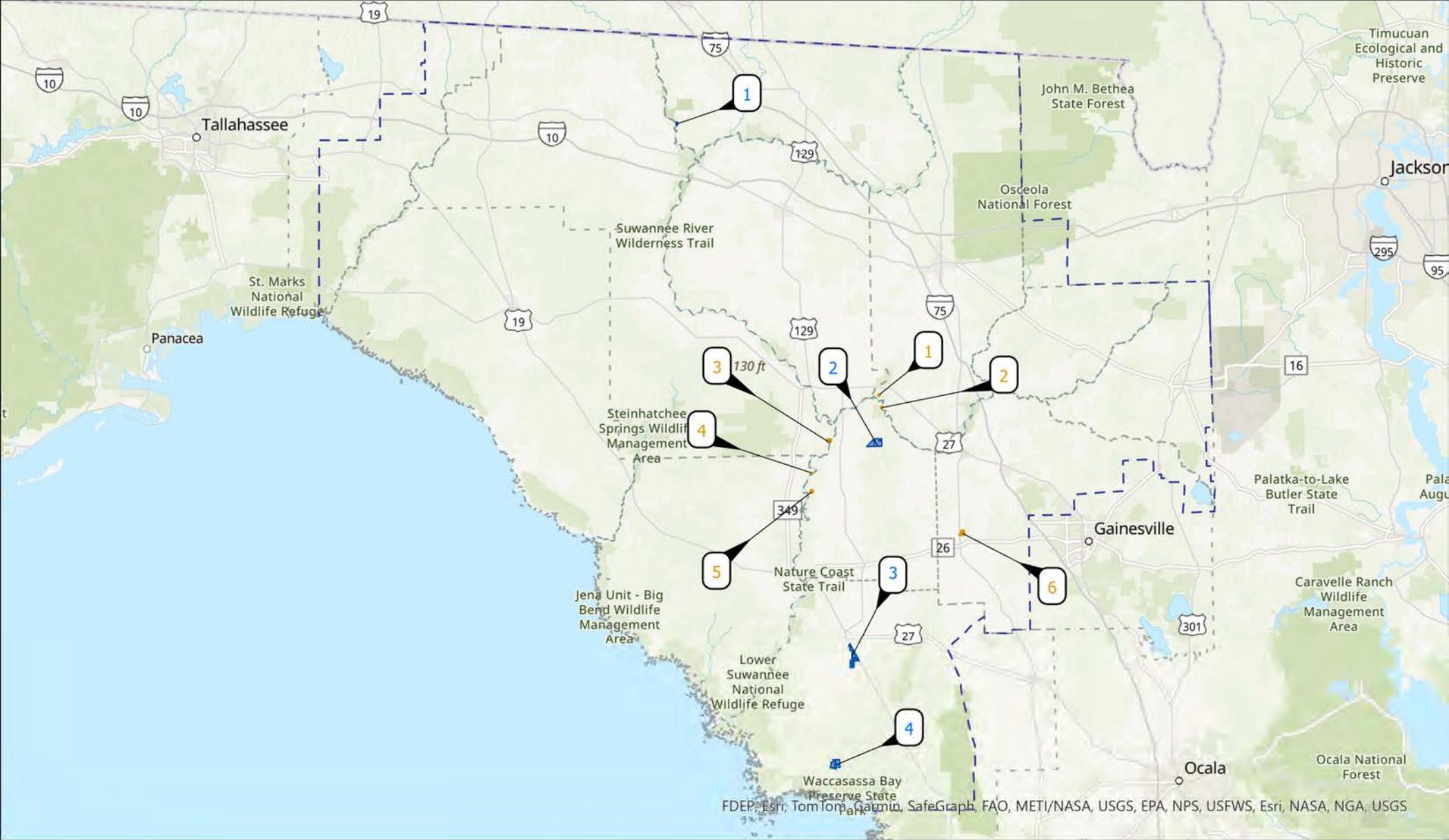
TO: Governing Board
FROM: Katelyn Potter, Director, Outreach and Operations
THRU: Hugh Thomas, Executive Director
DATE: August 3, 2024
RE: Land Acquisition and Disposition Activity Report

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

KP/ao
Attachment

Land Acquisition and Disposition Report

Authorized for Surplus									
Tract	Acres	County	Acquired Date	Funding	Lands Committee Date	Governing Board Date	Price	Appraisal Date	Comments
Falmouth North (8 lots)	6.51	Suwannee	4.24.1998	WMLTF	--	06.08.2010	TBD by appraisal update.	TBD	Available for purchase.
Turtle Spring Surplus Tract	32	Lafayette	05.13.2015	Florida Forever	--	03.10.2015	TBD by appraisal update.	TBD	Available for purchase.
Country Club Road	80.69	Columbia	7.1.2015	N/A	--	07.09.2019	TBD by appraisal update.	TBD	Memorandum of Agreement with Columbia County for conveyance of property to restore dam
Suwannee Run Shores	1.175	Dixie	12.30.1997	Save Our Rivers	07.09.2019	08.13.2019	TBD by appraisal update.	TBD	Available for purchase.
Three Rivers Estates	1	Columbia	12.30.1997	Save Our Rivers	07.09.2019	08.13.2019	TBD by appraisal update.	TBD	Available for purchase.
Forest Woodlands	11	Gilchrist	10.11.1996	Save Our Rivers	10.11.2019	11.12.2019	TBD by appraisal update.	TBD	Available for purchase.
Santa Fe Oasis	1	Gilchrist	04.28.1998	Save Our Rivers	09.21.2020	05.12.2020	TBD by appraisal update.	TBD	Available for purchase.
Newberry Wellfield	58.66	Alachua	01.11.2000	P-2000	03.09.2021	04.14.2021	TBD by appraisal update.	TBD	Final easement terms pending legal review, will follow-up with City and move to final conveyance.
Approved for Detailed Assessment									
Project Name	Acres	County	Submittal Date	Asking Price	Acquisition Type	Lands Committee Date	Governing Board Date	Comments	
Dixon	40	Hamilton	01.2023	TBD based on appraisal	Conservation Easement	05.09.23	06.13.23	Pending completion of appraisal due July 30, 2024. If offer accepted, will move to Baseline Documentation Reporting, then closing.	
Hodges	753	Levy	03.2023	TBD based on appraisal	Conservation Easement	05.09.23	06.13.23	Negotiations for final draft easement terms have been completed. Seeking quotes for appraisals.	
Williams Family Investments, LLC.	947	Levy	06.2023	TBD based on appraisal	Conservation Easement	09.25.23	10.10.23	Final draft terms on easements sent to offeror on July 10, 2024. Once returned and approved, will seek quotes on appraisals.	
Johnny Taylor	941	Gilchrist	07.2023	TBD based on appraisal	Conservation Easement	09.25.23	10.10.23	Project location not yet identified, will move forward with offeror on easement terms to include language on District project.	
Leland Wright	149	Gilchrist	05.2024	Donation	Conservation Easement	07.09.24	08.13.24	Pending Governing Board approval for due diligence.	



FDEP, Esri, TomTom, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS, USFWS, Esri, NASA, NGA, USGS

- SRWMD Boundary
- Lands Declared Surplus
- Lands Approved for Detailed Assessment

Land Acquisition and Disposition Map



- | | |
|---|--|
| <p>Lands Declared Surplus</p> <ul style="list-style-type: none"> 1. Three Rivers Estates 2. Santa Fe Oasis 3. Turtle Spring 4. Suwannee Run Shores 5. Forest Woodlands 6. Newberry Wallfield | <p>Lands Approved for Detailed Assessment</p> <ul style="list-style-type: none"> 1. Tanner Springs (Dixon) 2. Taylor 3. Long pond 4. Hodges |
|---|--|

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 5/22/2024

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board
FROM: Katelyn Potter, Director, Division of Outreach and Operations
THRU: Hugh Thomas, Executive Director
DATE: July 19, 2024
RE: Governing Board Directive Number 24-0004, Access and Utility Easement Requests

RECOMMENDATION

Approve Governing Board Directive Number 24-0004 for Access and Utility Easement Requests.

BACKGROUND

On March 14, 2000, Governing Board Directive (GBD) 90-2 LA was approved to address requests for ingress and rights-of-way across District lands. This directive updated previous versions and established the criteria for submitting an easement request, along with the District's policy on how easements would be evaluated.

On July 9, 2024, the Lands Committee unanimously approved the updated directive, GBD 24-0004, Access and Utility Easement Requests. The committee also directed staff to identify efficiencies relative to court-ordered easements, such as those with the Florida Department of Transportation

Based on the committee's direction to staff, the following additional edits were made:

- Authorize the Executive Director to approve court-order of taking easements,
- Authorize the Executive Director to approve small, non-impactful easements along established routes or boundaries, and
- Clarify language for compensation and easement donations.

The revised directive, once approved, will supersede 90-2 LA (revised in 2000) and 92-0001, along with all former versions of similar content and nature and become effective immediately.

A redline and clean copy of the directive are attached.

KCP/ao
Attachments

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

GOVERNING BOARD DIRECTIVE



Policy Number: GBD92-000124-0004

Date Approved: Date August 13, 2024

Subject: Requests for Rights-of-Way Access and Utility Easement Requests

Approval:

Virginia Johns, Chair

~~Richard Schwab~~ Charles Keith, Secretary/Treasurer

1.0 Reference to Prior Policy

None. 90-2 LA (revised in March 2000), 92-0001 and all former versions of program and/or board directives pertaining to right of way, access, and/or utility easements across District lands.

2.0 Purpose and Intent

The purpose of this directive is to enable District staff to respond to requests for rights-of-way received from private interests, quasi-public utilities, or other entities in a consistent and timely manner. To set guidelines that will allow the District to protect the natural state and condition of its lands, maintain adequate management control, and receive just compensation for any rights in real property that may be conveyed and for degradation to the land.

3.0 Definitions

- a) Easement – The right to use the real property of another for a specific purpose.
- b) Right-of-~~Way~~ way – The legal right, established by usage or grant, to pass along a specific route through property belonging to another.

4.0 Elements of Policy

Requests for licenses or easements or rights of way, will be governed by the District's 40B-9.142 Florida Administrative Code as indicated below:

- (1) The granting of a license or easement for ingress and egress or other rights-of-way will be considered only when there exists a way of necessity as defined in

Section 704.01, F.S., or it will benefit the general public.

(1)(2) Where there is no associated clear way of necessity, the right requested must not conflict with the purposes for which the District lands were acquired. Prior to consideration, the following information must be submitted to the District:

- a. A map or aerial photograph at a scale of at least 1:24,000 showing the proposed route and, if applicable, an outline of the property to be benefited;
- b. A complete description of the route, including dimensions, and its intended use;
- c. A description of any practical alternative routes; and,
- d. A copy of the deed by which the applicant acquired title to the property to be benefited, if applicable, and any evidence of a claim of right. If a right-of-way is granted, it shall be described and conveyed in the most limited form that meets the intended purpose.

(2)(3) Easements must be approved and executed by the Governing Board. The conveyance of any easement by the District shall require payment by the applicant of the fair market value as determined by any of the following:

- a. A real estate appraisal performed by a licensed real estate appraiser or the fee value for bare land as documented in an acquisition appraisal and adjusted by an appropriate market index for the period since the District's acquisition; and,
- b. Payment of any reasonable administrative, survey, and legal costs.

To assist staff in the timely review of the request, the District requests the applicant to provide the following additional information:

- (1) Type of access being sought.
- (2) Explanation of the need and alternative routes considered.
- (3) Deed or other controlling interest document.
- (4) Parcel number(s) of the requestor's destination property.
- (5) Parcel number(s) of the District property over which the easement is being sought.

Such requests shall be reviewed by staff to determine compliance with the rule and make a recommendation to the Governing Board. As to whether such requests should be granted, granted with conditions, or denied. Staff recommendations may be presented directly to the Governing Board and may be placed on the Governing Board's consent agenda.

Eminent Domain

Executive Director is delegated authority to act on behalf of the District concerning eminent domain proceedings which may be filed against the District seeking easements.

The granting of an easement for commercial or utility purposes, not related to District land management activities, is considered incompatible with the purposes for which the lands were acquired as specified in Chapter 373, F.S. The District recognizes that in some cases the public interest benefits of allowing a right-of-way to be sited may be

more significant than the loss of use of the area to be affected.

Such requests will be considered for recommendation to the District's Governing Board only under the following circumstances:

The proposed project must provide significant public benefits.

The proposed project must provide the highest "Net Positive Benefit" to the natural resources.

Applicant agrees to pay fair market value and costs of administering the application including appraisal fee, survey fees and administrative and legal costs.

Staff will require certain information necessary to adequately describe and evaluate a request, including:

A map or aerial photograph at a scale of at least 1:24,000 showing the proposed route.

A complete description of all proposed alternative routes, including dimensions, and intended uses and anticipated life span.

Description of public interests benefit (see criteria below).

Proposed net positive benefit provided to the lands.

Following an evaluation of the request by the staff, a written report bearing the staff recommendation shall be sent to the applicant. The Governing Board will then consider the request.

Upon receipt by the District of a court issued order of taking, the public benefit test will be considered to have been met. The requirement for a net positive benefit and just compensation may then be set by the court through the condemnation process.

If a right or rights are to be granted, they shall be described in the most limited manner and conveyed in the most limited form that meets the intended purpose. Specific maintenance and liability requirements will also be included in the conditions of the easement. The District will be the final arbiter in determining the actual location of the right-of-way. Easements may only be granted upon approval and execution by the Governing Board.

At the time of any conveyance by the District, the applicant shall provide: (1) payment for the fair market value as determined by a real estate appraiser from the District's approved list; (2) payment of any reasonable administrative, survey and legal costs; and (3) a binding agreement acceptable to the District as to the actions to be taken by the applicant to create the net positive benefit.

SUWANNEE RIVER WATER MANAGEMENT DISTRICT
GOVERNING BOARD DIRECTIVE

Policy Number: GBD24-0004
Date Approved: August 13, 2024
Subject: Access and Utility Easement Requests
Approval:



Virginia Johns, Chair

Charles Keith, Secretary/Treasurer

1.0 Reference to Prior Policy

90-2 LA (revised in March 2000), 92-0001 and all former versions of program and/or board directives pertaining to right of way, access, and/or utility easements across District lands.

2.0 Purpose and Intent

The purpose of this directive is to enable District staff to respond to requests for rights-of-way received from private interests, quasi-public utilities, or other entities in a consistent and timely manner. To set guidelines that will allow the District to protect the natural state and condition of its lands, maintain adequate management control, and receive just compensation for any rights in real property that may be conveyed and for degradation to the land.

3.0 Definitions

- a) Easement – The right to use the real property of another for a specific purpose.
- b) Right-of-way – The legal right, established by usage or grant, to pass along a specific route through property belonging to another.

4.0 Elements of Policy

Requests for licenses or easements or rights of way, will be governed by the District's 40B-9.142 Florida Administrative Code as indicated below:

- (1) *The granting of a license or easement for ingress and egress or other rights-of-way will be considered only when there exists a way of necessity as defined in*

Section 704.01, F.S., or it will benefit the general public.

- (2) *Where there is no associated clear way of necessity, the right requested must not conflict with the purposes for which the District lands were acquired. Prior to consideration, the following information must be submitted to the District:*
 - a. *A map or aerial photograph at a scale of at least 1:24,000 showing the proposed route and, if applicable, an outline of the property to be benefited;*
 - b. *A complete description of the route, including dimensions, and its intended use;*
 - c. *A description of any practical alternative routes; and,*
 - d. *A copy of the deed by which the applicant acquired title to the property to be benefited, if applicable, and any evidence of a claim of right. If a right-of-way is granted, it shall be described and conveyed in the most limited form that meets the intended purpose.*

- (3) *Easements must be approved and executed by the Governing Board. The conveyance of any easement by the District shall require payment by the applicant of the fair market value as determined by any of the following:*
 - a. *A real estate appraisal performed by a licensed real estate appraiser or the fee value for bare land as documented in an acquisition appraisal and adjusted by an appropriate market index for the period since the District's acquisition; and,*
 - b. *Payment of any reasonable administrative, survey, and legal costs.*

To assist staff in the timely review of the request, the District requests the applicant to provide the following additional information:

- (1) Type of access being sought.
- (2) Explanation of the need and alternative routes considered.
- (3) Deed or other controlling interest document.
- (4) Parcel number(s) of the requestor's destination property.
- (5) Parcel number(s) of the District property over which the easement is being sought.

Such requests shall be reviewed by staff to determine compliance with the rule and make a recommendation to the Governing Board. As to whether such requests should be granted, granted with conditions, or denied. Staff recommendations may be presented directly to the Governing Board and may be placed on the Governing Board's consent agenda.

Eminent Domain

Executive Director is delegated authority to act on behalf of the District concerning eminent domain proceedings which may be filed against the District seeking easements.

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board
FROM: Katelyn Potter, Director, Division of Outreach and Operations
THRU: Hugh Thomas, Executive Director
DATE: July 9, 2024
RE: Governing Board Directive Number 24-0005, Land Acquisition and Surplus Guidelines

RECOMMENDATION

Approve Governing Board Directive Number 24-0005 for Land Acquisition and Surplus Guidelines.

BACKGROUND

On June 8, 2021, the Governing Board approved Water Resource Guidelines for Acquisition and Surplus of Lands Directive (GBD) 21-0003. This directive revised the eligibility requirements and guidelines to direct District land acquisition and surplus activities.

On July 9, 2024, the Lands Committee unanimously approved the updated directive, GBD 24-0005 Land Acquisition and Surplus Guidelines. The committee also directed staff to identify efficiencies relative to land acquisition and surplus offers.

Based on the Committee's direction, the following additional edits have been added to the directive:

- Designate the Lands Committee to authorize due diligence,
- Authorize the Executive Director to deny offers,
- Remove duplicative language and inclusion of offers in the Florida Forever Plan, and
- Edit clerical and formatting errors.

Approval of the revised directive will supersede GBD21-0003, along with all former versions of similar content and nature and become effective immediately.

A redline and clean copy of the directive are attached.

KCP/ao
Attachments

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

GOVERNING BOARD DIRECTIVE



Directive Number: **GBD21-000324-0005**

Date Approved: **June 8, 2021 July 07 2024**

Subject: **Water Resource Guidelines for Acquisition and Surplus of Lands Land Acquisition and Surplus Directive Guidelines**

Approval:

Virginia Johns, Chair

Charles Keith, Secretary/Treasurer

1.0 Reference to Prior Directive

Supersedes Directives 99-01 LA, 06-01 LA, 2009-01 LA, 2011-03LM, 2011-01LM, 2015-001, GBD17-0002, GBD18-0003, GBD19-0001, and GBD 19-0005, 21-0003.

2.0 Purpose and Intent

The purpose of this Directive is to provide water resource guidelines for consideration in the land acquisition and surplus processes, establish procedures for determination of surplus lands, and create procedures for disposition of revenue derived from the disposal of lands acquired with Preservation 2000 and Florida Forever funds.

3.0 Statement of Policy

It is the policy of the Governing Board that the acquisition of a less than fee interest shall be the primary consideration in all acquisitions, unless ownership in fee better supports the District's mission or needs.

If the offeror is unwilling to negotiate a less than fee transaction, the staff shall provide justification for the acquisition of a fee interest over a less than fee interest including at a minimum the additional benefits of fee ownership over a less than fee ownership. -These benefits could include but are not limited to enhancement of fee lands already owned by the District, increased public access, increased hunting accessibility for the public and decreased costs for and obstacles to conducting projects on the property.

~~Staff shall seek to reserve the right to implement future water resource projects within a conservation easement wherever practicable.~~

4.0 Definitions

Surplus Lands - ~~For the purpose of this directive, surplus lands are defined as those~~ District-owned property interests no longer need to be owned to further the District's land conservation purposes of flood control, water storage, water management, conservation and protection of water resources, aquifer recharge, water resource and water supply

development, and preservation of wetlands, streams, and lakes or that either need not be owned for a potential or proposed project.

Current Appraisal - The term "Current appraisal" shall mean, for purposes of section 4.B.9 for properties valued at \$25,000 or less, an appraisal conducted not more than 360 days prior to the effective date of a contract for salesubmission to the District. In all other instances it shall mean an appraisal conducted not more than 180 days prior to the date of submission to the District.

Less than Fee - The term Less than Fee S shall mean a conservation easement.

5.0 5.0 Elements of Directive Water Resource Evaluation Guidelines for Acquisition and Surplus:

The following water resource guidelines shall be used to screen potential acquisition and to screen lands for potential surplus. Screening for water resources guidelines shall use the best available data. Lands shall be prioritized relative to:

1. The extent to which the lands provide protection for Outstanding Florida Springs, Priority Focus Areas, and other springs (either directly or indirectly);
2. The extent to which the lands provide protection of surface waters (wetlands, lakes, springs, and streams);
3. The extent to which the lands provide flood protection;
4. The extent to which the lands are needed for implementation of water resource development projects, restoration, or other projects;
5. The extent to which the lands benefit existing acquisition holdings; and
6. The extent to which the lands enhance land management objectives.

6.0 Delegation of Authority to Disclose Valuation Information:

The Ggoverning Board hereby delegates to the District's Executive Director the governing Governing board's Board's authority to: (1) disclose appraisal reports concerning a proposed acquisition of real property as provided in section 373.139(3)(a), F.S.; and (2) disclose confidential and exempt valuations and valuation information or written offers concerning a proposed sale of surplus land as provided in section 373.089(1)(c), F.S.

Authority of the Lands Committee and Governing Board

The Governing Board must authorize the final purchase, surplus, sale, conveyance, lease, or exchange of property on behalf of the District.

Requests for access, utility, right-of-way easements, temporary construction easements and similar instruments shall follow the Access and Utility Easement Request Directive.

7.0 Land Acquisition Process:

District land acquisition procedures will be governed by 40B-.041 Florida Administrative Code as indicated below:

(1) Bona fide offers for sale.

The District's land acquisition process is initiated when the District receives from an owner of real property a bona fide offer for sale to the District. A bona fide offer is one which includes:

(a) The county property appraiser's tax parcel identification number;

(b) An aerial map or other documentation upon which the property boundaries are shown or described;

(c) A copy of the deed showing the current owner of record for the property being offered;

(d) The owner's initial asking price for the property;

(e) Identification of any easements, deed restrictions, mineral interests, or other rights held by persons other than the fee title owner; and,

(f) Identification of any existing purchase agreement, option contract, listing agreement, or any other agency arrangement or agreement entered into by the seller relating to the subject property.

(2) Criteria for evaluation of bona fide offers.

Upon receipt, District staff will evaluate all bona fide offers for sale of real property to determine the extent to which the acquisition will contribute to achieving the goals in Section 259.105(4), F.S., and provide a recommendation for disposition to the Governing Board.

(3) Following Governing Board approval of a property for state priority funding, the following due diligence must be completed prior to a contract for sale:

(a) Evidence of good and sufficient fee title to the property in the seller must be provided by the seller to the District.

(b) The property owner must provide access to the District and its agents as needed to obtain appraisals as required under Section 373.139(3)(c), F.S., which include an Environmental Site Assessment and baseline inventory reporting. The appraisal must be performed by a qualified appraiser who is registered, licensed, or certified under Part II, Chapter 475, F.S. The Phase I environmental site assessment must be performed by a professional certified in environmental assessment as the District deems appropriate.

(4) Contracts for sale.

The Governing Board must adopt a purchase resolution which authorizes the Executive Director to execute a contract specifying the source of funds for the land to be acquired.

(5) Donations of land to District.

The District may accept donations or gifts of real property interests. In such event the provisions of this section shall be followed, except that the requirement for an appraisal may be waived upon concurrence of both the property owner and the District.

~~Property offers shall be in accordance with Rule 40B-9.041, Florida Administrative Code. As defined in that Rule, a Bona bona Fide fide offer must include the following:~~

- ~~1. County property appraiser's parcel ID number;~~
- ~~2. An aerial map or other documentation upon which the property boundaries are shown or described;~~
- ~~3. A copy of the deed showing the current owner of record for the property being offered;~~
- ~~4. The owner's initial asking price for the property;~~
- ~~5. Identification of any easements, deed restrictions, mineral interests, or other rights held by persons other than the fee title owner; and,~~
- ~~6. Identification of any existing purchase agreement, option contract, listing agreement, or any other agency arrangement or agreement entered into by the seller relating to the subject property~~

As part of the Board recommendation for acquisition, staff shall complete a management prospectus evaluating management objectives and budgetary impacts for tract improvements, roads, recreation/public use, project potential, hunting, and other relevant management information.

Due Diligence

Appraisals, either conducted by the District or external parties, must be conducted in accordance with 373.139, Florida Statutes. The appraisal must be completed by an appraiser listed as qualified on the Florida Department of Environmental Protection website.

Baseline inventory reporting for less than fee acquisitions shall include:

1. Landowner and easement information
2. Natural community information
3. Infrastructure overview and documentation (structures, roads, fences, wells, culverts, etc).
4. Rare or listed species occurrences
5. Invasive species occurrences
6. Established photo points
7. Maps documenting the location, aerial imagery, natural communities, invasive and rare species, photo point locations, National Wetlands Inventory, NRCS soils, etc.

Baseline inventory reporting for fee acquisitions shall include:

1. Natural community information and mapping
2. Rare or listed species occurrences and mapping
3. Invasive species occurrences and mapping

Staff may seek to negotiate project boundaries to minimize the potential acquisition of surplus lands.

~~Staff shall develop and maintain a proposed acquisition list which shall be presented to the Lands Committee and Governing Board.~~

Denials

The Executive Director is delegated the authority to deny offers to purchase, surplus, exchange, lease, convey or grant easements over District lands. This includes denials to exercise the right of first refusal. The Executive Director's decision to deny may be reviewed by Governing Board at the request of the offeror.

Regulatory Easements

Regulatory Mitigation Conservation Easements which are granted to the District as part of permitting process (see Rule 62-330.301(8)), are excluded from the process in 5.0.A.

~~Regulatory Mitigation Conservation Easements for preservation of natural systems are not required to be approved by the Lands Committee or Governing Board.~~

~~Regulatory Mitigation Conservation Easements as determined by staff to be inconsistent with natural system preservation shall be considered by the Lands Committee and Governing Board.~~
~~Land Acquisition Guidelines: The detailed assessment of an owner's voluntary offer to sell lands shall seek to minimize the potential acquisition of surplus lands by employing the following practices prior to acquisition:~~

- ~~1. Project objectives shall be clearly stated;~~
- ~~2. Delineate project boundaries to meet project objectives;~~
- ~~3. Keep acquisitions within the project boundaries during negotiations whenever possible by offering alternatives such as the purchase of a conservation easement over lands adjacent to the project area; and~~
- ~~4. An analysis of potential surplus lands within an acquisition project when recommending an acquisition for approval to the Lands Committee and Governing Board.~~

8.0 Surplus Lands Process:

A. Determination of surplus lands shall be as follows:

1. Staff shall periodically review fee ownership of the District and identify parcels for potential surplus. Additional surplus parcels may be identified where a request is submitted by a member of the public or as part of a potential exchange of lands. All parcels identified as potential surplus shall be submitted to the Lands Committee at any regularly scheduled meeting at which public comment will be received.

2. The Lands Committee approved list of potential surplus lands shall be posted on the District website to inform the public of the next meeting in which the Governing Board will consider the proposed lands for surplus.
3. No lands shall be recommended to the Lands Committee or Governing Board for consideration as surplus unless an on-site inspection has been conducted by District staff within the four months prior to the recommendation.
4. At a regular-scheduled Governing Board meeting of which notice was given, the Governing Board shall receive public comment with regards to the lands considered for surplus. For lands acquired for conservation purposes as specified in sections 373.089(6)(c) and (d), F.S., including all lands in which the title was vested in the District prior to July 1, 1999, the Governing Board must determine the lands are no longer needed for conservation purposes by an affirmative vote of two-thirds of the Governing Board membership (six Board members) consistent with Article X, Section 18 of the Florida Constitution. All other lands may be designated as surplus and approved for disposal by a simple majority vote of the Governing Board.
5. At the time of the Governing Board's determination of lands as surplus, the Governing Board may also consider retention of a conservation easement or deed restrictions over the property as a condition of the ultimate sale or exchange of the District's fee interest in the property.
6. At the time of the Governing Board's determination of lands as surplus, the Governing Board may also consider reservation of rights that may be needed for implementation of projects (restoration or water resource development) as a condition of the ultimate sale or exchange of the District's fee interest in the property.
7. A bona fide offer to purchase surplus lands shall consist of a written offer and a monetary deposit to be determined by the Lands Committee.
8. For surplus properties without a current appraisal, upon receipt of a bona fide offer to purchase, an appraisal shall be initiated only at the direction of the Lands Committee.
9. Requests for undeclared lands to be surplus shall be considered in accordance with District procedures. Surveys, appraisals, and other due diligence costs for undeclared lands will be incurred by the buyer, initiated only upon receipt of a current appraisal performed by an appraiser listed as qualified on the Florida Department of Environmental Protection website.
- ~~10. Request for lands to be surplus and/or subdivided shall be initiated only upon receipt of payment for a survey and appraisal.~~

B. Disposal of Surplus Lands:

The District will follow the procedures in sections 373.056 and 373.089, F.S., when selling, conveying, and/or disposing of interests in real property as surplus lands.

1. Staff may contract with one or more real estate brokers for purposes of listing for sale surplus parcels.

2. Staff shall maintain an updated surplus property webpage on the District's website which, at a minimum, will list all parcels declared as surplus, provide a general location map of the parcel, provide the County county property appraisers parcel ID number, and identify any interest to be retained by the District.
3. All surplus land shall be sold at or above the current appraised value.

C. Revenue Derived from the Proceeds of Surplus Lands:

1. Revenue derived from the sale of Preservation 2000 lands shall be deposited into the Florida Forever Trust Fund within the Florida Department of Environmental Protection in accordance with section 259.101(5)(c), F.S.
2. Revenue derived from the sale of property acquired with Florida Forever funds shall be deposited into a Florida Forever restricted fund which shall be used to implement the District's Florida Forever Work Plan.
3. Florida Forever Program funds that are unencumbered shall be managed pursuant to section 259.105, F.S.
4. The District's lands database shall be used to track and monitor sales of surplus lands and disclosed within the Annual Florida Forever Work Plan updates.

~~E. Water Resource Evaluation Guidelines for Acquisition and Surplus:~~

~~The following water resource guidelines shall be used to screen voluntary property offers to sell lands for potential acquisition and to screen lands for potential surplus. Screening for water resources guidelines shall use the best available data. Staff shall present the screening results to the Lands Committee and Governing Board.~~

- ~~1. The extent to which the lands provide protection of Outstanding Florida Springs and Priority Focus Areas;~~
- ~~2. The extent to which the lands provide protection for Outstanding Florida Springs, Priority Focus Areas, and other springs (either directly or indirectly);~~
- ~~3. The extent to which the lands provide protection of surface waters (wetlands, lakes, springs, and streams);~~
- ~~4. The extent to which the lands provide flood protection;~~
- ~~5. The extent to which the lands are needed for implementation of water resource development projects, restoration, or other projects;~~
- ~~6. The extent to which the lands provide conservation and protection of water resource values consistent with the objectives of the District's Florida Forever Work Plan;~~
- ~~7. The extent to which the lands benefit existing acquisition holdings; and~~
- ~~8. The extent to which the lands enhance land management objectives.~~

~~F. Land Acquisition Guidelines:~~

~~The detailed assessment of an owner's voluntary offer to sell lands shall seek to minimize the potential acquisition of surplus lands by employing the following practices prior to acquisition:~~

- ~~a. Project objectives shall be clearly stated;~~
- ~~b. Delineate project boundaries to meet project objectives;~~

- ~~c. Keep acquisitions within the project boundaries during negotiations whenever possible by offering alternatives such as the purchase of a conservation easement over lands adjacent to the project area; and~~
- ~~d. An analysis of potential surplus lands within an acquisition project when recommending an acquisition for approval to the Lands Committee and Governing Board.~~

D. Surplus Lands Guidelines:

The following factors shall be considered in the analysis of the District's land holdings for determining which lands are no longer needed for conservation and make a recommendation for potential surplus.

1. The results of the screening as defined by the Water Resource Evaluation Guidelines for Acquisition and Surplus.
2. The extent to which disposing of the lands will adversely affect management effectiveness and efficiency.
3. The extent to which the lands are currently used by the public for recreational purposes.
4. Whether disposal of the lands would result in a net loss of lands open to public hunting.
5. The extent to which the lands provide other significant archaeological, historical, or ecological value.
6. The extent to which the lands provide a valuable linkage to conservation property owned by the District or other publicly owned conservation lands.
7. The extent to which the lands would be accessible to a future owner without causing adverse impacts to natural resources or hindering the District's management of the property (including prescribed fire management).
8. The extent to which the lands are marketable.
9. The extent to which concerns of other public conservation land managers or members of the public have been addressed.
10. The extent to which disposing of the lands will adversely affect potential future water resource development projects.
11. The extent to which lands are more suitable for management by others due to size or location with the District retaining a conservation easement.
12. The extent to which lands acquired for projects are no longer being pursued or the project is completed and the land or a portion thereof is no longer needed.
13. The extent to which lands acquired with Preservation 2000 or Florida Forever funds, the intent of the Act as prescribed in section 259.101(6), F.S.
14. For lands with merchantable timber, the extent to which disposing of the land would reduce timber revenue available to the District.
15. Access to public or private water and/or wastewater utilities.
16. Additional tools and data that become available.

E. Surplus of Lands to Governmental Entities Guidelines:

The following criteria shall be considered in addition to the surplus lands guidelines for determining surplus potential:

1. Whether the community is designated as a ~~REDI~~ (Rural Economic Development Initiative) (REDI) eligible community pursuant to section 288.0656, F.S.
2. Whether a long-term lease would accomplish the goals of the local governmental entity.

F. Surplus of Parcels Valued at \$25,000 or Less Guidelines:

The following criteria shall be considered in addition to the surplus lands guidelines for determining surplus potential:

1. The proximity to District or other public conservation lands.
2. The ability of District to manage parcel.

~~4.~~

J. Lands Committee Expenditure Authority:

~~The Lands Committee is authorized to approve acquisition and surplus assessment expenditures or other related land activity expenditures up to \$30,000.~~

KG. Delegation of Authority to Disclose Valuation Information:

The governing ~~Governing board~~ Board hereby delegates to the District's Executive Director the governing ~~Governing board's~~ Board's authority to: (1) disclose appraisal reports concerning a proposed acquisition of real property as provided in section 373.139(3)(a), F.S.; and (2) disclose confidential and exempt valuations and valuation information or written offers concerning a proposed sale of surplus land as provided in section 373.089(1)(c), F.S.

KH. Reporting:

Staff shall develop and maintain a proposed acquisition list which shall be presented to the Lands Committee and Governing Board.

Staff shall complete the appropriate land acquisition and surplus reporting in accordance with 373.036(2)(e), F.S., 373.139, F.S., 373.199(7), F.S. and other relevant statutes/rules.

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

GOVERNING BOARD DIRECTIVE



Directive Number: GBD24-0005

Date Approved: August 13 2024

Subject: Land Acquisition and Surplus Guidelines

Approval:

Virginia Johns, Chair

Charles Keith, Secretary/Treasurer

1.0 Reference to Prior Directive

Supersedes Directives 99-01 LA, 06-01 LA, 2009-01 LA, 2011-03LM, 2011-01LM, 2015-001, GBD17-0002, GBD18-0003, GBD19-0001, and GBD 19-0005, 21-0003.

2.0 Purpose and Intent

The purpose of this Directive is to provide water resource guidelines for consideration in the land acquisition and surplus processes, establish procedures for determination of surplus lands, and create procedures for disposition of revenue derived from the disposal of lands acquired with Preservation 2000 and Florida Forever funds.

3.0 Statement of Policy

It is the policy of the Governing Board that the acquisition of a less than fee interest shall be the primary consideration in acquisitions, unless ownership in fee better supports the District's mission or needs.

If the offeror is unwilling to negotiate a less than fee transaction, the staff shall provide justification for the acquisition of a fee interest over a less than fee interest including at a minimum the additional benefits of fee ownership over a less than fee ownership. These benefits could include but are not limited to enhancement of fee lands already owned by the District, increased public access, increased hunting accessibility for the public and decreased costs for and obstacles to conducting projects on the property.

4.0 Definitions

Surplus Lands - District-owned property interests no longer need to be owned to further the District's land conservation purposes of flood control, water storage, water management, conservation and protection of water resources, aquifer recharge, water resource and water supply development, and preservation of wetlands, streams, and lakes or that either need not be owned for a potential or proposed project.

Current Appraisal - An appraisal conducted not more than 360 days prior to the effective date of a contract for sale.

Less than Fee - Shall mean a conservation easement.

5.0 Water Resource Evaluation Guidelines for Acquisition and Surplus:

The following water resource guidelines shall be used to screen potential acquisition and to screen lands for potential surplus. Screening for water resources guidelines shall use the best available data. Lands shall be prioritized relative to:

1. The extent to which the lands provide protection for Outstanding Florida Springs, Priority Focus Areas, and other springs (either directly or indirectly);
2. The extent to which the lands provide protection of surface waters (wetlands, lakes, springs, and streams);
3. The extent to which the lands provide flood protection;
4. The extent to which the lands are needed for implementation of water resource development projects, restoration, or other projects;
5. The extent to which the lands benefit existing acquisition holdings; and
6. The extent to which the lands enhance land management objectives.

6.0 Delegation of Authority to Disclose Valuation Information:

The Governing Board hereby delegates to the District's Executive Director the Governing Board's authority to: (1) disclose appraisal reports concerning a proposed acquisition of real property as provided in section 373.139(3)(a), F.S.; and (2) disclose confidential and exempt valuations and valuation information or written offers concerning a proposed sale of surplus land as provided in section 373.089(1)(c), F.S.

Authority of the Lands Committee and Governing Board

The Governing Board must authorize the final purchase, surplus, sale, conveyance, lease, or exchange of property on behalf of the District.

Requests for access, utility, right-of-way easements, temporary construction easements and similar instruments shall follow the Access and Utility Easement Request Directive.

7.0 Land Acquisition

District land acquisition procedures will be governed by 40B-.041 Florida Administrative Code as indicated below:

(1) Bona fide offers for sale.

The District's land acquisition process is initiated when the District receives from an owner of real property a bona fide offer for sale to the District. A bona fide offer is one which includes:

(a) The county property appraiser's tax parcel identification number;

(b) An aerial map or other documentation upon which the property boundaries are shown or described;

(c) A copy of the deed showing the current owner of record for the property being offered;

(d) The owner's initial asking price for the property;

(e) Identification of any easements, deed restrictions, mineral interests, or other rights held by persons other than the fee title owner; and,

(f) Identification of any existing purchase agreement, option contract, listing agreement, or any other agency arrangement or agreement entered into by the seller relating to the subject property.

(2) Criteria for evaluation of bona fide offers.

Upon receipt, District staff will evaluate all bona fide offers for sale of real property to determine the extent to which the acquisition will contribute to achieving the goals in Section 259.105(4), F.S., and provide a recommendation for disposition to the Governing Board.

(3) Following Governing Board approval of a property for state priority funding, the following due diligence must be completed prior to a contract for sale:

(a) Evidence of good and sufficient fee title to the property in the seller must be provided by the seller to the District.

(b) The property owner must provide access to the District and its agents as needed to obtain appraisals as required under Section 373.139(3)(c), F.S., which include an Environmental Site Assessment and baseline inventory reporting. The appraisal must be performed by a qualified appraiser who is registered, licensed, or certified under Part II, Chapter 475, F.S. The Phase I environmental site assessment must be performed by a professional certified in environmental assessment as the District deems appropriate.

(4) Contracts for sale.

The Governing Board must adopt a purchase resolution which authorizes the Executive Director to execute a contract specifying the source of funds for the land to be acquired.

(5) Donations of land to District.

The District may accept donations or gifts of real property interests. In such event the provisions of this section shall be followed, except that the requirement for an appraisal may be waived upon concurrence of both the property owner and the District.

As part of the Board recommendation for acquisition, staff shall complete a management prospectus evaluating management objectives and budgetary impacts for tract improvements, roads, recreation/public use, project potential, hunting, and other relevant management information.

Due Diligence

Appraisals, either conducted by the District or external parties, must be conducted in accordance with 373.139, Florida Statutes. The appraisal must be completed by an appraiser listed as qualified on the Florida Department of Environmental Protection website.

Baseline inventory reporting for less than fee acquisitions shall include:

1. Landowner and easement information
2. Natural community information
3. Infrastructure overview and documentation (structures, roads, fences, wells, culverts, etc).
4. Rare or listed species occurrences
5. Invasive species occurrences
6. Established photo points
7. Maps documenting the location, aerial imagery, natural communities, invasive and rare species, photo point locations, National Wetlands Inventory, NRCS soils, etc.

Baseline inventory reporting for fee acquisitions shall include:

1. Natural community information and mapping
2. Rare or listed species occurrences and mapping
3. Invasive species occurrences and mapping

Staff may seek to negotiate project boundaries to minimize the potential acquisition of surplus lands.

Denials

The Executive Director is delegated the authority to deny offers to purchase, surplus, exchange, lease, convey or grant easements over District lands. This includes denials to exercise the right of first refusal. The Executive Director's decision to deny may be reviewed by Governing Board at the request of the offeror.

Regulatory Easements

Conservation easements which are granted to the District as part of permitting process (see Rule 62-330.301(8)), are excluded from the process in 5.0..

8.0 Surplus Lands

A. Determination of surplus lands shall be as follows:

1. Staff shall periodically review fee ownership of the District and identify parcels for potential surplus. Additional surplus parcels may be identified where a request is submitted by a member of the public or as part of a potential exchange of lands. All parcels identified as potential surplus shall be submitted to the Lands Committee at any regularly scheduled meeting at which public comment will be received.

2. The Lands Committee approved list of potential surplus lands shall be posted on the District website to inform the public of the next meeting in which the Governing Board will consider the proposed lands for surplus.
3. No lands shall be recommended to the Lands Committee or Governing Board for consideration as surplus unless an on-site inspection has been conducted by District staff within the four months prior to the recommendation.
4. At a regular-scheduled Governing Board meeting of which notice was given, the Governing Board shall receive public comment with regards to the lands considered for surplus. For lands acquired for conservation purposes as specified in sections 373.089(6)(c) and (d), F.S., including all lands in which the title was vested in the District prior to July 1, 1999, the Governing Board must determine the lands are no longer needed for conservation purposes by an affirmative vote of two-thirds of the Governing Board membership (six Board members) consistent with Article X, Section 18 of the Florida Constitution. All other lands may be designated as surplus and approved for disposal by a simple majority vote of the Governing Board.
5. At the time of the Governing Board's determination of lands as surplus, the Governing Board may also consider retention of a conservation easement or deed restrictions over the property as a condition of the ultimate sale or exchange of the District's fee interest in the property.
6. At the time of the Governing Board's determination of lands as surplus, the Governing Board may also consider reservation of rights that may be needed for implementation of projects (restoration or water resource development) as a condition of the ultimate sale or exchange of the District's fee interest in the property.
7. A bona fide offer to purchase surplus lands shall consist of a written offer and a monetary deposit to be determined by the Lands Committee.
8. For surplus properties without a current appraisal, upon receipt of a bona fide offer to purchase, an appraisal shall be initiated only at the direction of the Lands Committee.
9. Requests for undeclared lands to be surplus shall be considered in accordance with District procedures. Surveys, appraisals, and other due diligence costs for undeclared lands will be incurred by the buyer.

B. Disposal of Surplus Lands:

The District will follow the procedures in sections 373.056 and 373.089, F.S., when selling, conveying, and/or disposing of interests in real property as surplus lands.

1. Staff may contract with one or more real estate brokers for purposes of listing for sale surplus parcels.
2. Staff shall maintain an updated surplus property webpage on the District's website which, at a minimum, will list all parcels declared as surplus, provide a general location map of the parcel, provide the county property appraisers parcel ID number, and identify any interest to be retained by the District.

3. All surplus land shall be sold at or above the current appraised value.

C. Revenue Derived from the Proceeds of Surplus Lands:

1. Revenue derived from the sale of Preservation 2000 lands shall be deposited into the Florida Forever Trust Fund within the Florida Department of Environmental Protection in accordance with section 259.101(5)(c), F.S.
2. Revenue derived from the sale of property acquired with Florida Forever funds shall be deposited into a Florida Forever restricted fund which shall be used to implement the District's Florida Forever Work Plan.
3. Florida Forever Program funds that are unencumbered shall be managed pursuant to section 259.105, F.S.
4. The District's lands database shall be used to track and monitor sales of surplus lands and disclosed within the Annual Florida Forever Work Plan updates.

D. Surplus Lands Guidelines:

The following factors shall be considered in the analysis of the District's land holdings for determining which lands are no longer needed for conservation and make a recommendation for potential surplus.

1. The results of the screening as defined by the Water Resource Evaluation Guidelines for Acquisition and Surplus.
2. The extent to which disposing of the lands will adversely affect management effectiveness and efficiency.
3. The extent to which the lands are currently used by the public for recreational purposes.
4. Whether disposal of the lands would result in a net loss of lands open to public hunting.
5. The extent to which the lands provide other significant archaeological, historical, or ecological value.
6. The extent to which the lands provide a valuable linkage to conservation property owned by the District or other publicly owned conservation lands.
7. The extent to which the lands would be accessible to a future owner without causing adverse impacts to natural resources or hindering the District's management of the property, including prescribed fire management.
8. The extent to which the lands are marketable.
9. The extent to which concerns of other public conservation land managers or members of the public have been addressed.
10. The extent to which disposing of the lands will adversely affect potential future water resource development projects.
11. The extent to which lands are more suitable for management by others due to size or location with the District retaining a conservation easement.
12. The extent to which lands acquired for projects are no longer being pursued or the project is completed and the land or a portion thereof is no longer needed.
13. The extent to which lands acquired with Preservation 2000 or Florida Forever funds, the intent of the Act as prescribed in section 259.101(6), F.S.
14. For lands with merchantable timber, the extent to which disposing of the land would reduce timber revenue available to the District.
15. Access to public or private water and/or wastewater utilities.
16. Additional tools and data that become available.

E. Surplus of Lands to Governmental Entities Guidelines:

The following criteria shall be considered in addition to the surplus lands guidelines for determining surplus potential:

1. Whether the community is designated as a Rural Economic Development Initiative (REDI) eligible community pursuant to section 288.0656, F.S.
2. Whether a long-term lease would accomplish the goals of the local governmental entity.

F. Surplus of Parcels Valued at \$25,000 or Less Guidelines:

The following criteria shall be considered in addition to the surplus lands guidelines for determining surplus potential:

1. The proximity to District or other public conservation lands.
2. The ability of District to manage parcel.

G. Delegation of Authority to Disclose Valuation Information:

The Governing Board hereby delegates to the District's Executive Director the Governing Board's authority to: (1) disclose appraisal reports concerning a proposed acquisition of real property as provided in section 373.139(3)(a), F.S.; and (2) disclose confidential and exempt valuations and valuation information or written offers concerning a proposed sale of surplus land as provided in section 373.089(1)(c), F.S.

H. Reporting:

Staff shall develop and maintain a proposed acquisition list which shall be presented to the Lands Committee and Governing Board.

Staff shall complete the appropriate land acquisition and surplus reporting in accordance with 373.036(2)(e), F.S., 373.139, F.S., 373.199(7), F.S. and other relevant statutes/rules.

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Katelyn Potter, Director, Division of Outreach and Operations

THRU: Hugh Thomas, Executive Director

DATE: July 9, 2024

RE: Gilchrist Wellfield Tract Management Agreement with the Gilchrist County School Board

RECOMMENDATION

Authorize the Executive Director to approve the Gilchrist Wellfield Tract Management Agreement with the Gilchrist County School Board.

BACKGROUND

The District received a request from the Gilchrist County School Board, Future Farmers of America (FFA) Chapter, to utilize 16 +/- acres of the District's Gilchrist Wellfield Tract for educational purposes. Located east of Bell, Florida, the tract is 105.7 acres in total and is in close proximity to the school.

The FFA Chapter requests to utilize the property for silvicultural and agricultural educational activities. The District recently completed a timber harvest on the property and plans to manage the tract in accordance with the District's Land Management Plan. Staff confirmed that the lease will not pose management impacts to the overall tract.

A fence would be installed by the District to establish the new boundary. Further, the District will install a new access road on the retained portion and install a fire line. The District will retain ownership across the entire parcel. The agreement will remain in effect for 15 years, unless terminated by either party.

Use of the leased area would be exclusive to the Gilchrist County FFA Program. No other Gilchrist County School Board activities will be permitted unless authorized by the Governing Board and as amended in the management agreement.

The Land Acquisition and Surplus Team reviewed the agreement on May 30, 2024, and voted in support of the project.

The Gilchrist County School Board was presented with the agreement and indicated their support on May 21, 2024.

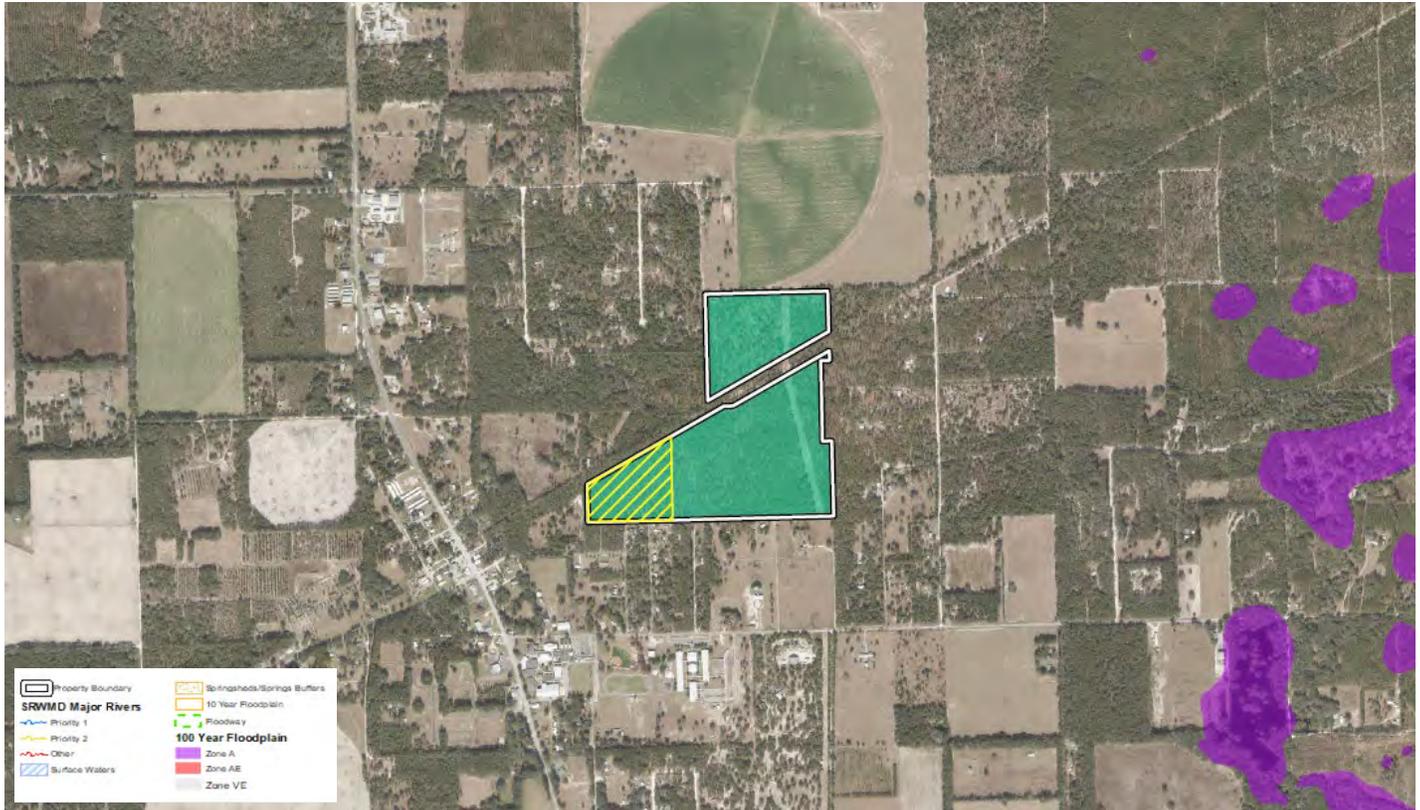
Copies of the summary and triage maps of the managed area are attached.

The Lands Committee unanimously approved the staff recommendation on July 9, 2024.

KCP/ao
Attachment
File#: 23/24-116



SUWANNEE TRIAGE ANALYSIS RESULTS



Property Name: Gilchrist Wellfield

Acreage: ± 105.7

Transaction Type: Lease

Date: 06/17/24

County: Gilchrist

SRWMD Florida Forever: No

Statewide Florida Forever: No

Surface Water Protection

Major River: (N)

Riverine Surface Waters: (N)

Springs Protection

Springshed: (N)

Flood Protection

Floodway: (N)

10 Year Floodplain: (N)

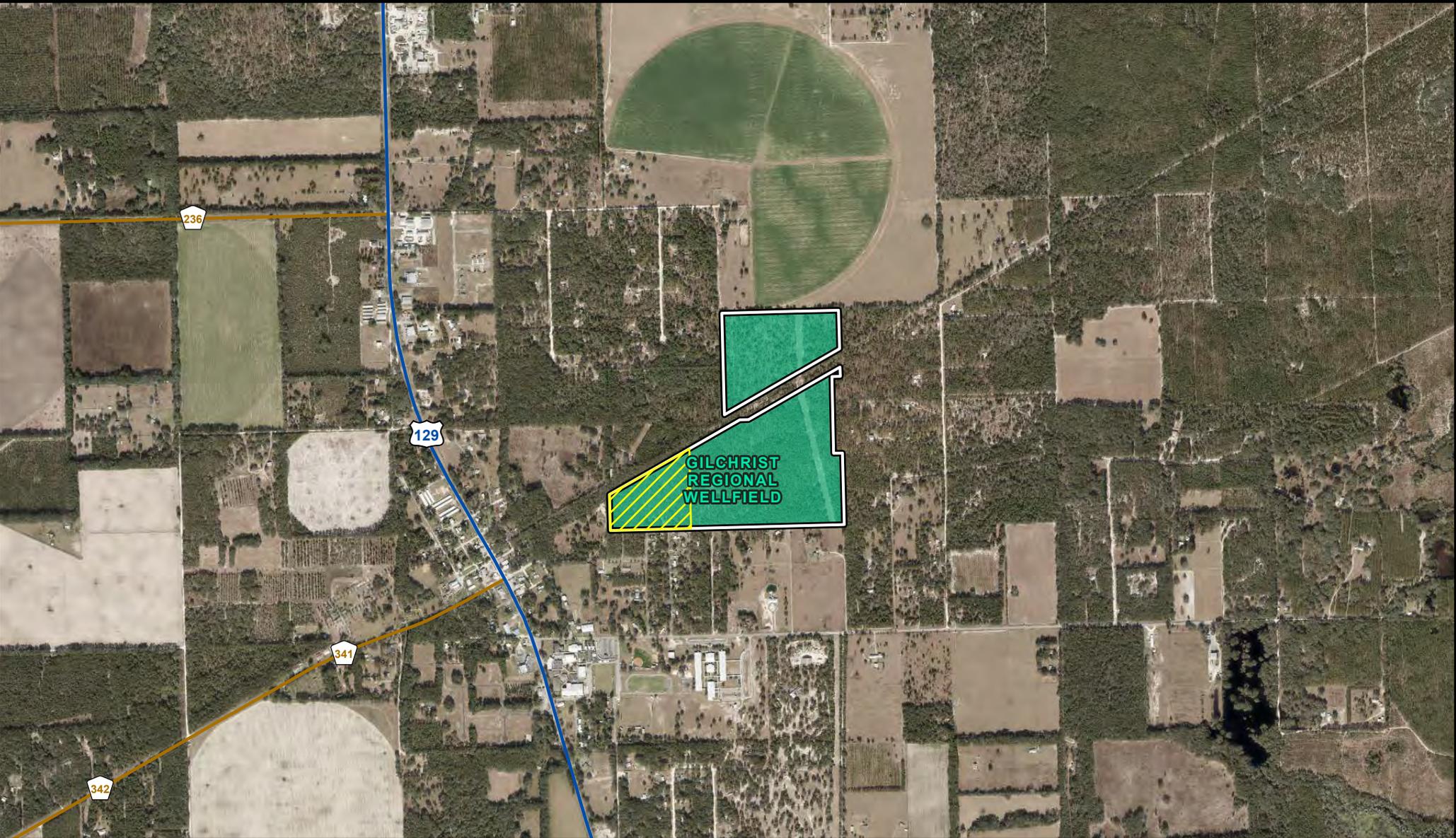
100 Year Floodplain: (N)

Miscellaneous

PFA: (N)

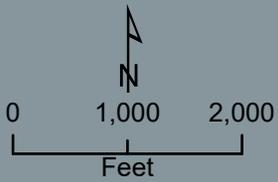
WSPA: (Y) [Eastern]

BMAP: (Y) [Suwannee]

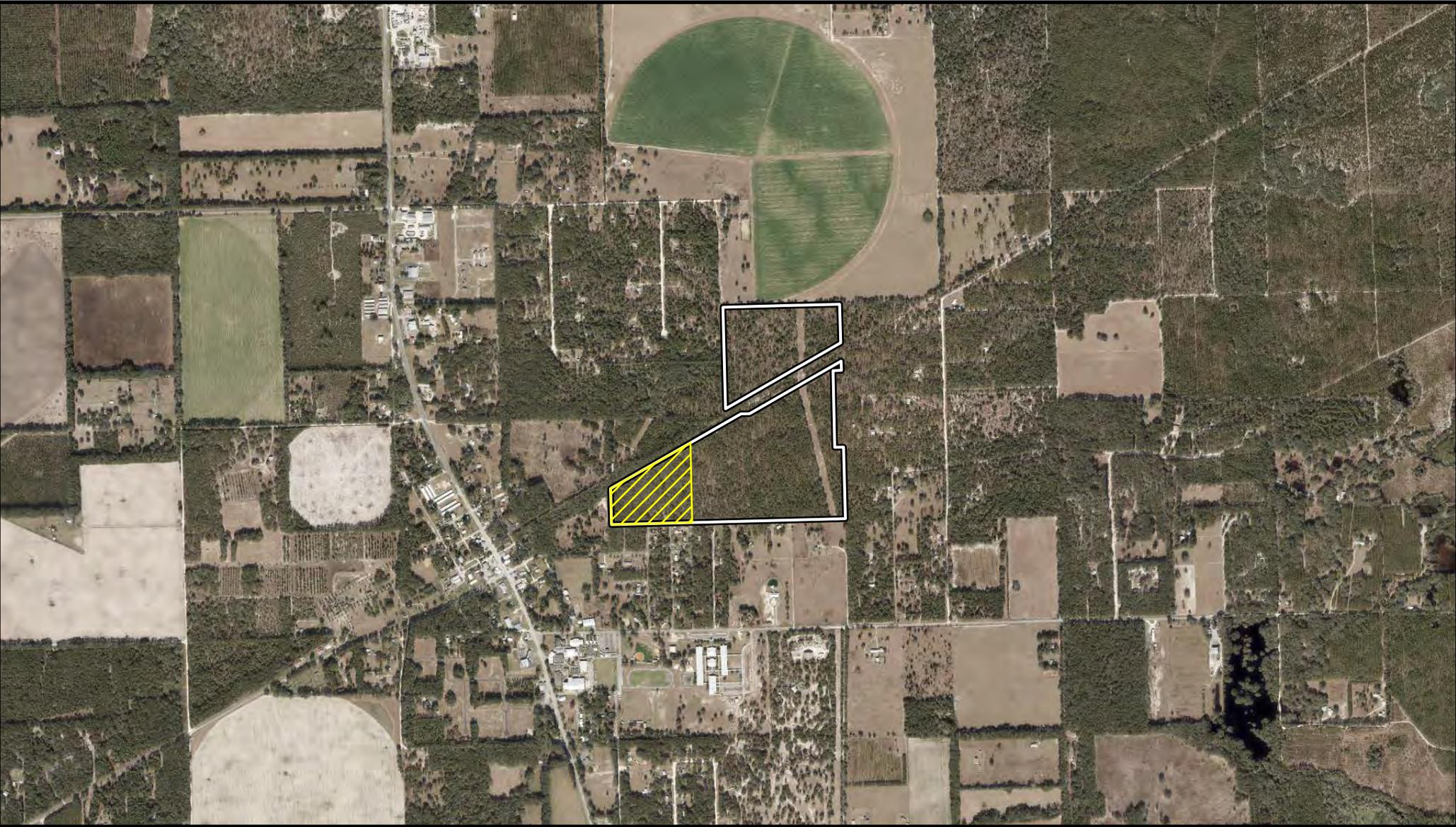


Gilchrist Wellfield
± 105.7 Ac
Gilchrist County

-  Property Boundary
-  Proposed Lease Area ± 16 ac
-  SRWMD Ownership/CE
-  Other Public Ownership

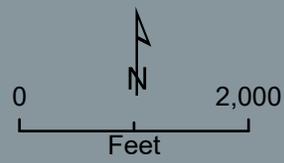
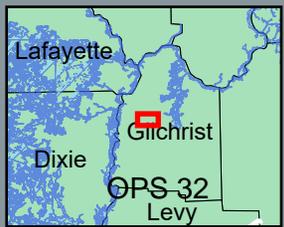


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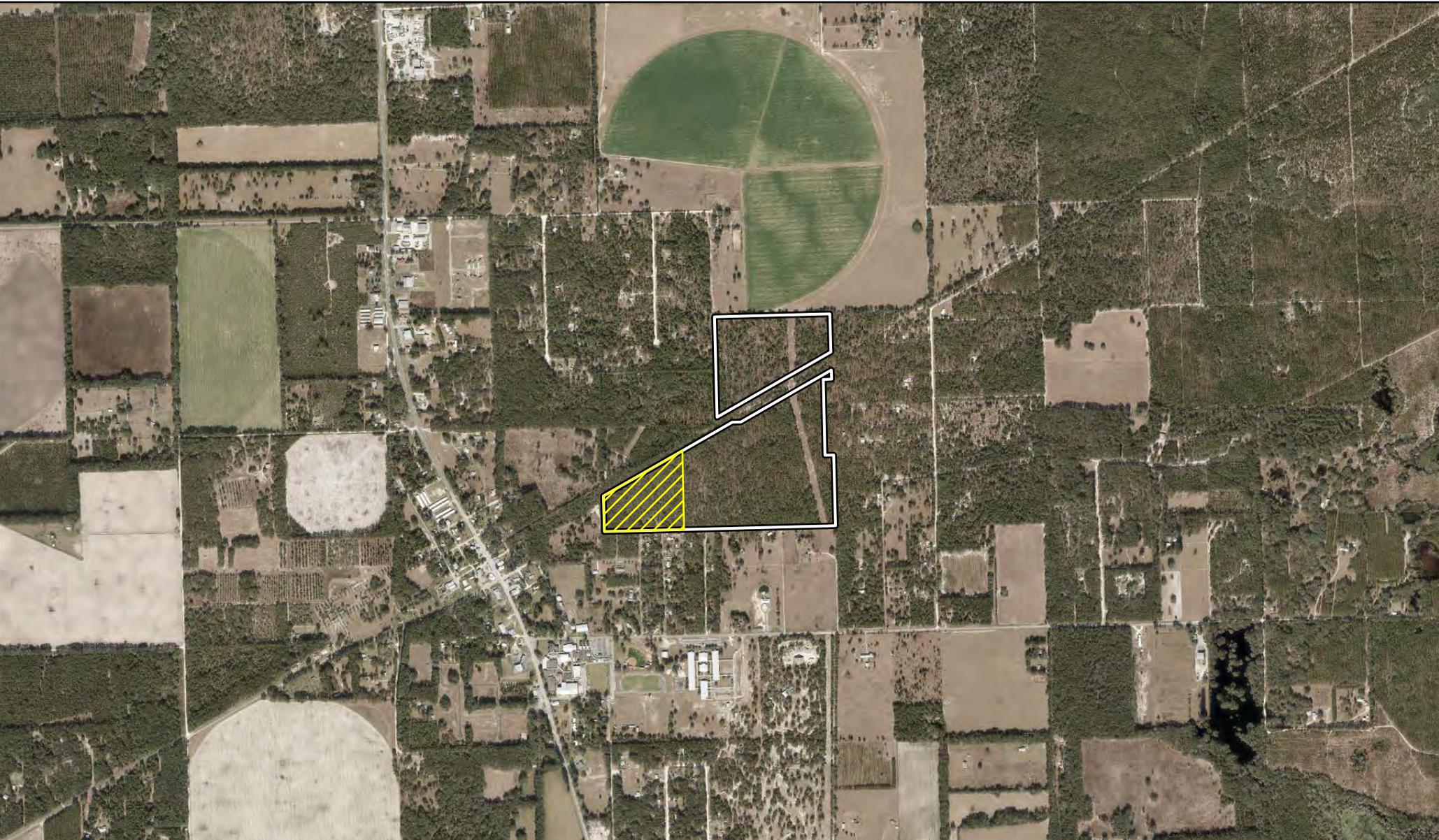


Gilchrist Wellfield Property Offer Surface Water Protection

-  Property Boundary
-  Proposed Lease Area ± 16 ac
-  Surface Waters (Riverine)
- SRWMD Major Rivers**
-  Priority 1
-  Priority 2
-  Other

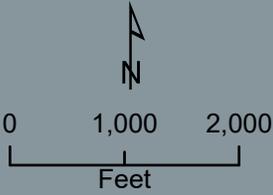
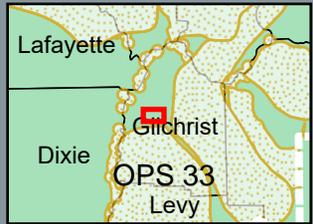


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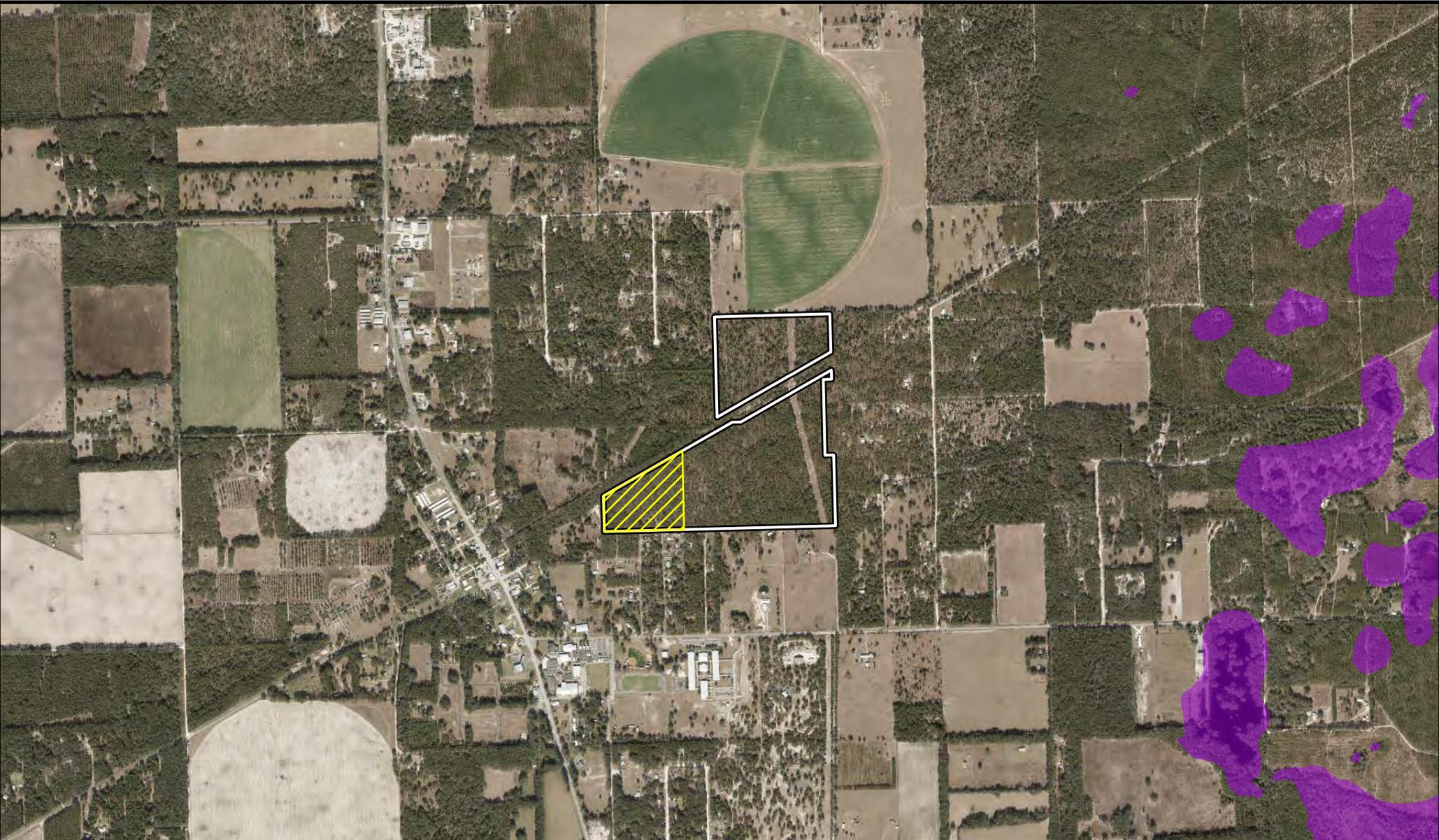


Gilchrist Wellfield Property Offer Springs Protection

-  Property Boundary
-  Proposed Lease Area ± 16 ac
-  Springs Protection
-  Springs

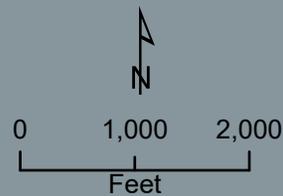
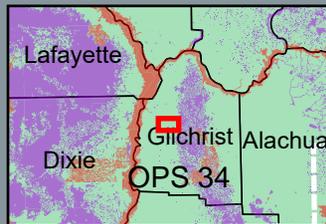


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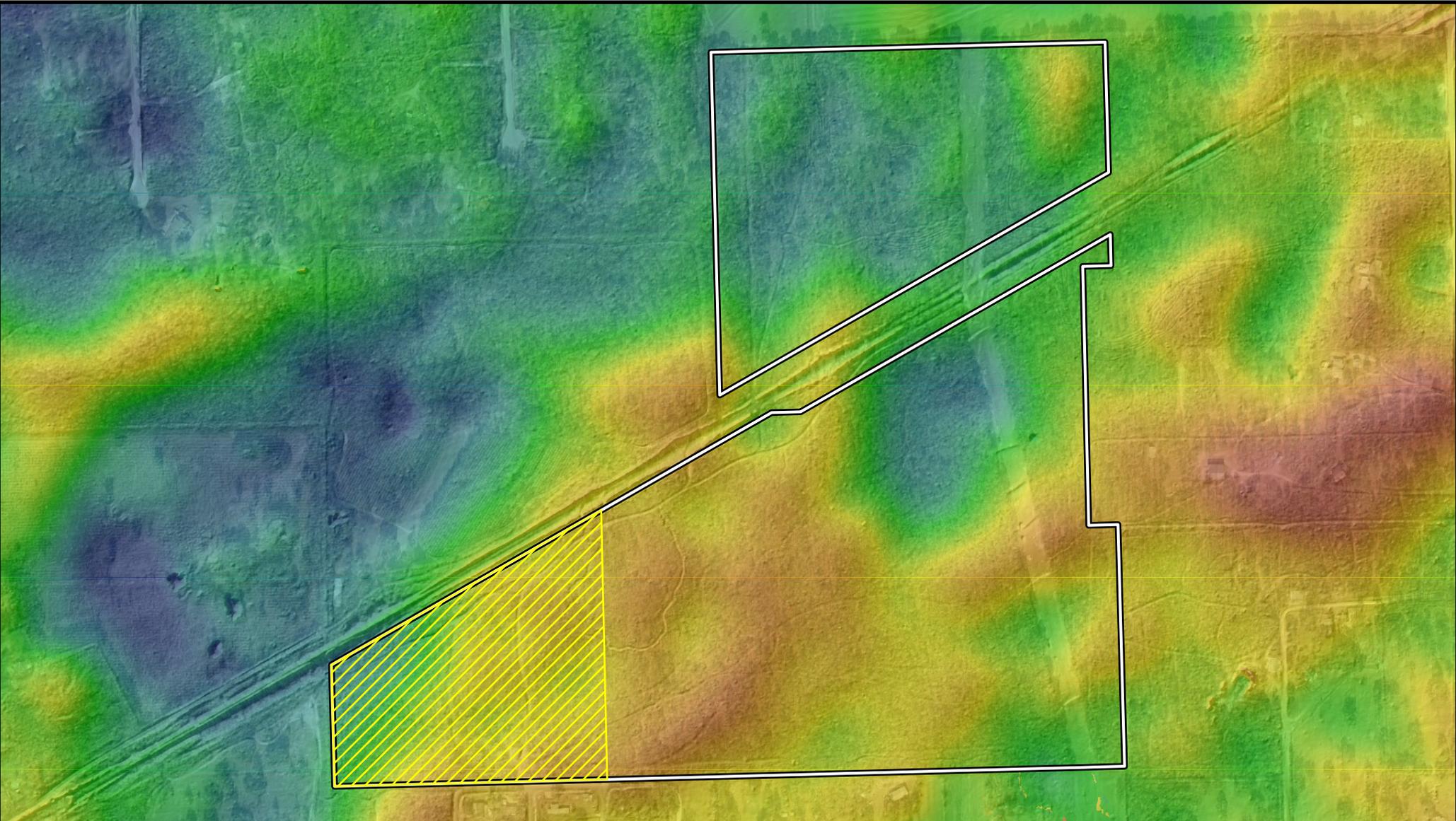


Gilchrist Wellfield Property Offer Floodplain Protection

-  Property Boundary
-  Proposed Lease Area ± 16 ac
-  10 Year Floodplain
-  Floodway
-  100 Year Floodplain
-  Zone A
-  Zone AE

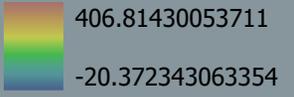


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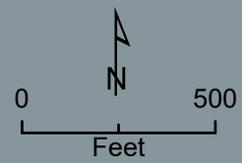
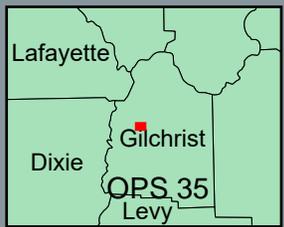


-  Property Boundary
-  Proposed Lease Area ± 16 ac

Bare Earth Elevation



**Gilchrist Wellfield
Property Offer
LIDAR**



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SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Katelyn Potter, Director, Division of Outreach and Operations

THRU: Hugh Thomas, Executive Director

DATE: July 10, 2024

RE: Leland Wright Conservation Easement Donation, 149 +/- Acres, Gilchrist County

RECOMMENDATION

Authorize a detailed assessment on 149 acres in Gilchrist County for the donation of a conservation easement by Leland Wright in Gilchrist County.

BACKGROUND

In May 2024, Leland Wright offered the District a conservation easement donation on 149 acres in Gilchrist County. The Wright's parcel is adjacent to the District's Shingle Landing Tract. The property contains of 82.94 acres in the floodway, 119.25 acres in the 10-year floodplain, 149 acres in the 100-year floodplain, 22 acres of surface water protection, is within the Fanning Manatee Priority Focus Area, and is within the Suwannee Basin Management Action Plan. Mr. Wright has agreed in principle, to the following terms which are consistent with the District's standard conservation language.

- Two home sites allowed
- Livestock, agricultural activities allowed in accordance with BMPs
- No hunting
- Silvicultural activities allowed in accordance with BMPs
- Existing fencing and roads allowed
- No additional and/or commercial development
- No division of title
- No land conversion
- Perpetual easement held by SRWMD

The donation was reviewed and approved by the District's Land Acquisition and Surplus Team on June 14, 2024. A site visit to the property was conducted on June 20, 2024. Staff observed a spring known as "Dinner Hole Spring," southern fox squirrels, white-tailed deer, turkey, alligator, and gopher tortoises.

Pending the Lands Committee's approval, staff will conduct an environmental assessment and title search. If the environmental audit and title search show no hazards or clouds on the title, a survey of the excluded areas and baseline documentation report will be conducted for future easement monitoring.

The Lands Committee unanimously approved the staff recommendation on July 9, 2024.

Copies of the triage map and summary maps are attached.

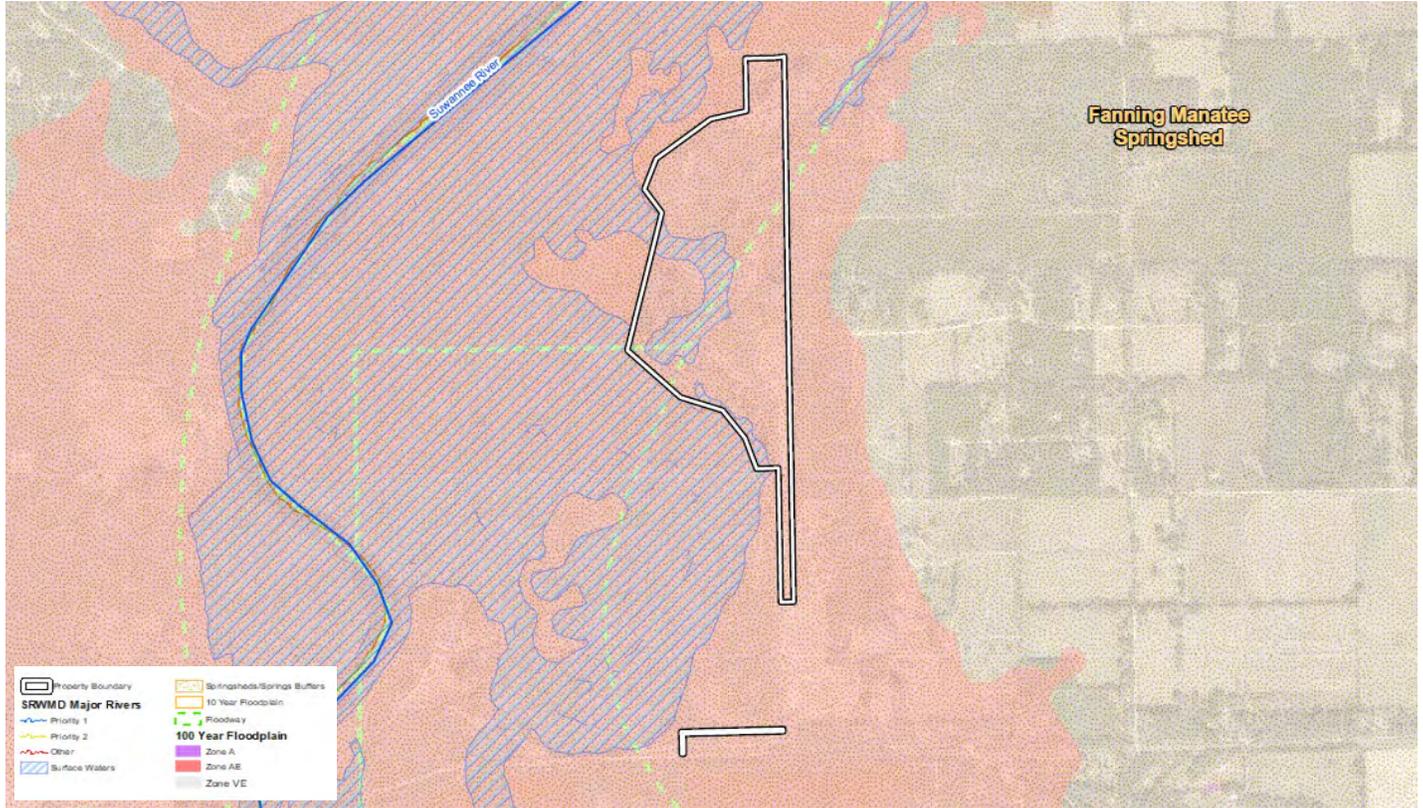
KCP/ao
Attachments
File No.: 2024-006

Leland Wright Conservation Easement, 149 +/- Acres, Gilchrist County





SUWANNEE TRIAGE ANALYSIS RESULTS



Property Name: L Wright Shingle Landing

Acreage: ± 149

Transaction Type: Donation

Date: 05/30/24

County: Gilchrist

SRWMD Florida Forever: Yes

Statewide Florida Forever: No

Surface Water Protection

Major River: (N)

Riverine Surface Waters: (Y) [± 22 ac]

Flood Protection

Floodway: (Y) [± 82.94]

10 Year Floodplain: (Y) [± 119.25 ac]

100 Year Floodplain: (Y) [± 149 ac]

Springs Protection

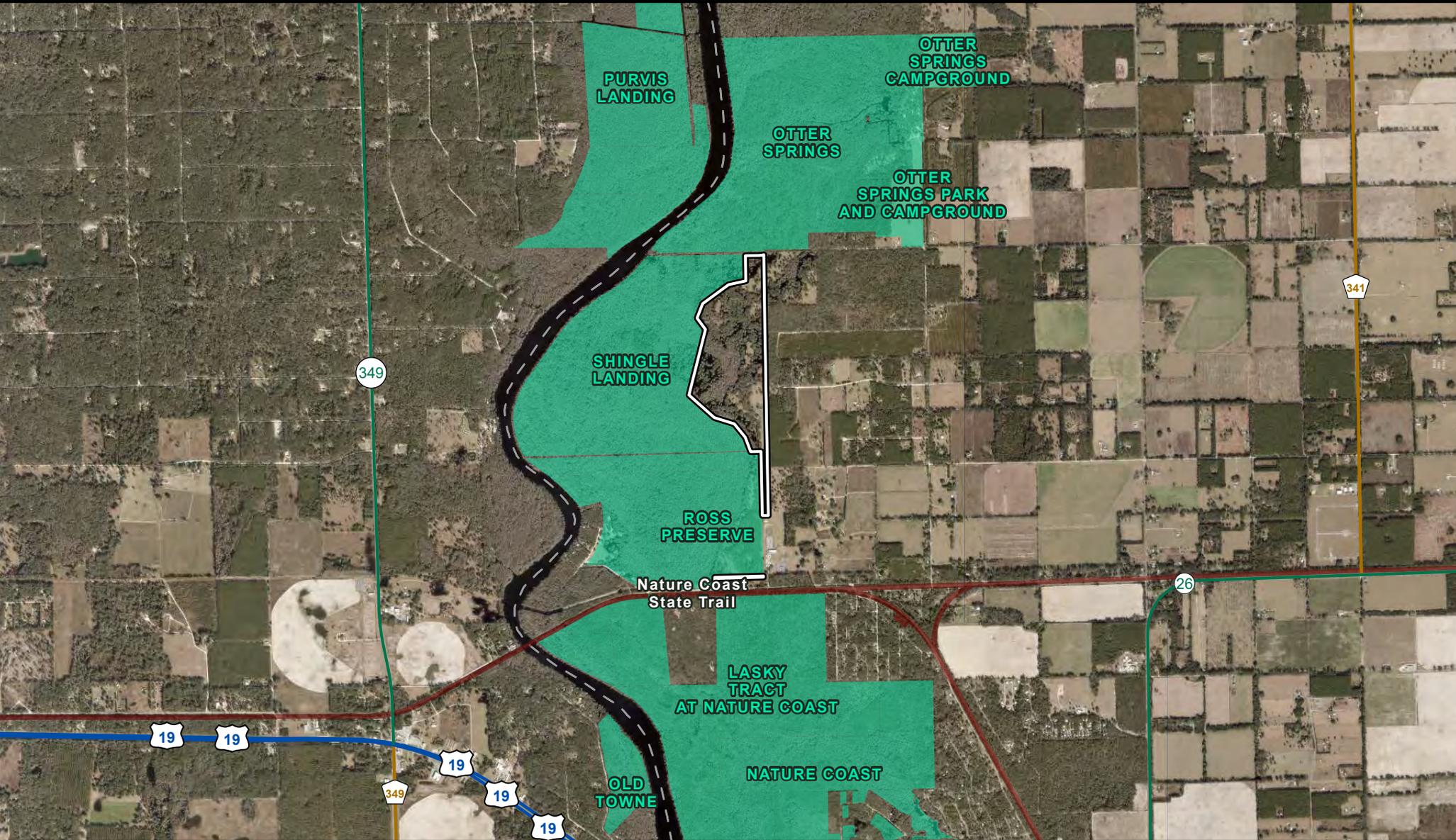
Springshed: (Y) [Fanning Springshed]

Miscellaneous

PFA: (Y) [Fanning Manatee]

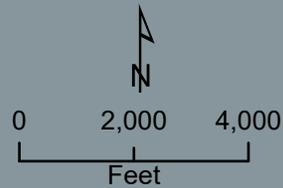
WSPA: (Y) [Eastern]

BMAP: (Y) [Suwannee]

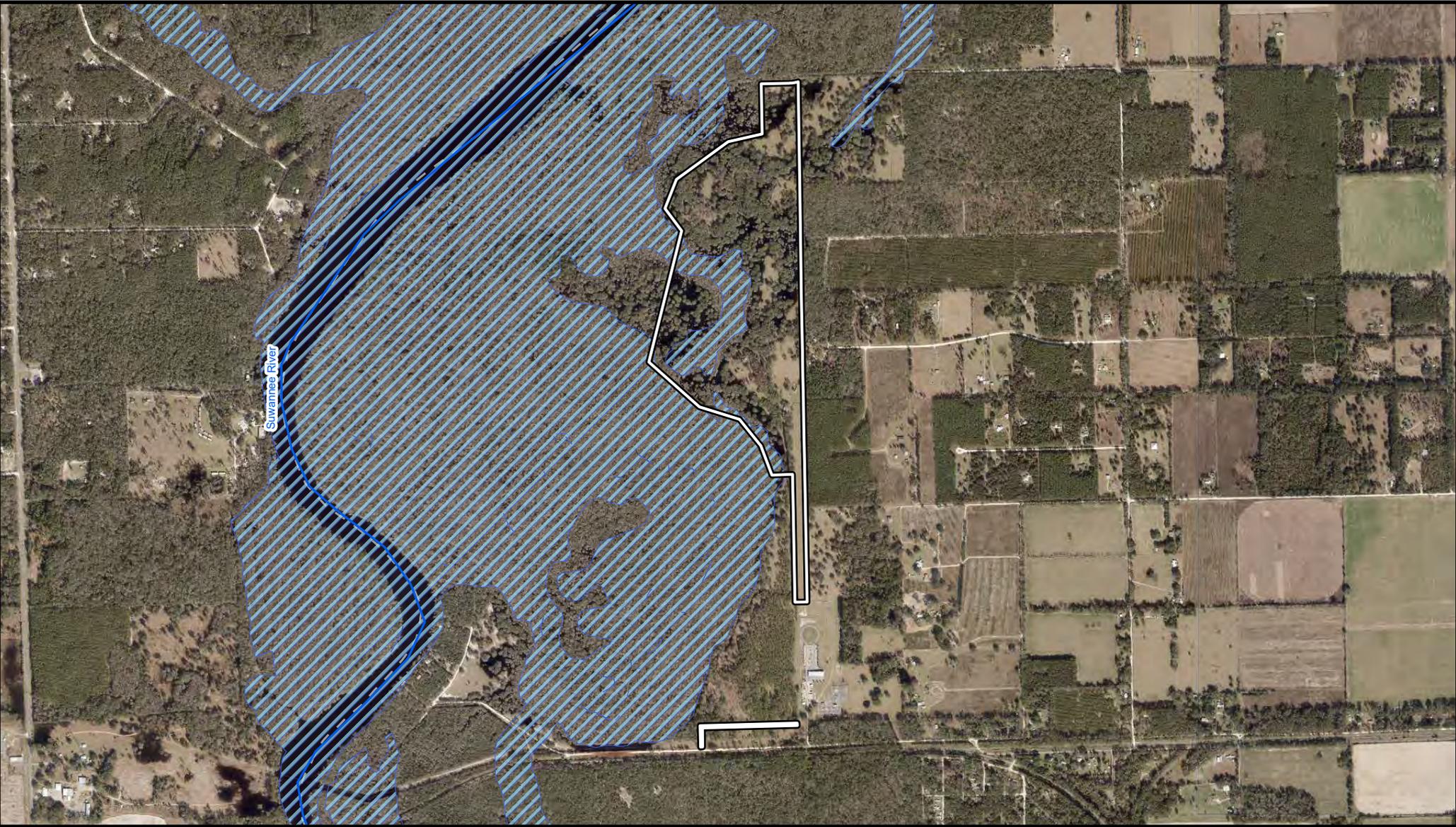


**L Wright Shingle Landing
± 149 Ac
Gilchrist County**

-  Property Boundary
-  SRWMD Ownership/CE
-  Other Public Ownership

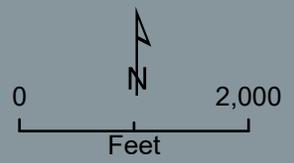
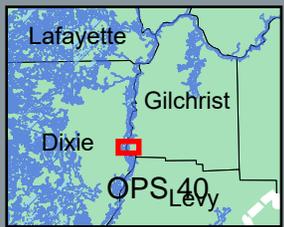


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L Wright Shingle Landing Property Offer Surface Water Protection

-  Property Boundary
-  Surface Waters (Riverine)
- SRWMD Major Rivers**
-  Priority 1
-  Priority 2
-  Other

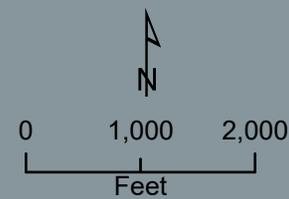


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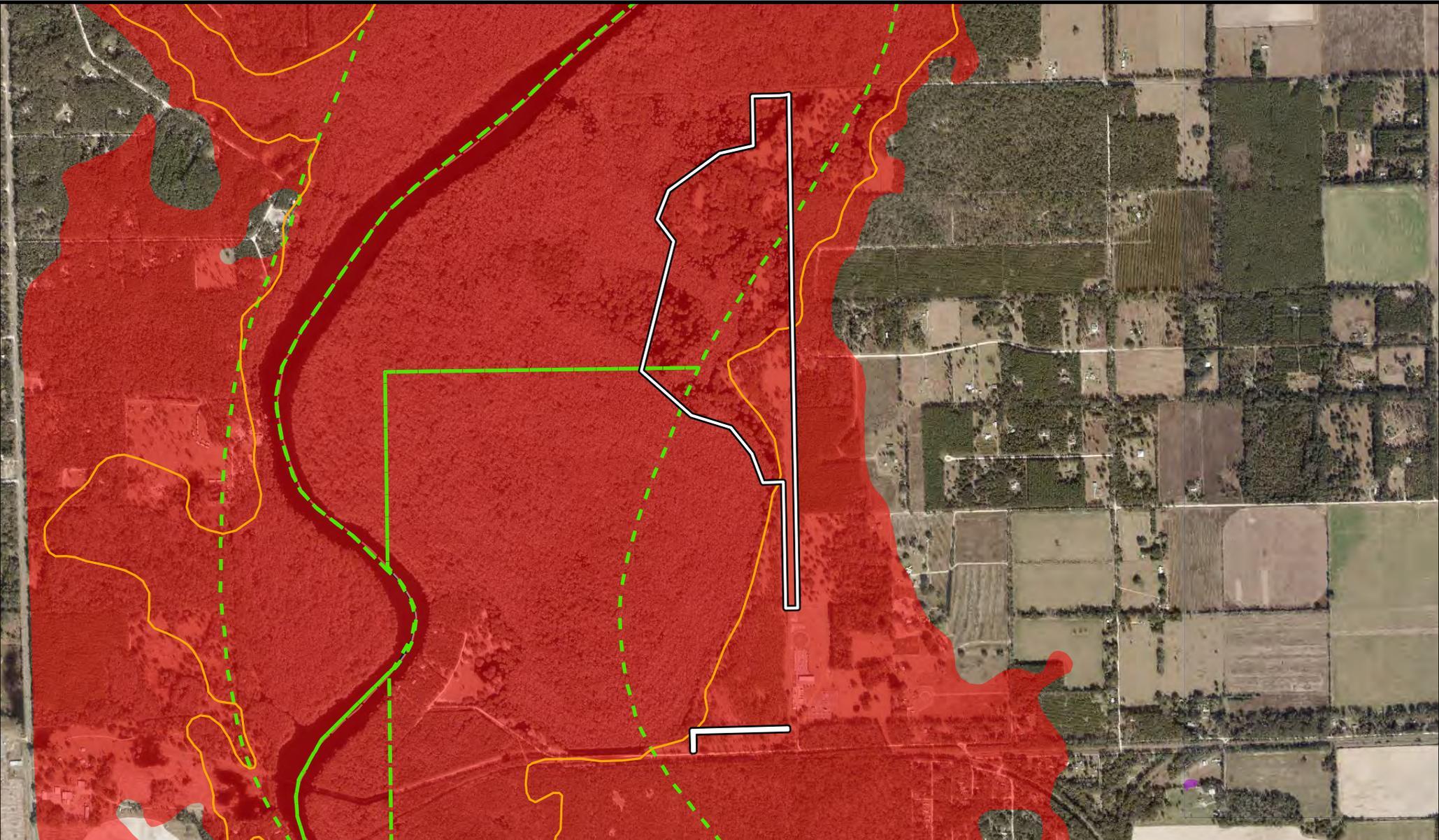
**Fanning Manatee
Springshed**

**L Wright Shingle Landing
Property Offer
Springs Protection**

-  Property Boundary
-  Springs Protection
-  Springs

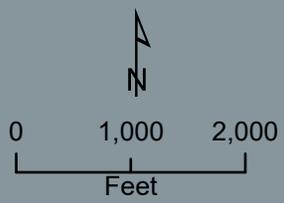
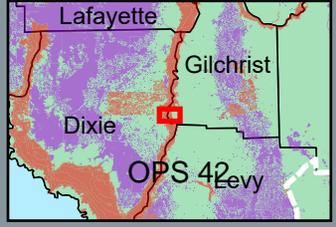


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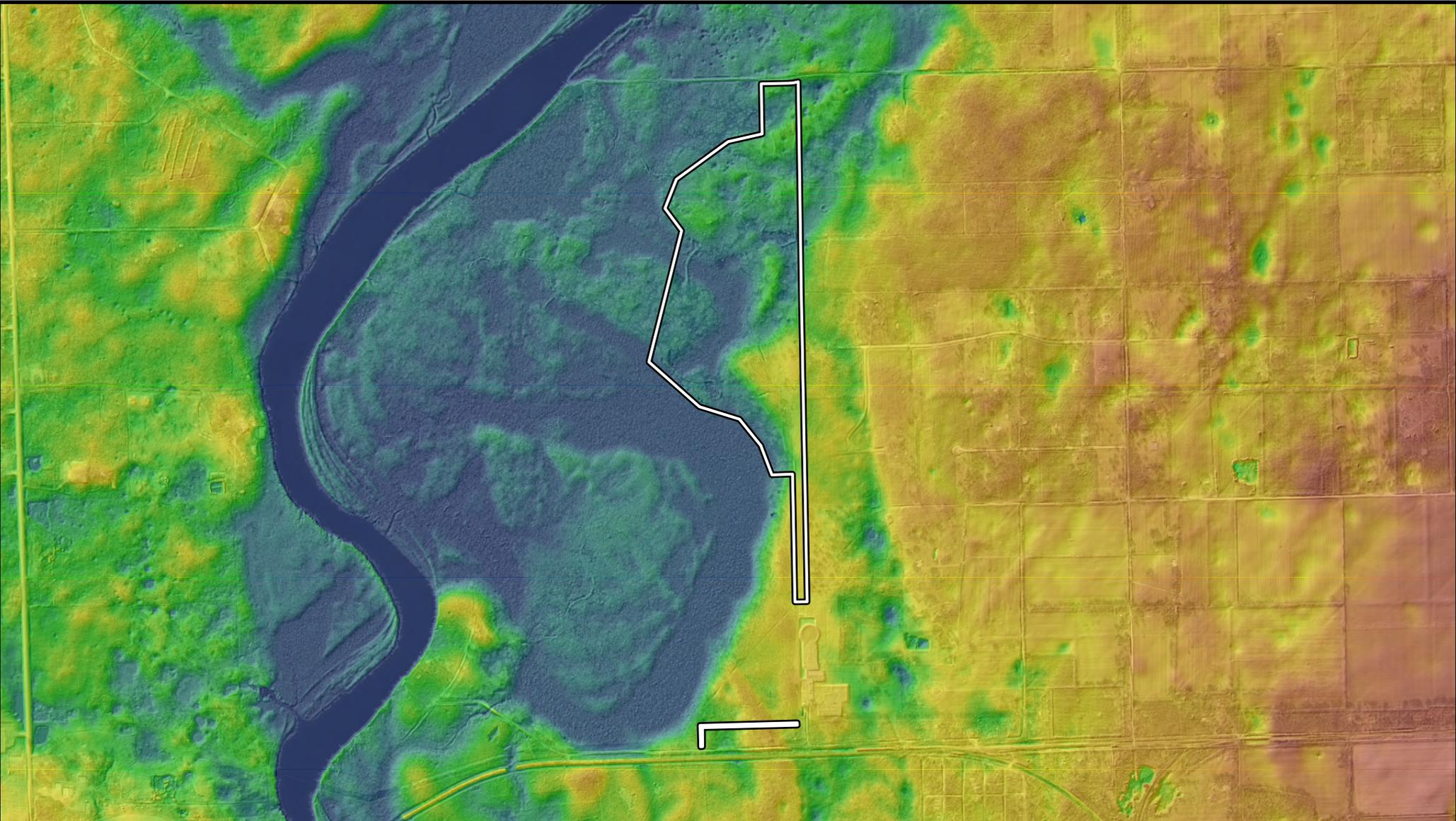


L Wright Shingle Landing Property Offer Floodplain Protection

-  Property Boundary
-  10 Year Floodplain
-  Floodway
-  100 Year Floodplain
-  Zone A
-  Zone AE



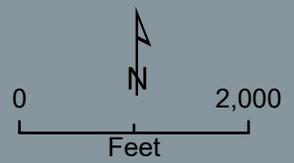
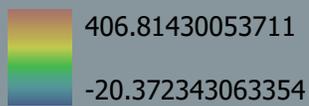
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L Wright Shingle Landing Property Offer LIDAR

 Property Boundary

Bare Earth Elevation



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SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Katelyn Potter, Director, Division of Outreach and Operations

THRU: Hugh Thomas, Executive Director

DATE: July 9, 2024

RE: Florida Department of Transportation Temporary Construction Easement, Britt Creek Bridge, Lafayette County

RECOMMENDATION

Grant a temporary construction easement over 1,319 square feet +/- on District-owned land located in Lafayette County for the Britt Creek Bridge replacement, without compensation.

BACKGROUND

In May 2024, staff received a letter, proposed easement, and surveys from the Florida Department of Transportation (FDOT) requesting that the District grant a temporary construction easement over 1,319 square feet +/- of District-owned lands for the reconstruction of Britt Creek Bridge. The land involved is a portion of the District's Steinhatchee Springs Tract.

The temporary construction easement is needed for the placement of heavy equipment and a temporary bridge during FDOT's Britt Creek Bridge replacement project.

Staff reviewed the proposal and is recommending the District grant the easement, without compensation, assuring the agreement provides protections for the restoration of the easement area upon termination. The beginning date of the project and the termination date of the easement are currently undetermined.

Based upon prior performance of FDOT in a similar arrangement, staff is confident District land will not be permanently altered or damaged by the proposed action.

The Lands Committee unanimously approved the staff recommendation on July 9, 2024.

Copies of the FDOT Notice to Owner and surveys provided by FDOT are attached.

KCP/ao
Attachments
File #008-00591



Florida Department of Transportation

RON DESANTIS
GOVERNOR

1109 South Marion Street- MS 2020
Lake City, Florida 32025

JARED W. PERDUE, P.E.
SECRETARY

NOTICE TO OWNER

May 13, 2024

Suwannee River Water Management District, a Florida
water management district created pursuant to
Section 373.069, Florida Statutes
9225 CR 49
Live Oak, FL 32060

ITEM/SEGMENT #:	4451481
MANAGING DISTRICT:	2
F.A.P. #:	D222 061 B
STATE ROAD #:	51
COUNTY:	Lafayette
PARCEL #:	701

Dear Property Owner,

The Florida Department of Transportation is planning the following improvement of the above referenced transportation facility:

Bridge Replacement

Our research shows you own property needed for this project. This letter, along with the enclosed pamphlet entitled **Acquisition Process**, explains your rights and options and the process we must follow by law in acquiring your property. The following enclosed documents identify the property that is needed:

parcel Information Sheet - Parcel 701 (Temporary Construction Easement)

We recognize that a proposed transportation project, particularly one which requires the acquisition of private property, will usually result in many questions and concerns. Please be assured you will have sufficient time to have your questions answered, to consider and understand your rights, options and responsibilities, and make all necessary arrangements. Throughout this process, we will do our best to ensure your questions are answered, that you are treated fairly and receive all of the rights you are guaranteed by law, and that you receive a fair price for your property.

Under Federal and State law, you are entitled to certain rights and protections when the State must acquire real estate from you. The following is a summary of your rights:

- You may obtain copies of the Department's appraisal, right of way maps and construction plans.
- We will make a written offer to you to purchase your property and will negotiate with you, in good faith, to reach a mutually acceptable purchase price.
- If we cannot agree on a purchase price, we will not file a condemnation lawsuit until at least 30 days after you receive our initial written offer.
- You will receive no less than full compensation for the property acquired. Full compensation includes, the value of the real estate acquired together with damages, if any, to your remaining property.
- You may be eligible for relocation assistance benefits if you are required to move or move personal possessions from the property we acquire.
- You may receive reimbursement for reasonable attorney fees and other reasonable costs you incur for appraisal and other services associated with the Department's acquisition.

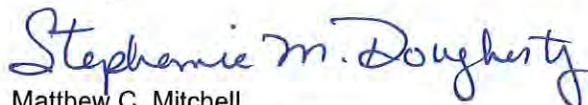
Your rights and options are more fully explained in the enclosed pamphlet entitled **Acquisition Process**. We encourage you to read this pamphlet carefully and contact us if you have any questions.

We want to negotiate with you for the purchase of your property. If you have questions about any aspect of our acquisition process or if you have information that would help us to determine a fair value for your property or help us provide service to you, please let us know. Regardless of whether or not we reach an agreement on the purchase of your property, we will do our best to be sensitive and responsive to your needs.

If you experience any problems, please do not hesitate to contact:

Florida Department of Transportation
Attn: Stephanie M. Dougherty
1109 South Marion Avenue - MS 2020
Lake City, FL 32025-5874
(800) 749-2967

Sincerely,



Matthew C. Mitchell
District Right of Way Manager
By: Stephanie M. Dougherty
Acquisition Administrator

Enclosures:

Legal Description (and/or right of way map)
Acquisition Process Pamphlet

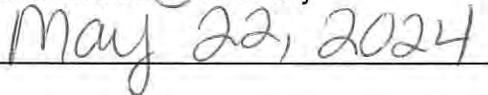
CC: Records Management

Received by: _____



Certified Mail Number: Hand Delivery

Date: _____



Part "B"

A Part Of Section 27, Township 7 South, Range 10 East, Lafayette County, Florida, Being More Particularly Described As Follows:

Commence At The Northeast Corner Of The Southwest One-Quarter Of Section 27, Township 7 South, Range 10 East, Lafayette County, Florida; Thence South 88°15'02" West, Along The North Line Of Said Southwest One-Quarter, A Distance Of 104.64 Feet To The Baseline Of Survey Of State Road 51 (A 100' Width Right Of Way As Per Florida Department Of Transportation Right Of Way Map, Section No. 33040, F.P. No. 4451481); Thence North 08°46'37" East, Along The Baseline Of Survey Of Said State Road 51, A Distance Of 125.54 Feet; Thence North 81°13'23" West, A Distance Of 50.00 Feet To The Westerly Right Of Way Line Of Said State Road 51 And To The **Point Of Beginning**; Thence South 08°46'37" West, A Distance Of 194.92 Feet To The Intersection With The Northerly Ordinary High Water Line Of Britt Creek; Thence North 55°49'45" West Along The Northerly Ordinary High Water Line Of Said Britt Creek, A Distance Of 10.55 Feet; Thence North 08°46'37" East, A Distance Of 27.29 Feet To A Curve To The Right, Having A Radius Of 1400.00 Feet; Thence Along Said Curve, Through An Angle Of 06°41'26", An Arc Distance Of 163.48 Feet And A Chord Bearing And Distance Of North 12°07'20" East, 163.39 Feet To The **Point Of Beginning**.

Containing 1319 Square Feet, More Or Less.

THIS EASEMENT shall be for a period of eighty-four (84) months commencing on the date the State of Florida Department of Transportation becomes the owner of this easement.

Parcel Description Verified By: *Michelle Vaughn*

Date: 05/09/2024

Title Information
INFORMATION CONTAINED BELOW TO BE VERIFIED BY
RIGHT OF WAY ACQUISITION AGENT

Based upon a title search through 00/00/0000
Updated through 00/00/0000

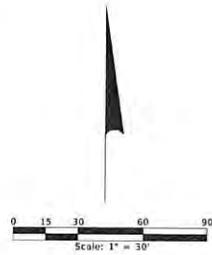
Homestead Property: Yes No

Marital Status: Married Single Separated Other _____

Owned By: (08-TE.02) Suwannee River Water Management District, a Florida water management district created pursuant to Section 373.069, Florida Statutes

Grantor's Mailing Address: _____

SUBORDINATE INTEREST: N/A



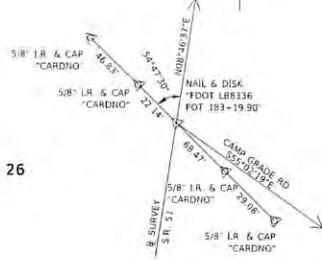
NW 1/4
SEC. 27

NE 1/4
SEC. 27

CURVE C2
A = 06°41'26" (RT)
L = 163.48'
R = 1400.00'
C.D. = 163.39'
C.B. = N12°07'20"E

STATE ROAD NO. 51
STA. 183+19.90
= CAMP GRADE ROAD /
S.E. WOLF RD. (F)
STA. 10+00.00
NAIL & DISK STAMPED
FOOT LB8336
P.O.T. 183+19.90'

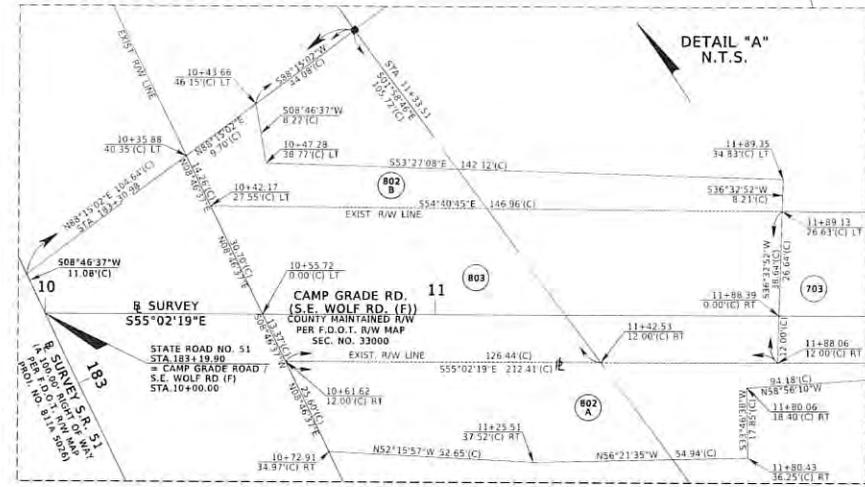
B REFERENCES
S.R. 51
P.I. STA 183+19.90 /
B REFERENCES
CAMP GRADE RD
P.I. STA 10+00.00
N.T.S.



CURVE C1
A = 06°41'26" (RT)
L = 163.48'
R = 1400.00'
C.D. = 163.39'
C.B. = N05°25'54"E

SW 1/4
SEC. 27

SE 1/4
SEC. 27



RIGHT OF WAY MAP	FLORIDA DEPARTMENT OF TRANSPORTATION SURVEYING AND MAPPING	APPROVED BY	DATE	BY	DATE	FED. PROJ. D222-061-B	SECTION 33040	MAPS PREPARED BY 72 UTILITY ENGINEERS, JR #336 159 SW SPENCER COURT, SUITE 106 LAKE CITY, FLORIDA 32006	DATA SOURCE DAD 834802 159 SW SPENCER COURT, SUITE 106 LAKE CITY, FLORIDA 32006
		FOR DISTRICT SECRETARY	REVISION	BY	DATE				
			11-01-2023	BY	DATE	STATE ROAD NO. 51	LAFAYETTE COUNTY	F.P. NO. 4451481	SHEET 3 OF 5

PRELIMINARY
Subject To Change

DETAIL SHEET
THIS MAP IS NOT A SURVEY
SEE SHEET ONE FOR GENERAL NOTES AND LEGEND
STATE ROAD 51 OVER BRITT CREEK,
BRIDGE NO. 330014

OPS 49

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Katelyn Potter, Director, Division of Outreach and Operations

THRU: Hugh Thomas, Executive Director

DATE: July 9, 2024

RE: Florida Department of Transportation, Temporary Construction Easement, Camp Grade Road Tract, Lafayette County

RECOMMENDATION

Grant a temporary construction easement over 1.049 acres +/- on District-owned land located in Lafayette County for Camp Grade Road improvements associated with the Camp Grade Road Bridge replacement, without compensation.

BACKGROUND

In June 2024, staff received a letter, proposed easement, and surveys from the Florida Department of Transportation (FDOT) requesting that the District grant a temporary construction easement over 1.049 acres +/- of District-owned lands in Lafayette County. The land involved is a portion of the District's Steinhatchee Springs Tract.

The temporary construction easement is needed to provide a detour route from Camp Grade Road (also known as SE Wolf Road) to LA Bennett Road (not owned by the District), bypassing the Camp Grade Road Bridge. The detour will encompass 1.049 acres +/- of the adjacent District property on Steinhatchee Springs Tract. Both roads already exist and are open to the public, however the bridge replacement will route additional traffic to Camp Grade Road, where the District owns property on either side. The temporary construction easement is an administrative procedure by FDOT relative to the increased traffic on the existing roads. No alterations to our property are planned.

Staff reviewed the proposal and is recommending the District grant the easement, without compensation, assuring the agreement provides protections for the restoration of the easement area upon termination. The beginning date of the project and the termination date of the easement are currently undetermined.

Based upon prior performance of FDOT in a similar arrangement, staff is confident District land will not be permanently altered or damaged by the proposed action.

The Lands Committee unanimously approved the staff recommendation on July 9, 2024.

Copies of the FDOT Notice to Owner and surveys provided by FDOT are attached.

KCP/ao
Attachments
File #008-00592



Florida Department of Transportation

RON DESANTIS
GOVERNOR

1109 South Marion Street- MS 2020
Lake City, Florida 32025

JARED W. PERDUE, P.E.
SECRETARY

NOTICE TO OWNER

June 18, 2024

SUWANNEE RIVER WATER MANAGEMENT DISTRICT, a public body existing under Chapter 373 of the Florida Statutes
9225 CR 49
Live Oak, FL 32060

ITEM/SEGMENT #:	4374261
MANAGING DISTRICT:	2
F.A.P. #:	D218 041 B
STATE ROAD #:	Camp Grade Rd.
COUNTY:	Lafayette
PARCEL #:	717

Dear Property Owner(s),

The Florida Department of Transportation is planning the following improvement of the above referenced transportation facility:

Bridge replacement of the Camp Grade (SE Wolf) Road bridge over the Steinhatchee River.

Our research shows you own property needed for this project. This letter, along with the enclosed pamphlet entitled **Acquisition Process**, explains your rights and options and the process we must follow by law in acquiring your property. The following enclosed documents identify the property that is needed:

Parcel information Sheet - Parcel 717 (Temporary Construction Easement)

We recognize that a proposed transportation project, particularly one which requires the acquisition of private property, will usually result in many questions and concerns. Please be assured you will have sufficient time to have your questions answered, to consider and understand your rights, options and responsibilities, and make all necessary arrangements. Throughout this process, we will do our best to ensure your questions are answered, that you are treated fairly and receive all of the rights you are guaranteed by law, and that you receive a fair price for your property.

Under Federal and State law, you are entitled to certain rights and protections when the State must acquire real estate from you. The following is a summary of your rights:

- You may obtain copies of the Department's appraisal, right of way maps and construction plans.
- We will make a written offer to you to purchase your property and will negotiate with you, in good faith, to reach a mutually acceptable purchase price.
- If we cannot agree on a purchase price, we will not file a condemnation lawsuit until at least 30 days after you receive our initial written offer.
- You will receive no less than full compensation for the property acquired. Full compensation includes, the value of the real estate acquired together with damages, if any, to your remaining property.
- You may be eligible for relocation assistance benefits if you are required to move or move personal possessions from the property we acquire.
- You may receive reimbursement for reasonable attorney fees and other reasonable costs you incur for appraisal and other services associated with the Department's acquisition.

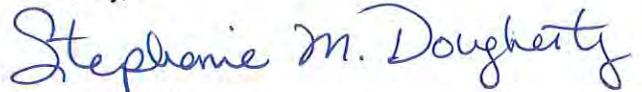
Your rights and options are more fully explained in the enclosed pamphlet entitled **Acquisition Process**. We encourage you to read this pamphlet carefully and contact us if you have any questions.

We want to negotiate with you for the purchase of your property. If you have questions about any aspect of our acquisition process or if you have information that would help us to determine a fair value for your property or help us provide service to you, please let us know. Regardless of whether or not we reach an agreement on the purchase of your property, we will do our best to be sensitive and responsive to your needs.

If you experience any problems, please do not hesitate to contact:

Florida Department of Transportation
Attn: Stephanie M. Dougherty
1109 South Marion Avenue - MS 2020
Lake City, FL 32025-5874
(800) 749-2967

Sincerely,



Matthew C. Mitchell
District Right of Way Manager
By: Stephanie M. Dougherty
Acquisition Administrator

Enclosures:

Legal Description (and/or right of way map)
Acquisition Process Pamphlet
CC: Records Management

Received by: _____

Certified Mail Number: Hand Delivery

Date: _____

LEGEND

S. = AND	NO. = NUMBER
(C) = CALCULATED	N.F.S. = NOT TO SCALE
E. = EAST	P.O.B. = POINT OF BEGINNING
EXIST. = EXISTING	P.O.C. = POINT OF COMMENCEMENT
(F) = FIELD	PROJ. = PROJECT
F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION	RD. = ROAD
FED. = FEDERAL	RGE. = RANGE
F.P. = FINANCIAL PROJECT	RT. = RIGHT
F.R.L.T. = FOUR RIVERS LAND AND TIMBER	R/W. = RIGHT OF WAY
INC. = INCORPORATED	S. = SOUTH
LT. = LEFT	SEC. = SECTION
LS. = LAND SURVEYOR	S.R. = STATE ROAD
MAINT. = MAINTAINED	T. = TANGENT
N. = NORTH	TWP. = TOWNSHIP
NAD. = NORTH AMERICAN DATUM	W. = WEST
NIA. = NOT APPLICABLE	

GENERAL NOTES

1. THIS SKETCH OF DESCRIPTION DEPICTS A PROPOSED INGRESS / EGRESS EASEMENT AND IS NOT A FIELD SURVEY.
2. THE COORDINATES, BEARINGS, AND DIMENSIONS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD 83 (2011 ADJUSTMENT) AND ARE DISPLAYED IN ENGLISH UNITS AND U.S. SURVEY FEET, DERIVING A BEARING $588^{\circ}42'18''$ W ALONG THE NORTH LINE OF SECTION 34, TOWNSHIP 7 SOUTH, RANGE 10 EAST.
3. THIS SKETCH OF DESCRIPTION IS BASED ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 33000, AND F.D.O.T. OPENROADS DATABASE 334001.

INDEX

SHEET No.	SHEET DESCRIPTION
1	COVER SHEET LEGAL DESCRIPTION & SURVEYOR'S CERTIFICATION
2	DETAIL SHEET



(VICINITY MAP)
N.T.S.

COVER SHEET

THIS MAP IS NOT A SURVEY
PARCEL 717A, 717B AND 717C SKETCH AND DESCRIPTION

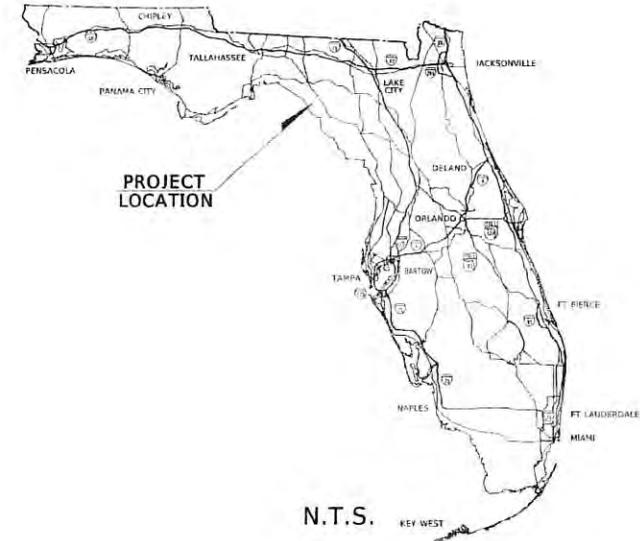
STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

SKETCH AND DESCRIPTION

SECTION NO. 33000
FINANCIAL PROJECT NO. 4374261

LAFAYETTE COUNTY
CAMP GRADE ROAD &
S.E. LA BENNET ROAD
PARCEL 717

SKETCH AND DESCRIPTION



F.P. NO. 4374261 S.E. LA BENNET ROAD LAFAYETTE COUNTY
Description

PARCEL NUMBER 717 INGRESS / EGRESS EASEMENT
A Strip Of Land 18.00 Feet In Width, Parallel And Offset Lying 9.00 Feet More Or Less On Each Side Of The Following Described Centerline In Section 34, Township 7 South, Range 10 East, Lafayette County, Florida, Being More Particularly Described As Follows:

Commence At The Northeast Corner Of Said Section 34, Township 7 South, Range 10 East, Lafayette County, Florida, Thence South $88^{\circ}42'18''$ West Along The North Line Of Said Section 34 A Distance Of 1441.46 Feet To The Point Of Beginning Thence South $09^{\circ}24'46''$ East A Distance Of 66.03 Feet, Thence South $04^{\circ}09'24''$ East A Distance Of 177.21 Feet, Thence South $10^{\circ}17'52''$ East A Distance Of 93.12 Feet, Thence South $20^{\circ}23'09''$ East A Distance Of 397.77 Feet, Thence South $34^{\circ}25'21''$ East A Distance Of 178.16 Feet, Thence South $36^{\circ}21'07''$ East A Distance Of 367.35 Feet, Thence South $22^{\circ}33'14''$ East A Distance Of 41.43 Feet, Thence South $12^{\circ}59'44''$ East A Distance Of 137.81 Feet, Thence South $02^{\circ}09'15''$ West A Distance Of 69.36 Feet, Thence South $04^{\circ}45'43''$ West A Distance Of 157.20 Feet, South $06^{\circ}57'05''$ West A Distance Of 204.58 Feet, Thence South $00^{\circ}24'31''$ West A Distance Of 141.64 Feet, Thence South $07^{\circ}52'30''$ East A Distance Of 283.57 Feet, Thence South $13^{\circ}02'02''$ East A Distance Of 125.75 Feet, Thence South $19^{\circ}33'49''$ East A Distance Of 90.10 Feet To The Point Of Terminus

Containing 1.049 Acres, More Or Less

I Hereby Certify That To The Best Of My Knowledge And Belief This Legal Description Is True, Accurate, And Was Prepared Under My Direction. I Further Certify That Said Legal Description Is In Compliance With The Standards Of Practice As Set Forth By The Florida Board Of Professional Surveyors And Mappers, Pursuant To Section 472.027, Florida Statutes.

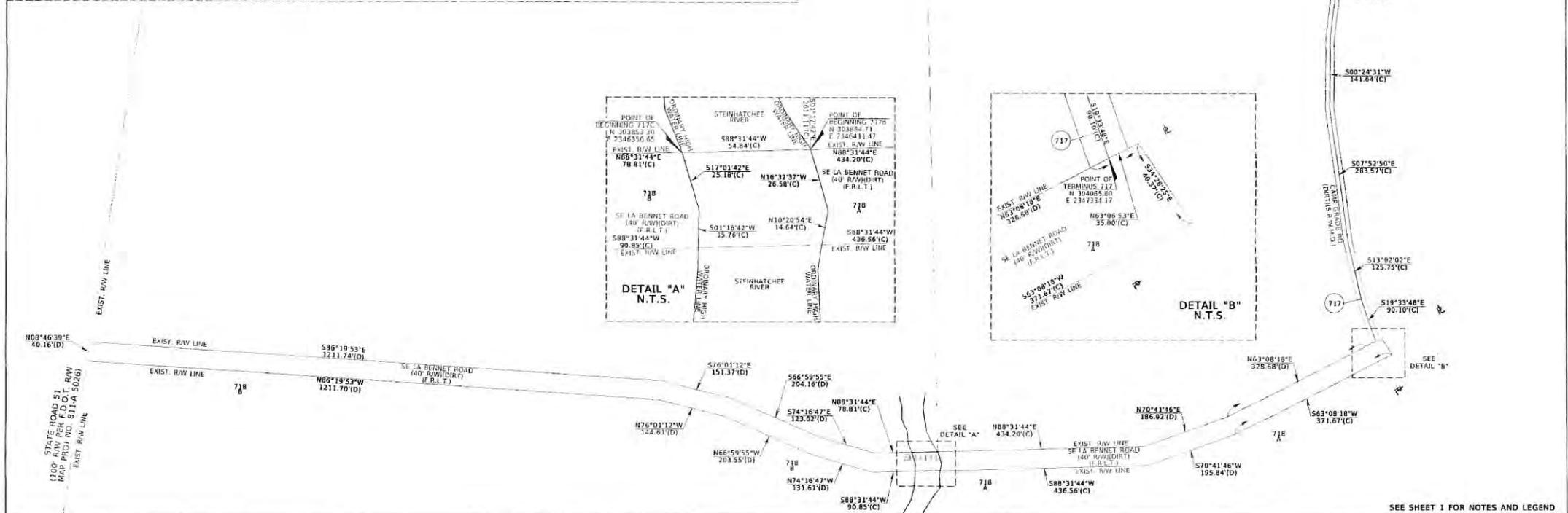
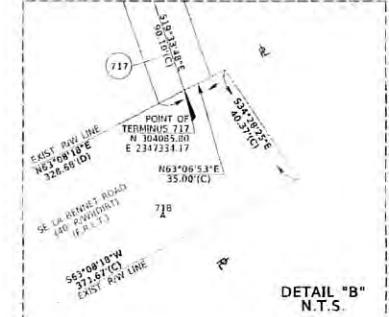
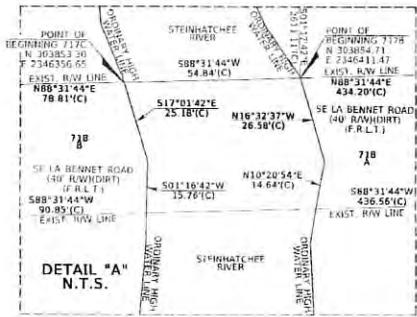
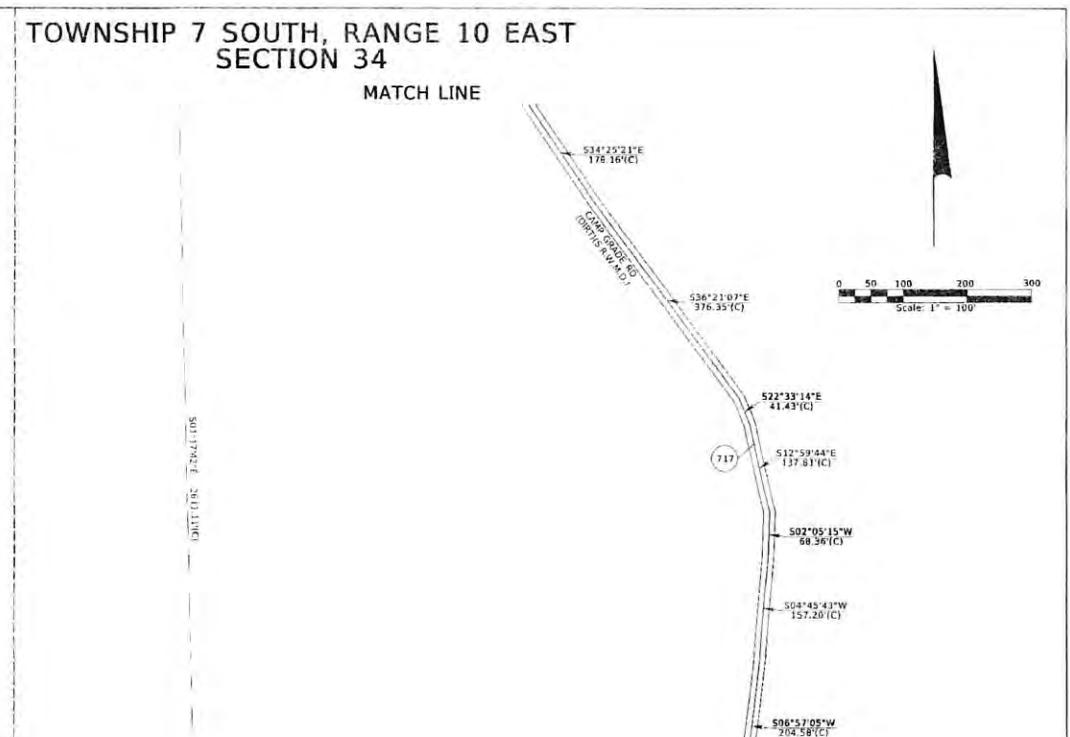
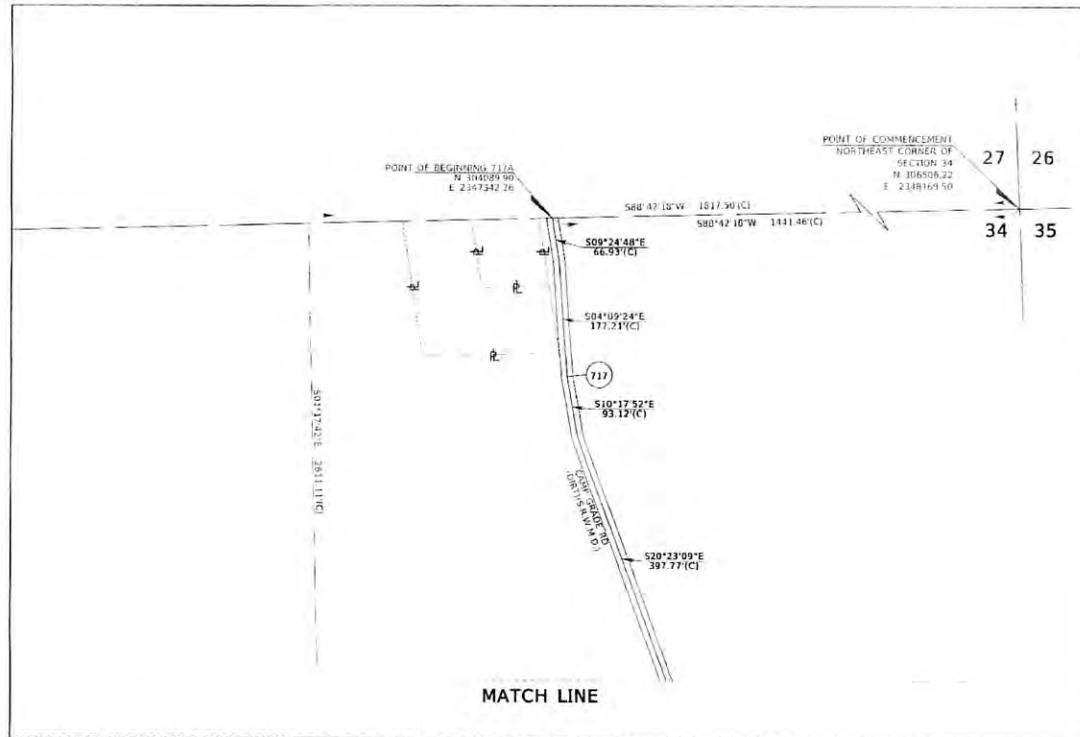
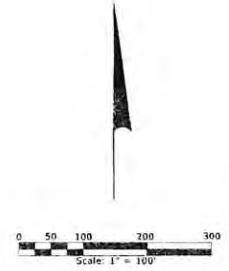
Byron A. Faircloth
Byron A. Faircloth Date: 04/06/2023
Florida Professional Surveyor And Mapper No. 6764
T2 Utility Engineers
159 S.W. Spencer Court, Suite 106
Lake City, Florida 32024

This Description And Copies Thereof Are Not Valid Without The Surveyor's Signature And Original Raised Seal.

SKETCH OF DESCRIPTION	FLORIDA DEPARTMENT OF TRANSPORTATION SURVEYING AND MAPPING	REVISION	BY	DATE	DESCRIPTION	BY	DATE	CHECKED	S.A.F.	04-03-23	FED. PROJ. NA	SECTION 33000	MAP'S REPORT NO. 12 Utility Engineers, LR 8336 159 SW Spencer Court, Suite 106 Lake City, Florida 32024	DATA SOURCE: GISDATA PROVIDER NO. 030999 GIN	SCALE: N/A
											CAMP GRADE ROAD / S.E. LA BENNET ROAD	LAFAYETTE COUNTY	F.P. NO. 4374261	SHEET 1 OF 2	

TOWNSHIP 7 SOUTH, RANGE 10 EAST
SECTION 34

MATCH LINE



SEE SHEET 1 FOR NOTES AND LEGEND

SKETCH OF DESCRIPTION	FLORIDA DEPARTMENT OF TRANSPORTATION SURVEYING AND MAPPING	REVISION	BY	DATE	FED. PROJ. NA	SECTION 33000	NAME PREPARED BY TJ Under, Engineer, LR 3339 159 SW 5th Street, Suite 208 Lava Lava, Florida 32044	DATA SOURCE GEORIAN DATABASE NO. 10089100K (SCALE 1" = 100')
		DATE	DATE	DATE				
		NO. 1	DATE	DATE	CAMP GRADE ROAD AND SA LA BENNET ROAD	LAFAYETTE COUNTY	F.P. NO. 4374261	SHEET 2 OF 2

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board
FROM: Katelyn Potter, Director, Division of Outreach and Operations
THRU: Hugh Thomas, Executive Director
DATE: July 10, 2024
RE: Goosen Access Easement, Country Club Road Tract, Columbia County

RECOMMENDATION

Authorize the Executive Director to grant an access easement over Country Club Road Tract in Columbia County with Deserrai Jillene Goosen.

BACKGROUND

In March 2024, the District received a request from Deserrai Jillene Goosen for an access easement across the Country Club Road Tract in Columbia County.

Ms. Goosen owns real property at 399 SE Fritzi Court, Lake City, FL, which is adjacent to the District's Country Club Road Tract in Columbia County. Ms. Goosen's property is accessed through Fritzi Court, a private drive off Country Club Road, which runs through the District's tract and dead ends amongst several dwellings on the northeast corner of the tract.

Ms. Goosen has owned the property and utilized the access since 2015. Recently, a title search revealed no dedicated access to her property.

On November 12, 2013, the Governing Board granted an easement across Fritzi Court to Anthony Libasci and Tiffany French for access to their home located at 452 SE Fritzi Ct, Lake City. Therefore, this easement with Ms. Goosen would be the second such easement granted across Fritzi Court.

The requested easement would be limited to Fritzi Court and include language allowing the District to reposition the easement if determined necessary.

The District's Land Acquisition and Surplus Team reviewed the proposal on May 30, 2024, and recommends that the District grant the easement. Ms. Goosen has agreed to absorb all the costs associated with the easement and recording.

The Lands Committee unanimously approved the staff recommendation on July 9, 2024.

Copies of the property appraiser parcel and easement request are attached.

KCP/ao
File #008-00593
Attachments

From: [Bonnie Green](#)
To: [Acquisitions](#)
Cc: [Schroeder, Stephen](#); [Potter, Katelyn](#); tomreeves@earthlink.net; [Radcliff, Lorna](#); [Loretta Steinmann](#)
Subject: Easement for Deserrai Jillene Goosen from SRWMD over SE Fritzi Court
Date: Friday, March 22, 2024 5:27:36 PM
Attachments: [image001.png](#)
[FATIC Title Search Commitment for Deserrai Jillene Goosen 3-22-24.pdf](#)
[Quit-Claim Deed to Deserrai Goosen Davis.pdf](#)
[Deserrai Goosen parcel.pdf](#)

Some people who received this message don't often get email from bonniegreen@darbypeelee.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the District. Do not click links or open attachments unless you recognize and have verified the sender and know the content is safe.

Dear Sir or Madam,

I am emailing you on behalf of my client, DESERRAI JILLENE GOOSEN, f/k/a Deserrai Goosen Davis, who is requesting an easement over District lands, specifically, SE Fritzi Court, in Columbia County, Florida, and approximately 80 feet between SE Fritzi Court and Ms. Goosen's property line. Ms. Goosen currently does not possess legal access to her property, which consists of 5 acres and a home, and hereby requests, through her counsel, to purchase an easement for ingress and egress from the District.

Attached is a copy of Mrs. Goosen's deed to the subject property and a title search commitment prepared by First American Title Insurance Company, which includes an exception from coverage for lack of access. Specifically, Schedule B, Part II, item 12, states: "The public records do not show any legal right of access to or from the land"

This request acknowledges that Ms. Goosen will be responsible for all costs associated with the creation of the easement, including but not limited to, the costs of a survey, appraisal, value of the land, recording fees and District attorney's fees. We would appreciate your submitting this request to the District's Governing Board at your earliest convenience.

Please confirm receipt of this request and let me know if there is anything further you need at this time to move forward with submitting the request to the Governing Board. We appreciate your attention to this matter. Thank you.



Bonnie S. Green

Florida Bar No.: 0107085

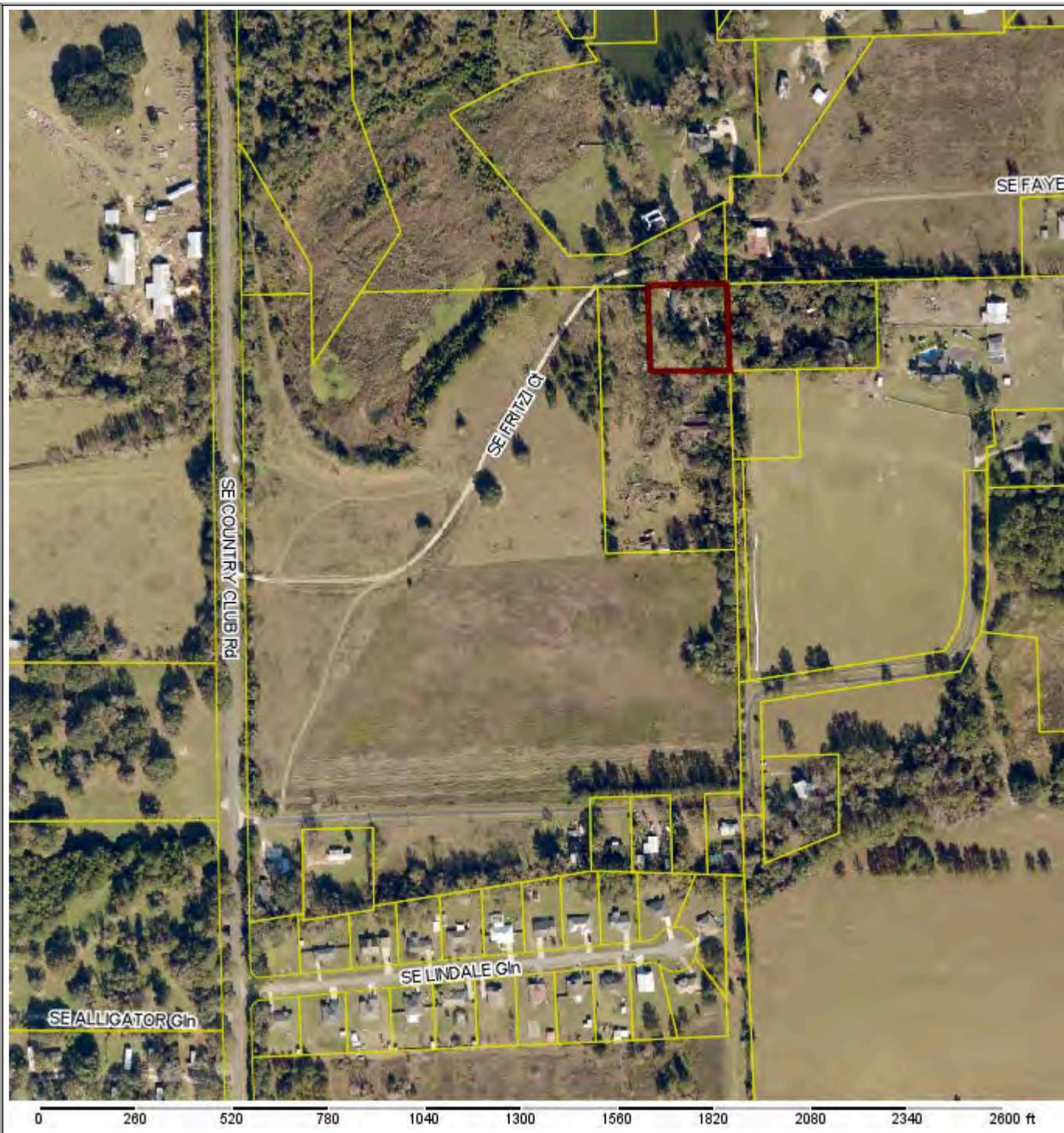
1241 S. Marion Avenue

Lake City, Florida 32025

Telephone: (386)752-4120

Facsimile Transmittal: (386) 755-4569

bonniegreen@darbypeelee.com



Columbia County Property Appraiser

Jeff Hampton | Lake City, Florida | 386-758-1083

PARCEL: 03-4S-17-07486-005 (27934) | SINGLE FAMILY (0100) | 1.1 AC
 BEG NE COR OF NW1/4 OF SW1/4, S 225.33 FT, W 212.45 FT, N 225.38 FT, E 211.96 FT TO POB. QC 1293-628,

GOOSEN DESERRAI JILLENE

Owner: 365 NW FAIRWAY DR
 LAKE CITY, FL 32055
 Site: 399 SE FRITZI CT, LAKE CITY
 Sales Info: 3/27/2015 \$100 I(U)

2024 Working Values

Mkt Lnd	\$14,300	Appraised	\$149,166
Ag Lnd	\$0	Assessed	\$149,166
Bldg	\$134,666	Exempt	\$0
XFOB	\$200	county:	\$149,166
Just	\$149,166	Total	city:\$0
		Taxable	other:\$0
			school:\$149,166

NOTES:

Columbia County, FL



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GrizzlyLogic.com

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Katelyn Potter, Director, Division of Outreach and Operations

THRU: Hugh Thomas, Executive Director

DATE: July 10, 2024

RE: Denial of Exchange Offer from Mikel Koon, Suwannee County

RECOMMENDATION

Deny the offer to exchange property in fee for a conservation easement and access easement with Mikel Koon, Suwannee County.

BACKGROUND

In June 2023, the District received an offer from Mikel Koon to exchange 80 acres of the District's Rocky Creek Tract in Suwannee County, for 62 acres in less than fee ownership of Mr. Koon's property adjacent to the tract, along with an access easement to the eastern side of the Rocky Creek Tract. Staff reviewed the offer and considered the exchange for its benefits to land management, conservation, water resource protection, project potential, and recreation.

The District's 251.07-acre Rocky Creek Tract is bifurcated by Rocky Creek as it drains to the Suwannee River. The tract is actively managed through timber harvests, woods mowing, and hardwood chipping operations. The tract has a number of known gopher tortoise burrows, which are expected to increase as restoration continues. The tract and Rocky Creek provide an important wildlife corridor from Rocky Creek to the Suwannee River and under I-75 to other conservation lands.

The exchange proposal would allow for permanent access to the eastern side of Rocky Creek Tract. However, the exchange would reduce the overall parcel size, which is less desirable for management purposes and would interrupt the resource corridor that is being restored. Currently, access to the eastern side of the parcel is provided through a written agreement with an adjacent landowner.

The offeror also requested the installation of a high fence around the acquired parcel and a desire to purchase an additional 17 acres in the future. The 60-acre portion offered in less-than-fee acquisition was recently clear-cut and replanted in pine.

The Rocky Creek Tract is within the 10-year and 100-year floodplain and provides important natural resource protection. Ownership of the property is consistent with the District's goal of floodplain protection. The tract is not listed or planned for surplus.

The offer was reviewed by the District's Land Acquisition and Surplus Team on May 30, 2024. Based on the tract's alignment with District land ownership, current restoration activities, desire to keep the tract size intact, and current access, staff recommends denial of the exchange offer. The offeror was notified of the staff recommendation and did not wish to withdraw his offer.

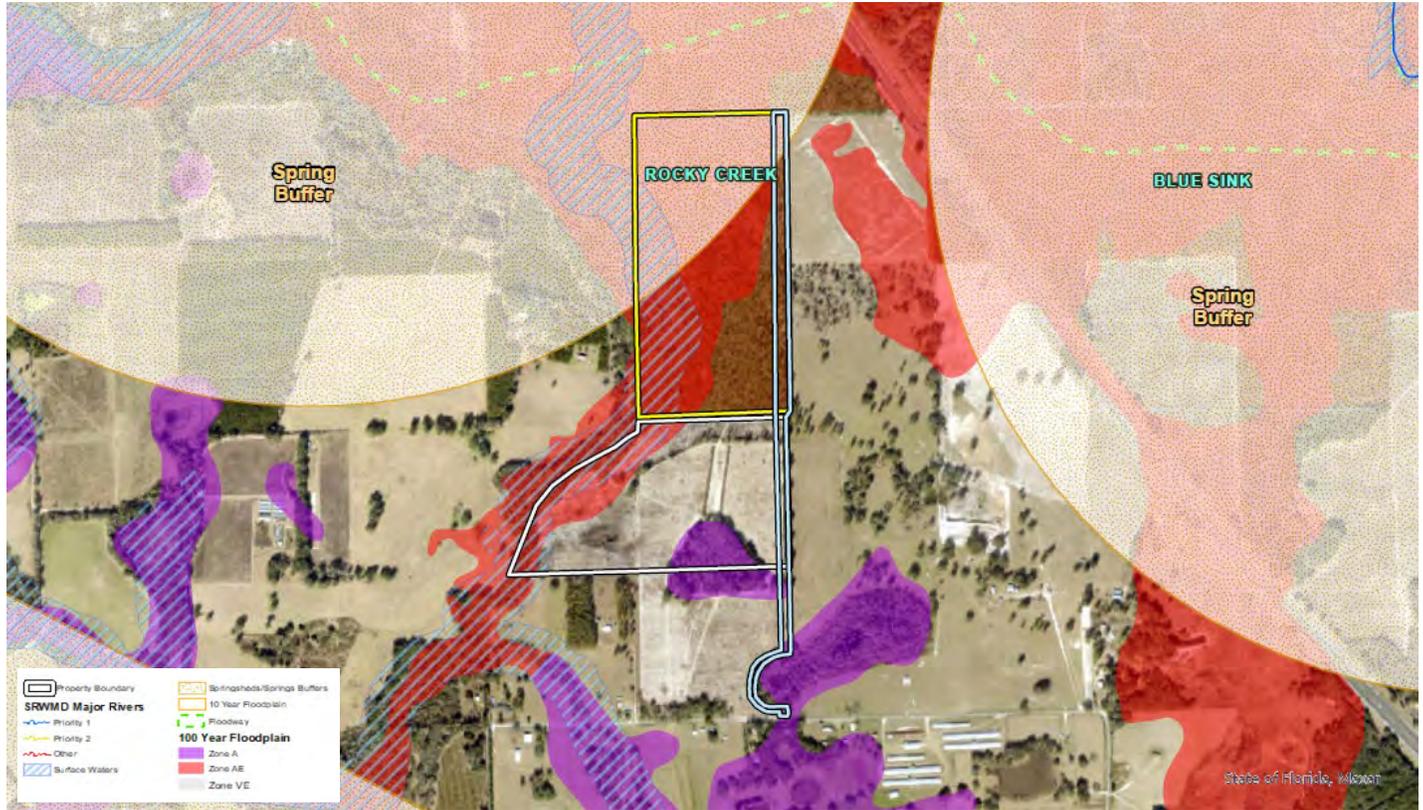
The Lands Committee unanimously approved the staff recommendation on July 9, 2024.

Copies of the triage and summary maps are attached.

KCP/ao
File #2023-010
Attachments



SUWANNEE TRIAGE ANALYSIS RESULTS



Property Name: Rocky Creek - Koon Exchange 2

Acreage: ± 62 ac

Transaction Type: Exchange

Date: 06/18/24

County: Suwannee

SRWMD Florida Forever: Yes

Statewide Florida Forever: No

Surface Water Protection

Major River: (N)

Riverine Surface Waters: (Y) [± 9.3 ac]

Springs Protection

Springshed: (N)

Flood Protection

Floodway: (N)

10 Year Floodplain: (Y) [± 3.7 ac]

100 Year Floodplain: (Y) [± 18.23 ac]

Miscellaneous

PFA: (N)

WSPA: (Y) [Eastern]

BMAP: (N)

JERRY BRANCH

SWIFT CREEK

ROCKY CREEK

BLUE SINK

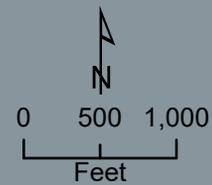
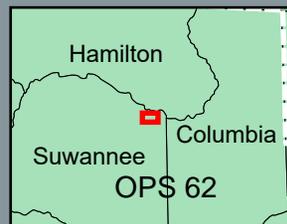
75

36A

State of Florida, Maxar

Rocky Creek Exchange - Koon 2 Suwannee County

-  Proposed Easement ± 12 ac
-  Potential SRWMD Acquisition ± 62 ac
-  Potential SRWMD Exchange ± 80 ac
-  SRWMD Ownership/CE
-  Other Public Ownership



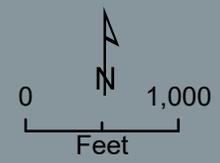
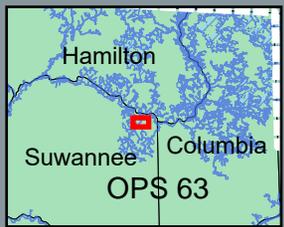
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State of Florida, Maxar

-  Potential SRWMD Acquisition ± 62 ac
-  Potential SRWMD Exchange ± 80 ac
-  Proposed Easement ± 12 ac
-  Surface Waters (Riverine)
- SRWMD Major Rivers**
-  Priority 1
-  Priority 2
-  Other

Rocky Creek Exchange - Koon 2 Property Offer Surface Water Protection



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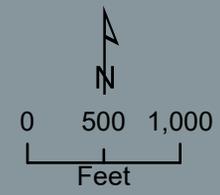
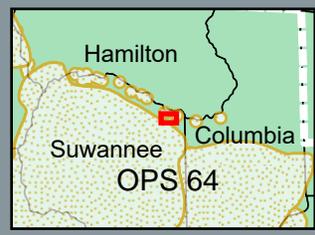
Troy Peacock
Lafayette Blue
Falmouth
Springshed

Spring
Buffer

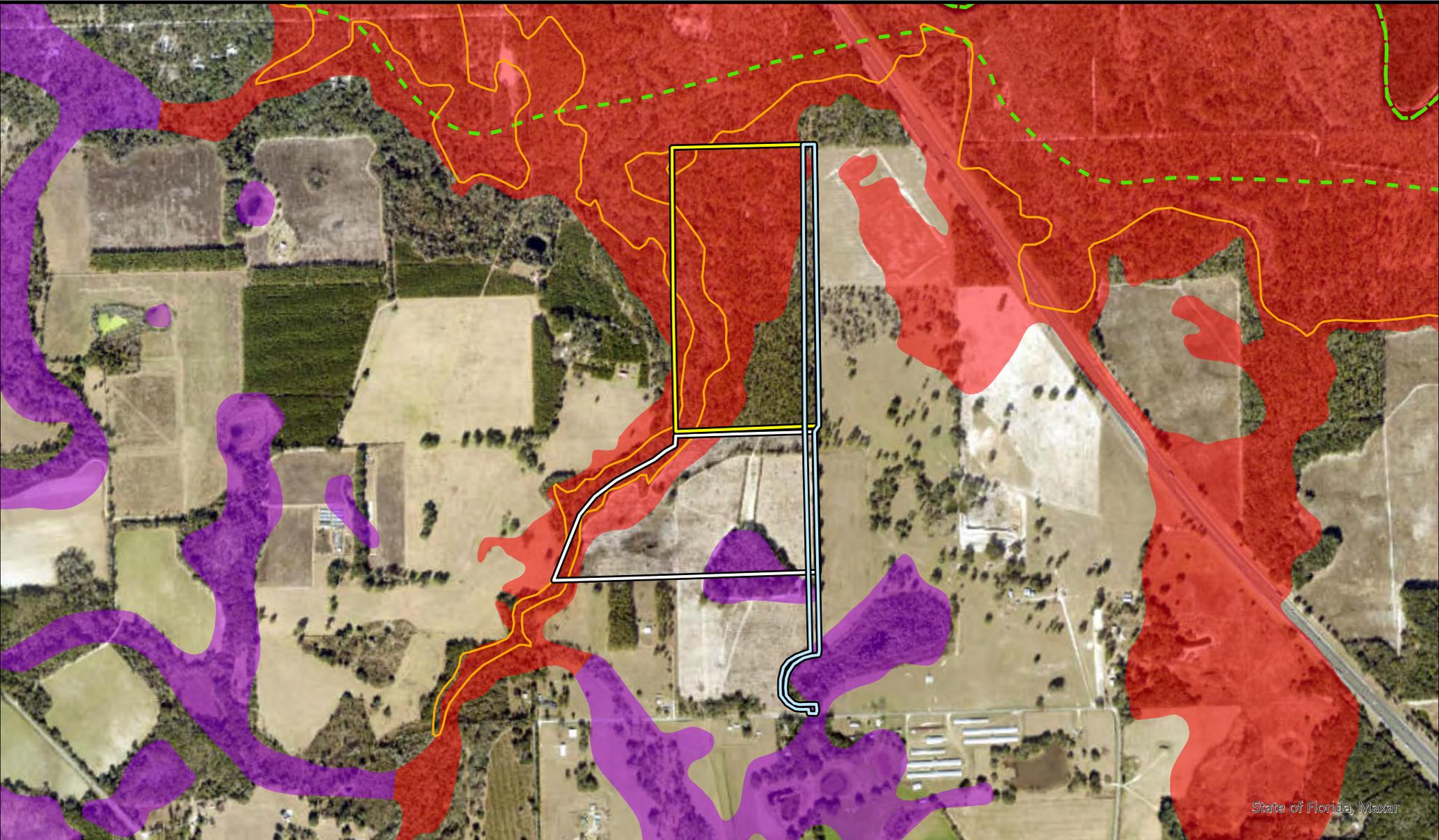
Spring
Buffer

-  Potential SRWMD Acquisition ± 62 ac
-  Potential SRWMD Exchange ± 80 ac
-  Proposed Easement ± 12 ac
-  Springs Protection
-  Springs

Rocky Creek Exchange - Koon 2 Property Offer Springs Protection



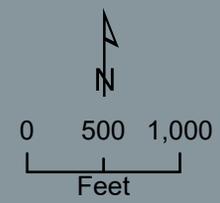
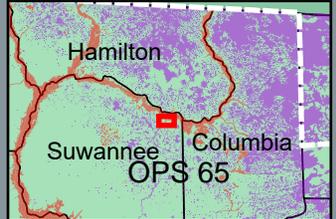
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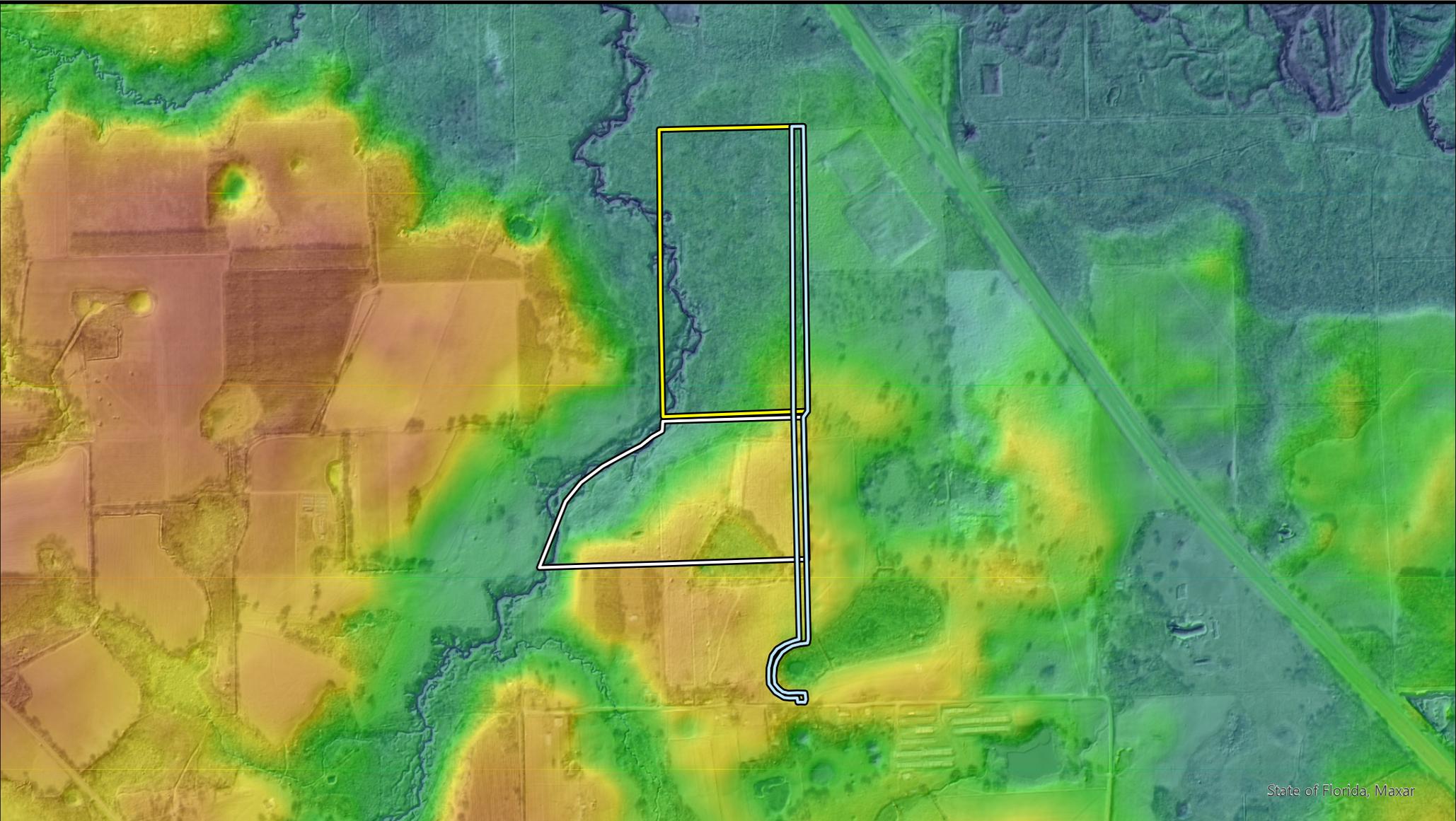
State of Florida, Maxar

-  Potential SRWMD Acquisition ± 62 ac
-  Potential SRWMD Exchange ± 80 ac
-  Proposed Easement ± 12 ac
-  10 Year Floodplain
-  Floodway
-  Zone A
-  Zone AE

Rocky Creek Exchange - Koon 2 Property Offer Floodplain Protection



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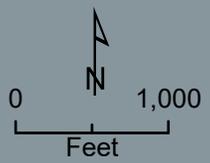
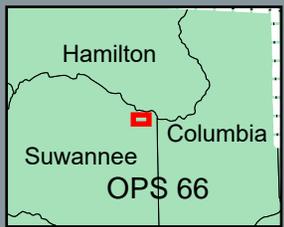
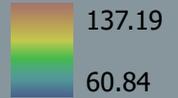


State of Florida, Maxar

-  Potential SRWMD Acquisition ± 62 ac
-  Potential SRWMD Exchange ± 80 ac
-  Proposed Easement ± 12 ac

Rocky Creek Exchange - Koon 2 Property Offer LIDAR

Bare Earth Elevation



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SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Katelyn Potter, Director, Division of Outreach and Operations

THRU: Hugh Thomas, Executive Director

DATE: July 19, 2024

RE: Zellwin Farms Company - Jennings Bluff Conservation Easement, Right of First Refusal, Hamilton County

RECOMMENDATION

Decline to exercise the right of first refusal on the Zellwin Farms Company - Jennings Bluff Conservation Easement in Hamilton County.

BACKGROUND

The District purchased a conservation easement on 304.3 acres of land known as the Jennings Bluff Conservation Easement in February 1989. At the time of purchase, the District also reserved a right of first refusal to purchase the fee on said land in the event the owner elected to sell to a third party.

In May 2024, the District received notice that the current owner has received a bona fide offer to purchase the easement parcel as part of a larger sale. Under the terms of the conservation easement, the District has 90 days to exercise its right of first refusal to purchase the property. The District has been offered the easement acreage for \$1,500,000.

The District's Acquisition and Surplus Team reviewed the proposal on May 30, 2024, and determined that fee ownership would not enhance the District's ability to provide for conservation on the property and would not otherwise benefit the District. Staff therefore recommends that the District decline to purchase the property in fee under the terms of the right of first refusal.

The sale to a third party will have no impact on the District's enforcement of its conservation easement which will continue to be binding on the purchasers. The contract for sale specifically states that the property is subject to the conservation easement. Staff have been in contact with the buyers and are planning a site visit to review the easement terms.

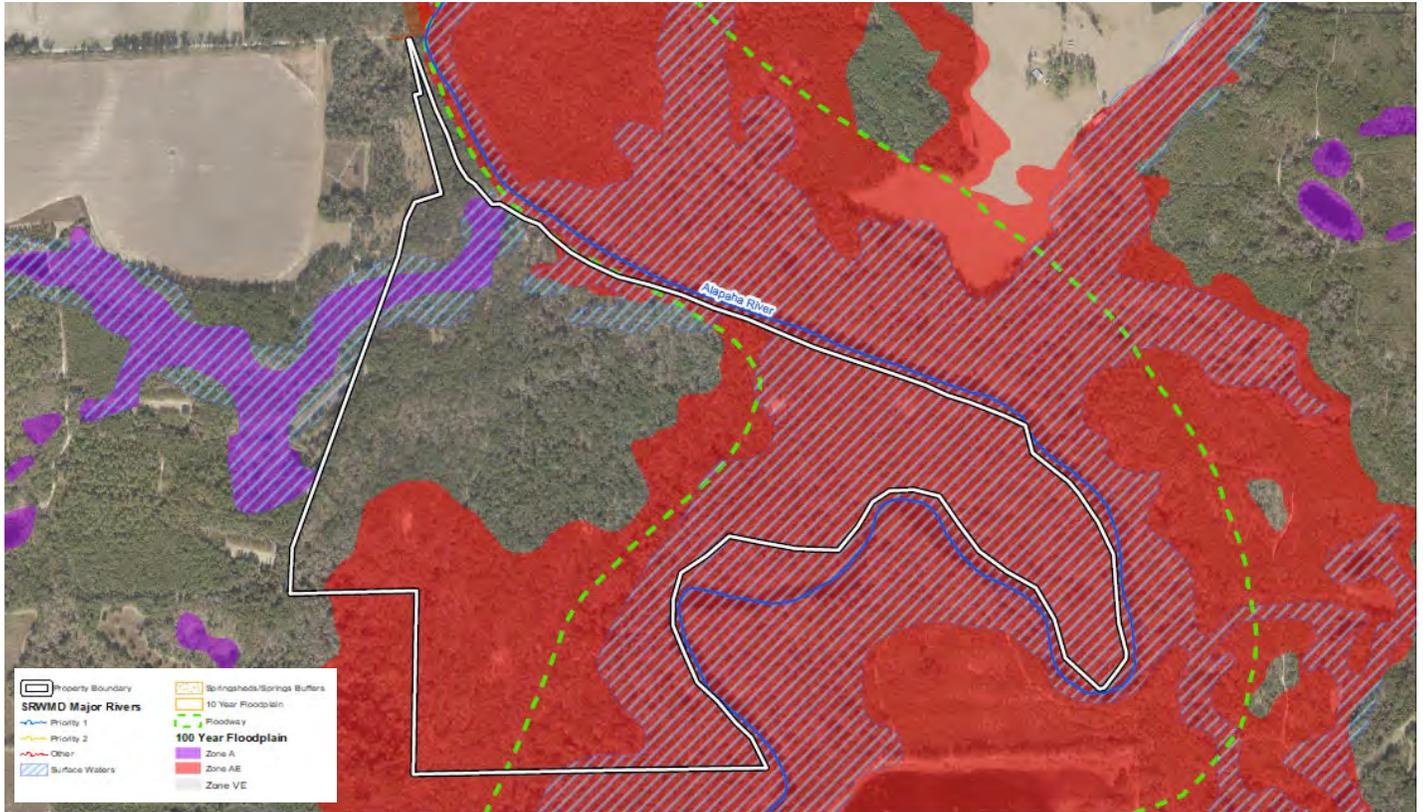
A map of the conservation easement area is attached.

The Lands Committee unanimously approved the staff recommendation on July 9, 2024.

KCP/ao
File #020-00001
Attachments



SUWANNEE TRIAGE ANALYSIS RESULTS



Date: 06/18/24

Property Name: Zellwin Farms

County: Hamilton

Acreage: ± 303

SRWMD Florida Forever: No

Transaction Type: Conservation Easement

Statewide Florida Forever: No

Surface Water Protection

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

Riverine Surface Waters: (Y) [± 116 ac]

Flood Protection

Floodway: (Y) [± 119 ac]

10 Year Floodplain: (Y) [± 146 ac]

100 Year Floodplain: (Y) [± 195 ac]

Springs Protection

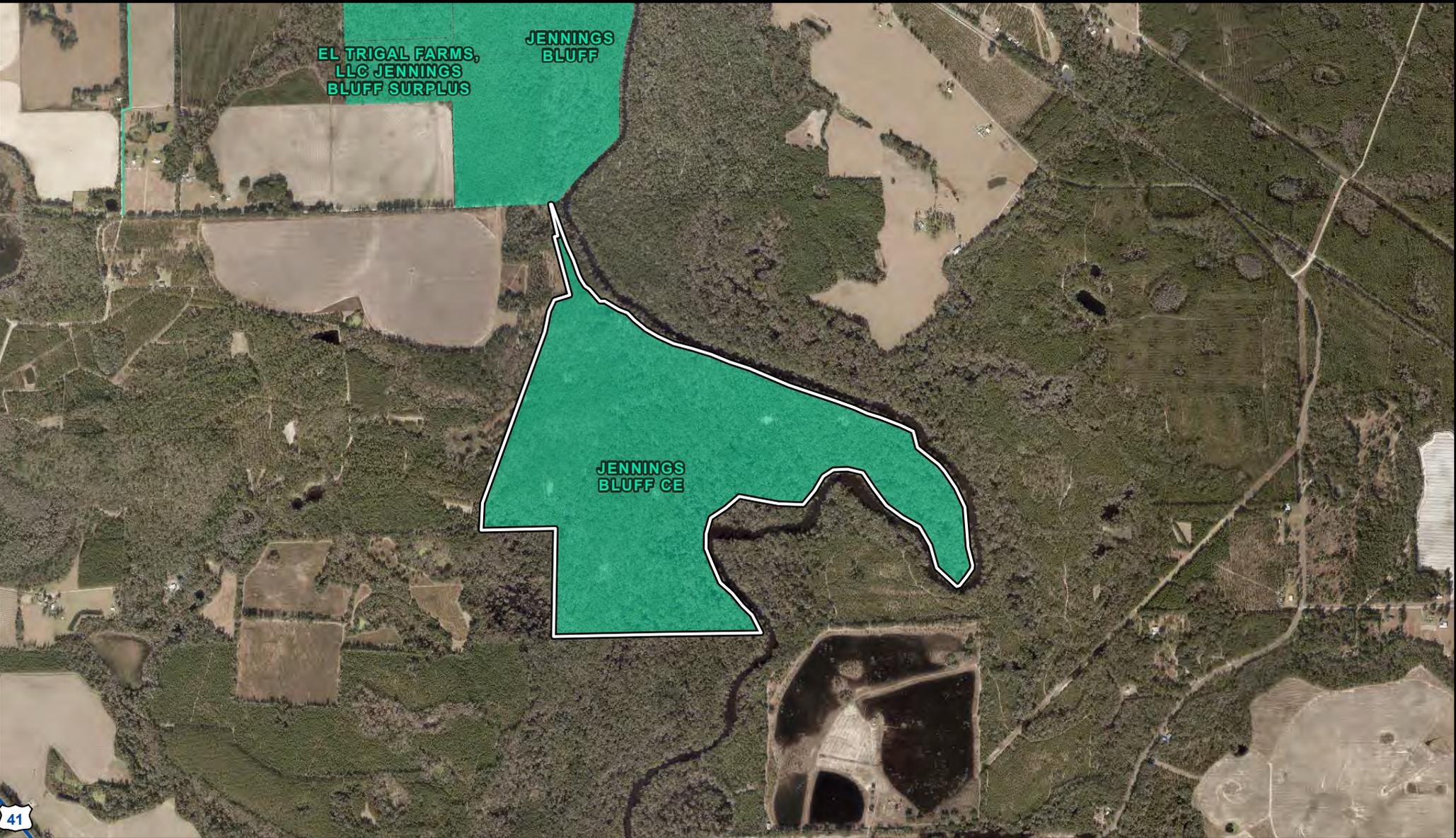
Springshed: (N)

Miscellaneous

PFA: (N)

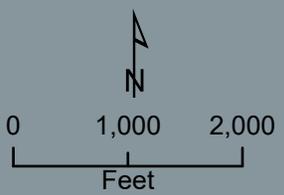
WSPA: (Y) [Eastern]

BMAP: (N)

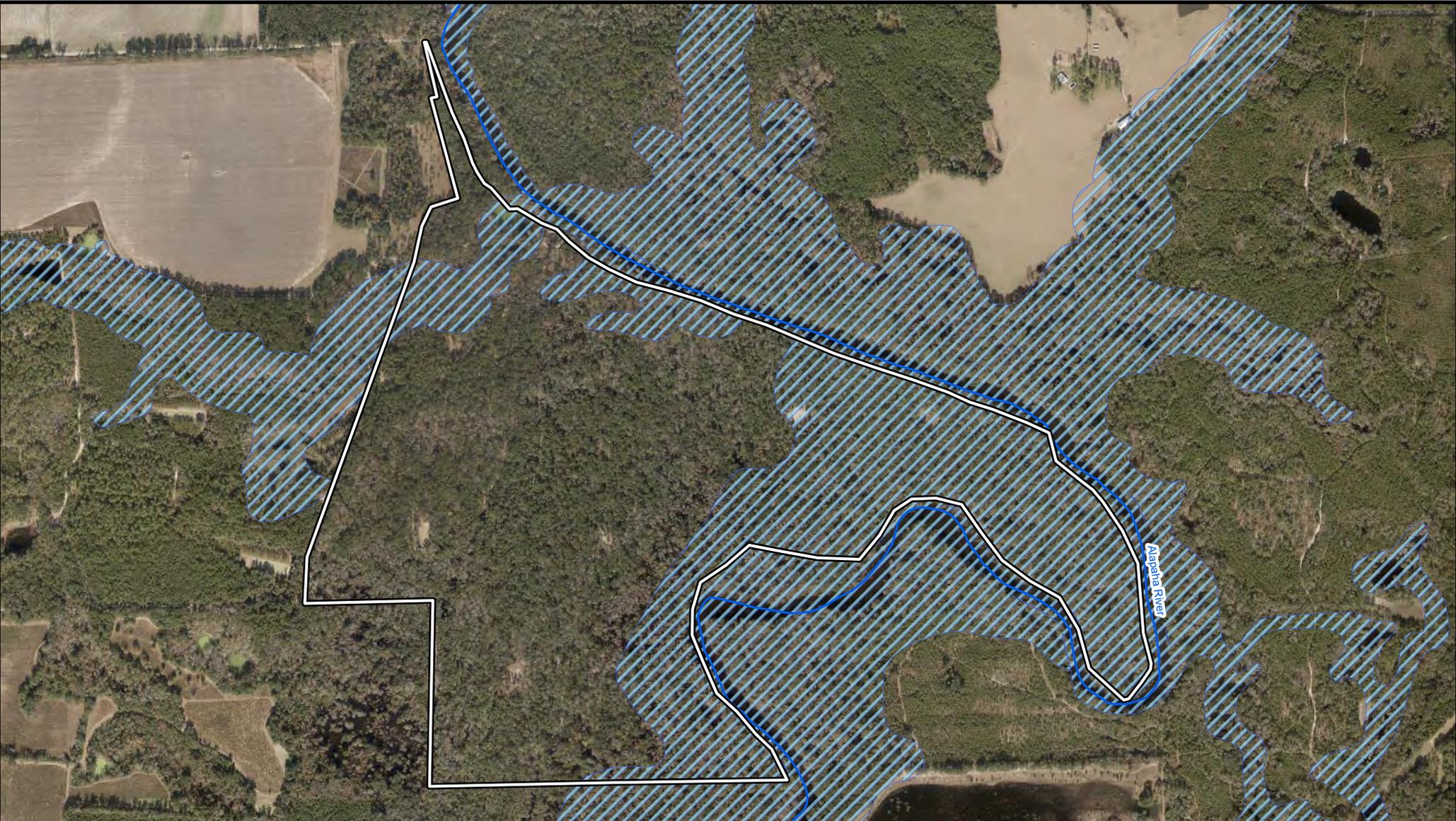


**Zellwin Farms
± 303 Ac
Hamilton County**

-  Property Boundary
-  SRWMD Ownership/CE
-  Other Public Ownership

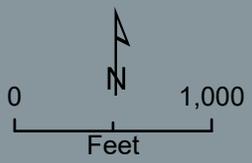
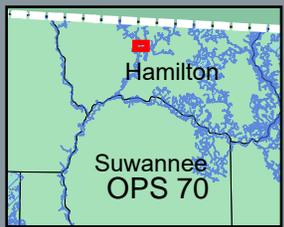


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Zellwin Farms Property Offer Surface Water Protection

-  Property Boundary
-  Surface Waters (Riverine)
- SRWMD Major Rivers
 -  Priority 1
 -  Priority 2
 -  Other

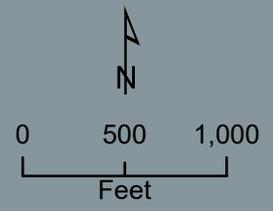


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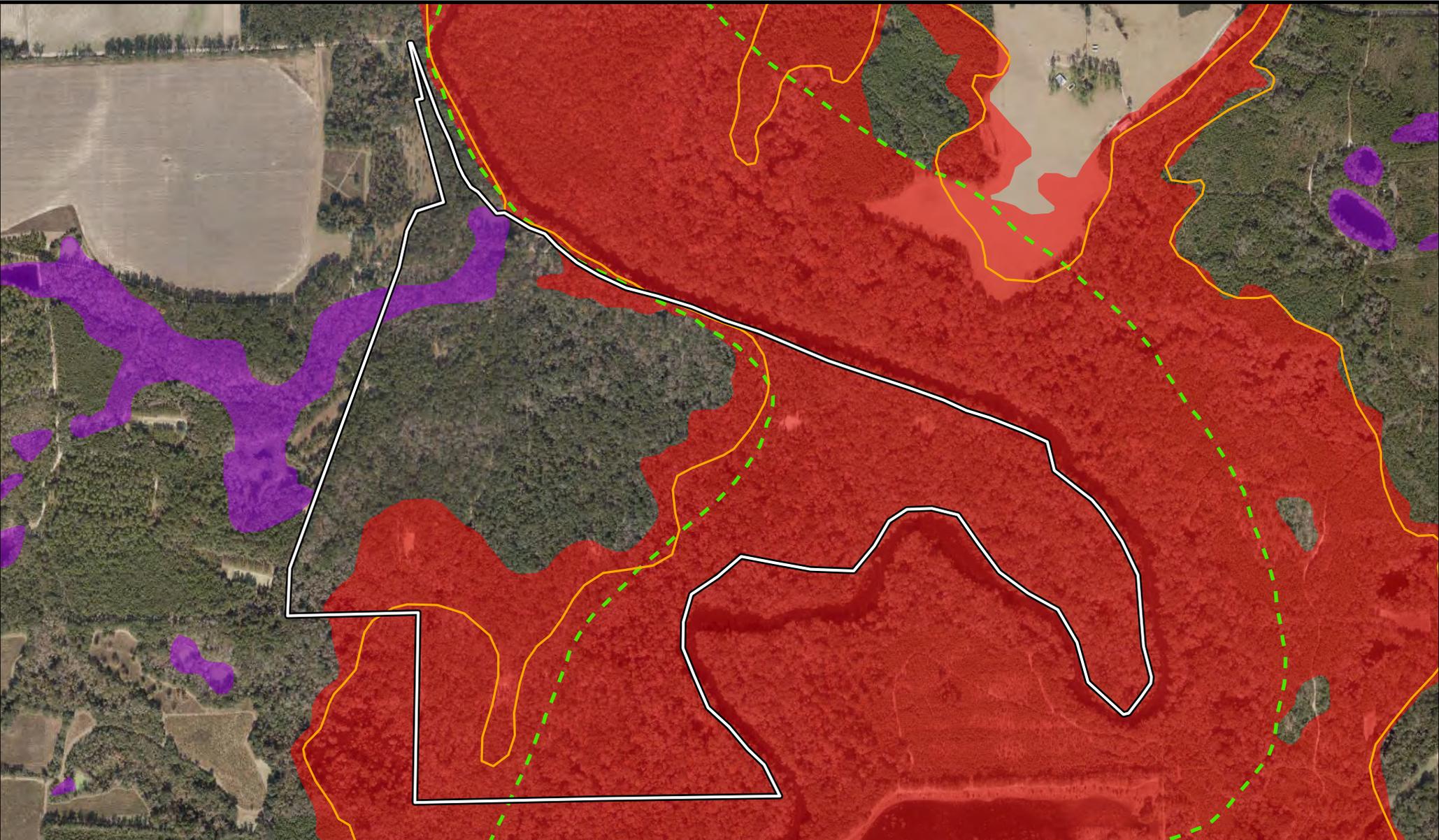


Zellwin Farms Property Offer Springs Protection

-  Property Boundary
-  Springs Protection
-  Springs

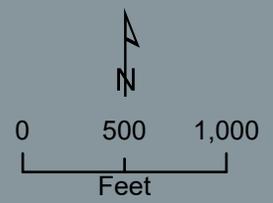
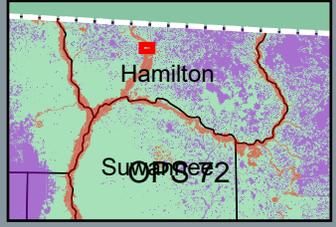


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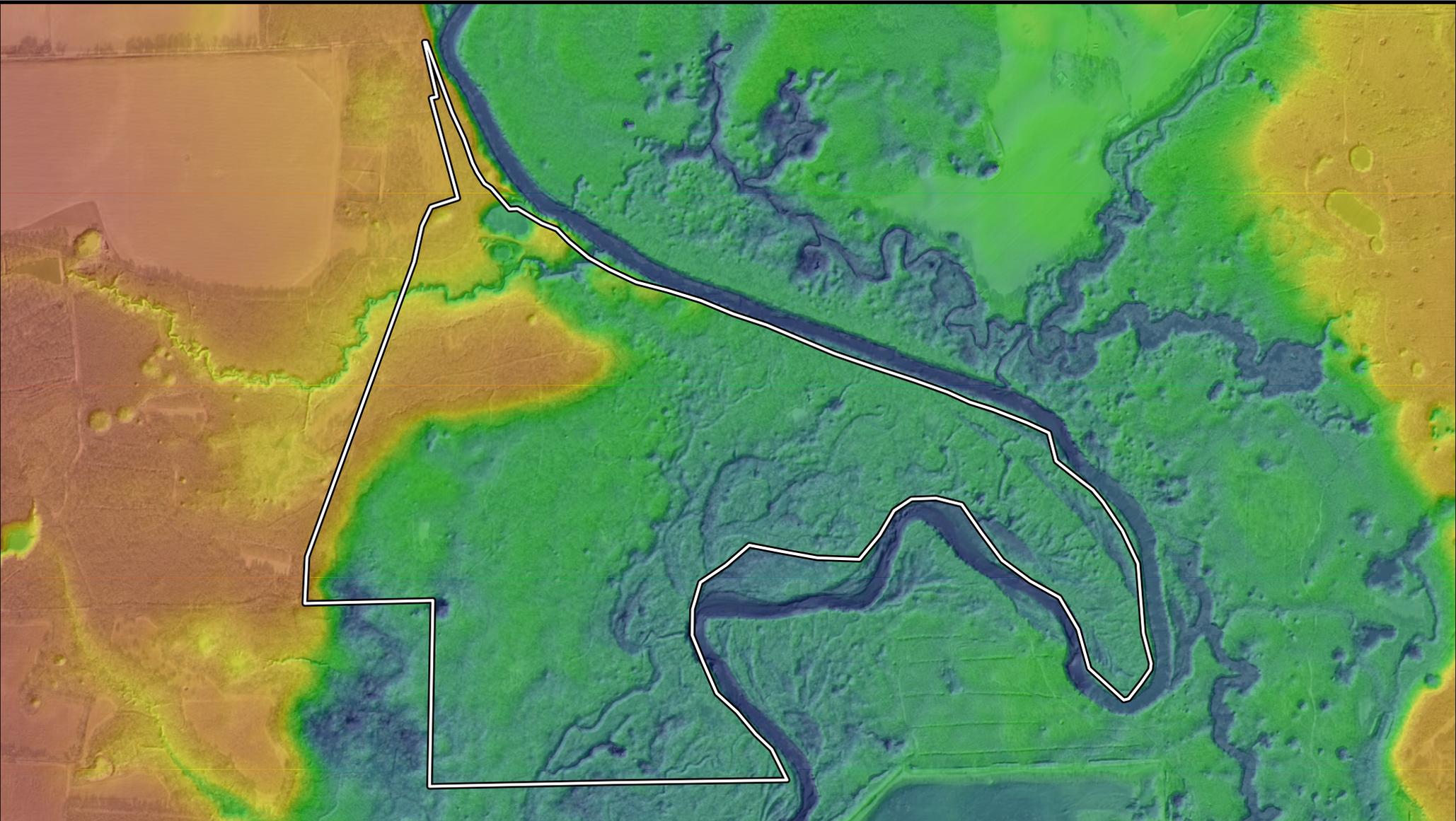


-  Property Boundary
-  10 Year Floodplain
-  Floodway
- 100 Year Floodplain
-  Zone A
-  Zone AE
-  Zellwin_Jennings_10

Zellwin Farms Property Offer Floodplain Protection

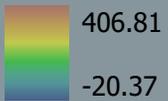


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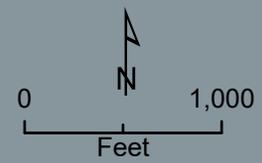


 Property Boundary

Bare Earth Elevation



Zellwin Farms Property Offer LIDAR



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SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Lorna Radcliff, Chief, Office of Land Management

THRU: Katelyn Potter, Director, Outreach and Operations

DATE: July 23, 2024

RE: Land Management Update Report

BACKGROUND

The following information summarizes land management activities cumulative as of June 30, 2024.

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

Vegetative Management (acres)	FY 2024 Planned	Reporting Period Completed	Percent Complete
Herbicide	250	190	76.0%
Roller Chop Uplands	200	141	70.0%
Mallory Swamp Mow/Chop	1,300	579	44.5%
Woods Mowing	1,500	1,466	97.7%

Prescribed Fire (acres)	FY 2024 Planned	Reporting Period Completed	Percent Complete
SRWMD	12,300	9,899	80.4%
FFS - Twin Rivers State Forest	2,000	281	14.0%

Invasive Plant Treatment	FY 2024 Planned	Reporting Period Completed	Percent Complete
Edwards Bottomland (acres)	10	10	100%
Contractors (acres)	133	5	3.8%
Starke Bypass (acres)	100	Start August	0

Ecological Services Monitoring	FY 2024 Planned	Reporting Period Completed	Percent Complete
Rare Plants Monitoring (acres)	2,957	1,694	57%
Gopher Tortoise Surveys (transects)	557	330	59%

Wading Bird Rookeries (sites)	13	5	38%
Natural Community Mapping (acres)	1,200	1,009	84%

Timber Harvests	FY 2024 Planned	Reporting Period Completed	Percent Complete
Acreage Sold	1,764	1,031	58%
Revenue (estimated)	\$1,064,000	\$675,324.52	63%

Current Timber Sales	County	Acreage	Type	Status or Revenue
Sandlin Bay #9	Columbia	374	Thinning	Inactive
Shelly #1	Jefferson	121	Thinning	Inactive
Woods Ferry #7	Suwannee	155	Thinning	Active
Jerry Branch #2	Hamilton	191	Clearcut, Thinning, & Chipping	Inactive
Steinhatchee Springs #25	Lafayette	250	Thinning	Inactive
Camp Blanding	Bradford	128	Clearcut	Inactive
Holton Creek #5	Hamilton	140	Clearcut and Chipping	Active
Ellaville #23	Madison	46	Thinning	\$29,717.89
Cuba Bay #4	Madison	51	Thinning	Inactive

Restoration	FY 2024 Planned	Reporting Period Completed	Percent Complete
Reforestation (acres)	312	312	100%

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 2024 Planned	Reporting Period Completed	Percent Complete
Monitor Current Easements	5	3	60%

Hydrologic & Road Maintenance	FY 2024 Planned	Reporting Period Completed	Percent Complete
Culvert Replacements	4	3	75%
Road maintenance (miles)	139	85.15	61.25%

Tract Maintenance	FY 2024 Planned	Reporting Period Completed	Percent Complete
Mowing (total miles)	1,748	1,197	68%
Site Maintenance (total visits)	2,736	2,280	83%
Enhanced Patrols (hours)	1,172	585	50%
Sign Replacements	49	Project on hold	0
Boundary Line Painting (miles)	115.4	66.8	58%

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. Approximately 63% of the boundary posting and marking is complete. Survey work was extended and is scheduled for completion by September 30, 2024. Road repairs on the Pinehatchee Pond Road are complete.

Rock Bluff: A task work assignment has been issued to Gray Construction Services, Inc for the Rock Bluff Enhancement Project. The project will build a wastewater treatment system that will comply with the latest requirements of the Florida Department of Environmental Protection’s (FDEP) Onsite Sewage Program, update the water system, and upgrade the electrical system. Construction is projected to be completed by September 30, 2024.

Telford Spring: District opened Telford Spring to the public. A contract has been issued to Lieupo’s Maintenance Group, LLC to provide maintenance services until September 30, 2024. Staff are working with contractors to develop a conceptual plan to improve parking and public access.

Steinhatchee Falls: Topographic surveys and geotechnical investigations are complete. Preliminary site plans have been developed. Site design and engineering is 90 percent complete. District staff attended an onsite meeting with EUTAW Engineering on May 28. Preliminary FDEP and ACOE permits have been submitted for staff review.

Goose Pasture Tram: Extensive repairs are currently being made to the Goose Pasture Tram. The Goose Pasture Tram was severely damaged by two flooding events and overuse by the public while the road was submerged. Heavy grading and lime rock application are being used in the repair.

Pinehatchee Boardwalk: We are currently under contract with Lieupo Maintenance Group, LLC to make much needed repairs to the Pinehatchee Boardwalk. The repairs are planned to commence on August 1 and take approximately 2 weeks to complete.

Storm Clean – Up: Contractor’s completed storm clean-up work on all tracts in the Upper Suwannee Basin east of Camp Branch in Hamilton County. They also conducted clean-up work on the Mount Gilead and Lamont Tracts in the Aucilla Basin. Clean-up work will continue next month primarily on the Holton Creek Tract in the Upper Suwannee Basin.

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board
FROM: Lorna Radcliff, Chief, Office of Land Management
THRU: Katelyn Potter, Director, Outreach and Operations
DATE: July 10, 2024
RE: Task Work Assignment with 3G Environmental Services, LLC

RECOMMENDATION

Authorize the Executive Director to execute a task work assignment with 3G Environmental Services, LLC for ditch mowing on District lands for an amount not to exceed \$149,000 for Fiscal Year 2024-2025.

BACKGROUND

Contract# 23/24-045 with 3G Environmental Services, LLC allows for road and ditch mowing services based on per mile rates set by ITB# 23/24-001.

The intent of this task work assignment (TWA) is to maintain District road right-of-way and road ditches within the Mallory Swamp Tract and other District lands using specialty mowing equipment. Ditch mowing is periodically required within and along roads, ditch edges, and within areas unreachable by standard mowers due to the height of encroaching foliage or proximity to adjacent steep ditching. Ditch mowing is also required when the foliage size to be removed has exceeded the capabilities of standard mowing equipment.

Assigned work locations are subject to change based on needs of the District, weather conditions, or other ecological factors.

Work planned for Fiscal Year 2024-2025 (FY 2025) include 39 linear miles, with seven category one miles, and 32 category two miles. Category one miles are considered shrubs/trees 8-20 ft tall with 3"-6" diameter stems. Category two is defined a medium size shrubs 3-10 ft with 1"-3" diameter stems.

Funding for this TWA is included in the FY 2025 Tentative Budget and is contingent upon approval of the FY 2025 Final Budget.

LR/ao

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board
FROM: Lorna Radcliff, Chief, Office of Land Management
THRU: Katelyn Potter, Director, Outreach and Operations
DATE: July 10, 2024
RE: Task Work Assignment with Schmidt Reforestation Services, Inc

RECOMMENDATION

Authorize the Executive Director to execute a task work assignment with Schmidt Reforestation Services, Inc for prescribed fire and vegetation management services for an amount not to exceed \$132,755 for Fiscal Year 2024-2025.

BACKGROUND

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

In October 2022, the District entered into Contract# 22/23-030 as a rate-based, no-cost agreement with Schmidt Reforestation Services, Inc (SRS) and three other firms to conduct prescribed fire and vegetation management services. Under these agreements, work is issued via task work assignments (TWA) based on lowest cost, availability, and need.

Approximately 592 acres are planned for roller chopping and mowing treatments in multiple regions of the District. However, assigned work locations are subject to change based on needs of the District, weather conditions, or other ecological factors.

Funding for this TWA is included in the Fiscal Year 2024-2025 (FY 2025) Tentative Budget and is contingent upon approval of the FY 2025 Final Budget.

SG/ao

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board
FROM: Lorna Radcliff, Chief, Office of Land Management
THRU: Katelyn Potter, Director, Outreach and Operations
DATE: July 10, 2024
RE: Task Work Assignment with B&B Dugger, Inc

RECOMMENDATION

Authorize the Executive Director to execute a task work assignment with B&B Dugger, Inc for prescribed fire and vegetation management services for an amount not to exceed \$1,110,151 for Fiscal Year 2024-2025.

BACKGROUND

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

In October 2022, the District entered into Contract #22/23-029 a rate-based, no-cost agreement with B&B Dugger, Inc. and three other firms to conduct prescribed fire and vegetation management services. Under these agreements, work is issued via task work assignments (TWA) based on lowest cost, availability, and need.

Approximately 9,200 acres are planned for prescribed fire treatments and 3,500 acres are planned for mechanical treatments including both mowing and roller-chopping. This work will occur in multiple regions of the District. However, assigned work locations are subject to change based on needs of the District, weather conditions, or other ecological factors. Approximately \$322,000 of the total not-to-exceed amount includes potential Fiscal Year 2024-2025 (FY 2025) grant funding from the Florida Forest Service.

Funding for this TWA is included in the FY 2025 Tentative Budget and is contingent upon the approval of the FY 2025 Final Budget.

SG/ao

SUWANNEE RIVER WATER MANAGEMENT

MEMORANDUM

TO: Governing Board
FROM: Lorna Radcliff, Chief, Office of Land Management
THRU: Katelyn Potter, Director, Outreach and Operations
DATE: July 2, 2024
RE: Task Work Assignment with Lieupo's Maintenance Group, LLC

RECOMMENDATION:

Authorize the Executive Director to execute a task work assignment with Lieupo's Maintenance Group, LLC for recreation maintenance services for an amount not to exceed \$305,000 for Fiscal Year 2024-2025.

BACKGROUND

Maintenance of recreation facilities are integral to managing public lands. District lands are open to the public and staff strives to provide quality resource-based recreation opportunities. Recreation maintenance services may include but are not limited to the removal of litter, removal of downed trees from roads, repair or installation of signs, gates, and cables, mowing of vegetation surrounding signs, kiosks, gates, or parking areas, reporting vandalism, road and parking area mowing, cleaning facilities.

The District released ITB# 23/24-016 for recreation maintenance services on April 29, 2024. On June 9, 2024, the Governing Board authorized the Executive Director to execute the rate-based, no cost agreement with Lieupo's Maintenance Group, LLC. All work performed under the agreement is issued via task work assignment (TWA).

Lieupo's Maintenance Group, LLC will provide featured and dispersed recreation maintenance services to all parks, campgrounds, and tracts in the Northeast Region, Northwest, Southeast and Southwest Region.

Funding for this TWA is included in the Fiscal Year 2024-2025 (FY 2025) Tentative Budget and is contingent upon approval of the FY 2025 Final Budget.

EM/ao

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board
FROM: Katelyn Potter, Director, Division of Outreach and Operations
DATE: July 11, 2024
RE: Agricultural Water Use Monitoring Update

BACKGROUND

In September 2012, the District began a program of water use monitoring for agricultural water use reporting on wells eight inches in diameter or greater.

Since that time, the District has reported monthly updates to the Governing Board on the status of the program implementation.

In 2023, the District began working to integrate agricultural monitoring field data into the E-Reg database. Currently, the agricultural water use monitoring program requires multiple, time-consuming manual data entry tasks. Integrating the field data with E-Reg will eliminate significant portions of the manual entry, improve efficiency, reduce error, and reallocate staff time to other mission-critical needs. The E-Reg database is administered by St. Johns Water Management District (SJRWMD) and changes require their time and support to implement. The District began working with SJRWMD on a final scope of work in late 2023. Testing and scripting for the integration began in July 2024, and is currently underway.

Until the E-Reg integration and testing are complete, staff will suspend the agricultural water use monitoring memorandum to avoid publishing incomplete information.

KCP/ao

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Susie Hetrick, Chief, Office of Water Resources

THRU: Amy Brown, Deputy Executive Director, Office of Water Resources

DATE: July 10, 2024

RE: Task Work Assignment with Water & Air Research, Inc.

RECOMMENDATION

Authorize the Executive Director to approve a Task Work Assignment and no-cost amendments with Water & Air Research, Inc, to provide groundwater chemistry sample collection, analysis, and reporting for an amount not to exceed \$131,620.15.

BACKGROUND

The District supports the Florida Department of Environmental Protection (FDEP) in their evaluation of Basin Management Action Plan (BMAP) progress and water quality improvement as existing and new management strategies are implemented.

At the May 2024, Governing Board meeting, the Board authorized the Executive Director to enter contracts with qualified firms to conduct environmental and engineering services for the District. Water & Air Research, Inc is a pre-qualified firm under Chapter E - Environmental Data Collection and Assessments of the Engineering and Environmental Services contract and has provided excellent service to the District in this capacity.

Project services for this task work assignment (TWA) will include sampling and laboratory analysis of groundwater for up to eighteen wells in the Suwannee River Basin and up to eight wells in the Wacissa Springs Basin.

The Suwannee River springs and Wacissa Spring are impaired for nitrogen. Water quality from several new groundwater monitoring wells installed by FDEP will be sampled for a second year to evaluate pollutant loading in the spring basins and track nitrogen concentrations for existing and new management strategies implemented across the springsheds.

This is an FDEP grant-funded project, and execution of this TWA is contingent upon execution of a grant agreement with FDEP.

Funding for this TWA is included in the Fiscal Year 2024-2025 (FY 2025) Tentative Budget and is contingent upon approval of the FY 2025 Final Budget.

SH/ao

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Governing Board

FROM: Susie Hetrick, Chief, Office of Water Resources

THRU: Amy Brown, Deputy Executive Director, Office of Water Resources

DATE: July 10, 2024

RE: Task Work Assignment with WSP USA Environment and Infrastructure

RECOMMENDATION

Authorize the Executive Director to approve Task Work Assignment 23/24-149.01 and no-cost amendments with WSP USA Environment and Infrastructure, Inc., to provide surface water and groundwater chemistry sample collection, and biological data collection and analyses for an amount not to exceed \$396,465.50.

BACKGROUND

The District operates a broad network of surface water and groundwater sites for water quality and biological monitoring. The current water quality and biology network is managed through contractual services.

At the May 2024, Governing Board meeting, the Board authorized the Executive Director to enter contracts with qualified firms to conduct environmental and engineering services for the District. WSP USA Environment and Infrastructure, Inc. is a pre-qualified firm under Chapter E - Environmental Data Collection and Assessments of the Engineering and Environmental Services Contract and has provided excellent service to the District in this capacity. This task work assignment (TWA) will include the following four tasks:

1. Water chemistry monitoring which includes collecting field analytes and water samples at up to 79 groundwater stations, and 158 surface water stations.
2. Aquatic macroinvertebrate monitoring which includes sampling natural substrate at eight surface water stations on District rivers using standard Florida Department of Environmental Protection Stream Condition Index (SCI) methods.
3. Periphyton monitoring which includes deploying periphyton samplers at six surface water stations and analyzing for taxa, cell counts, density, dry weight, and biomass.
4. Water chemistry monitoring at up to 10 contingency stations to be determined as needed within the District.

This TWA does not include laboratory chemistry analyses. These analyses will be provided by the St. Johns River Water Management District's laboratory through a separate agreement approved by the Board at the July 2024 Governing Board Meeting.

Funding for this agreement is included in the Fiscal Year 2024-2025 (FY 2025) Tentative Budget and is contingent upon approval of the FY 2025 Final Budget.

SH/ao