

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

OPEN TO THE PUBLIC

June 11, 2013
9:00 a.m.

Live Oak, Florida

1. Call to Order
2. Roll Call
3. Governing Board Selection of Secretary/Treasurer
4. Governing Board Appointment of Audit Committee Members
5. Additions, Deletions, or Changes to the Agenda
6. Approval of Agenda
7. Items Recommended on Consent
 - Agenda Item 9 - Approval of Minutes – May 16, 2013 Governing Board Meeting and May 17, 2013 Workshop Minutes
 - Agenda Item 10 - Amendment of the December 2012 Governing Board Meeting Minutes to Include the Omission of Documentation of the Board's Approval of the FY2014 Preliminary Budget
 - Agenda Item 13 - Approval of April 2013 Financial Report
 - Agenda Item 16 - Authorization to Amend Rule 40B-9.131 and 40B-9.139, Florida Administrative Code (F.A.C.)
 - Agenda Item 22 – Approval of Water Use Permit Application Number 2-11-00027.002, Nacep Farm, Gilchrist County
 - Agenda Item 23 - Approval of Water Use Permit Application Number 2-84-00029.004, Rodney Dicks Farm, Columbia County
 - Agenda Item 24 - Approval of Water Use Permit Application Number 2-84-00076.004, Homeplace Farm, Gilchrist County
 - Agenda Item 25 - Approval of Water Use Permit Application Number 2-84-01097.005, Fraleigh Blues, Madison County
 - Agenda Item 26 - Approval of Water Use Permit Application Number 2-84-00314.003, Castleton/129 Pivot/Newground, Gilchrist County
 - Agenda Item 27 - Approval of Water Use Permit Application Number 2-86-00022.002, J.M. Holtzclaw, Suwannee County
 - Agenda Item 28 - Approval of Water Use Permit Application Number 2-96-00023.002, Charles & Sheila Buckner Farm

- Page 6
8. Approval of Recommended Consent Items
9. Approval of Minutes – May 16, 2013 Governing Board Meeting and May 17, 2013 Workshop Minutes – **Recommend Consent**
- Page 20
10. Amendment of the December 2012 Governing Board Meeting Minutes to Include the Omission of Documentation of the Board’s Approval of the FY2014 Preliminary Budget– **Recommend Consent**
11. Items of General Interest for Information/Cooperating Agencies and Organizations
- A. Presentation of Hydrologic Conditions and Agricultural Water Use Monitoring Update by Megan Wetherington, Senior Professional Engineer
 - B. Cooperating Agencies and Organizations
 - C. Public Comment
12. Public Hearings
- Agenda Item 33 - Public Hearing and Authorization to Publish a Notice of Change and File Amendments to 40B-1, 40B-4, and 40B-400, Florida Administrative Code (F.A.C)

BUREAU OF ADMINISTRATIVE SERVICES
Dave Dickens, Manager

- AS Page 1
13. Approval of April 2013 Financial Report – **Recommend Consent**
- AS Page 4
14. Acceptance of Fiscal Year 2012 Annual Audit Report
- AS Page 5
15. FY 2012/2013 Budget Amendment Number 2 to Recognize Revenues

DIVISION OF LAND RESOURCES
Charles H. Houder, III, Director

- LR Page 1
16. Authorization to Amend Rule 40B-9.131 and 40B-9.139, Florida Administrative Code (F.A.C.) – **Recommend Consent**
- LR Page 11
17. Authorization to Conduct a Detailed Assessment and Commence Negotiations with Bradford Timberlands, LLC on a Fee Simple Purchase in Bradford County
- LR Page 16
18. Surplus Lands Listing Agreement
- LR Page 18
19. Land Resources Activity Summary

DIVISION OF WATER SUPPLY
Carlos Herd, P.G., Director

- WS Page 1 20. Authorization to Extend Contract 12/13-019 with Land and Sea Surveying Concepts, Inc., for Middle Suwannee River Bathymetric Surveying in Support of Minimum Flows and Levels Development.
- WS Page 2 21. Consideration of Resolution 2013-11 Requesting the Department of Environmental Protection to Adopt the Lower Santa Fe and Ichetucknee Rivers and Springs Minimum Flows and Levels and Associated Prevention and Recovery Strategies

DIVISION OF WATER RESOURCES
Erich Marzolf, Ph.D., Director

No Items

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

- RM Page 1 22. Approval of Water Use Permit Application Number 2-11-00027.002, Nacep Farm, Gilchrist County– **Recommend Consent**
- RM Page 13 23. Approval of Water Use Permit Application Number 2-84-00029.004, Rodney Dicks Farm, Columbia County – **Recommend Consent**
- RM Page 27 24. Approval of Water Use Permit Application Number 2-84-00076.004, Homeplace Farm, Gilchrist County – **Recommend Consent**
- RM Page 39 25. Approval of Water Use Permit Application Number 2-84-01097.005, Fraleigh Blues, Madison County– **Recommend Consent**
- RM Page 51 26. Approval of Water Use Permit Application Number 2-84-00314.003, Castleton/129 Pivot/Newground, Gilchrist County– **Recommend Consent**
- RM Page 63 27. Approval of Water Use Permit Application Number 2-86-00022.002, J.M. Holtzclaw, Suwannee County– **Recommend Consent**
- RM Page 75 28. Approval of Water Use Permit Application Number 2-96-00023.002, Charles & Sheila Buckner Farm, Suwannee County– **Recommend Consent**
- RM Page 87 29. Approval of Water Use Permit Application Number 2-94-00018.003, Cabbage Grove Mining Company, Taylor County

- RM Page 99 30. Approval of Water Use Permit Application Number 2-12-00012.002, Old College Tract, Gilchrist County

- RM Page 112 31. Approval to Amend Contract 09/10-077 with AMEC Environment & Infrastructure, Inc. for the Implementation of the Federal Emergency Management Agency (FEMA) Risk Mapping Assessment, and Planning (MAP) Program within the Mapping Activity Statement (MAS) for FEMA Fiscal Year (FY) 2011

- RM Page 114 32. Ratification of Contract 12/13-182 with Alliance Dairies for a Nutrient Reduction Project

- RM Page 115 33. Authorization for the Executive Director to Take Enforcement Action Regarding *Rodney O. Tompkins, Trustee, and Rodney Tompkins*, CE11-0001, Gilchrist County

- RM Page 116 34. **Public Hearing** and Authorization to Publish a Notice of Change and File Amendments to 40B-1, 40B-4, and 40B-400, Florida Administrative Code (F.A.C)

- RM Page 135 35. Approval of 2013-2014 Annual Regulatory Plan

- RM Page 137 36. Permitting Summary Report

- RM Page 140 37. Enforcement Status Report

GOVERNING BOARD LEGAL COUNSEL
Tom Reeves

No Items

EXECUTIVE OFFICE
Ann B. Shortelle, Ph.D., Executive Director

- EO Page 1 38. Approval of Tentative Fiscal Year 2014 Millage and Budget

- EO Page 5 39. Ratification of Updated District Attendance and Leave Policy

- EO Page 19 40. Approval of Updated District Travel Policy

- EO Page 29 41. Approval of Updated District Information Technology and Communications Systems Policy

- EO Page 37 42. North Florida Regional Water Supply Partnership Stakeholder Committee Update

- EO Page 42 43. District's Weekly Activity Reports

44. Announcements

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

July 9, 2013 9:00 a.m. Board Meeting followed by
Workshop
District Headquarters

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

45. Adjournment

The entire meeting of the Governing Board is a public hearing and will be governed accordingly. The Governing Board may take action on any item listed on the agenda at any time during the meeting. The Governing Board may make changes to the printed agenda only for good cause shown as determined by the Chairman and stated for the record. 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. Public attendance and participation at the District Governing Board Meetings are encouraged.

AGENDA
SUWANNEE RIVER WATER MANAGEMENT DISTRICT
GOVERNING BOARD WORKSHOP

OPEN TO THE PUBLIC

June 11, 2013

District Headquarters

1. Springs Projects

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

Note: A digital recording system has been used to record these proceedings and is on file in the permanent files of the District. A copy of the Governing Board materials and handouts are a part of the record as if set out in full herein, and are filed in the permanent files of the District.

9:00 a.m., Thursday
May 16, 2013

Cedar Key Library
Cedar Key, Florida

Governing Board:

Seat	Name	Office	Present	Not Present
Aucilla Basin	George M. Cole, Ph.D.		X	
Coastal River Basin	Donald Ray Curtis, III	Secretary/ Treasurer	X	
Lower Suwannee River Basin	Don Quincey, Jr.	Chairman	X	
Santa Fe and Waccasassa Basins	Kevin W. Brown		X	
Upper Suwannee River Basin	Alphonas Alexander	Vice Chairman	X	
At Large	Virginia H. Johns		X	
At Large	Virginia Sanchez		X	
At Large	Guy N. Williams		X	
At Large	Gary Jones		X	

Governing Board General Counsel

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

Staff:

Position	Name	Present	Not Present
Executive Director	Ann Shortelle	X	
Assistant Executive Director	Jon Dinges	X	
Governmental Affairs and Communications Director	Steve Minnis	X	
Administrative Services Bureau Manager	Dave Dickens	X	
Land Resources Division Director	Charlie Houder	X	
Water Supply Division Director	Carlos Herd	X	
Water Resources Division Director	Erich Marzolf	X	
Resource Management Division Director	Tim Sagul	X	
GB and HR Coordinator	Lisa Cheshire	X	

Guests:

Kevin Wright, SRWMD
Leah Lamontagne, SRWMD
Rhonda Scott, SRWMD
Clay Coarsey, SRWMD
Warren Zwanka, SJRWMD
Jeff Hill, Lake City
David Richardson, Gainesville Regional Utilities, Gainesville
Craig Varn, Manson Law Group, Tallahassee
Barney & Renate Cannon, Chiefland
Billy Murphy, Murphy Citrus Nursery Inc., Perry
Annette Long, Chiefland
Matt Yates, Resource Conservation Partners, Steinhatchee
Dale Bryant, Resource Conservation Partners, Steinhatchee
Brett Cranford, H2O Mobile Lab, High Springs
Cory Mikell, H2O Mobile Lab, High Springs
Cathy Street, Our Santa Fe River, Inc., Ft. White
Heath Davis, City Commissioner, Past Board Member, Cedar Key
Sue Colson, City Commissioner, Past Board Member, Cedar Key
Leslie Stemer, UF IFAS, Cedar Key
Nick Abrahms, Senator Dean's Office, Ocala
Chase Daniels, Senator Dean's Office, Ocala

The meeting was called to order at 9:00 a.m.

Agenda Item No.3 - Additions, Deletions, or Changes to the Agenda.

Updates:

- Agenda Item No. 14 - Authorization to Procure Appraisal for Florida Gateway College.
- Agenda Item No. 17 - Lower Santa Fe and Ichetucknee Rivers and Springs Minimum Flows and Levels Peer Review.
- Agenda Item No. 28 - Approval to Enter Into Contracts for the 3rd Round of Department of Environmental Protection Santa Fe River Basin Management Action Plan (BMAP) Agriculture Cost-Share Program.
- Agenda Item No. 32 - First Amendment to Interagency Agreement Between the Suwannee River Water Management District and the St. Johns Water Management District for the Designation for Regulatory Responsibility of Gainesville Regional Utilities for Consumptive Use Permitting.

Agenda Item No. 4 – Approval of Agenda.

MR. ALEXANDER MADE A MOTION TO APPROVE THE AGENDA AS UPDATED. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item No.5 – Consent Agenda.

- Agenda Item 7– Approval of Minutes – April 9, 2013, Governing Board Meeting Governing Board Meeting and Workshop and April 25, 2013 Meeting Minutes
- Agenda Item 10 - Approval of March 2013 Financial Report
- Agenda Item 18 - Approval of Water Use Permit Application Number 2-01-0038.003, Batson Place, Gilchrist County
- Agenda Item 19 – Approval of Water Use Permit Application Number 2-04-00099.003, Lee Farm, Madison County
- Agenda Item 20 - Approval of Water Use Permit Application Number 2-08-00063.002, Sam Jones Farm, Hamilton County
- Agenda Item 21 – Approval of Water Use Permit Application Number 2-84-00492.004, Frier Farm, Suwannee County
- Agenda Item 22 – Approval of Water Use Permit Application Number 2-05-00102.004, House Pivot, Gilchrist County
- Agenda Item 23 – Approval of Water Use Permit Application Number 2-84-00203.003, Russell’s Pivot, Gilchrist County
- Agenda Item 24 – Approval of Water Use Permit Application Number 2-00-00081.002, Gaylord Farm, Suwannee County

Agenda Item No. 6 – Approval of Recommended Consent Items.

MR.CURTIS MADE A MOTION TO ACCEPT THE CONSENT AGENDA. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, CURTIS, COLE, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item No.7– April 9, Governing Board Meeting and Workshop and April 25, 2013 Meeting Minutes – Approved on Consent.

Agenda Item No.8 - Items of General Interest for Information/Cooperating Agencies and Organizations

- Sue Colson thanked the Governing Board for holding their meeting in Cedar Key.
- Erich Marzolf gave a presentation on the hydrologic conditions of the District.
- Public Comments: (Notations provided as written on sign in sheet.)
The following citizens addressed the Governing Board:
 1. Heath Davis – City of Cedar Key
 2. Jeff Hill – Legal matter.

3. Craig Varn - Agenda Item No. 18 and 33.
4. David Richardson - Public comment.

Agenda Item No.9 – Legal Matters

Agenda Item 36 – Recommendation for the Governing Board to take Action to Resolve the Ongoing El Rancho No Tengo, Inc. Matters. Board Counsel presented a recommendation for the Governing Board take action to resolve the ongoing El Rancho No Tengo, Inc. matters.

Mr. Jeffrey Hill gave an extensive presentation to the Governing Board concerning his position with regards to the ongoing and past litigation between the District and El Rancho No Tengo, Inc. and Mr. and Mrs. Hill.

MR. CURTIS MADE A MOTION TO (1) AUTHORIZE THE CHAIR TO NEGOTIATE WITH MR. HILL IN AN ATTEMPT TO REACH AN AGREEMENT WHICH WOULD RESOLVE ALL MATTERS BETWEEN THE DISTRICT, EL RANCHO NO TENGO, INC. AND MR. AND MRS. HILL, PROVIDED ANY SUCH AGREEMENT WOULD NOT BE LEGALLY BINDING ON THE DISTRICT UNLESS AND UNTIL SUCH AGREEMENT WAS APPROVED BY THE GOVERNING BOARD, AND, (2) FOR THIS MATTER AND ANY POTENTIAL AGREEMENT SO NEGOTIATED TO BE PLACED ON THE AGENDA FOR THE GOVERNING BOARD'S REGULAR JULY 2013 MEETING. THE MOTION WAS SECONDED BY DR. COLE. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.) (MEMBERS VOTING AGAINST: NONE.)

BUREAU OF ADMINISTRATIVE SERVICES

Agenda Item No. 10 – Approval of March 2013 Financial Report. Approved on Consent.

Agenda Item No. 11 – Fiscal Year 2012/2013 First Budget Amendment to Recognize Revenues. Dave Dickens, Bureau Director, presented the staff recommendation to authorize the amendment of the Fiscal Year 2012/2013 budget from \$16,102,072 to \$16,586,822 to recognize \$484,750 in unanticipated and unbudgeted revenues, as presented in the Board materials.

MR. ALEXANDER MADE A MOTION TO AUTHORIZE THE AMENDMENT OF THE FISCAL YEAR 2012/2013 BUDGET FROM \$16,102,072 TO \$16,586,822 TO RECOGNIZE \$484,750 IN UNANTICIPATED AND UNBUDGETED REVENUES. THE MOTION WAS SECONDED BY MR JONES. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

DIVISION OF LAND RESOURCES

Agenda Item No. 12 – Consideration of Resolution No. 2013-09 Payment in Lieu of Taxes for Properties Acquired through 2012. Charlie Houdier, Division Director, presented the staff

recommendation for approval of Resolution No. 2013-09 for Payment in Lieu of Taxes in the amount of \$342,908.93 for qualifying counties for lands owned through 2012, as provided in the Board materials.

MR. CURTIS MADE A MOTION TO APPROVE RESOLUTION NO. 2013-09 FOR PAYMENT IN LIEU OF TAXES IN THE AMOUNT OF \$342,908.93 FOR QUALIFYING COUNTIES FOR LANDS OWNED THROUGH 2012. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item No. 13 – Authorization to Conduct a Detailed Assessment and Commence Negotiations with Milton C. Hitson on a Fee Simple Purchase in Hamilton County. Mr. Houser presented the staff recommendation to the Governing Board to authorize the Executive Director to conduct a detailed assessment and commence negotiations with Milton C. Hitson on a fee simple purchase of his 10 acres in Hamilton County, as provided in the Board materials.

MR. ALEXANDER MADE A MOTION AUTHORIZING THE EXECUTIVE DIRECTOR TO CONDUCT A DETAILED ASSESSMENT AND COMMENCE NEGOTIATIONS WITH MILTON C. HITSON ON THE FEE SIMPLE PURCHASE OF HIS 10 ACRES IN HAMILTON COUNTY. THE MOTION WAS SECONDED BY DR COLE. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBER VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item No. 14 – Authorization to Procure Appraisal for Florida Gateway College. Mr. Houser presented the staff recommendation to the Governing Board to authorize the Executive Director to conduct a fair market value appraisal of 16.25 acres of the Lake City Well Field for potential surplus and sale to the Florida Gateway College, as provided in the Board materials.

MR. CURTIS MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO CONDUCT A FAIR MARKET VALUE APPRAISAL OF 16.25 ACRES OF THE LAKE CITY WELL FIELD FOR POTENTIAL SURPLUS AND SALE TO THE FLORIDA GATEWAY COLLEGE. THE MOTION WAS SECONDED BY MR. JONES. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item No. 15 – Authorization to Amend the Conservation Easement with Plum Creek to Allow Installation of a Non-Commercial Communication Tower in Levy County. Mr. Houser presented the staff recommendation for approval and execution of an amendment to the conservation easement with Plum Creek Timberlands, L.P., to allow a Statewide Law Enforcement Radio System (SLERS) tower site to be located on the Plum Creek Conservation Easement, as provided in the Board materials.

MR. BROWN MADE A MOTION FOR APPROVAL AND EXECUTION OF AN AMENDMENT TO THE CONSERVATION EASEMENT WITH PLUM CREEK TIMBERLANDS, L.P., TO ALLOW A STATEWIDE LAW ENFORCEMENT RADIO SYSTEM (SLERS) TOWER SITE TO BE LOCATED

ON THE PLUM CREEK CONSERVATION EASEMENT. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item No. 16– Land Resources Activity Summary. The Land Resources Activity Summary was provided as an informational item in the Board materials.

DIVISION OF WATER SUPPLY

Agenda Item No.17 – Lower Santa Fe and Ichetucknee Rivers and Springs Minimum Flows and Levels Peer Review. Carlos Herd, P.G., Division Director, presented the staff recommendation to authorize the Executive Director to enter into an agreement with the University of Florida (UF) Water Institute to conduct peer review of Lower Santa Fe and Ichetucknee Rivers and Springs Minimum Flows and Levels for an amount not to exceed \$45,000, as provided in the Board materials.

MR. CURTIS MADE A MOTION TO AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE UNIVERSITY OF FLORIDA (UF) WATER INSTITUTE TO CONDUCT PEER REVIEW OF LOWER SANTA FE AND ICHETUCKNEE RIVERS AND SPRINGS MINIMUM FLOWS AND LEVELS FOR AN AMOUNT NOT TO EXCEED \$45,000. THE MOTION WAS SECONDED BY MR. JONES. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

DIVISION OF WATER RESOURCES

No Items

DIVISION OF RESOURCE MANAGEMENT

Agenda Item No 18 – Approval of Water Use Permit Application Number 2-01-00038.003, Batson Place, Gilchrist County. Approved on Consent.

Agenda Item No 19 – Approval of Water Use Permit Application Number 2-04-00099.003, Lee Farm, Madison County. Approved on Consent.

Agenda Item 20 - Approval of Water Use Permit Application Number 2-08-00063.002, Sam Jones Farm, Hamilton County. Approved on Consent.

Agenda Item 21 – Approval of Water Use Permit Application Number 2-84-00492.004, Frier Farm, Suwannee County. Approved on Consent.

Agenda Item 22 – Approval of Water Use Permit Application Number 2-05-00102.004, House Pivot, Gilchrist County. Approved on Consent.

Agenda Item 23 – Approval of Water Use Permit Application Number 2-84-00203.003, Russell's Pivot, Gilchrist County. Approved on Consent.

Agenda Item 24 – Approval of Water Use Permit Application Number 2-00-00081.002, Gaylord Farm, Suwannee County. Approved on Consent.

Agenda Item 25 – Approval of Water Use Permit Application Number 2-13-00020.001, Sandy Pines, Madison County. Kevin Wright, Professional Engineer, Division of Resource Management, presented the staff recommendation for approval of water use permit application number 2-13-00020.001, Sandy Pines, Madison County, as provided in the Board materials.

MR. BROWN MADE A MOTION TO APPROVE WATER USE PERMIT APPLICATION NUMBER 2-13-00020.001, SANDY PINES, MADISON COUNTY. THE MOTION WAS SECONDED BY MR. WILLIAMS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item 26 - Approval of Water Use Permit Application Number 2-87-00015.004, Gary Cone Farm, Hamilton County. Mr. Wright presented the staff recommendation for approval of water use permit application number 2-87-00015.004, Gary Cone Farm, Hamilton County, as provided in the Board materials.

MR. WILLIAMS MADE A MOTION TO APPROVE WATER USE PERMIT APPLICATION NUMBER 2-87-00015.004, GARY CONE FARM, HAMILTON COUNTY. THE MOTION WAS SECONDED BY MRS. SANCHEZ. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item 27 – Approval to Enter Into Contracts for the 3rd Round District Agricultural Cost-Share Program. Mr. Wright presented the staff recommendation to authorize the Executive Director to enter into contracts for the 3rd round FY 2012/13 District Agricultural Cost-Share Program with thirteen applicants, as provided in the Board materials.

MR. CURTIS MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACTS FOR THE 3RD ROUND FY 2012/13 DISTRICT AGRICULTURAL COST-SHARE PROGRAM WITH THIRTEEN APPLICANTS. THE MOTION WAS SECONDED BY MR. JONES. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item 28 – Approval to Enter Into Contracts for the 3rd Round Department of Environmental Protection Santa Fe River Basin Management Action Plan (BMAP) Agricultural Cost-Share Program. Mr. Wright presented the staff recommendation for the Governing Board to authorize the Executive Director to enter into contracts for the 3rd round of Department of Environmental Protection Santa Fe River Basin Management Plan (BMAP) Agricultural Cost-Share Program as provided in the Board materials.

MR. CURTIS MADE A MOTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACTS FOR THE 3RD ROUND DEPARTMENT OF ENVIRONMENTAL PROTECTION SANTA FE RIVER BASIN MANAGEMENT ACTION PLAN (BMAP) AGRICULTURAL COST-SHARE PROGRAM. THE MOTION WAS SECONDED BY MR. JONES. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item 29 – Authorization to Amend Contract Number 03/04-258 with the Florida Department of Agricultural and Consumer Service (FDACS) for Continuation of the Two Positions for the Suwannee River Partnership for the Period July 1, 2013 through June 30, 2014. Mr. Wright presented the staff recommendation to authorize the Executive Director to amend Contract Number 03/04-258 with the Florida Department of Agriculture and Consumer Services (FDACS) for continuation of funding a third of the costs associated with providing the two Suwannee River Partnership positions at a cost not to exceed \$51,100 for the period covering July 1, 2013 through June 30, 2014, as provided in the Board materials.

MR. WILLIAMS MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO AMEND CONTRACT 03/04-258 WITH THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (FDACS) FOR CONTINUATION OF FUNDING A THIRD OF THE COSTS ASSOCIATED WITH PROVIDING THE TWO SUWANNEE RIVER PARTNERSHIP POSITIONS AT A COST NOT TO EXCEED \$51,100 FOR THE PERIOD COVERING JULY 1, 2013 THROUGH JUNE 30, 2014. THE MOTION WAS SECONDED BY MR. CURTIS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item 30 – Authorization to Amend Contract Number 10/11-021 for Suwannee River Partnership (SRP) Cooperative Conservation Technician Services with Florida Department of Agriculture and Consumer Services (FDACS). Mr. Wright presented the staff recommendation to authorize the Executive Director to amend contract number 10/11-021 to co-fund four Conservation Technician positions associated with the Suwannee River Partnership (SRP) program with Florida Department of Agriculture and Consumer Services (FDACS) for a contract period of twelve months at a District cost not to exceed \$130,000, as provided in the Board materials.

DR. COLE MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO AMEND CONTRACT NUMBER 10/11-021 TO CO-FUND FOUR CONSERVATION TECHNICIAN POSITIONS ASSOCIATED WITH THE SUWANNEE RIVER PARTNERSHIP (SRP) PROGRAM WITH FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (FDACS) FOR A CONTRACT PERIOD OF TWELVE MONTHS AT A DISTRICT COST NOT TO EXCEED \$130,000. THE MOTION WAS SECONDED BY MR. BROWN. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item 31 – Amendment to Contract Number 12/13-157 for Water Use Monitoring Equipment and Authorization for Implementation of a Nutrient Reduction Project. Mr. Wright presented the

staff recommendation to authorize the Executive Director to amend contract 12/13-157 with the Florida Department of Agriculture and Consumer Services (DACS) for \$100,000 for additional water use monitoring equipment and to implement a nutrient reduction project, not to exceed \$300,000, as provided in the Board materials.

MR. CURTIS MADE A MOTION AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND CONTRACT 12/13-157 WITH THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (DACS) FOR \$100,000 FOR ADDITIONAL WATER USE MONITORING EQUIPMENT AND TO IMPLEMENT A NUTRIENT REDUCTION PROJECT NOT TO EXCEED \$300,000. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item 32 – First Amendment to Interagency Agreement between the Suwannee River Water Management District and the St. Johns River Water Management District for the Designation of Regulatory Responsibility of Gainesville Regional Utilities for Consumptive Use Permitting. Tim Sagul, P.E., Division Director, presented the staff recommendation to authorize the Executive Director to amend the Interagency Agreement between the Suwannee River Water Management District and the St. Johns River Water Management District for the designation of regulatory responsibility of Gainesville Regional Utilities for consumptive use permitting, as provided in the Board materials.

MR. CURTIS MADE A MOTION AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE INTERAGENCY AGREEMENT BETWEEN THE SUWANNEE RIVER WATER MANAGEMENT DISTRICT AND THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT FOR THE DESIGNATION OF REGULATORY RESPONSIBILITY OF GAINESVILLE REGIONAL UTILITIES FOR CONSUMPTIVE USE PERMITTING. THE MOTION WAS SECONDED BY MR. BROWN. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, AND QUINCEY. MR. WILLIAMS OPPOSED.)

Agenda Item 33 – Adoption of Proposed Rules for 40B-1 and 40B-2, Florida Administrative Code (F.A.C.) for Water Use Permitting Rules to be Consistent with Statewide CUPcon Rulemaking Process. Mr. Sagul presented the staff recommendation to authorize the publication of notice of proposed rule for Chapters 40B -1 and 40B-2, Florida Administrative Code (F.A.C.) and to file 40B-1 and 40B-2, F.A.C. with the Department of State if no objections or comments are received, as provided in the Board materials.

MRS. JOHNS MADE A MOTION TO AUTHORIZE THE PUBLICATION OF NOTICE OF PROPOSED RULE FOR CHAPTERS 40B -1 AND 40B-2, FLORIDA ADMINISTRATIVE CODE (F.A.C.) AND TO FILE 40B-1 AND 40B-2, F.A.C. WITH THE DEPARTMENT OF STATE IF NO OBJECTIONS OR COMMENTS ARE RECEIVED. THE MOTION WAS SECONDED BY MR. JONES. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item 34 – Permitting Summary Report. The Permitting Summary Report was provided as an informational item as provided in the Board materials.

Agenda Item 35 – Enforcement Status Report. The Enforcement Status Report was provided as an informational item as provided in Board materials.

GOVERNING BOARD LEGAL COUNSEL

Agenda Item 36 – Legal Matters Relating to El Rancho No Tengo, Inc. Presented under Agenda Item 9, under the Legal Matters section.

EXECUTIVE OFFICE

Agenda Item 37– Approval to Declare Water Reuse Week Proclamation.

Dr. Ann Shortelle, Executive Director, presented the staff recommendation to adopt a proclamation to declare May 19-25, 2013 as Water Reuse Week, as provided in board material.

MR. CURTIS MADE A MOTION TO ADOPT A PROCLAMATION TO DECLARE MAY 19-25, 2013 AS WATER REUSE WEEK. THE MOTION WAS SECONDED BY MRS. SANCHEZ. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item No. 38 – Consideration of Resolution 2013-10 Requesting Reimbursement of Preacquisition Costs, Land Management Expenses, and Water Supply Planning Expenses for January 1, 2013 through March 31, 2013. Dr. Shortelle presented the staff recommendation for approval and execution of Resolution 2013-10 requesting the Department of Environmental Protection reimburse the District from the Water Management Lands Trust Fund for preacquisition costs in the amount of \$14,159.63, land management expenses in the amount of \$198,892.60, and water supply planning expenses in the amount of \$197,754.04 for January 1, 2013 through March 31, 2013, as provided in the board materials.

MR. CURTIS MADE A MOTION FOR APPROVAL AND EXECUTION OF RESOLUTION 2013-10 REQUESTING THE DEPARTMENT OF ENVIRONMENTAL PROTECTION REIMBURSE THE DISTRICT FROM THE WATER MANAGEMENT LANDS TRUST FUND FOR PREACQUISITION COSTS IN THE AMOUNT OF \$14,159.63, LAND MANAGEMENT EXPENSES IN THE AMOUNT OF \$198,892.60, AND WATER SUPPLY PLANNING EXPENSES IN THE AMOUNT OF \$197,754.04 FOR JANUARY 1, 2013 THROUGH MARCH 31, 2013. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, SANCHEZ, WILLIAMS AND QUINCEY.)

Agenda Item No. 39 – North Florida Regional Water Supply Partnership Stakeholder Committee Update. A North Florida Regional Water Supply Partnership Stakeholder Committee update was provided as an informational item in the Board materials.

Agenda Item No. 40 - District's Weekly Activity Reports. The District's Weekly Activity Reports were provided as an informational item in the Board materials.

Steve Minnis provided a brief narrative of the 2013 Legislative Session.

The Meeting adjourned at 12:15 p.m.

Chairman

ATTEST:

SUWANNEE RIVER WATER MANAGEMENT DISTRICT
MINUTES OF
GOVERNING BOARD WORKSHOP

Note: A digital recording system has been used to record these proceedings and is on file in the permanent files of the District. A copy of the Governing Board materials and handouts are a part of the record as if set out in full herein, and are filed in the permanent files of the District.

8:30 a.m., Friday
May 17, 2013

Cedar Key Library
Cedar Key, Florida

Governing Board:

Seat	Name	Office	Present	Not Present
Aucilla Basin	George M. Cole, Ph.D.		X	
Coastal River Basin	Donald Ray Curtis, III	Secretary/ Treasurer	X	
Lower Suwannee River Basin	Don Quincey, Jr.	Chairman	X	
Santa Fe and Waccasassa Basins	Kevin W. Brown		X	
Upper Suwannee River Basin	Alphonas Alexander	Vice Chairman	X	
At Large	Virginia H. Johns		X	
At Large	Virginia Sanchez		X	
At Large	Guy N. Williams		X	
At Large	Gary Jones		X	

Governing Board General Counsel

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

Staff:

Position	Name	Present	Not Present
Executive Director	Ann Shortelle	X	
Assistant Executive Director	Jon Dinges	X	
Governmental Affairs and Communications Director	Steve Minnis	X	
Administrative Services Bureau Manager	Dave Dickens	X	
Land Resources Division Director	Charlie Houder	X	
Water Supply Division Director	Carlos Herd	X	
Water Resources Division Director	Erich Marzolf	X	
Resource Management Division Director	Tim Sagul		X
GB and HR Coordinator	Lisa Cheshire	X	

Guests:

Kevin Wright, SRWMD
Clay Coarsey, SRWMD
Warren Zwanka, SJRWMD
David Richardson, Gainesville Regional Utilities, Gainesville
Craig Varn, Manson Law Group, Tallahassee
Barney & Renate Cannon, Chiefland
Robin Hallbourg, Alachua County Environmental Protection, Gainesville
Brett Goodman, Jones Edmunds, Gainesville
Tony Cunningham, Gainesville Regional Utilities, Gainesville
David Ward, Jefferson County

Consumptive Use Permit (CUP) Modeling and Permitting Process Update and CUP Fee Changes

Kevin Wright, Professional Engineer, gave a presentation on CUP modeling and permitting process which included a review of permitting authority for the water use program.

Carlos D. Herd, P.G., Water Supply Division Director, discussed the use of groundwater flow models to assess the potential impact of proposed withdrawals on environmental constraints and existing legal uses.

Mr. Wright then discussed the three scenarios of requested withdrawals and their potential harm to natural systems and ended with a presentation and discussion about possible changes to current permitting fees.

Lower Santa Fe and Ichetucknee Rivers and Springs Minimum Flows and Levels Update

Clay Coarsey, Professional Engineer, gave a presentation on the results for the Lower Santa Fe and Ichetucknee Rivers and Springs MFLs. The Santa Fe River will require a recovery strategy and the Ichetucknee River will require a prevention strategy. The District is moving forward with a recovery and prevention plan, rule development and voluntary peer review of the MFL technical report.

- Brett Goodman, Jones Edmunds, Gainesville, addressed the board on MFL's.
- Tony Cunningham, Gainesville Regional Utilities, Gainesville, addressed the board on MFL Development.

EI Trigal Farms, LLC, Conservation Easement Exchange for Surplus Lands

Charlie Houser presented a summary of discussions regarding the proposed conservation easement exchange with EI Trigal Farms, LLC, et al. and provided options for the commencement of formal negotiations. After discussion by the Board members, staff was directed to collect

additional information, arrange a tour of the property for either Mr. Curtis or Mr. Alexander, and agenda the item for further discussion by the Surplus Lands Committee.

David Ward, on behalf of El Trigal Farms, LCC, et al., provided a brief description of the property and its water resource values.

Tentative FY2014 Budget

Ann Shortelle, Ph.D., Executive Director, gave a presentation of the tentative FY2014 Budget.

Eutrophication – This item was postponed until the June 11, 2013 workshop.

The workshop ended at 2:16 p.m.

Chairman

ATTEST:

MEMORANDUM

TO: Governing Board

FROM: Lisa Cheshire, Governing Board and Human Resources Coordinator

DATE: May 28, 2013

RE: Amendment of the December 2012 Governing Board Meeting Minutes to Include the Omission of Documentation of the Board's Action and Approval of the FY2014 Preliminary Budget

RECOMMENDATION

Staff recommends the Governing Board approve the Amendment of the December 11, 2012 Governing Board Meeting Minutes which have been amended to accurately document the Board's action and approval of the FY2014 Preliminary Budget.

BACKGROUND

Although the Governing Board did properly vote and approve the FY2014 Preliminary Budget on December 11, 2012, as provided in the recording of the meeting, the approval language was inadvertently omitted during the preparation of the Governing Board meeting minutes. The language has been added to the December 2012 minutes on page seven and by approval of this recommendation will be recorded and accurately documented in the District files.

lmc

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

Note: A digital recording system has been used to record these proceedings and is on file in the permanent files of the District. A copy of the Governing Board materials and handouts are a part of the record as if set out in full herein, and are filed in the permanent files of the District.

9:00 a.m., Tuesday
 December 11, 2012

District Headquarters
 Live Oak, Florida

Governing Board:

Seat	Name	Office	Present	Not Present
Aucilla Basin	George M. Cole, Ph.D.		X	
Coastal River Basin	Donald Ray Curtis, III	Secretary/ Treasurer	X	
Lower Suwannee River Basin	Don Quincey, Jr.	Chairman	X	
Santa Fe & Waccasassa Basins	Kevin W. Brown		X	
Upper Suwannee River Basin	Alphonas Alexander	Vice Chairman	X	
At Large	Virginia H. Johns		X	
At Large	Carl Meece		X	
At Large	Guy N. Williams		X	
At Large	Gary Jones		X	

Governing Board General Counsel

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

Staff:

Position	Name	Present	Not Present
Executive Director	Ann Shortelle	X	
Assistant Executive Director	Jon Dinges	X	
Governmental Affairs and Communications Director	Steve Minnis		X
Administrative Services Division Director	Joe Flanagan	X	
Land Resources Division Director	Charlie Houder	X	
Water Supply Division Director	Carlos Herd	X	
Water Resources Division Director	Erich Marzolf	X	
Resource Management Division Director	Tim Sagul	X	
GB & HR Coordinator	Lisa Cheshire	X	

Guests:

Kevin Wright, SRWMD
Bob Heeke, SRWMD
Rhonda Scott, SRWMD
Paul Still, Bradford Soil & Water, Starke
Roland Garcia, Tallahassee
Steven Gladden, Trenton
Barney & Renate Cannon, Chiefland
James Cornett, Cornett's Spirit of the Suwannee, Live Oak
Charles Shinn, Florida Farm Bureau Federation, Gainesville
Annette Long, Save Our Suwannee, Inc., Chiefland
Merrilee Malwitz-Jipson, Our Santa Fe River, Inc., Ft. White
Jordan Gaylord, Branford FFA, Branford
Taylor Randell, Branford FFA, Branford
Scott McNulty, Cedar Key

The meeting was called to order at 9:00 a.m.

Agenda Item No. 3 - Additions, Deletions, or Changes to the Agenda.

Additions:

- **Land Resources Division** – Ellaville/Damascus Peanut Company Exchange
- **Water Resources Division** - Authorization to Amend Contract with Water & Air Research, Inc. for Surfacewater Quality, Biological Sampling, and Laboratory Analysis, Contract Number 10/11-003

Update:

- **Executive Office** - Agenda Item 21 - Approval of Fiscal Year 2013-2014 Preliminary Budget

Agenda Item No. 4 – Approval of Agenda.

DR. COLE MADE A MOTION TO ACCEPT THE UPDATED AGENDA AS READ. THE MOTION WAS SECONDED BY MS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No. 5 – Consent Agenda.

- Agenda Item 7 – Approval of Minutes
- Agenda Item 9 - Approval of October 2012 Financial Report

Agenda Item No. 6 – Approval of Recommended Consent Items.

MR. ALEXANDER MADE A MOTION TO ACCEPT THE CONSENT AGENDA AS READ. THE MOTION WAS SECONDED BY DR. COLE. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No. 7– November 15, 2012 Governing Board Meeting and November 16, 2012 Workshop Minutes. Approved on consent.

Agenda Item No. 8 - Items of General Interest for Information/Cooperating Agencies and Organizations.

- Dr. Ann Shortelle, Executive Director, recognized Robin Lamm, Executive Office Business Resource Specialist, for ten years of service with the District.
- A presentation of the Hydrologic Conditions was given by Megan Wetherington, Senior Professional Engineer.
- Taylor Randell and Jordan Gaylord of the Branford FFA Chapter gave an update on projects in the Branford Bend and thanked the Governing Board for their support.
- Merrilee Malwitz-Jipso, Our Santa Fe River, Inc., spoke in opposition to injecting wastewater into the Floridian Aquifer.
- Paul Still, Bradford Soil & Water, discussed his concerns with the Akins recharge project.
- Charles Shinn, Florida Farm Bureau Federation, discussed the Ellaville/Damascus Peanut Company Tract Exchange.
- Annette Long, Save Our Suwannee, Inc., requested additional information on Resource Management's Agenda Item Number 26.

DIVISION OF ADMINISTRATIVE SERVICES

Agenda Item No. 9 – Approval of October 2012 Financial Report. Approved on consent.

DIVISION OF LAND RESOURCES

Agenda Item No. 10 – Approval of Resolution 2012-72 Authorizing Sale of the Bay Creek North Surplus Parcel in Columbia County. Charles Houder, Division Director, presented the staff recommendation for approval and execution of Resolution 2012-72 authorizing the sale of the Bay Creek North surplus parcel in Columbia County to Craig and Teresa Hanger, as shown in the Board materials.

MR. MEECE MADE A MOTION FOR APPROVAL AND EXECUTION OF RESOLUTION 2012-72 AUTHORIZING THE SALE OF THE BAY CREEK NORTH SURPLUS PARCEL IN COLUMBIA COUNTY TO CRAIG AND TERESA HANGER. THE MOTION WAS SECONDED BY DR. COLE. UPON UNANIMOUS VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, MEECE, WILLIAMS AND QUINCEY.)

Emergency Agenda Item– Authorization for the Executive Director to amend the exchange agreement to extend the closing date, and if necessary, to accept a superior offer from a potential third party at a price determined by the Governing Board. Mr. Houder presented the staff recommendation to authorize the Executive Director to amend the exchange agreement to extend the closing date, and if necessary, to accept a superior offer from a potential third party at a price determined by the Governing Board.

MR. MEECE MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO AMEND THE EXCHANGE AGREEMENT TO EXTEND THE CLOSING DATE, AND IF NECESSARY, TO ACCEPT A SUPERIOR OFFER FROM A POTENTIAL THIRD PARTY AT A PRICE DETERMINED BY THE GOVERNING BOARD. THE MOTION WAS SECONDED BY DR. MR. JONES.

Discussion occurred.

MR. MEECE WITHDREW HIS MOTION.

The Governing Board instructed staff to set an emergency Governing Board meeting to be held at 1:00 p.m. on Friday, December 14, 2012, prior to the scheduled closing, for discussion and possible action upon the Ellaville/Damascus Peanut land exchange.

Agenda Item No. 11– Land Resources Activity Summary - The Land Resources Activity Summary was provided as an informational item in the Board materials.

DIVISION OF WATER SUPPLY

Agenda Item No. 12 – North Florida Regional Water Supply Partnership Facilitation Cost- share Agreement with St. Johns River Water Management District. Carlos Herd, Water Supply Division Director, presented the staff recommendation to authorize the Executive Director to execute a cost-share agreement with the St. Johns River Water Management District (SJRWMD) for the North Florida Regional Water Supply Partnership facilitation services for an amount not to exceed \$51,342, as shown in the Board materials.

MR. MEECE MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE A COST-SHARE AGREEMENT WITH THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (SJRWMD) FOR THE NORTH FLORIDA REGIONAL WATER SUPPLY PARTNERSHIP FACILITATION SERVICES FOR AN AMOUNT NOT TO EXCEED \$51,342. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

DIVISION OF WATER RESOURCES

Agenda Item No. 13 – Contract with the U.S. Geological Survey (USGS) for LiDAR Data and Quality Control Services. Erich Marzolf, Ph.D., Water Resources Division Director, presented the staff recommendation to authorize the Executive Director to enter into a contract with the USGS to provide light detection and ranging (LiDAR) data over 373 square miles in portions of Suwannee, Gilchrist, Madison, and Columbia counties for a total not-to-exceed cost of \$131,700. Funding consists of \$31,700 from the USGS and \$100,000 from the District, as shown in the Board materials.

DR. COLE MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH THE USGS TO PROVIDE LIGHT DETECTION AND RANGING (LIDAR) DATA

OVER 373 SQUARE MILES IN PORTIONS OF SUWANNEE, GILCHRIST, MADISON, AND COLUMBIA COUNTIES FOR A TOTAL NOT-TO-EXCEED COST OF \$131,700. FUNDING CONSISTS OF \$31,700 FROM THE USGS AND \$100,000 FROM THE DISTRICT. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Emergency Agenda Item– Authorization to Amend Contract with Water & Air Research, Inc. for Surfacewater Quality, Biological Sampling, and Laboratory Analysis, Contract Number 10/11-003. Mr. Marzolf presented the staff recommendation to authorize the Executive Director to increase the existing contract with Water & Air Research, Inc., (#10/11-003) for \$275,800 for surfacewater quality and biological sampling and laboratory analysis.

MR. CURTIS MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO INCREASE THE EXISTING CONTRACT WITH WATER & AIR RESEARCH, INC., (#10/11-003) FOR \$275,800 FOR SURFACEWATER QUALITY AND BIOLOGICAL SAMPLING AND LABORATORY ANALYSIS. THE MOTION WAS SECONDED BY DR. COLE. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

DIVISION OF RESOURCE MANAGEMENT

Agenda Item No 14-- Approval of Water Use Permit Application Number 2-84-00186.003, Jackson Lord, Suwannee County. Kevin Wright, Agriculture Team Program Leader, presented the staff recommendation for approval of Water Use Permit number 2-84-00186.003, with eighteen standard conditions and three special limiting conditions to Sidney & Jackson Lord, in Suwannee County, as shown in the Board materials.

Dr. Cole discussed the striking of the last sentence in the special limiting conditions number 21 on RM Page 10 which reads *“This condition applies to the proposed well only.”*

Steve Gladden thanked Dr. Cole for the modification and discussed his concerns with permitting decisions being based on old data provided by IFAS.

DR. COLE MADE A MOTION TO APPROVE WATER USE PERMIT NUMBER 2-84-00186.003, WITH EIGHTEEN STANDARD CONDITIONS AND THREE SPECIAL LIMITING CONDITIONS TO SIDNEY & JACKSON LORD, IN SUWANNEE COUNTY, WITH THE STRIKING OF THE LAST SENTENCE IN THE SPECIAL LIMITING CONDITIONS NUMBER 21 ON RM PAGE NUMBER 10 WHICH READS *“THIS CONDITION APPLIES TO THE PROPOSED WELL ONLY.”*, MR. CURTIS SECONDED THE MOTION. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No 15-- Approval of Water Use Permit Application Number 2-12-00069.001, Holly Hill, Dixie County. Mr. Wright presented the staff recommendation for approval of Water Use Permit number 2-12-00069.001, with eighteen standard conditions and five special limiting conditions to

SanBrook, LLC, in Dixie County, as provided in the updated board materials that provide a modification to the special limiting conditions to provide new language stating that they may not cultivate the wetlands without further environmental permitting.

MRS. JOHNS MADE A MOTION TO APPROVE WATER USE PERMIT NUMBER 2-12-00069.001, WITH EIGHTEEN STANDARD CONDITIONS AND THE UPDATED FIVE SPECIAL LIMITING CONDITIONS TO SANBROOK, LLC, IN DIXIE COUNTY, MR. JONES SECONDED THE MOTION. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No 16-- Approval to Enter Into Contracts for the 1st Quarter Department of Environmental Protection Agriculture Cost Share Program. Mr. Wright presented the staff recommendation to authorize the Executive Director to enter into contracts for the 1st quarter Department of Environmental Protection BMAP Agricultural Cost-Share Program with 27 applicants, as shown in the Board materials.

DR. COLE MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACTS FOR THE 1ST QUARTER DEPARTMENT OF ENVIRONMENTAL PROTECTION BMAP AGRICULTURAL COST-SHARE PROGRAM WITH 27 APPLICANTS. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No 17-- Approval to Enter Into Contracts for the 1st Quarter District Agricultural Cost Share Program. Mr. Wright presented the staff recommendation to authorize the Executive Director to enter into contracts for the 1st Quarter District Agricultural Cost-Share Program with 32 applicants, as shown in the Board materials.

MR. ALEXANDER MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACTS FOR THE 1ST QUARTER DISTRICT AGRICULTURAL COST-SHARE PROGRAM WITH 32 APPLICANTS. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No 18 -- Authorization to Seek Enforcement of Consent Agreement and Final Order 12-0007 and Approval of a Legal Service Work Order Increase Regarding Scott McNulty, CE10-0045, Levy County. Tim Sagul, Division Director, presented the staff recommendation for the Governing Board to authorize Counsel to seek enforcement of the signed Consent Agreement and Final Order 12-0007 and; approve an additional \$5,000 for legal expenditures regarding Scott McNulty, CE10-0045, Levy County, as shown in the Board materials.

MR. CURTIS MADE A MOTION TO AUTHORIZE COUNSEL TO SEEK ENFORCEMENT OF THE SIGNED CONSENT AGREEMENT AND FINAL ORDER 12-0007 AND; APPROVE AN ADDITIONAL \$5,000 FOR LEGAL EXPENDITURES REGARDING SCOTT MCNULTY, CE10-0045, LEVY COUNTY. THE MOTION WAS SECONDED BY MR. MEECE.

Scott McNulty gave explanation for the events that took place that brought him to the signing of the consent agreement.

Discussion and questions by the Governing Board occurred. After discussion the Governing Board instructed staff to bring the item back for consideration in February 2013.

MR. CURTIS TABLED HIS ORIGINAL MOTION, MRS. JOHNS SECONDED. UPON VOTE OF THE GOVERNING BOARD, THE MOTION WAS TABLED UNTIL FEBRUARY 2013. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, MEECE, WILLIAMS AND QUINCEY.)

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

GOVERNING BOARD LEGAL COUNSEL

Agenda Item No. 20 – Governing Board Counsel Monthly Report. The Governing Board Counsel Monthly Report was provided as an informational item in the Board materials.

EXECUTIVE OFFICE

Agenda Item No. 21 -- Approval of Fiscal Year 2013-2014 Preliminary Budget (updated). Jon Dinges, Assistant Executive Director presented the staff recommendation for approval of the Fiscal Year 2013-2014 preliminary budget of \$14,900,866, as shown in the updated board materials.

MR. CURTIS MADE A MOTION FOR APPROVAL OF THE FISCAL YEAR 2013-2014 PRELIMINARY BUDGET OF \$14,900,866. MR. COLE SECONDED THE MOTION. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

Agenda Item No.22- District's Weekly Activity Reports. The District's Weekly Activity Reports were provided as an informational item in the Board materials.

Mr. Reeves suggested that the Governing Board consider the continuance of the December 11, 2012 Governing Board meeting on Friday, December 14, 2012 at 1:00 p.m., prior to the scheduled closing, for discussion and possible action upon the Ellaville/Damascus Peanut land exchange.

MR. CURTIS MADE A MOTION FOR CONTINUANCE OF THE DECEMBER 11, 2012 GOVERNING BOARD MEETING ON DECEMBER 14, 2012 AT 1:00 P.M. MRS. JOHNS SECONDED THE MOTION. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

The December 11, 2012 Governing Board Meeting was reconvened on December 14, 2012 at 1:00 p.m.

Governing Board Present:

Seat	Name	Office	Present	Not Present
Aucilla Basin	George M. Cole, Ph.D.		**X	
Coastal River Basin	Donald Ray Curtis, III	Secretary/ Treasurer	**X	
Lower Suwannee River Basin	Don Quincey, Jr.	Chairman	**X	
Santa Fe & Waccasassa Basins	Kevin W. Brown		**X	
Upper Suwannee River Basin	Alphonas Alexander	Vice Chairman		X
At Large	Virginia H. Johns		X	
At Large	Carl Meece		**X	
At Large	Guy N. Williams		**X	
At Large	Gary Jones		**X	

****Present by Telephone Conferencing.**

Governing Board General Counsel

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

Staff:

Position	Name	Present	Not Present
Executive Director	Ann Shortelle	X	
Assistant Executive Director	Jon Dinges	X	
Governmental Affairs and Communications Director	Steve Minnis	X	
Administrative Services Division Director	Joe Flanagan		X
Land Resources Division Director	Charles H. Houder. III	X	
Water Supply Division Director	Carlos Herd		X
Water Resources Division Director	Erich Marzolf		X
Resource Management Division Director	Tim Sagul		X
GB & HR Coordinator	Lisa Cheshire	X	

Guests:
 None

DIVISION OF LAND RESOURCES

Agenda Item No. 3– Discussion and Possible Action Upon the Ellaville/Damascus Peanut Land Exchange.

Chairman Quincey discussed the request made by Damascus Peanut Company to extend the contract closing date on the Ellaville/Damascus Peanut Land Exchange to January 23, 2013.

MR. CURTIS MADE A MOTION TO MODIFY THE CONTRACT WITH RICH PROPERTY AND INVESTMENT GROUP, INC. TO EXTEND THE CLOSING DATE TO JANUARY 23, 2013 AND TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE THE AMENDED AGREEMENT. DR. COLE SECONDED THE MOTION. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, JOHNS, JONES, MEECE, WILLIAMS AND QUINCEY.)

General Counsel, George Reeves, recommended that staff set and notice a Governing Board teleconference meeting for January 23, 2013 at 1:00 p.m. to allow for discussion and possible action on any issues that may arise.

Discussion occurred.

Meeting adjourned at 1:20 p.m.

Chairman

ATTEST:

MEMORANDUM

TO: Governing Board

FROM: Dave Dickens, Administrative Service Bureau Manager

DATE: May 28, 2013

RE: Approval of April 2013 Financial Report

RECOMMENDATION

Staff recommends the Governing Board approve the April 2013 Financial Report and confirm the expenditures of the District.

BACKGROUND

Chapter 373.553(1), F.S., authorizes the delegation of authority by the Governing Board to the Executive Director to disburse District funds, providing certification is made to the Board at the next regular meeting that such disbursement is proper, in order and within budgetary limits. In compliance with the statutory provisions in Chapter 373, the Governing Board of the Suwannee River Water Management District has directed staff to prepare a Financial Report as attached.

If you have any questions about this recommendation or if you would like any further information regarding the District's financial transactions, please contact me.

gal
enclosure

**Suwannee River Water Management District
Cash Report
April 2013**

ACCOUNT	Monthly Interest	Interest Rate %	Closing Balance
Bank of America Permit Fee	-	-	\$42,236.17
First Federal Permit Fee	\$1.82	0.30%	\$7,109.31
First Federal Depository	\$444.79	0.30%	\$1,232,166.26
SPIA	\$41,919.96	1.16%	\$41,516,405.77
SBA Fund A	\$41.13	0.22%	\$249,270.70
SBA Fund B	-	-	\$493,951.20
TOTAL	\$42,407.70		\$43,541,139.41

**Suwannee River Water Management District
Statement of Sources and Uses of Funds
For the Month ending April 30, 2013
(Unaudited)**

	Current Budget	Actuals Through 4/30/2013	Variance (Under)/Over Budget	Actuals As A % of Budget
Sources				
Ad Valorem Property Taxes	\$ 5,200,000	\$ 4,756,195	\$ (443,805)	91%
Intergovernmental Revenues	5,853,594	771,487	(5,082,107)	13%
Interest on Invested Funds	158,000	682,857	524,857	432%
License and Permit Fees	100,000	98,599	(1,401)	99%
Other	714,583	975,750	261,167	137%
Fund Balance	4,075,895	-	-	-
Total Sources	\$ 16,102,072	\$ 7,284,888	\$ (4,741,289)	45%

	Current Budget	Expenditures	Encumbrances ¹	Available Budget	%Expended	%Obligated ²
Uses						
Water Resources Planning and Monitoring	\$ 7,755,083	\$ 2,146,009	\$ 5,012	\$ 5,604,062	28%	28%
Acquisition, Restoration and Public Works	2,272,848	471,798	-	1,801,050	21%	21%
Operation and Maintenance of Lands and Works	2,701,117	1,072,553	-	1,628,564	40%	40%
Regulation	1,472,269	640,913	-	831,356	44%	44%
Outreach	75,000	107,123	-	(32,123)	143%	143%
Management and Administration	1,825,755	1,193,847	(3,876)	635,784	65%	65%
Total Uses	\$ 16,102,072	\$ 5,632,243	\$ 1,136	\$ 10,468,693	35%	35%

¹ Encumbrances represent unexpended balances of open purchase orders and contracts.

² Represents the sum of expenditures and encumbrances as a percentage of the available budget.

This unaudited financial statement is prepared as of April 30, 2013 and covers the interim period since the most recent audited financial statements.

MEMORANDUM

TO: Governing Board

FROM: Dave Dickens, Manager, Bureau of Administrative Services

DATE: May 28, 2013

SUBJECT: Fiscal Year 2012 Annual Financial Audit Report

RECOMMENDATION

Staff recommends the Governing Board accept the Fiscal Year 2012 Annual Financial Audit Report.

BACKGROUND

James Moore and Company has prepared the Fiscal Year 2012 Financial Audit Report. Staff has provided support to James Moore and Company during the preparation of the report. This report:

1. Contains the District's financial statements and accompanying notes and schedules;
2. Reflects the financial activities for Fiscal Year 2012; and,
3. Contains the Auditor's opinion regarding the fairness of the financial statements.

Staff has asked Mr. Bob Powell of James Moore and Company to attend the June 2013 Governing Board meeting and present an overview of the Annual Financial Audit Report to the Governing Board.

If you have any questions regarding this recommendation or would like to discuss this issue further, please feel free to contact District Finance Officer Sara Alford or me.

gal

MEMORANDUM

TO: Governing Board
FROM: Dave Dickens, Administrative Services Bureau Manager
DATE: May 30, 2013
RE: FY 2012/2013 Budget Amendment Number 2 to Recognize Revenues

RECOMMENDATION

Staff recommends the Governing Board authorize amendment of the Fiscal Year 2012/2013 Budget from \$16,586,822 to \$16,986,822 in order to recognize \$400,000 in unanticipated and unbudgeted revenues.

BACKGROUND

The Department of Environmental Protection recently provided the water management districts with a new protocol for budget amendments. In keeping with this protocol, staff is recommending the FY 2012/2013 budget be amended in the amount of \$400,000 to recognize unanticipated and unbudgeted revenues as follows.

FDACS has awarded a \$400,000 grant to the District for the purchase of water use monitoring equipment and for implementation of a nutrient reduction project. The District had previously received \$50,000 from FDACS for agricultural water use monitoring equipment. FDACS has awarded an additional \$100,000 to the District for the purchase of equipment to assist agricultural users with water use monitoring. The proposed nutrient reduction project is located at a dairy within the Fanning Springs springshed. It is estimated that this project will reduce the nutrient loading to the groundwater system just under 100,000 pounds of nitrogen annually. The FDACS funding for this proposed project is \$300,000, with a total budget increase of \$400,000.

The Governing Board approved of the receipt of these funds on May 16, 2013 and received the Governor's Office approval of the budget amendment on May 21, 2013.

If you have any questions about this recommendation or if you would like any further explanation of the process prior to the June 11 Governing Board meeting, please contact me.

Enclosure

WMD BUDGET AMENDMENT REQUEST FORM

SRWMD AMENDMENT (02)-(2013)

June 3, 2013

Utilize the standardized coding and naming convention from the tentative budget and provide an amount for each expenditure category within the lowest service level (program/activity/subactivity) and a grand total.

Agency Request: The Suwannee River Water Management District request a modification to their FY 2012-13 adopted budget. Pursuant to the requirements of s. 373.536(4)(c), F.S. – If the District receives unanticipated funds after the adoption of the final budget, the final budget may be amended, following review and approval by the Executive Office of the Governor, by including such funds, if notice of intention to amend is provided to the Legislative Budget Commission and is published in the notice of the governing board meeting at which the amendment will be considered, pursuant to s. 120.525, F.S.. The notice must set forth a summary of the proposed amendment. The District anticipates receiving funds from FDACS to facilitate and support of the Fanning Springs and Manatee Springs Springshed projects.

Fiscal Impact: There is no fiscal impact to existing revenues. The Suwannee River Water Management District anticipates receiving additional revenues to equal to the requested budget authority (expenditures).



RICK SCOTT
GOVERNOR

STATE OF FLORIDA
Office of the Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

www.flgov.com
850-488-7146
850-487-0801 fax

EOG #O-0108

May 28, 2013

Sara Alford, Finance Officer
Suwannee River Water Management District
9225 CR 49
Live Oak, Florida 32060

Dear Ms. Alford:

Pursuant to your request dated May 21, 2013, and in accordance with section 373.536(4)(c), *Florida Statutes*, the Executive Office of the Governor hereby approves the amendment to your district's final budget for Fiscal Year 2012-13 as requested.

Sincerely,

A handwritten signature in black ink, appearing to read "JLM", with a large, stylized flourish at the end.

Jerry L. McDaniel, Director
Office of Policy and Budget

JLM/mga

cc: Department of Environmental Protection, Division of Administrative Services

MEMORANDUM

TO: Governing Board

FROM: Charlie Houder, Director, Division of Land Resources

DATE: May 29, 2013

RE: Authorization to Amend Rule 40B-9.131 and 40B-9.139, Florida Administrative Code (F.A.C.)

RECOMMENDATION

Staff recommends the Governing Board authorize staff to:

- Publish Notice of proposed Rule for Section 40B-9.131 and 40B-9.139 F.A.C.;
- File 40B-9.131 and 40B-9.139, F.A.C., with Department of State if no comments or objections are received.

BACKGROUND

A Notice of Proposed Rule Development to allow changes to Chapter 40B-9 was approved by the Board in February 2013 and published in the Florida Administrative Weekly in April 2013. Those changes include incorporating by reference an updated Public Use Guide and Public Use Fee Schedule. At that time draft proposed rule language was not available. A copy of the proposed rule language is attached.

The proposed rule language to 40B-9.131 includes changes to the Public Use Guide. Since the publication of the last guide the District has added additional properties. The District is updating the Public Use Guide to add the additional properties along with recreation opportunities to several tracts.

In order to set fees for the use of District land, staff of the Joint Administrative Procedures Committee has indicated that the Public Use Fee Schedule must be approved by the Governing Board and incorporated by reference into 40B-9 Florida Administrative Code (F.A.C.), the rule governing acquisition and management of District lands.

The fees proposed for 40B-9.139 are comparable to those charged by other agencies. At the present time the fees are anticipated to be applied only to facilities at R.O. Ranch, but could be used on other properties if they were developed.

The District must submit the proposed amendments to the Legislature for its review prior to the beginning of the legislative session. At that time the proposed amendments will be provided to the Joint Administrative Procedures Committee (JAPC) for review and comment. Once the 2014 Legislative session ends, the amendment must be filed with the Department of State for adoption, and the rule will take effect 20 days after filing.

40B-9.131 Public Use of District Lands.

(1) The District shall publish and make available to the public a "Public Use Guide" dated ~~July 14, 2009~~, **June 11, 2013** which summarizes allowed activities and use restrictions for each District property or land. The District's Public Use Guide is hereby incorporated by reference. Copies of the District's Public Use Guide may be obtained at the District's headquarters and at the District's website: www.srwmd.state.fl.us.

(2) Activities not authorized in this section, in the Public Use Guide, posted on the Land or specifically authorized under a Special Use Authorization or otherwise in writing by the District are expressly prohibited and subject to prosecution. Compliance with these rules does not preclude the need to also comply with State law and/or other applicable state and federal rules.

(3) The following activities are allowed subject to any conditions and/or restrictions specified herein:

(a) Bicycling is allowed on all District lands open to the public unless restricted by signage.

(b) Boating for recreation is allowed on all District-owned waterways provided:

1. Boats launched from trailers must use boat ramps.

2. Boats must not be operated in a manner which could harm persons, plants, animals, or other natural resources.

The District shall prohibit or restrict boating in specific areas as needed to ensure public safety, resource protection, and protection of District facilities or equipment, including limitations on engine horsepower, speed, or vessel type and shall be specific to a water body. Areas closed to boating and boating restrictions shall be posted by signage.

(c) Camping is only allowed on District lands at approved locations and as permitted by a Special Use Authorization issued by the District under Rule 40B-9.1411, F.A.C.

(d) Commercial activity on District lands may be allowed pursuant to prior written authorization in the form of an agreement or lease with the District. A person proposing any commercial activity on District lands must submit the following minimum information to the District:

1. Name and address of business;

2. Name and address of business owner or person responsible;

3. Type of activity to be conducted;

4. Statement justifying the need for the proposed commercial activity in order to facilitate public access and/or use of District lands for a resource-based recreational purpose;

5. Number of participants;

6. Dates and duration of the proposed activity; and

7. Signed statement committing to abide by all District requirements.

Any proposed commercial activity that will exceed one year in duration, require exclusive use of an area of land, or result in monetary consideration to the District, may only occur under a lease agreement approved by the Governing Board pursuant to Rule 40B-9.145, F.A.C.

The District will review the request for compatibility with the applicable land management plan and notify the applicant in writing. Requests to exclusively use a specific site that will impede the public's use or for uses that will degrade the property will be denied.

(e) Dogs are allowed on District lands provided they are on a leash or caged at all times unless consistent with authorized uses in state wildlife management areas and federal wildlife refuges or specifically authorized by the District through a Special Use Authorization issued under Rule 40B-9.1411, F.A.C. Other types of domesticated animals, such as cats, are prohibited on District lands.

(f) Horseback riding is allowed on all District lands on marked equestrian trails and on all roads open to any public use except where such use is specifically prohibited by signage. Animal-drawn vehicles, such as wagons and buggies, are allowed on all public roads on District lands open to motorized vehicles. The person responsible for bringing equine onto District lands must have unexpired, written proof of a negative Coggins test result for each animal.

(g) Fishing for recreation is allowed on District lands as authorized by the Florida Fish and Wildlife Conservation Commission, unless otherwise posted.

(h) Group recreational, educational or public service uses are allowed on all District lands open to the public provided a Special Use Authorization is issued by the District under Rule 40B-9.1411, F.A.C.

(i) Hiking and other resource-based recreational purposes, such as photography, nature study, orienteering, are allowed on all District lands open to the public except where specifically prohibited by signage. For the purpose of this subsection, the term "hiking" includes jogging, wildlife viewing, or any other recreational activity where travel is by foot only and does not include another activity described in this chapter.

(j) Hunting for recreation is allowed in Florida wildlife management areas in accordance with applicable wildlife management area rules of the Florida Fish and Wildlife Conservation Commission, in United States national wildlife refuges subject to permit, and on District lands as designated and identified by signage. The District may allow hunting on lands not designated through a Special Use Authorization issued under Rule 40B-9.1411, F.A.C.

(k) Motorized vehicle use is allowed on District lands on public use and seasonal roads and in other areas designated by signage. The use of motorized vehicles on District lands is subject to the following requirements:

1. All motorized vehicles must be licensed for use on Florida highways.
2. All motorized vehicle operators must be licensed as required by Florida law.
3. All motorized vehicle operators must comply with posted speed limits. If no speed limit is posted, the speed limit is 20 mph.
4. Under Section 316.192, F.S., driving a motorized vehicle in a willful and wanton disregard for the safety of persons or property is considered reckless driving. Pursuant to Section 316.1925, F.S., any person who drives a motorized vehicle shall drive in a careful and prudent manner, having regard for the width, grade, curves, corners, traffic and all other attendant circumstances, so as not to endanger the life, limb or property of any person. Failure to drive in such a manner is punishable under Section 316.655, F.S.
5. Emergency motorized vehicles on District lands are not restricted to roads open to the public or to the 20 mph or other posted speed limits.

(l) Picnicking is allowed on all District lands open to the public, unless otherwise posted.

(m) Research uses are allowed on all District lands provided a Special Use Authorization is issued by the District under Rule 40B-9.1411, F.A.C., and further provided that if the proposed use will close or restrict public access, a contract or lease with the District is required.

(n) Swimming is allowed on District lands only in areas designated by signage.

Rulemaking Authority 373.044, 373.083, 373.1391 FS. Law Implemented 373.056, 373.093, 373.096, 373.099, 373.1391, 373.1401 FS. History—New 4-1-93, Amended 5-31-09, 7-21-10.

40B-9.139 Use Fees.

The District shall publish and make available to the public a “Public Use Fee Schedule” which specifies charges for activities on District lands. The charges contained in the District’s Use Fees Schedule shall apply to the uses on District lands as specified therein. The Public Use Fee Schedule, effective ~~January 12, 2010~~, June 11, 2013, is hereby incorporated by reference. Copies of the fee schedule and a list of designated properties may be obtained at the District’s headquarters or at the District’s website: www.mysuwanneriver.com.

Rulemaking Authority 373.044, 373.083, 373.1391 FS. Law Implemented 373.1391 FS. History—New 7-21-10.

TRACT_NAME	TRACT_ID	TRACT	MAN_BY	COUNTY	ACREAGE	PU CLASSIFICATION	ATV	BIKING	BOATING	CAMPING-BOAT/CANOE	CAMPING-EQUESTRIAN	CAMPING-FLORIDA TRAIL	CAMPING-GROUP	CAMPING-RV	EQUESTRIAN	FISHING	HIKING	HUNTING	LAUNCHING	NIGHT TIME USE	PICNICKING	SWIMMING	VEHICULAR ACCESS	COMMENTS	
129 BRIDGE	168	168	SRWMD	GILCHRIST	76	P									YES	YES							YES		
47 BRIDGE	1	1	SRWMD	GILCHRIST	396	P		YES		SUA					YES	YES	YES						YES		
6 BRIDGE	167	167	SRWMD	HAMILTON	49	P									YES	YES	YES						YES		
ADAMS TRACT RIVER CAMP	2	2	DEP	LAFAYETTE	5	P		YES		YES			YES		YES	YES	YES		YES				YES		
ADAMS	2	2	SRWMD	LAFAYETTE	976	P		YES							YES	YES	YES						YES		
ALAPAHA BLUFFS	204	204	SRWMD	HAMILTON	267	P		YES		SUA					YES	YES	YES						YES		
ALAPAHA WOODS	177	177	SRWMD	HAMILTON	1	SR									YES	YES	YES						YES		
ALAPAHOOCHIEE BOAT RAMP PARK	3	3	HAMILTON COUNTY	HAMILTON	7	CP		YES							YES	YES	YES		YES				YES		
ALAPAHOOCHIEE	3	3	SRWMD	HAMILTON	1,064	P				SUA					YES	YES	YES			SUA				Boat Ramp has been leased to Hamilton Coun	
ALLARDT	4	4	SRWMD	SUWANNEE	443	G		YES		SUA					YES	YES	YES						YES		
ALLEN MILL POND	5	5	DEP	LAFAYETTE	662	SP		YES									YES						YES		
ALLIGATOR LAKE	6	6	COLUMBIA COUNTY	COLUMBIA	88	QC													YES						
ANDERSON SPRING	7	7	FFS	SUWANNEE	1,531	SF		YES		YES					YES	YES	YES						YES		
ANDREWS	8	8	FWC	LEVY	583	FWC		YES								YES	YES		YES				YES		
ATSENA OTIE KEY	9	9	USFWS	LEVY	60	WR										YES	YES						YES		
AVOCA	10	10	SRWMD	HAMILTON	125	P				SUA					YES	YES	YES						YES		
BARNETT	11	11	SRWMD	HAMILTON	134	G		YES		SUA					YES	YES	YES				SUA		YES	Access by river only Night use-bicycling	
BAY CREEK	12	12	SRWMD	COLUMBIA	2,181	P		YES		SUA					YES	YES	YES						YES		
BELL SPRINGS	192	192	SRWMD	COLUMBIA	54	G		YES		SUA		YES			YES	YES	YES						YES		
BELMONT	14	14	SRWMD	HAMILTON	93	P				SUA					YES	YES	YES						YES		
BIG PINE	27	27	SRWMD	COLUMBIA	131	P				SUA					YES	YES	YES						YES		
BIG SHOALS	15	15	SRWMD	HAMILTON	450	G		YES		SUA					YES	YES	YES		YES		SUA		YES	Night use-bicycling	
BIG SHOALS	15	15	DEP	HAMILTON	360	SP		YES							YES	YES	YES		YES				YES		
BLACK	16	16	FFS	MADISON	681	SF		YES		YES					YES	YES	YES		YES				YES		
BLUE SINK	17	17	SRWMD	SUWANNEE	715	P		YES		SUA					YES	YES	YES			YES			YES		
BOOKER SPRING	18	18	SRWMD	DIXIE	375	P				SUA					YES	YES	YES		YES		SUA		YES		
BOSTON FARMS	19	19	UFL	ALACHUA	576	P										YES	YES	YES		YES			YES	Access by river only Managed by the University of Florida for rese	
BRANFORD BEND	174	174	SRWMD	SUWANNEE	1,053	P		YES		SUA					YES	YES	YES						YES		
BROOKER	21	21	SRWMD	BRADFORD	20	SR									YES	YES	YES						YES		
BUCK BAY	22	22	CITY OF GAINESVILLE	ALACHUA	60	CP																		Deleted - surplus to City of Gainesville	
CABBAGE CREEK	23	23	SRWMD	TAYLOR	2,371	G		YES							YES	YES	YES	YES	YES	SUA	YES		YES		
CABBAGE GROVE	24	24	SRWMD	TAYLOR	2,001	G		YES		SUA		YES			YES	YES	YES	YES	YES	SUA	YES		YES		
CAMP AZALEA	199	199	SRWMD	LEVY	32	SR										YES	YES	YES					YES		
CAMP BRANCH	25	25	SRWMD	HAMILTON	204	G		YES		SUA		YES			YES	YES	YES						YES		
CAMP O SUWANNEE	26	26	SRWMD	SUWANNEE	1	SR										YES	YES	YES					YES		
CANOE COUNTRY	209	209	SRWMD	LAFAYETTE	4	SR										YES	YES	YES					YES		
CEDAR BRANCH	28	28	USFWS	LEVY	300	WR										YES	YES	YES		YES			YES		
CEDAR SHOALS	29	29	SRWMD	LAFAYETTE	1	SR										YES	YES	YES					YES		
CHAS SPG RIV EST	30	30	SRWMD	SUWANNEE	10	SR										YES	YES	YES					YES		
NATURE COAST REGIONAL WELLFIELD	182	182	SRWMD	LEVY	123	QC											YES	YES					YES	Old Tract Name - Chiefland Wellfield	
CHITTY BEND EAST	32	32	FFS	HAMILTON	296	SF		YES		YES						YES	YES	YES					YES		
CHITTY BEND WEST	33	33	FFS	MADISON	651	SF		YES								YES	YES	YES					YES		
CHRISTIAN	34	34	SRWMD	SUWANNEE	338	G		YES		SUA					YES	YES	YES		YES	SUA	YES		YES		
CUBA BAY	37	37	SRWMD	MADISON	1,968	P		YES							YES	YES	YES		YES	SUA	YES		YES		
CYPRESS CREEK S	38	38	SRWMD	HAMILTON	21	P		YES		SUA						YES	YES	YES		YES	SUA	YES	YES		
DEESE	164	164	FFS	HAMILTON	102	SF										YES	YES	YES					YES		
DEVILS ELBOW	188	188	SRWMD	LAFAYETTE	12	P										YES	YES	YES					YES		
DEVIL'S HAMMOCK	40	40	SRWMD	LEVY	4,274	G		YES							YES	YES	YES	YES	YES	SUA	YES		YES		
DIXIE RANCHETTES	41	41	SRWMD	LAFAYETTE	30	SR										YES	YES	YES					YES		
DOWLING PARK RIVER CAMP	191	191	DEP	LAFAYETTE	47	SP		YES		YES			YES		YES	YES	YES		YES				YES		
DUCK POND	42	42	SRWMD	JEFFERSON	151	P										YES	YES	YES					YES		
ELLAVILLE	44	44	FFS	MADISON	4,185	SF		YES		YES					YES	YES	YES	YES					YES		
ELLAVILLE	44	44	SRWMD	MADISON	1	SR										YES	YES	YES					YES		
FALLING CREEK	45	45	SRWMD	COLUMBIA	502	P		YES		SUA		YES			YES	YES	YES			SUA	YES		YES	Night use-bicycling	
FALLING CREEK FALLS	46	46	COLUMBIA COUNTY	COLUMBIA	51	CP		YES								YES	YES	YES					YES		
FALLING CREEK FALLS	46	46	SRWMD	COLUMBIA	158	P										YES	YES	YES					YES		
FALMOUTH	47	47	SRWMD	SUWANNEE	15	SR				SUA						YES	YES	YES					YES		
FALMOUTH N	186	186	SRWMD	SUWANNEE	13	SR										YES	YES	YES					YES		
FALMOUTH SPRING	48	48	SRWMD	SUWANNEE	271	F		YES							YES	YES	YES					YES	YES	YES	
FALMOUTH SPRING	48	48	SUWANNEE COUNTY	SUWANNEE	5	QC																		YES	
FLETCHERS LANDING LSNWR	28	28	USFWS	LEVY	10	P		YES								YES	YES	YES					YES	Split from sale of Fletcher's Landing to USFWS	
FOREST GLADES	49	49	SRWMD	LAFAYETTE	6	SR										YES	YES	YES					YES		
FOREST WOODLANDS	50	50	SRWMD	GILCHRIST	39	SR										YES	YES	YES					YES		
FORTY SEVEN RUNS	51	51	SRWMD	LEVY	297	P										YES	YES	YES					YES		
FOX TRAIL	52	52	SRWMD	SUWANNEE	199	P		YES		SUA					YES	YES	YES						YES		
GAR POND	53	53	SRWMD	COLUMBIA	877	G		YES	YES	SUA		YES			YES	YES	YES		YES	SUA	YES		YES	Night use -bicycling	
GIBSON PARK	54	54	HAMILTON COUNTY	HAMILTON	4	CP		YES								YES	YES	YES					YES		
GILCHRIST REGIONAL WELLFIELD	219	219	SRWMD	GILCHRIST	106	QC		YES									YES	YES	YES					YES	
GOOSE PASTURE	55	55	SRWMD	JEFFERSON	1,060	F		YES		SUA						YES	YES	YES	YES	YES			YES	No equestrian use in park	
GRADY	56	56	SRWMD	LAFAYETTE	723	P		YES		SUA					YES	YES	YES						YES		
GREENVILLE SF	57	57	SRWMD	MADISON	152	QC										YES	YES	YES					YES		
GUARANTO	58	58	SRWMD	DIXIE	317	P										YES	YES	YES					YES		
HANKINS	208	208	SRWMD	LAFAYETTE	4	SR										YES	YES	YES		YES			YES		
HART SPRINGS ESTATES	60	60	SRWMD	GILCHRIST	99	P										YES	YES	YES					YES		
HARTSFIELD	62	62	SRWMD	JEFFERSON	326	P										YES	YES	YES					YES		
HATCHBEND	63	63	SRWMD	LAFAYETTE	538	P		YES		SUA					YES	YES	YES						YES		
HIDDEN ACRES	212	212	SRWMD	LAFAYETTE	2	SR										YES	YES	YES					YES		
HIGH SPRINGS WF	64	64	SRWMD	ALACHUA	378	QC		YES								YES	YES	YES					YES		
HIXTOWN SWAMP	65	65	SRWMD	MADISON	2,087	P										YES	YES	YES					YES		
HOLLY POINT	179	179	SRWMD	HAMILTON	8	SR										YES	YES	YES					YES		
HOLTON CREEK	66	66	SRWMD	HAMILTON	2,536	G		YES		SUA		YES			YES	YES	YES	YES					YES		

HOLTON CREEK	66	66	DEP	HAMILTON	4	SP	YES											
HOPEWELL	67	67	SRWMD	COLUMBIA	592	P	YES	SUA					YES	YES			YES	YES
HORSESHOE WF	171	171	SRWMD	DIXIE	100	QC							YES	YES			YES	YES
HUNTER CREEK	59	59	SRWMD	HAMILTON	271	P	YES	SUA					YES	YES	YES		YES	YES
INDIAN SPRINGS E	68	68	SRWMD	LAFAYETTE	1	SR												YES
JASPER WHP	184	184	SRWMD	HAMILTON	30	QC											YES	Surplus - Transferred to Jasper
JENNINGS BLUFF	70	70	SRWMD	HAMILTON	498	G	YES	SUA			YES	YES	YES		YES	SUA	YES	YES
JENNINGS SF	71	71	SRWMD	HAMILTON	107	QC												YES
JERRY BRANCH	72	72	SRWMD	HAMILTON	518	P	YES	SUA		YES			YES	YES	YES		YES	YES
JONES MILL CREEK	73	73	SRWMD	JEFFERSON	2,863	G	YES	SUA			YES	YES	YES	YES	YES	SUA	YES	YES
JONES SPRING	74	74	SRWMD	HAMILTON	69	P				YES			YES	YES			YES	YES
LAFAYETTE LIME ROCK	197	197	SRWMD	LAFAYETTE	8	SR												YES
LAKE ALTO	76	76	SRWMD	ALACHUA	1,704	P	YES					YES	YES	YES	YES		YES	YES
LAKE BUTLER WF	77	77	SRWMD	UNION	149	QC												YES
LAKE CITY WF	78	78	CITY OF LAKE CITY	COLUMBIA	27	QC												YES
LAKE CITY WF	78	78	SRWMD	COLUMBIA	1,093	QC												YES
LAKE ROWELL	173	173	SRWMD	BRADFORD	623	P	YES					YES	YES	YES			YES	YES
LAMONT	79	79	SRWMD	JEFFERSON	874	G	YES	SUA			YES	YES	YES	YES	YES	SUA	YES	YES
LEGGETT	80	80	SRWMD	GILCHRIST	113	P	YES	SUA					YES	YES	YES		YES	YES
LEONHARDT	81	81	SRWMD	HAMILTON	382	P	YES	SUA					YES	YES	YES		YES	YES
LEVINGS	82	82	SRWMD	COLUMBIA	201	P	YES	SUA					YES	YES	YES		YES	YES
LINDSEY	83	83	SRWMD	GILCHRIST	854	P	YES	SUA			YES	YES	YES	YES	YES		YES	YES
LINVILLE	84	84	SRWMD	SUWANNEE	173	G	YES	SUA			YES	YES	YES	YES	YES		YES	YES
LITTLE CREEK	85	85	SRWMD	COLUMBIA	681	P	YES	SUA			YES	YES	YES	YES	YES		YES	YES
LITTLE RIVER	86	86	SRWMD	SUWANNEE	2,204	G	YES	SUA			YES	YES	YES	YES	YES	SUA	YES	YES
LITTLE SHOALS	87	87	SRWMD	COLUMBIA	404	G	YES	SUA		YES			YES	YES	YES	SUA	YES	YES
LOG LANDING	89	89	SRWMD	DIXIE	1,148	P	YES	SUA			YES	YES	YES	YES	YES	SUA	YES	YES
LUKENS	220	220	USFWS	LEVY	640	G	YES					YES						
MAJESTIC SUWANNEE	210	210	SRWMD	LAFAYETTE	1	SR												YES
MALLORY SWAMP	92	92	SRWMD	LAFAYETTE	31,321	G	SUA	YES			YES	YES	YES	YES	YES	SUA	YES	YES
MANATEE SPRINGS S	93	93	SRWMD	LEVY	332	P					YES	YES	YES	YES	YES		YES	YES
MANATEE SPRINGS STATE PARK	93	93	DEP	LEVY	245	SP	YES				YES	YES	YES	YES	YES		YES	YES
MANDALAY	94	94	USFWS	TAYLOR	551	WR					YES	YES	YES	YES	YES		YES	YES
MATTAR SPRINGS	95	95	SRWMD	SUWANNEE	1,188	G	YES	SUA			YES	YES	YES	YES	YES	SUA	YES	YES
MAYO SF	20	20	SRWMD	LAFAYETTE	59	QC												YES
MCALPIN LANDING	96	96	SRWMD	HAMILTON	1,062	P	YES	SUA					YES	YES	YES	YES	YES	YES
MILL CREEK NORTH	105	105	FFS	MADISON	656	SF	YES						YES	YES	YES	YES	YES	YES
MILL CREEK SOUTH	131	131	FFS	MADISON	1,403	SF	YES						YES	YES	YES	YES	YES	YES
MILL CREEK SOUTH	131	131	SRWMD	MADISON	7	SR												YES
MOSSY HAMMOCK	98	98	SRWMD	TAYLOR	812	P	YES				YES	YES	YES	YES	YES		YES	YES
MOUNT GILEAD	99	99	SRWMD	MADISON	1,442	G	YES	SUA			YES							
MUD SWAMP	176	176	SRWMD	BRADFORD	837	P	YES				YES							
NATURAL WELL BRANCH	100	100	SRWMD	TAYLOR	3,680	G	YES			YES			YES	YES	YES	YES	YES	YES
NATURE COAST	101	101	SRWMD	GILCHRIST	150	P	YES	SUA			YES	Adjacent to Nature Coast State Trail						
NATURE COAST	101	101	SRWMD	GILCHRIST	417	P	YES	SUA			YES	Adjacent to Nature Coast State Trail						
NEKOOSA	102	102	FFS	HAMILTON	534	SF												YES
NEW PINE LANDING	103	103	SRWMD	DIXIE	43	P												YES
NEWBERRY WF	104	104	SRWMD	ALACHUA	60	CP	YES											YES
NEWBERRY WF	104	104	CITY OF NEWBERRY	ALACHUA	1	G												City of Newberry Well
OLD TOWNE	106	106	SRWMD	DIXIE	49	P												YES
OSTEEN	107	107	SRWMD	HAMILTON	203	P	YES	SUA		YES	YES	YES	YES	YES	YES		YES	YES
OTTER SPRINGS PARK AND CAMPGROU	205	205	GILCHRIST COUNTY	GILCHRIST	638	CP	YES	YES		YES								
OWENS SPRING	108	108	SRWMD	LAFAYETTE	454	P	YES				YES	YES	YES	YES	YES		YES	YES
PEACOCK SLOUGH	109	109	SRWMD	SUWANNEE	1,161	P	YES	SUA			YES	YES	YES	YES	YES		YES	YES
PEACOCK SLOUGH	109	109	DEP	SUWANNEE	12	SP	YES	YES		YES			YES	YES	YES	YES	YES	YES
PERRY SF	110	110	SRWMD	TAYLOR	248	QC	YES				YES	YES	YES	YES	YES		YES	YES
PICKENS	198	198	SRWMD	COLUMBIA	20	SR	YES											YES
PINE LANDING	111	111	SRWMD	DIXIE	119	P												YES
POE SPRINGS	112	112	ALACHUA COUNTY	COLUMBIA	100	CP							YES	YES	YES		YES	YES
PURVIS LANDING	114	114	SRWMD	DIXIE	353	P	YES	SUA					YES	YES	YES	YES	YES	YES
RIVER BEND ESTATES	117	117	SRWMD	DIXIE	14	SR												YES
RIVERSIDE LANDING	118	118	SRWMD	SUWANNEE	7	SR												YES
RIVERVIEW ESTATES	119	119	SRWMD	GILCHRIST	3	SR												YES
RO RANCH	187	187	SRWMD	LAFAYETTE	2,438	G			YES		YES	YES	YES	YES	YES		YES	YES
ROCK BLUFF	120	120	SRWMD	GILCHRIST	13	SR												YES
ROCKY CREEK	121	121	SRWMD	SUWANNEE	251	P	YES						YES	YES	YES		YES	YES
ROLINE	122	122	SRWMD	HAMILTON	982	P	YES	SUA			YES	SUA						
RUTH SPRINGS	123	123	SRWMD	LAFAYETTE	629	G	YES	SUA			YES							
SANDLIN BAY	124	124	SRWMD	COLUMBIA	3,487	P	YES				YES	YES	YES	YES	YES	SUA	YES	YES
SANTA FE OASIS	69	69	FWC	GILCHRIST	286	P	YES	SUA			YES	YES	YES	YES	YES		YES	YES
SANTA FE RIVER RANCH	19	19	SRWMD	ALACHUA	469	G	YES	SUA			YES							
SANTA FE RIVER RANCH	19	19	UFL	ALACHUA	161	G	YES				YES	YES	YES	YES	YES		YES	YES
SANTA FE SPRINGS	195	195	SRWMD	SUWANNEE	12	SR												YES
SANTA FE SWAMP	125	125	SRWMD	BRADFORD	5,726	P	YES				YES	YES	YES	YES	YES		YES	YES
SHINGLE LANDING	126	126	SRWMD	GILCHRIST	433	P	YES	SUA					YES	YES	YES	YES	YES	YES
SCANLON	127	127	SRWMD	TAYLOR	617	G	YES				YES							
SEVEN BRIDGES	216	216	SRWMD	JEFFERSON	523	P	YES				YES	YES	YES	YES	YES	SUA	YES	YES
SHADY GROVE	128	128	SRWMD	TAYLOR	989	P	YES	SUA			YES							
SHELLY	129	129	SRWMD	JEFFERSON	812	P	YES						YES	YES	YES		YES	YES
SNEADS LAKE	130	130	SRWMD	JEFFERSON	150	P	YES	YES					YES	YES	YES	YES	YES	YES
STEINHATCHEE FALLS	132	132	SRWMD	TAYLOR	1,746	F	YES		SUA		YES	YES	YES	YES	YES	SUA	YES	YES
STEINHATCHEE RISE	133	133	SRWMD	DIXIE	3,540	G	YES				YES							
STEINHATCHEE SPRINGS	134	134	SRWMD	LAFAYETTE	20,886	G	YES		SUA				YES	YES	YES	YES	YES	YES
STEINHATCHEE WF	135	135	SRWMD	TAYLOR	93	QC												YES
STEPHEN FOSTER	90	90	DEP	HAMILTON	640	SP	YES			YES		YES	YES	YES	YES		YES	YES

STUART'S LANDING N	136	136	SRWMD	SUWANNEE	86	P		SUA			YES	YES			YES			Access by river only
STUART'S LANDING S	137	137	SRWMD	SUWANNEE	209	P	YES	SUA			YES	YES			SUA	YES		
SUGAR CREEK	138	138	SRWMD	HAMILTON	685	P	YES	SUA	YES		YES	YES			SUA	YES		No Equestrian use due to safety - no vehicle a
SULLIVAN	139	139	FFS	MADISON	376	SF					YES	YES	YES	YES			YES	
SUNNYVALE	175	175	SRWMD	DIXIE	540	P	YES	SUA			YES	YES	YES	YES			YES	
SUWANNEE BLUFF RANCH	140	140	SRWMD	GILCHRIST	125	P	YES	SUA			YES	YES	YES				YES	
SUWANNEE FOREST	211	211	SRWMD	SUWANNEE	2	SR												
SUWANNEE GARDENS	141	141	SRWMD	DIXIE	92	P		SUA			YES	YES					YES	
SUWANNEE LANDING	142	142	SRWMD	GILCHRIST	7	SR						YES	YES					
SUWANNEE LDG 2ND	143	143	SRWMD	GILCHRIST	3	SR							YES					
SUWANNEE PARK EST	144	144	SRWMD	SUWANNEE	1	SR							YES					
SUWANNEE RIDGE	200	200	SRWMD	SUWANNEE	6	SR							YES					
SUWANNEE RIVER BEND	196	196	SRWMD	LAFAYETTE	12	SR							YES					
SUWANNEE RIVER CAMPS	146	146	SRWMD	HAMILTON	1	SR							YES				YES	
SUWANNEE RIVER FARMS	181	181	SRWMD	HAMILTON	6	SR							YES					
SUWANNEE RIVER FOREST	194	194	SRWMD	SUWANNEE	40	P	YES	SUA			YES	YES					YES	
SUWANNEE RUN SHORES	207	207	SRWMD	DIXIE	1	SR							YES					
SUWANNEE SHORES	150	150	SRWMD	LAFAYETTE	1	SR							YES					
SUWANNEE SPRINGS	151	151	SRWMD	SUWANNEE	129	F	YES				YES	YES	YES			YES	YES	YES
SUWANNEE SPRINGS	151	151	SUWANNEE COUNTY	SUWANNEE	6	QC												
SUWANNEE STREET	152	152	SRWMD	GILCHRIST	627	P	YES	SUA			YES	YES	YES	YES	SUA	YES		
SUWANNEE WOODS	180	180	SRWMD	HAMILTON	1	SR							YES					
SUWANNEE WOODS	206		SRWMD	HAMILTON	1	SR							YES					
SWIFT CREEK	153	153	SRWMD	HAMILTON	328	G	YES	SUA	YES	SUA	YES	YES	YES	YES	SUA	YES		YES
TAYLOR COASTAL UTILITY WF	75	75	SRWMD	TAYLOR	5	QC												
TIMBER RIVER	178	178	SRWMD	MADISON	35	SR							YES				YES	
TOWN OF FORT WHITE WELLFIELD	202	202	SRWMD	COLUMBIA	102	QC												
TRILLIUM SLOPES	154	154	SRWMD	SUWANNEE	70	P		SUA			YES	YES					YES	
TROY SPRINGS ADDITION	203	203	SRWMD	LAFAYETTE	108	P	YES	SUA				YES	YES					Access by river only
TURKEY ISLAND	172	172	SRWMD	LEVY	70	P							YES					
TURNER BRIDGE	155	155	SRWMD	HAMILTON	348	P	YES	SUA			YES							
TYREE	156	156	SRWMD	HAMILTON	216	P	YES	SUA			YES	YES	YES					
WACISSA HEAD SPRING	183	183	JEFFERSON COUNTY	JEFFERSON	22	CP							YES					
WALKER	157	157	SRWMD	LAFAYETTE	191	G	YES	SUA			YES							
WARD ISLAND	158	158	USFWS	JEFFERSON	104	WR							YES	YES				
WAYSIDE	159	159	SRWMD	DIXIE	17	P		YES				YES	YES	YES	SUA	YES		Night use - fishing at river access point
WESTWOOD EAST	161	161	FFS	HAMILTON	560	SF							YES					
WESTWOOD WEST	160	160	FFS	MADISON	827	SF	YES						YES	YES				YES
WHITE SPRINGS	162	162	SRWMD	HAMILTON	278	P	YES	SUA					YES	YES	SUA	YES		Night use- bicycling
WHITE SPRINGS WF	163	163	SRWMD	HAMILTON	70	QC												
WHITE SPRINGS WF	163	163	WHITE SPRINGS	HAMILTON	2	QC												
WHITE SPRINGS WF	163	163	WHITE SPRINGS	HAMILTON	5	QC												
WILSON SPRINGS	190	190	SRWMD	COLUMBIA	1	SR							YES					
WITHLACOCHEE	113	113	FFS	HAMILTON	1,161	SF	YES		YES				YES	YES			YES	YES
WITHLACOCHEE HILLS	170	170	SRWMD	HAMILTON	147	P	YES	SUA			YES	YES	YES				YES	
WITHLACOCHEE QUAIL FARMS	189	189	SRWMD	MADISON	696	P	YES	SUA			YES	YES	YES					Access by river only
WITHLACOCHEE RAMP	165	165	SRWMD	HAMILTON	3	SR									SUA	YES		
WOLF CREEK	215	215	SRWMD	JEFFERSON	704	P	YES	YES			YES	YES	YES					
WOODS FERRY	166	166	SRWMD	SUWANNEE	1,089	G	YES	SUA			YES	YES	YES	YES	SUA	YES		YES
WOODS FERRY	166	166	DEP	SUWANNEE	5	SP	YES		YES	YES	YES	YES	YES	YES				

Recreation Public Use Classifications: FWC-Florida Fish & Wildlife Conservation Commission, QC - Quality Communities, WMA - Wildlife Management Area, CP - County Park, F-Featured, G-General, P-Primitive, SF-State Forest, SP-State Park, SR-Sub Recreational, and WR-Wildlife Refuge.

Total 160,563

SR 6,299

QC 15,670

138,594

Suwannee River Water Management District Use Fees Schedule

The following fees shall apply to the uses specified below on R.O. Ranch lands. Special rates may apply during peak/off season times of the year. Fees shown are the maximum rate allowable. All fees are shown without tax. District lands to which this fee schedule will apply will be appropriately posted.

Park Admission

Daily Entrance	\$4.00 per carload \$5.00
Single Occupant Vehicle Admission	\$2.00
Day Use Trail (non campers)	\$4.00 per person \$5.00 per person
Group	\$2.00 per person
Group (educational only)	\$1.00 per person

RV/Tent Camping

Night RV/Tent Camping	\$25.00
Weekly RV/Tent Camping	\$150.00
Monthly RV/Tent Camping	\$375.00 \$600.00

Primitive Camping

Night (no water/electric)	15.00
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Cabin/House

Night	\$125.00 \$175.00
Weekly	\$750.00 \$1100.00
Monthly	\$2,000.00 \$3,500.00
Cleaning Fee non refundable	\$50.00
Pet Fee non refundable (per pet)	\$75.00
Paddock Fee (per horse when available)	\$10.00

Morgan Bunkhouse

Night	\$175.00
Weekly	\$1100.00
Monthly	\$3,500.00
Cleaning Fee non refundable	\$50.00
Pet Fee non refundable (per pet)	\$75.00

Visitor Center

Party/reception use	\$75.00 per 4 hours \$50.00 per hour
Daily	\$300.00
Cleaning Fee non refundable	\$50.00

Pavilion

Daily (no water/electric)	\$50.00
Daily (with water/electric)	\$100.00
Cleaning Fee non refundable	\$25.00

Arena

Daily	\$250.00
Damage deposit refundable	\$200.00

Ranch Sorting Pen

Daily	\$200.00
Damage deposit refundable	\$200.00

Stalls

Daily per stall	\$10.00
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Obstacle Course

Daily	\$150.00
Damage deposit refundable	\$100.00

MEMORANDUM

TO: Governing Board

FROM: Charlie Houder, Director, Division of Land Resources

DATE: May 28, 2013

RE: Authorization to Conduct a Detailed Assessment and Commence Negotiations with Bradford Timberlands, LLC on a Fee Simple Purchase in Bradford County

RECOMMENDATION

Staff recommends the Governing Board authorize staff to conduct a detailed assessment and commence negotiations with Bradford Timberlands, LLC on the fee simple purchase of up to 360 acres in Bradford County.

BACKGROUND

Suwannee River Water Management District and St. Johns River Water Management District have been working cooperatively in the North Florida Regional Water Supply Partnership and both districts have identified aquifer recharge as an important water supply strategy. Storing flood water for aquifer recharge will mitigate flooding, enhance water supplies for the region, and assist in protecting and recovering water bodies with minimum flows and levels.

Several months ago, staff was notified by Bill Agricola, the managing member of Bradford Timberlands, LLC, of the firm's impending purchase of property in Bradford County. The property is adjacent to Camp Blanding and in the District's area of investigation for flood mitigation and aquifer recharge projects. Bradford Timberlands, LLC subsequently closed on the purchase of approximately 1,000 acres on March 19, 2013 at an indicated price of \$1,122,700.

Since that time, staffs of the Divisions of Water Supply and Resource Management have identified a portion of this property, up to 360 acres, as a potentially suitable flood mitigation and aquifer recharge project site. This area lies on either side of County Road 225 and is under reclamation by E. I. DuPont de Nemours and Company (DuPont) which holds a mineral reservation on the property.

In accordance with permit requirements, DuPont intends within about two years to remove the West Levee which runs north and south near the western boundary of the property. Removal of the levee will reestablish natural historic discharge to the west that has been limited for 20 years. The increase in discharge will result in potential flooding concerns to existing properties located west of the site. This site offers the potential to evaluate alternatives that could offset

this increased discharge by adding strategically placed storage areas and /or aquifer recharge wells.

Due to the property's adjacency to Camp Blanding, staff contacted Paul Catlett, the Forest Area Supervisor, regarding the potential for funding from the Department of Defense Compatible Use Buffer Program. Under the program, the District could receive a grant for all or a portion of the purchase price and would merely be required to maintain the property in a conservation use. It appears that this would be an eligible project and that funding is available.

With Governing Board approval, Land Resources staff will research the title, procure appraisals, negotiate the terms of an agreement with the owner, and pursue Department of Defense funding. Concurrently, Water Supply and Resource Management staff will further explore project feasibility at this site, including the actual acreage that would be needed to accomplish flood mitigation and aquifer recharge projects. Staff will return to the Board prior to the execution of any binding commitment.

CH/pf

PARCEL ASSESSMENT SUMMARY

TRACT: Bradford Timberlands
SELLER: Bradford Timberlands, LLC
William Agricola, Managing Member

RIVER: NA

COUNTY: Bradford

S-T-R: Sec. 1 and 12, T6S, R22E

ACREAGE: 360 acres +/-

RIVER FRONTAGE: NA

WATER RESOURCE VALUES:

Recharge: 0% (0 acres)
Springs Protection: 0% (0 acres)
Surface water Protection: 21% (75.3 acres)
100 Year FEMA Floodzone A: 27% (98 acres)

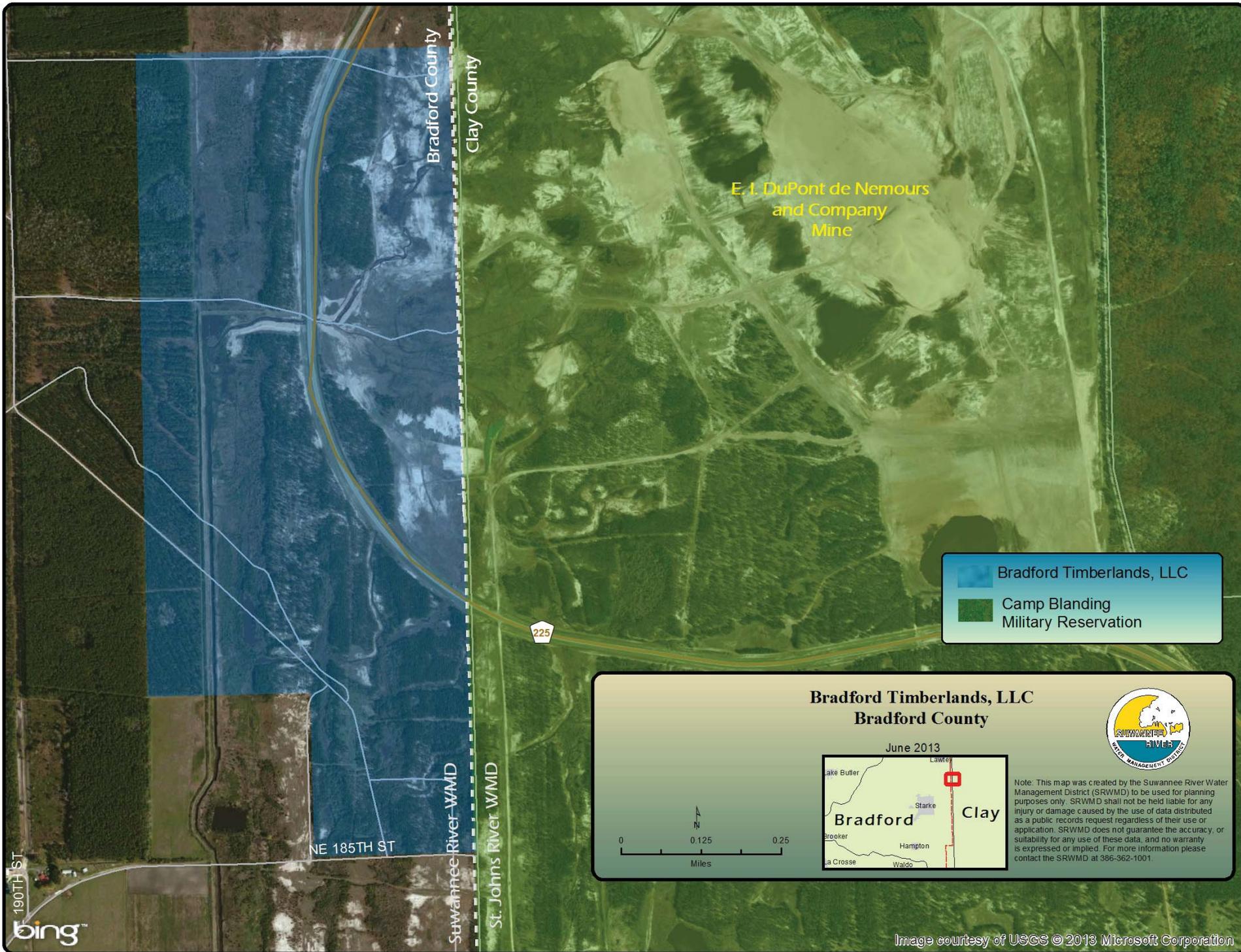
TRACT DESCRIPTION: The property lies on the east line of Bradford County, adjacent to Camp Blanding. It has been mined by E. I. DuPont de Nemours and Company and is reported being reclaimed at the present time. The property is split between the Lawtey Alligator Creek and Water Oak Creek basins.

ACCESS: The property is bisected by County Road 225.

OUTSTANDING INTERESTS: E. I. DuPont de Nemours and Company holds a mineral reservation over the property.

MANAGEMENT ALTERNATIVES: An evaluation is underway to determine the feasibility of this site for a flood mitigation or aquifer recharge project.

CURRENT ASKING PRICE: \$1,000 per acre



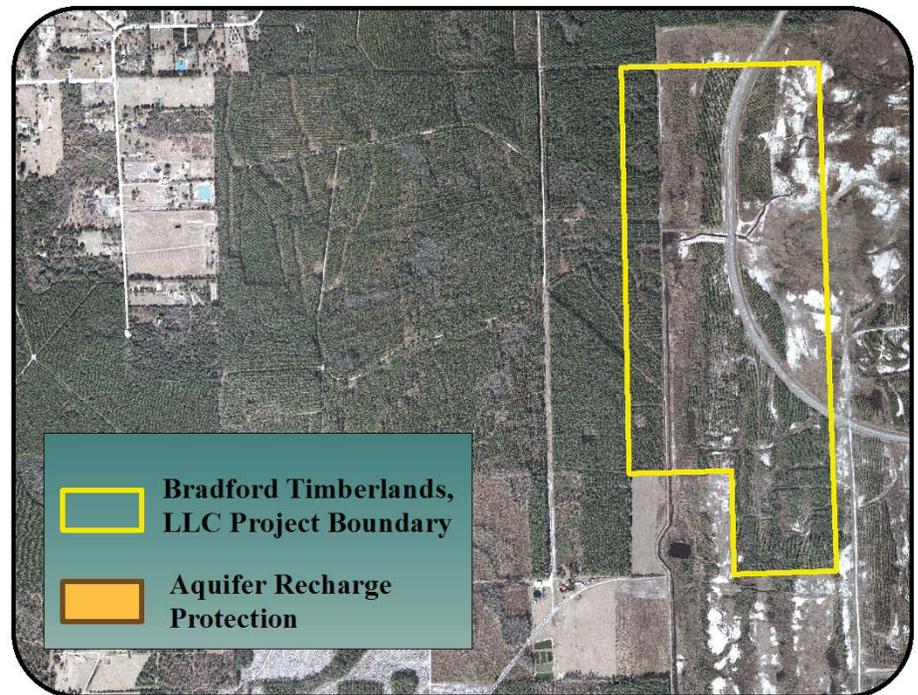
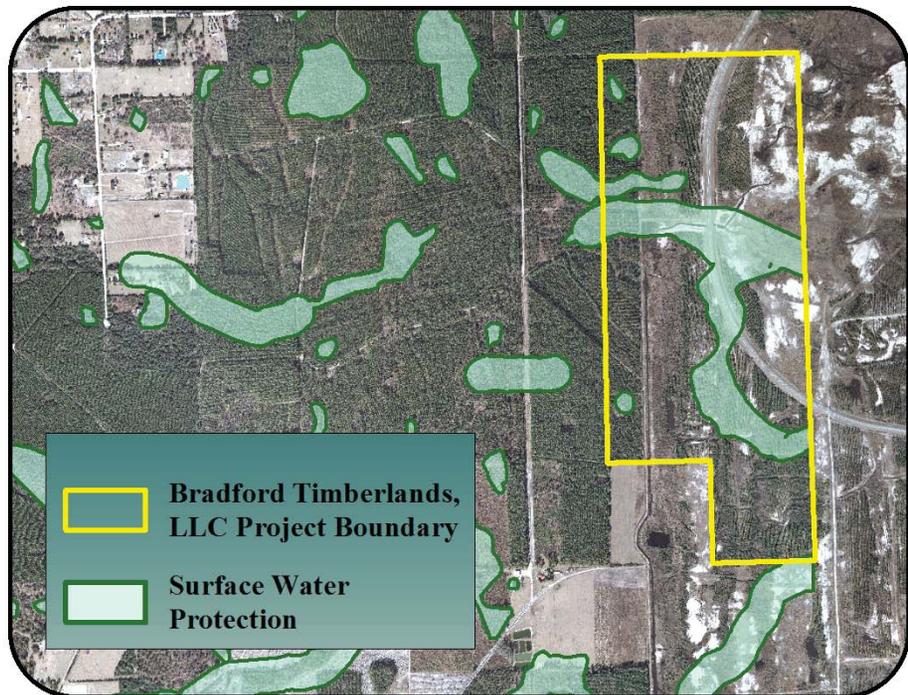
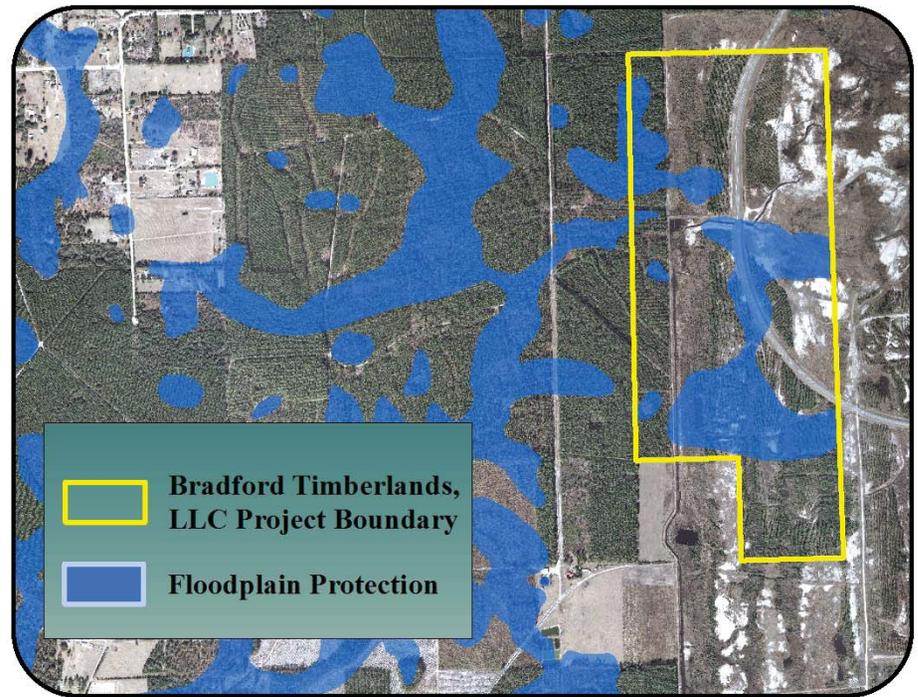
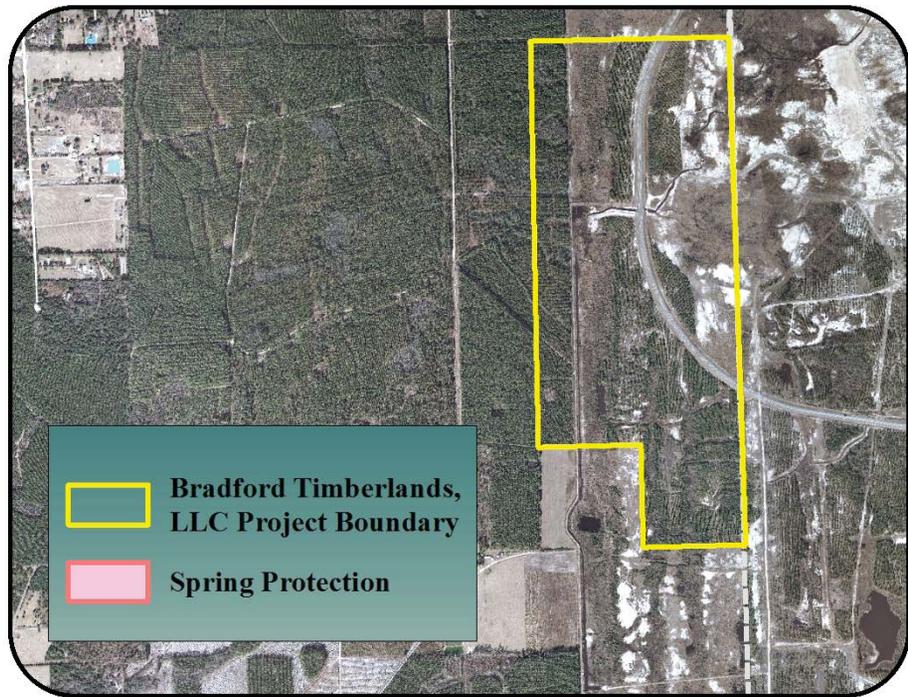
Bradford Timberlands, LLC
 Camp Blanding Military Reservation

Bradford Timberlands, LLC
Bradford County

June 2013

Miles

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.



MEMORANDUM

TO: Governing Board
FROM: Charlie Houser, Director, Division of Land Resources
DATE: May 27, 2013
RE: Surplus Land Listing Agreements

RECOMMENDATION

Staff recommends continuing the brokerage and listing agreements with Douglas W. King of Jim King Realty Inc., Ronnie Poole of Poole Realty Inc. and Baynard J. Ward of Daniel Crapps Agency Inc. for the sale of District surplus lands for a period of 90 days.

BACKGROUND

In June 2010, request for proposals were advertised on the District's website for Real Estate Broker Services for the sale of surplus lands. Proposals were received and local real estate firms were selected and awarded real estate listings based on geographic locations. A total of \$1,636,571 in surplus land sales from eleven parcels has been received. A combined total of 709 acres has been sold.

Currently there are eleven surplus parcels listed. Each parcel was given a six-month listing period. The negotiated commission for the listed parcels is 6%. Listings are renewed by a form extension using the Multiple Listing Service (MLS) for an additional six-month term. Our current surplus lands inventory represents a remaining list value of \$1,523,000. The existing listing agreements will expire during the months of May through August 2013.

Although these real estate brokers are providing high-quality local exposure through MLS and statewide exposure through Realtor.com, staff believes it is prudent to readvertise for these services. Therefore, we recommend that the current listing agreements be extended for 90 days while a new request for proposals is issued. We anticipate returning to the Board in September with a recommendation based on the results of that solicitation.

RR/pf

Tract Name	Acres	County	Surplus Date	Listing Status	Listing Date	Listing Expires
Blue Sink	79	Suwannee	7/14/2009	Poole Realty MLS#75688	7/19/2010	7/12/2013
Levings	67	Columbia	7/14/2009	Poole Realty MLS#78227	11/21/2012	5/25/2013
Falmouth North (8 tracts)	6	Suwannee	6/8/2010	Poole Realty MLS#76931, #76932, #76933	11/21/2012	5/25/2013
Hunter Creek	120	Hamilton	6/8/2010	Daniel Crapps Agency MLS#76877, #76876	11/20/2010	5/15/2013
Steinhatchee Rise	42	Dixie	6/8/2010	Jim King Realty MLS#763406	11/8/2010	7/31/2013
Timber River	1	Madison	6/8/2010	Poole Realty MLS#76934	11/21/2012	5/25/2013
Cuba Bay	22	Madison	6/14/2011	Daniel Crapps Agency MLS#79716	11/2/2011	5/15/2013
Chitty Bend East	20	Hamilton	7/12/2011	Daniel Crapps Agency & Poole Realty MLS#80112	12/19/2011	6/19/2013
Chitty Bend West	121	Madison	7/12/2011	Poole Realty & Daniel Crapps Agency MLS#80113	12/19/2011	6/19/2013
Cabbage Grove	30	Taylor	3/13/2012	Poole Realty MLS #	8/17/2012	8/13/2013
Perry Sprayfield Conservation Easement	248	Taylor	7/12/2011	Poole Realty	8/17/2012	8/13/2013
Total	756					

MEMORANDUM

TO: Governing Board
FROM: Charlie Houder, Director, Division of Land Resources
DATE: May 24, 2013
SUBJECT: Land Resources Activity Summary

Staff performed seven conservation easement reviews during the past month:

- Dr. Linden C. Davidson (Davidson)
- Madeline Moore (Moore)
- Cody and Carol Platt (Fegan/Platt)
- Newberry Wellfield (City of Newberry)
- Zellwin Farms (Jennings Bluff)
- Warner Herrell (Falmont)
- Thomas and Sylvia Sanders (Sanders)

Consistent precipitation and cooler temperatures received during the report period helped to maintain good soil moisture and produce safer overall burning conditions. Burn Managers continued to take advantage of these good conditions to move closer to meeting fiscal year acreage goals.

The attached report summarizes the status of current surplus activities for the preceding month. Staff will be prepared to address any tracts of particular interest the Board may wish to discuss at the Governing Board meeting.

REAL ESTATE

Conservation Easement Review

Owner	Project Name	Acres	County	2012-2013 Monthly Inspection Date											
				O	N	D	J	F	M	A	M	J	J	A	S
Bailey, Donald and Margaret	Bailey/Cuba Bay Exchange	164	Jefferson						X						
Bailey Brothers	Bailey Brothers Steinhatchee	16,522	Dixie												
Champion, Roger and Donna	Mount Gilead	180	Madison												
Chinquapin Farm, L.L.C.	Chinquapin Farm	6,350	Columbia, Suwannee												
City of Newberry	Newberry Wellfield	40	Alachua							X					
Davidson, Dr. C. Linden	Davidson	225	Jefferson							X					
Deep Creek Plantations	Upper Suwannee	160	Columbia												
Drummond, Graham	Lower Suwannee	543	Levy												
Feagle, Ronald and Dorothy	Bonnet Lake	433	Columbia				X								
Florida Sheriffs Youth Ranches, Inc.	Youth Ranches (I and II)	550	Suwannee												
Livingston Foundation	Dixie Plantation	8,902	Jefferson					X							
Hale and McDaniel	Carter	1,232	Columbia												
Harrell, Curtis and Matthew	Falmouth Addition	912	Suwannee							X					
Jackson, Kevin and Patrice	Jackson	171	Lafayette												
Layman Law Firm	Layman Aucilla	167	Jefferson				X								
Loncala Inc.	Loncala Alapaha	1,141	Hamilton												
Loncala, Inc.	Loncala Gilchrist	913	Gilchrist	X											
Loncala, Inc.	Monteocha Creek	951	Alachua			X									
Mann, Jack & Loy Ann	Manatee Springs Addition	590	Levy												
McEnany, Michael	Waccasassa	1,104	Levy												
Meeks, David & Sarah	Manatee Springs Addition	370	Levy												
Moore, Madeline	Moore	115	Jefferson							X					

|

Conservation Easement Review (continued)

Owner	Property Name	Acres	County	2012-2013 Inspection Date													
				O	N	D	J	F	M	A	M	J	J	A	S		
Plantations at Deep Creek, L.L.C.	Deep Creek Exchange	1,038	Columbia														
Platt, Cody and Carol	Aucilla Addition	274	Jefferson								X						
Plum Creek Timberlands	Gainesville Wellfield	3,084	Alachua														
Plum Creek Timberlands	Waccasassa Gulf Hammock	21,300	Levy														
Plum Creek Timberlands	Manatee Springs Addit. Oak Hammock	4,588	Levy														
Plum Creek Timberlands	Manatee Springs Addit. Suwannee Swamp	12,797	Levy														
Ragans Hoyt and Betty	Aucilla	755	Jefferson Madison							X							
Red Hills Land Company	Foster	163	Jefferson														
Sanders, Thomas and Sylvia	Mill Creek	339	Hamilton								X						
Sante Fe River Hammock, L.L.C.	Santa Fe River Hammock	167	Bradford						X								
Sheppard, Derwood and Susan	Manatee Springs Addition	120	Levy					X									
Strickland Field, L.P.	Strickland Field	3,822	Dixie														
Suwannee River Development LLC	Ace Ranch	260	Lafayette														
The Campbell Group	California Swamp	32,134	Dixie			X											
Tisdale Robert	Tisdale	83	Levy					X									
Usher Family Trust	Usher	2,023	Levy														
Zellwin Farms, Inc.	Jennings Bluff	362	Hamilton								X						

Shading denotes month inspection is scheduled to take place. An "X" denotes completed inspection. Inspection will be rescheduled if not completed during its designated month.

Acquisition

OWNER	PROJECT NAME	ACRES	COUNTY	COMMENTS
J.T. Bridges Azure Properties	McAlpin Landing Addition	220	Hamilton	Discussion continue concerning timber lease
Nyman, George & Sharon	Suwannee River Oaks CE	312	Gilchrist	Title review completed by legal. Requesting bid for re-appraisal

Status of Exchange

Tract Name	Acres	County	Acquired Date	Funding Source	Proposal	Status
Ellaville Exchange for Damascus Peanut Company	986	Madison	5/1998	WMLTF	Proposed as Exchange	Governing Board approved the exchange agreement with the Trustees of the Internal Improvement Trust Fund.
Lamont/Mt. Gilead for Aucilla Land Partners Conservation Easement	114	Madison and Jefferson	9/1998	WMLTF	Proposed as Conservation Easement Exchange	Legal Counsel is preparing the documents necessary for the exchange.

Surplus Lands

Tract Name	Acres	County	Acquired Date	Funding Source	Appraisal Date	Listing Date	Listing Price	Comments
Alligator Lake	43	Columbia	8/10/2001	P2000	Approved in July			Discussion continuing with Columbia County
Blue Sink	79	Suwannee	12/1988	WMLTF	6/14/2010	7/12/2010	Fee entire parcel \$281,600 40-acre parcel \$154,000	An offer is being prepared to present to the Surplus Lands Committee on June 26, 2013
Cabbage Grove	30	Taylor	9/2001	WMLTF		10/5/2012	Fee entire tract \$57,750	A full price offer is being prepared to present to the Surplus Lands Committee on June 26, 2013

Surplus Lands (continued)

Tract Name	Acres	County	Acquired Date	Funding Source	Appraisal Date	Listing Date	Listing Price	Comments
Chitty Bend East	20	Hamilton	12/1988	WMLTF	11/2/11	11/29/11	Fee two 10-acre tracts for \$26,400 each	
Chitty Bend West	121	Madison	12/1988	WMLTF	11/2/11	11/29/11	Fee entire tract \$279,510	
Cuba Bay	22	Jefferson	02/1996	P2000	8/10/2011	11/10/2011	Fee or Conservation Easement (same price) \$42,350	
Falmouth North (8 lots)	6	Suwannee	04/1998	WMLTF	8/27/2010	11/18/2010	Fee entire tract \$52,030	
Hunter Creek	120	Hamilton	09/2002	P2000		11/18/2010	Fee (3 parcels) \$343,200 CE (3 parcels) \$243,100	
Jennings Bluff	70	Hamilton	02/1989	WMLTF	7/30/2010	8/16/2010	Fee entire tract \$215,600	Negotiations continue with Hamilton County
Levings	69	Columbia	02/1998	WMLTF	6/14/2010	5/11/2011	Fee entire tract \$135,860	
Perry Spray Field	248	Taylor	9/2001	WMLTF	6/6/2012		CE \$225,000	
Steinhatchee Rise	42	Dixie	02/1996	P2000	8/27/2010	11/18/2010	Fee entire tract \$126,940 conservation easement \$97,020	
Timber River	1	Madison	03/1998	WMLTF	8/27/2010	11/18/2010	Fee entire tract \$10,780	

WMLTF=Water Management Lands Trust Fund; P2000=Preservation 2000; FF= Florida Forever Trust Fund

LAND MANAGEMENT

Prescribed Fire

Summary Table FY 2013	2013 Target Acres	Acres Complete
Suwannee River Water Management District	10,000	8,784
Florida Forest Service burns on Twin Rivers State Forest	2000	1,158
TOTAL	12,000	9,942

Prescribed Burn Activity

TRACT	COUNTY	WFS	FFS TRSF	TOTAL ACRES	TOTAL WILDFIRE ACRES
Ellaville	Madison	810			
Gar Pond	Columbia	303			
Bay Creek	Columbia	131			
Little Shoals	Columbia	244			
Jennings Bluff	Hamilton	110			
<i>Sub-total for Period</i>		1,598		1,598	11.22
<i>Previous Acres Burned</i>		7,186	1,158	8,344	0.00
Total Acres		8,784	1,158	9,942	11.22

Timber

Timber Sales

Contract #	Fiscal Year	Timber Sale Name	Oversight	Contract Date	Estimated Start Date	Estimated Pine Tons	Harvest Completion
11/12-054	2012	Steinhatchee Springs # 9	SR	3/26/2012	10/26/2012	14,100	85%
12/13-057	2013	Steinhatchee Rise # 1	SR	3/5/2013	4/5/2013	13,647	20%

MEMORANDUM

TO: Governing Board

FROM: Carlos Herd, P.G., Division Director, Water Supply

DATE: May 27, 2013

RE: Authorization to Extend Contract 12/13-019 with Land and Sea Surveying Concepts, Inc., for Middle Suwannee River Bathymetric Surveying in Support of Minimum Flows and Levels Development

RECOMMENDATION

Staff recommends the Governing Board authorize the Executive Director to extend Contract 12/13-019 with Land and Sea Surveying Concepts, Inc., until January 15, 2015, for an additional fee not to exceed \$250,000 to continue bathymetric surveying on future minimum flow and level (MFL) waterbodies.

BACKGROUND

In 2012, the District issued a Request for Qualifications for surveying services under the Consultants' Competitive Negotiation Act (CCNA – Section §287.055 Florida Statutes). The firms were ranked and the District entered into contract with the top-ranked firm, Land and Sea Surveying, Inc., on October 23, 2012. The immediate project was to complete bathymetric surveying on the Middle Suwannee River for an amount not to exceed \$115,000. The District has received all deliverables for this contract.

The contract states in paragraph eight that the contract can be extended up to two years. District staff has learned a great deal about bathymetric surveying in the process of working with Land and Sea Surveying. The surveyor is able to take advantage of high water on the river and can be extremely efficient in the data collection. The plan is to deploy the surveyor when high water conditions occur. The scope of work and fees will be negotiated prior to deployment. Data collection will occur on the MFL waterbodies that have not previously had a detailed bathymetric survey performed such as the Withlacoochee, Alapaha, Aucilla, and Wacissa rivers.

Funds for this contract are budgeted in the FY 2012/2013 Minimum Flows and Levels budget.

CH/dd

MEMORANDUM

TO: Governing Board

FROM: Carlos Herd, P.G., Division Director, Water Supply

DATE: May 28, 2013

RE: Consideration of Resolution 2013-11 Requesting the Department of Environmental Protection to Adopt the Lower Santa Fe and Ichetucknee Rivers and Priority Springs Minimum Flows and Levels and Associated Prevention and Recovery Strategies

RECOMMENDATION

Staff recommends approval of Resolution 2013-11, subject to Senate Bill 244 becoming law, requesting the Department of Environmental Protection to adopt the Lower Santa Fe and Ichetucknee Rivers and Priority Springs Minimum Flows and Levels, Ichetucknee River and Priority Springs Prevention Strategy, and Lower Santa Fe River and Springs Recovery Strategy.

BACKGROUND

Water management district boundaries were generally established along surface water hydrologic divides. Groundwater withdrawals have the potential to affect water resources in an adjacent district. A water management district has the authority to protect water resources, including those in an adjacent district; however, it cannot use the adopted reservation, minimum flow and level (MFL), and prevention and recovery strategies adopted by an adjoining district without separately implementing its own rulemaking process.

Like the water management districts, the Department of Environmental Protection (DEP) has the authority to establish and adopt MFLs. During the 2013 session, the Florida Legislature passed Senate Bill 244 that requires the water management districts to provide technical information and staff support to DEP for the development of a reservation, MFL, or prevention or recovery strategy to be adopted by DEP. Senate Bill 244 authorizes water management districts to apply MFL and reservation rules adopted by DEP without further rule adoption by the districts.

DEP's adoption by rule of the Lower Santa Fe and Ichetucknee Rivers and Springs Minimum Flows and Levels and associated prevention and recovery strategies will avoid duplicative efforts by the Suwannee River Water Management District and St. Johns River Water Management District.

SM/rl

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

RESOLUTION NUMBER 2013-11

RESOLUTION REQUESTING THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION ADOPT THE LOWER SANTA FE AND ICHETUCKNEE RIVERS AND PRIORITY SPRINGS MINIMUM FLOWS AND LEVELS, ICHETUCKNEE RIVER AND PRIORITY SPRINGS PREVENTION STRATEGY, AND LOWER SANTA FE RIVER AND PRIORITY SPRINGS RECOVERY STRATEGY SUBJECT TO SENATE BILL 244 BECOMING LAW

WHEREAS, the Suwannee River Water Management District has developed a minimum flow for the Lower Santa Fe and Ichetucknee Rivers and Priority Springs in accordance with Section 373.042, Florida Statutes (F.S.); and

WHEREAS, the Suwannee River Water Management District is submitting all scientific data, methodologies, and technical assumptions that were used in developing the minimum flow for the Lower Santa Fe and Ichetucknee Rivers and Priority Springs for voluntary peer review; and

WHEREAS, the Suwannee River Water Management District is developing the Ichetucknee Rivers and Priority Springs Prevention Strategy; and

WHEREAS, the Suwannee River Water Management District is developing the Lower Santa Fe Rivers and Priority Springs Recovery Strategy; and

WHEREAS, the Florida Department of Environmental Protection and the water management districts have the authority to establish minimum flows and levels pursuant to Sections 373.042 and 373.0421, Florida Statutes; and

WHEREAS, the five water management districts are established along surface water hydrological boundaries; and

WHEREAS, groundwater withdrawals have the potential to and do have cross-boundary effects upon adjacent water management districts; and

WHEREAS, the Lower Santa Fe and Ichetucknee Rivers and Priority Springs are also affected by groundwater withdrawal outside of the Suwannee River Water Management District boundaries;

WHEREAS, the Florida Department of Environmental Protection, the Suwannee River Water Management District, and the St. Johns River Water Management District have established the North Florida Regional Water Supply Partnership to collaborate on cross-boundary water supply issues and solutions; and

WHEREAS, the Florida State Parks are under the supervision of the Florida Department of Environmental Protection; and

WHEREAS, the Ichetucknee Springs State Park is affected by the Ichetucknee River and Priority Springs minimum flows and levels and prevention strategy; and

WHEREAS, the O'Leno State Park and River Rise State Park is affected by the Lower Santa Fe River minimum flows and levels and recovery strategy; and

WHEREAS, the adoption by the Florida Department of Environmental Protection of the Lower Santa Fe and Ichetucknee Rivers and Priority Springs minimum flows and levels, Ichetucknee River and Priority Springs Prevention Strategy, and Lower Santa Fe River and Priority Springs Recovery Strategy will avoid duplicative rulemaking efforts by the Suwannee River Water Management District and St. Johns River Water Management District and thereby reduce rulemaking costs and save taxpayers money; and

WHEREAS, the Florida Legislature unanimously passed Senate Bill 244 that enables the water management districts to apply a reservation, minimum flow and level, or prevention or recovery strategy adopted by the Florida Department of Environmental Protection; and

WHEREAS, Senate Bill 244 requires the water management districts to provide technical information and staff support to the Florida Department of Environmental Protection when the department adopts a reservation, minimum flow and level, or prevention or recovery strategy; and

WHEREAS, the Suwannee River Water Management District is committed to provide technical information and staff support to the Florida Department of Environmental Protection for the adoption of the Lower Santa Fe and Ichetucknee Rivers and Priority Springs minimum flows and levels, Ichetucknee River and Priority Springs Prevention Strategy, and Santa Fe River and Priority Springs Recovery Strategy; and

WHEREAS, the adoption of the Lower Santa Fe and Ichetucknee Rivers and Priority Springs minimum flows and levels, Ichetucknee River and Priority Springs Prevention Strategy, and Lower Santa Fe River and Priority Springs Recovery Strategy by the Florida Department of Environmental Protection is in the best interest of these water resources and the taxpayers of the State; and

WHEREAS, the Suwannee River Water Management District understands that said request is contingent upon Senate Bill 244 becoming law with an effective date of July 1, 2013.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Board of the Suwannee River Water Management District hereby requests, subject to Senate Bill 244 becoming law, that the Florida Department of Environmental Protection adopt:

- (1) The Lower Santa Fe and Ichetucknee Rivers and Priority Springs minimum flows and levels.
- (2) The Ichetucknee River and Priority Springs Prevention Strategy.
- (3) The Lower Santa Fe River and Priority Springs Recovery Strategy.

PASSED AND ADOPTED THIS 11th DAY OF JUNE 2013, A.D.

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

MEMBERS OF THE BOARD:

**DON QUINCEY, CHAIRMAN
ALPHONAS ALEXANDER, VICE CHAIRMAN
RAY CURTIS, SECRETARY/TREASURER
KEVIN BROWN
GEORGE COLE
VIRGINIA JOHNS
GARY JONES
VIRGINIA SANCHEZ
GUY N. WILLIAMS**

ATTEST:

MEMORANDUM

TO: Governing Board
FROM: Tim Sagul, P.E., Division Director, Resource Management
DATE: May 29, 2013
RE: Approval of Water Use Permit Application Number
2-11-00027.002, Nacep Farm, Gilchrist County

RECOMMENDATION

Staff recommends the Governing Board approve Water Use Permit number 2-11-00027.002, with eighteen standard conditions and three special limiting conditions to Piedmont Farms, Inc. in Gilchrist County.

BACKGROUND

This is a modification to an existing permit to irrigate 135 acres with an Average Daily Rate (ADR) of 0.2227 million gallons daily (mgd). The ADR has not changed with this modification and will not violate the minimum flows and levels. This producer is participating in the District cost-share program. The applicant is requesting a five-year permit extension (existing permit expires on August 16, 2031; modified permit will expire on August 16, 2036) due to voluntarily implementing automated water use monitoring. The project area is not located in a Water Resource Caution Area.

The permit contains special conditions regarding implementation and maintenance of conservation plans, irrigation of target areas, and implementation of automatic monitoring of withdrawals.

Staff has determined that the application is complete and satisfies the conditions for issuance in Chapter 40B-2, Florida Administrative Code.

/tm

May 29, 2013

Mr. William A. McArthur, Jr.
Piedmont Farms, Inc.
569 Edgewood Avenue South
Jacksonville, FL 32205

Subject: Approval of Water Use Permit Application Number
2-11-00027.002, Nacep Farm, Gilchrist County

Dear Mr. McArthur:

Suwannee River Water Management District (District) staff proposes to recommend to the Governing Board that the above-mentioned project be approved.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on June 11, 2013, which is open to the public.

Persons considered to be affected by this proposed agency action may request an administrative hearing. The request must be written and must adhere to the requirements of Chapter 28-106, Florida Administrative Code. Please see the enclosed Notice of Rights. All requests for administrative hearings shall be sent to the District at 9225 County Road 49, Live Oak, Florida 32060. Please call permitting staff at 386.362.1001 if you have any questions.

Sincerely,

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

TS/tm
Enclosure
Certified Mail Receipt Number: 7010 1060 0001 1350 3815

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 Florida Statutes. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may chose to pursue mediation as an alternative remedy as described above. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon receipt of the petition by the Office of the District Clerk at the District Headquarters in Live Oak, Florida.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing pursuant to Rule 28-106.111, Florida Administrative Code.
7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.

NOTICE OF RIGHTS

- 9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.
- 10. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
- 11. Failure to observe the relevant time frames for filing a petition for judicial review, or for Commission review, will result in waiver of the right to review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

Mr. William A. McArthur, Jr.
Piedmont Farms, Inc.
569 Edgewood Avenue South
Jacksonville, FL 32205

At 4:00 p.m. this _____ day of _____, _____

Tim Sagul
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

STAFF REPORT
WATER USE PERMIT APPLICATION

DATE: May 29, 2013

PROJECT: Nacep Farm

APPLICANT:

Mr. William A. McArthur, Jr.
Piedmont Farms, Inc.
569 Edgewood Avenue South
Jacksonville, FL 32205

PERMIT APPLICATION NO.: 2-11-00027.002

DATE OF APPLICATION: March 1, 2013

APPLICATION COMPLETE: April 12, 2013

DEFAULT DATE: July 11, 2013

	Previous Quantities:		Proposed Quantities:	
Average Daily Rate (ADR)	0.2227	mgd	0.2227	mgd

Recommended Agency Action

Staff recommends approval of a Water Use Permit for a modification located within Gilchrist County. The permit includes eighteen standard conditions and three special limiting conditions. Staff also recommends a five-year permit extension based on 40B-2.331(2) due to voluntarily implementing automated water use monitoring. The existing permit will expire on August 16, 2031, and the modified permit will expire on August 16, 2036.

Project Review Staff

James Link, P.E., Kevin Wright, P.E., and Tim Sagul, P.E. have reviewed the application.

Project Location

The withdrawal facilities are located in Township 09 South, Range 14 East, and Section 15 in Gilchrist County. The project is located within the Lower Suwannee River basin according to the USGS National Hydrography Dataset, Hydrologic Unit Code-8 sub basins.

Project Description

The project area consists of 157 acres with approximately 128 acres being irrigated using groundwater.

The water use calculations were based upon the irrigated acreages and crop types provided by David Pope. Crops include corn, peanuts, and rye as a winter crop. The applicant will use one center pivot for irrigation. The Average Daily Rate (ADR) of withdrawal was calculated as 0.2227 mgd which equates to 23.39 inches of supplemental irrigation annually. The producer is participating in the District cost-share program.

The project area includes one existing well for irrigation. The well inventory can be found in the table on Attachment A.

Demonstration of Need

The applicant has provided information that supports the requested allocation, based upon the crop types. Piedmont Farms, Inc. plans to irrigate 128 acres with two crops each year. Crops include corn, peanuts, and rye as a winter crop.

Water Conservation

The applicant has completed the Water Conservation Worksheets for Center Pivot Irrigation.

Minimum Flows and Levels Compliance

The ADR is 0.2227 MGD and has not changed with this modification and will not violate the minimum flows and levels (MFLs) at any downstream MFL points established along the Suwannee River or its tributaries. However, a standard limiting condition has been included in the permit for the District to seek a modification to the permit to assist in the recovery and/or prevention strategy associated with an adopted MFL.

Conditions of Issuance

Is this a reasonable–beneficial use?

[ref. 40B-2.301(1)(a)]

Yes. Based on the evaluation of criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

Will this use interfere with any presently existing legal use of water?

[ref. 40B-2.301(1)(b)]

No. This modification results in no change in ADR and will not interfere with any presently existing legal use of water.

Will this use be consistent with the public interest?

[ref. 40B-2.301(1)(c)]

Yes. Based on the provided information, the water will be used efficiently, will not be wasted, and is for an economically beneficial use. The use meets the criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

Will this use be in such a quantity and of such quality as is necessary for economic and efficient use?

[ref. 40B-2.301(2)(a)]

Yes. Based on IFAS crop water needs, the use is such a quantity and such quality as is necessary for economic and efficient use.

Is this use for a purpose that is both reasonable and consistent with the public interest?

[ref. 40B-2.301(2)(b)]

Yes. Based on IFAS crop water needs this use is both reasonable and consistent with the public interest.

Will the source of the water be capable of producing the requested amounts and appropriate quality of water?

[ref. 40B-2.301(2)(c)]

Yes. There is no increase in ADR; therefore the source will be capable of producing the requested amounts and appropriate quality of water.

Will the use degrade the source from which it is withdrawn?

[ref. 40B-2.301(2)(d)]

No. There is no increase in ADR; therefore this modification will not degrade the source from which it is withdrawn.

Will the use cause or contribute to flooding?

[ref. 40B-2.301(2)(e)]

No. Based on crop types and proposed farm practices, flooding is not a concern for this operation.

Will the use harm offsite land uses?

[ref. 40B-2.301(2)(f)]

No. Based on the existing land uses surrounding the operation, harm to offsite land uses is not a concern.

Will the use cause harm to wetlands or other surface water? Harm to wetland or other surface waters must be mitigated after completion of reduction or elimination of harm in accordance with sections 3.1.8. through 3.1.10. of the Water Use Permitting Guide.

[ref. 40B-2.301(2)(g)]

No. There is no increase in ADR; therefore this modification will not cause harm to wetlands or other surface water.

Will the use cause or contribute to a violation of either minimum flows or levels?

[ref. 40B-2.301(2)(h)]

No. There is no increase in ADR; therefore this modification will not cause a violation of either minimum flows or levels.

Will the use cause or contribute to a violation of state water quality standard in waters of the state as set forth on Chapters 62-301, 62-302, 62-520, and 62-550, Florida Administrative Code (F.A.C.)?

[ref. 40B-2.301(2)(i)]

No. There is no increase in ADR; therefore this modification will not contribute to a violation of state water quality standards.

Is this use otherwise a reasonable-beneficial use as defined in Section 373.019(2), Florida Statutes,(F.S.) with consideration given to the factors set forth on subsection 62-40.410(2), F.A.C.?

[ref. 40B-2.301(2)(j)]

Yes. Staff has deemed the use a reasonable-beneficial use after considering the factors set forth in subsection 62-40.410(2), F.A.C.

Has the permit applicant proposed an alternative water supply?
[ref. 40B-2.301(2)(k)]

Alternative water supply is not feasible at this time.

Standard Conditions

1. This permit shall expire on **8/16/2036**. The permittee must submit the appropriate application form incorporated by reference in subsection 40B-2.041(2), Florida Administrative Code (F.A.C.) and the required fee to the District pursuant to section 40B-2.361, F.A.C., prior to this expiration date in order to continue the use of water.
2. The permittee may apply for a permit modification at any time in accordance with section 40B-2.331, F.A.C.
3. Primary Water Use classification(s): **Irrigation**
4. Source classification(s) : **Groundwater**
5. In the event of a District-declared water shortage, the permittee must immediately comply with any restrictions or requirements ordered in accordance with the District's Water Shortage Plan, chapter 40B-21, F.A.C.
6. The permitted water withdrawal facilities consist of the items in the Withdrawal Point Information table on page 1.
7. 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.
8. 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.
9. 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.
10. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to chapter 373, F.S.
11. Authorized representatives of the District, upon reasonable notice to the permittee, shall be permitted to enter and inspect the permitted water use to determine compliance with the permit conditions.
12. This permit does not relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
13. This permit does not convey to the permittee any property rights or privileges other than those specified herein.
14. Permittee shall notify the District in writing within 90 days of any sale, conveyance, or other transfer of ownership or control of the real property on which the permitted water use activities are located. All water use permit transfers are subject to the requirements of section 40B-2.301, F.A.C.
15. 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.

16. All correspondence sent to the District regarding this permit must include the permit number **2-11-00027.002.**
17. When the District provides a permanent identification tag, the tag shall be prominently displayed at the withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility. If the permit covers several facilities such as a well field, a tag shall be affixed to each facility. Failure to display a tag as prescribed herein shall constitute a violation of the permit. The permittee shall be allowed ten (10) days after the notice of violation of this section to obtain a replacement tag.
18. The District reserves the right to open this permit, following notice to the permittee, to include a permit condition prohibiting withdrawals for resource protection.

Special Limiting Conditions

19. The Permittee shall implement and/or maintain the 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.
20. The Permittee shall ensure that the irrigation systems will water target areas only under field operations. Irrigation of non-target areas (roads, woods, structures, etc.) is prohibited.
21. The Permittee shall implement automated monitoring of groundwater withdrawals, at Permittee's expense, upon commencement of withdrawals. The monitoring and reporting shall include reporting daily volume pumped by each well of inside diameter eight inches or greater at land surface and shall be delivered by 12:00 pm local time the following day via approved telemetry consistent with District data formats. The permittee may opt for a standardized SRWMD automated monitoring system to fulfill this requirement.

Attachment A
2-11-00027.002
Nacep Farm

Name	Status	Diameter	Capacity (gpm)	Water Use
Nacep Well 8"	Active	8	600	Irrigation



-  Property Boundary
-  Irrigation Systems
-  Withdrawal Points

Nacep Farm

2-11-00027.002 Water Use Permit

June 2013



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.



MEMORANDUM

TO: Governing Board
FROM: Tim Sagul, P.E., Division Director, Resource Management
DATE: May 29, 2013
RE: Approval of Water Use Permit Application Number
2-84-00029.004, Rodney Dicks Farm, Columbia County

RECOMMENDATION

Staff recommends the Governing Board approve Water Use Permit number 2-84-00029.004, with eighteen standard conditions and four special limiting conditions to Rodney Dicks in Columbia County.

BACKGROUND

This is a modification to an existing permit to irrigate 212 acres with an Average Daily Rate (ADR) of 0.1954 million gallons daily (mgd). The ADR has decreased 0.5301 mgd, from 0.7255 to 0.1954 mgd. The project area is located within the Lower Santa Fe and Upper Santa Fe River Basin Water Resource Caution Areas. This producer is participating in the District cost-share program. The applicant is requesting a five-year permit extension (existing permit expires on March 28, 2028, modified permit will expire on March 28, 2033) due to voluntarily implementing automated water use monitoring.

The permit contains special conditions regarding a ten-year review, implementation of automatic monitoring of withdrawals, implementation and maintenance of conservation plans, and irrigation of target areas.

Staff has determined that the application is complete and satisfies the conditions for issuance in Chapter 40B-2, Florida Administrative Code.

/tm

May 29, 2013

Mr. Rodney Dicks
545 SE Rodney Dicks Drive
Lake City, FL 32025

Subject: Approval of Water Use Permit Application Number
2-84-00029.004, Rodney Dicks Farm, Columbia County

Dear Mr. Dicks:

Suwannee River Water Management District (District) staff proposes to recommend to the Governing Board that the above-mentioned project be approved.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on June 11, 2013, which is open to the public.

Persons considered to be affected by this proposed agency action may request an administrative hearing. The request must be written and must adhere to the requirements of Chapter 28-106, Florida Administrative Code. Please see the enclosed Notice of Rights. All requests for administrative hearings shall be sent to the District at 9225 County Road 49, Live Oak, Florida 32060. Please call permitting staff at 386.362.1001 if you have any questions.

Sincerely,

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

TS/tm
Enclosure
Certified Mail Receipt Number:7010 1060 0001 1350 3561

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 Florida Statutes. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may chose to pursue mediation as an alternative remedy as described above. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon receipt of the petition by the Office of the District Clerk at the District Headquarters in Live Oak, Florida.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing pursuant to Rule 28-106.111, Florida Administrative Code.
7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.

NOTICE OF RIGHTS

9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.
10. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
11. Failure to observe the relevant time frames for filing a petition for judicial review, or for Commission review, will result in waiver of the right to review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

Mr. Rodney Dicks
545 SE Rodney Dicks Drive
Lake City, FL 32025

At 4:00 p.m. this _____ day of _____, _____

Tim Sagul
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

STAFF REPORT
WATER USE PERMIT APPLICATION

DATE: May 29, 2013

PROJECT: Rodney Dicks Farm

APPLICANT:

Rodney Dicks

545 SE Rodney Dicks Drive

Lake City, FL 32025

PERMIT APPLICATION NO.: 2-84-00029.004

DATE OF APPLICATION: March 20, 2013

APPLICATION COMPLETE: March 20, 2013

DEFAULT DATE: June 18, 2013

	Previous Quantities:		Proposed Quantities:	
Average Daily Rate (ADR)	0.7255	mgd	0.1954	mgd

Recommended Agency Action

Staff recommends approval of a Water Use Permit for a modification located within Columbia County. The permit includes eighteen standard conditions and four special limiting conditions. Staff also recommends a five-year permit extension based on 40B-2.331(2) due to voluntarily implementing automated water use monitoring. The existing permit will expire on March 28, 2028, and the modified permit will expire on March 28, 2033.

Project Review Staff

Lindsey Marks, Kevin Wright, P.E., and Tim Sagul, P.E. have reviewed the application.

Project Location

The withdrawal facilities are located in Township 04 South, Range 17 East, Sections 10, 32 and 36 as well as Township 05 South, Range 17 East, Section 01 in Columbia County. The project is located within the Santa Fe River basin according to the USGS National Hydrography Dataset, Hydrologic Unit Code-8 sub basins.

Project Description

The project area consists of 1,014 acres with approximately 212 acres being irrigated using groundwater. There are also eight livestock wells for 265 head of beef cattle.

The water use calculations were based upon the irrigated acreages, crop types, and livestock provided by Delvey Dicks, who is acting as the agent for this permit. Crops include corn and peanuts. The applicant will use two center pivots and one hard hose for irrigation. The Average Daily Rate (ADR) of withdrawal was calculated as 0.1954 mgd, which equates to 12.4 inches of supplemental irrigation annually. The producer is participating in the District cost-share program.

The project area includes eleven active wells. Three wells are for irrigation, and the other eight wells provide water for the 265 head of beef cattle on the project site. The well inventory can be found in the table on Attachment A.

Demonstration of Need

The applicant has provided information that supports the requested allocation, based upon the crop types. Rodney Dicks plans to irrigate 212 acres with one crop each year. Crops include corn and peanuts.

Water Conservation

The applicant has completed the Water Conservation Worksheets for Center Pivot Irrigation.

Minimum Flows and Levels Compliance

Due to this modification, the ADR has decreased 0.5301 MGD from 0.7255 to 0.1954 MGD. This decrease will not violate the minimum flows and levels (MFLs) at any downstream MFL points established along the Suwannee River or its tributaries. However, a standard limiting condition has been included in the permit for the District to seek a modification to the permit to assist in the recovery and/or prevention strategy associated with an adopted MFL.

Conditions of Issuance

Is this a reasonable–beneficial use?

[ref. 40B-2.301(1)(a)]

Yes. Based on the evaluation of criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

Will this use interfere with any presently existing legal use of water?

[ref. 40B-2.301(1)(b)]

No. This modification decreases the amount of water allocated and will not interfere with any presently existing legal use of water.

Will this use be consistent with the public interest?

[ref. 40B-2.301(1)(c)]

Yes. Based on the provided information, the water will be used efficiently, will not be wasted, and is for an economically beneficial use. The use meets the criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

Will this use be in such a quantity and of such quality as is necessary for economic and efficient use?

[ref. 40B-2.301(2)(a)]

Yes. Based on IFAS crop water needs, the use is such a quantity and such quality as is necessary for economic and efficient use.

Is this use for a purpose that is both reasonable and consistent with the public interest?

[ref. 40B-2.301(2)(b)]

Yes. Based on IFAS crop water needs this use is both reasonable and consistent with the public interest.

Will the source of the water be capable of producing the requested amounts and appropriate quality of water?

[ref. 40B-2.301(2)(c)]

Yes. The decrease in allocation will help the source be capable of producing the requested amounts and appropriate quality of water.

Will the use degrade the source from which it is withdrawn?

[ref. 40B-2.301(2)(d)]

No. The decrease in allocation will not degrade the source from which it is drawn.

Will the use cause or contribute to flooding?

[ref. 40B-2.301(2)(e)]

No. Based on crop types and proposed farm practices, flooding is not a concern for this operation.

Will the use harm offsite land uses?

[ref. 40B-2.301(2)(f)]

No. Based on the existing land uses surrounding the operation, harm to offsite land uses is not a concern.

Will the use cause harm to wetlands or other surface water? Harm to wetland or other surface waters must be mitigated after completion of reduction or elimination of harm in accordance with sections 3.1.8. through 3.1.10. of the Water Use Permitting Guide.

[ref. 40B-2.301(2)(g)]

No. The decrease in allocation will not cause harm to wetlands or other surface water.

Will the use cause or contribute to a violation of either minimum flows or levels?

[ref. 40B-2.301(2)(h)]

No. The decrease in allocation will not cause a violation of either minimum flows or levels.

Will the use cause or contribute to a violation of state water quality standard in waters of the state as set forth on Chapters 62-301, 62-302, 62-520, and 62-550, Florida Administrative Code (F.A.C.)?

[ref. 40B-2.301(2)(i)]

No. The decrease in allocation will not contribute to a violation of state water quality standards.

Is this use otherwise a reasonable-beneficial use as defined in Section 373.019(2), Florida Statutes,(F.S.) with consideration given to the factors set forth on subsection 62-40.410(2), F.A.C.?

[ref. 40B-2.301(2)(j)]

Yes. Staff has deemed the use a reasonable-beneficial use after considering the factors set forth in subsection 62-40.410(2), F.A.C.

Has the permit applicant proposed an alternative water supply?
[ref. 40B-2.301(2)(k)]

Alternative water supply is not feasible at this time.

Standard Conditions

1. This permit shall expire on **3/28/2033**. The permittee must submit the appropriate application form incorporated by reference in subsection 40B-2.041(2), Florida Administrative Code (F.A.C.) and the required fee to the District pursuant to section 40B-2.361, F.A.C., prior to this expiration date in order to continue the use of water.
2. The permittee may apply for a permit modification at any time in accordance with section 40B-2.331, F.A.C.
3. Primary Water Use classification(s): **Irrigation, Livestock**
4. Source classification(s) : **Groundwater**
5. In the event of a District-declared water shortage, the permittee must immediately comply with any restrictions or requirements ordered in accordance with the District's Water Shortage Plan, chapter 40B-21, F.A.C.
6. The permitted water withdrawal facilities consist of the items in the Withdrawal Point Information table on page 1.
7. 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.
8. 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.
9. 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.
10. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to chapter 373, F.S.
11. Authorized representatives of the District, upon reasonable notice to the permittee, shall be permitted to enter and inspect the permitted water use to determine compliance with the permit conditions.
12. This permit does not relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
13. This permit does not convey to the permittee any property rights or privileges other than those specified herein.
14. Permittee shall notify the District in writing within 90 days of any sale, conveyance, or other transfer of ownership or control of the real property on which the permitted water use activities are located. All water use permit transfers are subject to the requirements of section 40B-2.301, F.A.C.
15. 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.

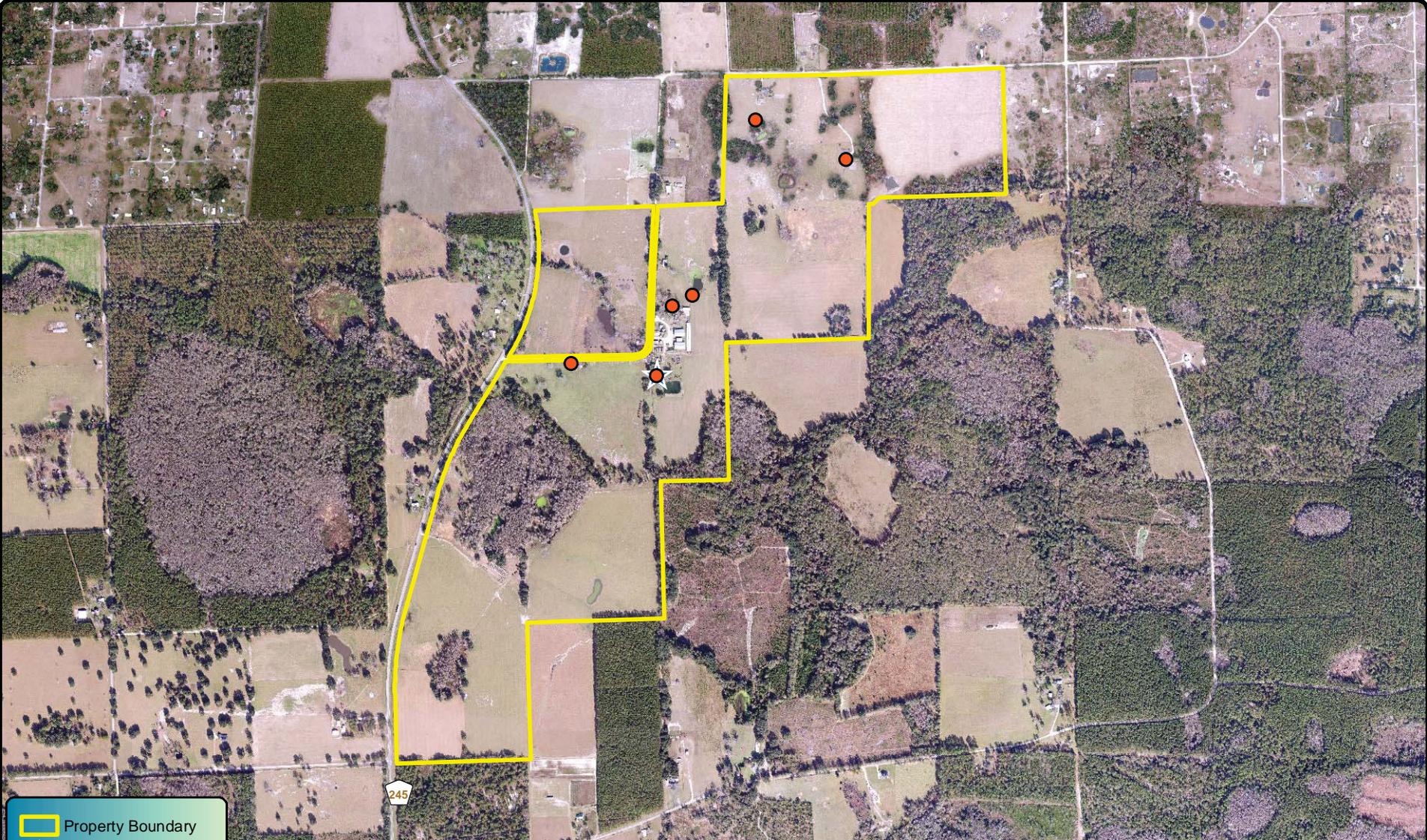
16. All correspondence sent to the District regarding this permit must include the permit number **2-84-00029.004**.
17. When the District provides a permanent identification tag, the tag shall be prominently displayed at the withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility. If the permit covers several facilities such as a well field, a tag shall be affixed to each facility. Failure to display a tag as prescribed herein shall constitute a violation of the permit. The permittee shall be allowed ten (10) days after the notice of violation of this section to obtain a replacement tag.
18. The District reserves the right to open this permit, following notice to the permittee, to include a permit condition prohibiting withdrawals for resource protection.

Special Limiting Conditions

19. Ten-Year Compliance Review: This permit and the agricultural operation will be reviewed by District and Permittee every ten years. Based on this review, the permittee and/or District may make recommendations to modify this permit. Recommendations may come from new BMPs, improved irrigation techniques, different crop types, and/or any other significant factor.
20. The Permittee shall implement and/or maintain the 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.
21. The Permittee shall ensure that the irrigation systems will water target areas only under field operations. Irrigation of non-target areas (roads, woods, structures, etc.) is prohibited.
22. The Permittee shall implement automated monitoring of groundwater withdrawals, at Permittee's expense, upon commencement of withdrawals. The monitoring and reporting shall include reporting daily volume pumped by each well of inside diameter eight inches or greater at land surface and shall be delivered by 12:00 pm local time the following day via approved telemetry consistent with District data formats. The permittee may opt for a standardized SRWMD automated monitoring system to fulfill this requirement.

Attachment A
2-84-00029.004
Rodney Dicks Farm

Name	Status	Diameter	Capacity (gpm)	Water Use
Homeplace Well No. 1	Active	4	25	Livestock
Homeplace Irrigation	Active	10	800	Irrigation
Homeplace Pond Well	Active	6	100	Livestock
Homeplace House Well	Active	4	25	Livestock
Jilene House	Active	4	25	Livestock
Regals House	Active	4	25	Livestock
Bishop Farm 4"	Active	4	25	Livestock
Delvey Dicks House Well	Active	4	25	Livestock
Bishop Farm Big Pivot Well	Active	12	1000	Irrigation
Bishop Farm Little Pivot Well	Active	8	800	Irrigation
Bradley Place Well	Active	4	300	Livestock



-  Property Boundary
-  Irrigation Systems
-  Withdrawal Points

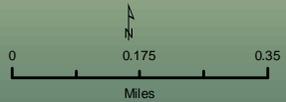
Rodney Dicks Farm 1 of 3

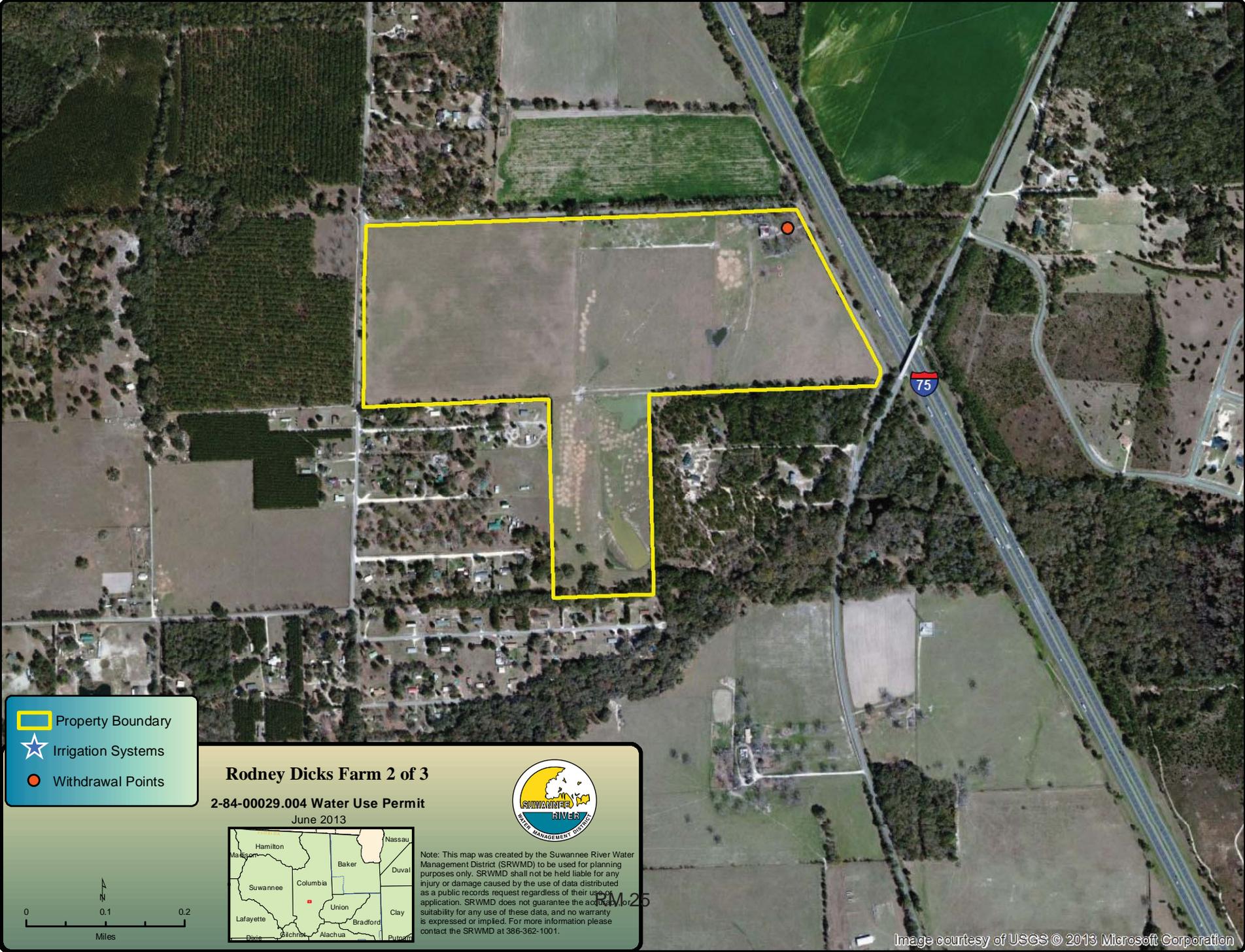
2-84-00029.004 Water Use Permit

June 2013



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.



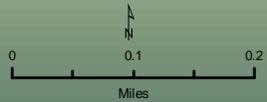


-  Property Boundary
-  Irrigation Systems
-  Withdrawal Points

Rodney Dicks Farm 2 of 3

2-84-00029.004 Water Use Permit

June 2013



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ALLIGATOR LAKE

ALLIGATOR LAKE

SE COUNTRY CLUB RD

245

Property Boundary

SRWMD Tract

Irrigation Systems

Withdrawal Points

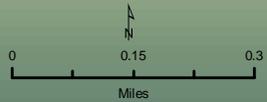
Rodney Dicks Farm 3 of 3

2-84-00029.004 Water Use Permit

June 2013



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MEMORANDUM

TO: Governing Board

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

DATE: May 29, 2013

RE: Approval of Water Use Permit Application Number
2-84-00076.004, Homeplace Farm, Gilchrist County

RECOMMENDATION

Staff recommends the Governing Board approve Water Use Permit number 2-84-00076.004 with eighteen standard conditions and three special limiting conditions to Piedmont Farms, Inc. in Gilchrist County.

BACKGROUND

This is a modification to an existing permit to irrigate 391 acres with an Average Daily Rate (ADR) of 0.1721 million gallons daily (mgd). The ADR has decreased 0.4728 mgd, from 0.6449 to 0.1721 mgd. This decrease will not violate the minimum flows and levels. The project area is not located within a Water Resource Caution Area. This producer is participating in the District cost-share program. The applicant is requesting a ten-year permit extension (existing permit expires on April 17, 2020; modified permit will expire on April 17, 2030) due to voluntarily implementing automated water use monitoring.

The permit contains special conditions regarding irrigation of target areas, implementation of water conservation plans, and implementation of automatic monitoring of withdrawals.

Staff has determined that the application is complete and satisfies the conditions for issuance in Chapter 40B-2, Florida Administrative Code.

/tm

May 29, 2013

Mr. William A. McArthur, Jr.
Piedmont Farms, Inc.
569 Edgewood Avenue South
Jacksonville, FL 32205

Subject: Approval of Water Use Permit Application Number
2-84-00076.004, Homeplace Farm, Gilchrist County

Dear Mr. McArthur:

Suwannee River Water Management District (District) staff proposes to recommend to the Governing Board that the above-mentioned project be approved.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on June 11, 2013, which is open to the public.

Persons considered to be affected by this proposed agency action may request an administrative hearing. The request must be written and must adhere to the requirements of Chapter 28-106, Florida Administrative Code. Please see the enclosed Notice of Rights. All requests for administrative hearings shall be sent to the District at 9225 County Road 49, Live Oak, Florida 32060. Please call permitting staff at 386.362.1001 if you have any questions.

Sincerely,

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

TS/tm
Enclosure
Certified Mail Receipt Number 7010 1060 0001 1350 3820

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 Florida Statutes. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may chose to pursue mediation as an alternative remedy as described above. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon receipt of the petition by the Office of the District Clerk at the District Headquarters in Live Oak, Florida.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing pursuant to Rule 28-106.111, Florida Administrative Code.
7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.

NOTICE OF RIGHTS

9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.
10. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
11. Failure to observe the relevant time frames for filing a petition for judicial review, or for Commission review, will result in waiver of the right to review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

Mr. William A. McArthur, Jr.
Piedmont Farms, Inc.
569 Edgewood Avenue South
Jacksonville, FL 32205

At 4:00 p.m. this _____ day of _____, _____

Tim Sagul
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

STAFF REPORT
WATER USE PERMIT APPLICATION

DATE: May 29, 2013

PROJECT: Homeplace Farm

APPLICANT:

Mr. William A. McArthur, Jr.
Piedmont Farms, Inc.
569 Edgewood Avenue South
Jacksonville, FL 32205

PERMIT APPLICATION NO.: 2-84-00076.004

DATE OF APPLICATION: March 1, 2013

APPLICATION COMPLETE: April 12, 2013

DEFAULT DATE: July 11, 2013

	Previous Quantities:		Proposed Quantities:	
Average Daily Rate (ADR)	0.6449	mgd	0.1721	mgd

Recommended Agency Action

Staff recommends approval of a Water Use Permit for a modification located within Gilchrist County. The permit includes eighteen standard conditions and three special limiting conditions. Staff also recommends a ten-year permit extension based on 40B-2.331(2) due to voluntarily implementing automated water use monitoring. The existing permit will expire on April 17, 2020 and the modified permit will expire on April 17, 2030.

Project Review Staff

James Link, P.E., Kevin Wright, P.E., and Tim Sagul, P.E. have reviewed the application.

Project Location

The withdrawal facilities are located in Township 10 South, Range 15 East, Sections 05, 08, and 09 in Gilchrist County. The project is located within the Lower Suwannee River basin according to the USGS National Hydrography Dataset, Hydrologic Unit Code-8 sub basins.

Project Description

The project area consists of 608 acres with approximately 391 acres being irrigated using groundwater.

The water use calculations were based upon the irrigated acreages and crop types provided by Piedmont Farms, Inc. Crops include peanuts, watermelons and rye. The applicant will use two center pivots, a hardhose traveling gun, and a drip system for irrigation. The Average Daily Rate (ADR) of withdrawal was calculated as 0.1721 mgd, which equates to 5.92 inches of supplemental irrigation annually. The producer is participating in the District cost-share program.

The project area includes two existing wells for irrigation. The well inventory can be found in the table on Attachment A.

Demonstration of Need

The applicant has provided information that supports the requested allocation, based upon the crop types. Piedmont Farms, Inc. plans to irrigate 391 acres with two crops each year. Crops include peanuts, watermelons and rye.

Water Conservation

The applicant has completed the Water Conservation Worksheets for Center Pivot Irrigation.

Minimum Flows and Levels Compliance

Due to this modification, the ADR has decreased 0.4728 MGD, from 0.6449 to 0.1721 MGD. This decrease will not violate the minimum flows and levels (MFLs) at any downstream MFL points established along the Suwannee River or its tributaries. However, a standard limiting condition has been included in the permit for the District to seek a modification to the permit to assist in the recovery and/or prevention strategy associated with an adopted MFL.

Conditions of Issuance

Is this a reasonable–beneficial use?

[ref. 40B-2.301(1)(a)]

Yes. Based on the evaluation of criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

Will this use interfere with any presently existing legal use of water?

[ref. 40B-2.301(1)(b)]

No. This modification results in a decrease in ADR of 0.4728 MGD and will not interfere with any presently existing legal use of water.

Will this use be consistent with the public interest?

[ref. 40B-2.301(1)(c)]

Yes. Based on the provided information, the water will be used efficiently, will not be wasted, and is for an economically beneficial use. The use meets the criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

Will this use be in such a quantity and of such quality as is necessary for economic and efficient use?

[ref. 40B-2.301(2)(a)]

Yes. Based on IFAS crop water needs, the use is such a quantity and such quality as is necessary for economic and efficient use.

Is this use for a purpose that is both reasonable and consistent with the public interest?

[ref. 40B-2.301(2)(b)]

Yes. Based on IFAS crop water needs this use is both reasonable and consistent with the public interest.

Will the source of the water be capable of producing the requested amounts and appropriate quality of water?

[ref. 40B-2.301(2)(c)]

Yes. The decrease in ADR of 0.4728 MGD will help the source be capable of producing the requested amounts and appropriate quality of water.

Will the use degrade the source from which it is withdrawn?

[ref. 40B-2.301(2)(d)]

No. The decrease in allocation will not degrade the source from which it is drawn.

Will the use cause or contribute to flooding?

[ref. 40B-2.301(2)(e)]

No. Based on crop types and proposed farm practices, flooding is not a concern for this operation.

Will the use harm offsite land uses?

[ref. 40B-2.301(2)(f)]

No. Based on the existing land uses surrounding the operation, harm to offsite land uses is not a concern.

Will the use cause harm to wetlands or other surface water? Harm to wetland or other surface waters must be mitigated after completion of reduction or elimination of harm in accordance with sections 3.1.8. through 3.1.10. of the Water Use Permitting Guide.

[ref. 40B-2.301(2)(g)]

No. The decrease in ADR of 0.4728 MGD will not cause harm to wetlands or other surface water.

Will the use cause or contribute to a violation of either minimum flows or levels?

[ref. 40B-2.301(2)(h)]

No. The decrease in ADR of 0.4728 MGD will not cause a violation of either minimum flows or levels.

Will the use cause or contribute to a violation of state water quality standard in waters of the state as set forth on Chapters 62-301, 62-302, 62-520, and 62-550, Florida Administrative Code (F.A.C.)?

[ref. 40B-2.301(2)(i)]

No. The decrease in ADR of 0.4728 MGD will not contribute to a violation of state water quality standards.

Is this use otherwise a reasonable-beneficial use as defined in Section 373.019(2), Florida Statutes,(F.S.) with consideration given to the factors set forth on subsection 62-40.410(2), F.A.C.?

[ref. 40B-2.301(2)(j)]

Yes. Staff has deemed the use a reasonable-beneficial use after considering the factors set forth in subsection 62-40.410(2), F.A.C.

Has the permit applicant proposed an alternative water supply?

[ref. 40B-2.301(2)(k)]

Alternative water supply is not feasible at this time.

Standard Conditions

1. This permit shall expire on **4/17/2030**. The permittee must submit the appropriate application form incorporated by reference in subsection 40B-2.041(2), Florida Administrative Code (F.A.C.) and the required fee to the District pursuant to section 40B-2.361, F.A.C., prior to this expiration date in order to continue the use of water.
2. The permittee may apply for a permit modification at any time in accordance with section 40B-2.331, F.A.C.
3. Primary Water Use classification(s): **Irrigation**
4. Source classification(s) : **Groundwater**
5. In the event of a District-declared water shortage, the permittee must immediately comply with any restrictions or requirements ordered in accordance with the District's Water Shortage Plan, chapter 40B-21, F.A.C.
6. The permitted water withdrawal facilities consist of the items in the Withdrawal Point Information table on page 1.
7. 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.
8. 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.
9. 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.
10. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to chapter 373, F.S.
11. Authorized representatives of the District, upon reasonable notice to the permittee, shall be permitted to enter and inspect the permitted water use to determine compliance with the permit conditions.
12. This permit does not relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
13. This permit does not convey to the permittee any property rights or privileges other than those specified herein.
14. Permittee shall notify the District in writing within 90 days of any sale, conveyance, or other transfer of ownership or control of the real property on which the permitted water use activities are located. All water use permit transfers are subject to the requirements of section 40B-2.301, F.A.C.
15. 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.

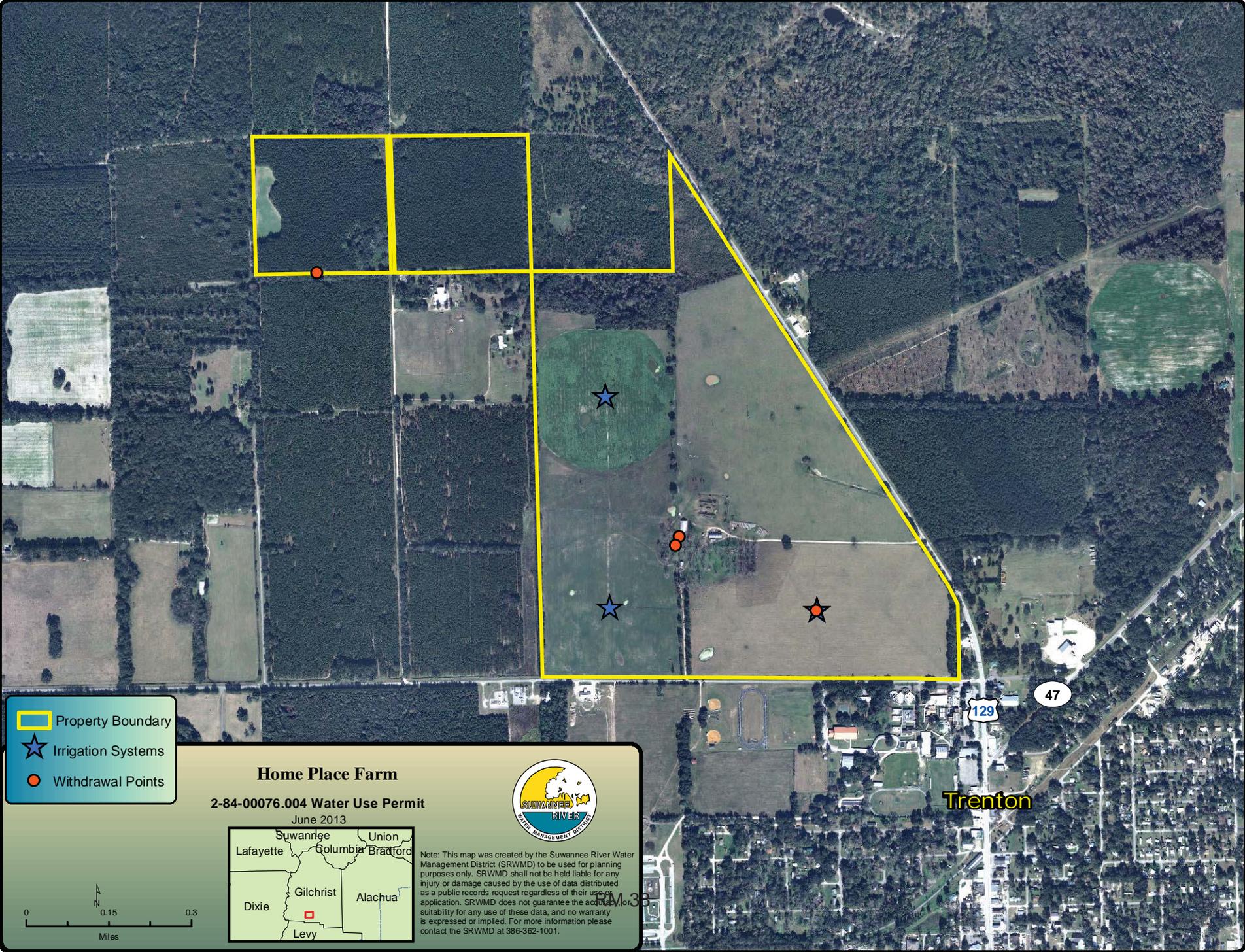
16. All correspondence sent to the District regarding this permit must include the permit number **2-84-00076.004**.
17. When the District provides a permanent identification tag, the tag shall be prominently displayed at the withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility. If the permit covers several facilities such as a well field, a tag shall be affixed to each facility. Failure to display a tag as prescribed herein shall constitute a violation of the permit. The permittee shall be allowed ten (10) days after the notice of violation of this section to obtain a replacement tag.
18. The District reserves the right to open this permit, following notice to the permittee, to include a permit condition prohibiting withdrawals for resource protection.

Special Limiting Conditions

19. The Permittee shall ensure that the irrigation systems will water target areas only under field operations. Irrigation of non-target areas (roads, woods, structures, etc.) is prohibited.
20. The Permittee shall implement and/or maintain the 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.
21. The Permittee shall implement automated monitoring of groundwater withdrawals, at Permittee's expense, upon commencement of withdrawals. The monitoring and reporting shall include reporting daily volume pumped by each well of inside diameter eight inches or greater at land surface and shall be delivered by 12:00 pm local time the following day via approved telemetry consistent with District data formats. The permittee may opt for a standardized SRWMD automated monitoring system to fulfill this requirement.

Attachment A
2-84-00076.0004
Homeplace Farm

Name	Status	Diameter	Capacity (gpm)	Water Use
Homeplace Farm Well No. 1	Existing	8	500	Irrigation
Homeplace Farm Well No. 2	Existing	10	600	Irrigation

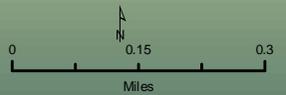


-  Property Boundary
-  Irrigation Systems
-  Withdrawal Points

Home Place Farm
 2-84-00076.004 Water Use Permit
 June 2013



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, 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.



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MEMORANDUM

TO: Governing Board

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

DATE: May 29, 2013

RE: Approval of Water Use Permit Application Number
2-84-01097.005, Fraleigh Blues, Madison County

RECOMMENDATION

Staff recommends the Governing Board approve Water Use Permit number 2-84-01097.005 with eighteen standard conditions and two special limiting conditions to Windy Hill Fraleigh Farm, Inc. in Madison County.

BACKGROUND

This is a modification to an existing permit to irrigate 75 acres using drip irrigation with an Average Daily Rate (ADR) of 0.0561 million gallons daily (mgd). The ADR has decreased 0.7181 mgd, from 0.7742 to 0.0561 mgd. The project area is not located within a Water Resource Caution Area. This producer is participating in the District cost-share program. The applicant is requesting a 5-year permit extension (existing permit expires on May 5, 2025; modified permit will expire on May 5, 2030) due to voluntarily implementing automated water use monitoring.

The permit contains special conditions regarding implementation of automatic monitoring of withdrawals and the implementation of conservation plans.

Staff has determined that the application is complete and satisfies the conditions for issuance in Chapter 40B-2, Florida Administrative Code.

/tm

May 29, 2013

Windy Hill Fraleigh Farm, Inc.
5127 Pirates Cove Road
Jacksonville, Fl. 32210

Subject: Approval of Water Use Permit Application Number
2-84-01097.005, Fraleigh Blues, Madison County

Dear Mr. Fraleigh:

Suwannee River Water Management District (District) staff proposes to recommend to the Governing Board that the above-mentioned project be approved.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on June 11, 2013, which is open to the public.

Persons considered to be affected by this proposed agency action may request an administrative hearing. The request must be written and must adhere to the requirements of Chapter 28-106, Florida Administrative Code. Please see the enclosed Notice of Rights. All requests for administrative hearings shall be sent to the District at 9225 County Road 49, Live Oak, Florida 32060. Please call permitting staff at 386.362.1001 if you have any questions.

Sincerely,

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

TS/tm
Enclosure
Certified Mail Receipt Number:7010 1060 0001 1350 3882

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 Florida Statutes. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may chose to pursue mediation as an alternative remedy as described above. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon receipt of the petition by the Office of the District Clerk at the District Headquarters in Live Oak, Florida.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing pursuant to Rule 28-106.111, Florida Administrative Code.
7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.

NOTICE OF RIGHTS

9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.
10. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
11. Failure to observe the relevant time frames for filing a petition for judicial review, or for Commission review, will result in waiver of the right to review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

Windy Hill Fraleigh Farm, Inc.
5127 Pirates Cove Road
Jacksonville, Fl. 32210

At 4:00 p.m. this _____ day of _____, _____

Tim Sagul
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

STAFF REPORT
WATER USE PERMIT APPLICATION

DATE: May 29, 2013

PROJECT: Fraleigh Blues

APPLICANT:

Windy Hill Fraleigh Farm, Inc.
5127 Pirates Cove Road
Jacksonville, FL 32210

PERMIT APPLICATION NO.: 2-84-01097.005

DATE OF APPLICATION: March 11, 2013

APPLICATION COMPLETE: April 18, 2013

DEFAULT DATE: July 17, 2013

		Previous Quantities:	Proposed Quantities:	
Average Daily Rate (ADR)	0.7742	mgd	0.0561	mgd

Recommended Agency Action

Staff recommends approval of a Water Use Permit for a modification located within Madison County. The permit includes eighteen standard conditions and two special limiting conditions. Staff also recommends a 5-year permit extension based on 40B-2.331(2) due to voluntarily implementing automated water use monitoring. The existing permit will expire on May 5, 2025; the modified permit will expire on May 5, 2030.

Project Review Staff

Ronnie Spencer, Kevin Wright, P.E., and Tim Sagul, P.E. have reviewed the application.

Project Location

The withdrawal facilities are located in Township 01 North, Range 09 East, Section 11 and Township 01 North, Range 09 East, Section 15 in Madison County. The project is located within the Aucilla River Basin according to the USGS National Hydrography Dataset, Hydrologic Unit Code-8 sub basins.

Project Description

The project area consists of 176 acres with approximately 75 acres being irrigated using groundwater.

The water use calculations were based upon the irrigated acreages and crop types provided by John Fraleigh. Crops include corn, peanuts, and soybeans. Blueberries will be grown year round. The applicant did not request any allocation for frost protection for the blueberries. The applicant will use drip for irrigation. The Average Daily Rate (ADR) of withdrawal was calculated as 0.0561 mgd, which equates to 10.6 inches of supplemental irrigation annually. The producer is participating in the District cost-share program.

The project area includes two existing wells. One well is for irrigation and the other well provides water for the 15 head of beef cattle on the project site. The well inventory can be found in the table on Attachment A.

Demonstration of Need

The applicant has provided information that supports the requested allocation, based upon the crop types. John Fraleigh plans to irrigate 75 acres each year. Crops include corn, peanuts and soybeans with blueberries grown year round.

Water Conservation

The applicant has completed a Water Conservation Worksheets for Drip Irrigation.

Minimum Flows and Levels Compliance

Due to this modification, the ADR has decreased 0.7181 MGD from 0.7742 to 0.0561 MGD. This decrease will not violate the minimum flows and levels (MFLs) at any downstream MFL points established along the Suwannee River or its tributaries. However, a standard limiting condition has been included in the permit for the District to seek a modification to the permit to assist in the recovery and/or prevention strategy associated with an adopted MFL.

Conditions of Issuance

Is this a reasonable–beneficial use?

[ref. 40B-2.301(1)(a)]

Yes. Based on the evaluation of criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

Will this use interfere with any presently existing legal use of water?

[ref. 40B-2.301(1)(b)]

No. This modification results in a decrease in ADR and will not interfere with any presently existing legal use of water.

Will this use be consistent with the public interest?

[ref. 40B-2.301(1)(c)]

Yes. Based on the provided information, the water will be used efficiently, will not be wasted, and is for an economically beneficial use. The use meets the criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

Will this use be in such a quantity and of such quality as is necessary for economic and efficient use?

[ref. 40B-2.301(2)(a)]

Yes. Based on IFAS crop water needs, the use is such a quantity and such quality as is necessary for economic and efficient use.

Is this use for a purpose that is both reasonable and consistent with the public interest?

[ref. 40B-2.301(2)(b)]

Yes. Based on IFAS crop water needs this use is both reasonable and consistent with the public interest.

Will the source of the water be capable of producing the requested amounts and appropriate quality of water?

[ref. 40B-2.301(2)(c)]

Yes. The decrease in ADR will help the source be capable of producing the requested amounts and appropriate quality of water.

Will the use degrade the source from which it is withdrawn?

[ref. 40B-2.301(2)(d)]

No. The decrease in allocation will not degrade the source from which it is drawn.

Will the use cause or contribute to flooding?

[ref. 40B-2.301(2)(e)]

No. Based on crop types and proposed farm practices, flooding is not a concern for this operation.

Will the use harm offsite land uses?

[ref. 40B-2.301(2)(f)]

No. Based on the existing land uses surrounding the operation, harm to offsite land uses is not a concern.

Will the use cause harm to wetlands or other surface water? Harm to wetland or other surface waters must be mitigated after completion of reduction or elimination of harm in accordance with sections 3.1.8. through 3.1.10. of the Water Use Permitting Guide.

[ref. 40B-2.301(2)(g)]

No. The decrease in ADR will not cause harm to wetlands or other surface water.

Will the use cause or contribute to a violation of either minimum flows or levels?

[ref. 40B-2.301(2)(h)]

No. The decrease in ADR will not cause a violation of either minimum flows or levels.

Will the use cause or contribute to a violation of state water quality standard in waters of the state as set forth on Chapters 62-301, 62-302, 62-520, and 62-550, Florida Administrative Code (F.A.C.)?

[ref. 40B-2.301(2)(i)]

No. The decrease in ADR will not contribute to a violation of state water quality standards.

Is this use otherwise a reasonable-beneficial use as defined in Section 373.019(2), Florida Statutes,(F.S.) with consideration given to the factors set forth on subsection 62-40.410(2), F.A.C.?

[ref. 40B-2.301(2)(j)]

Yes. Staff has deemed the use a reasonable-beneficial use after considering the factors set forth in subsection 62-40.410(2), F.A.C.

Has the permit applicant proposed an alternative water supply?
[ref. 40B-2.301(2)(k)]

Alternative water supply is not feasible at this time.

Standard Conditions

1. This permit shall expire on **5/5/2030**. The permittee must submit the appropriate application form incorporated by reference in subsection 40B-2.041(2), Florida Administrative Code (F.A.C.) and the required fee to the District pursuant to section 40B-2.361, F.A.C., prior to this expiration date in order to continue the use of water.
2. The permittee may apply for a permit modification at any time in accordance with section 40B-2.331, F.A.C.
3. Primary Water Use classification(s): **Irrigation, Livestock**
4. Source classification(s) : **Groundwater**
5. In the event of a District-declared water shortage, the permittee must immediately comply with any restrictions or requirements ordered in accordance with the District's Water Shortage Plan, chapter 40B-21, F.A.C.
6. The permitted water withdrawal facilities consist of the items in the Withdrawal Point Information table on page 1.
7. 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.
8. 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.
9. 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.
10. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to chapter 373, F.S.
11. Authorized representatives of the District, upon reasonable notice to the permittee, shall be permitted to enter and inspect the permitted water use to determine compliance with the permit conditions.
12. This permit does not relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
13. This permit does not convey to the permittee any property rights or privileges other than those specified herein.
14. Permittee shall notify the District in writing within 90 days of any sale, conveyance, or other transfer of ownership or control of the real property on which the permitted water use activities are located. All water use permit transfers are subject to the requirements of section 40B-2.301, F.A.C.
15. 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.

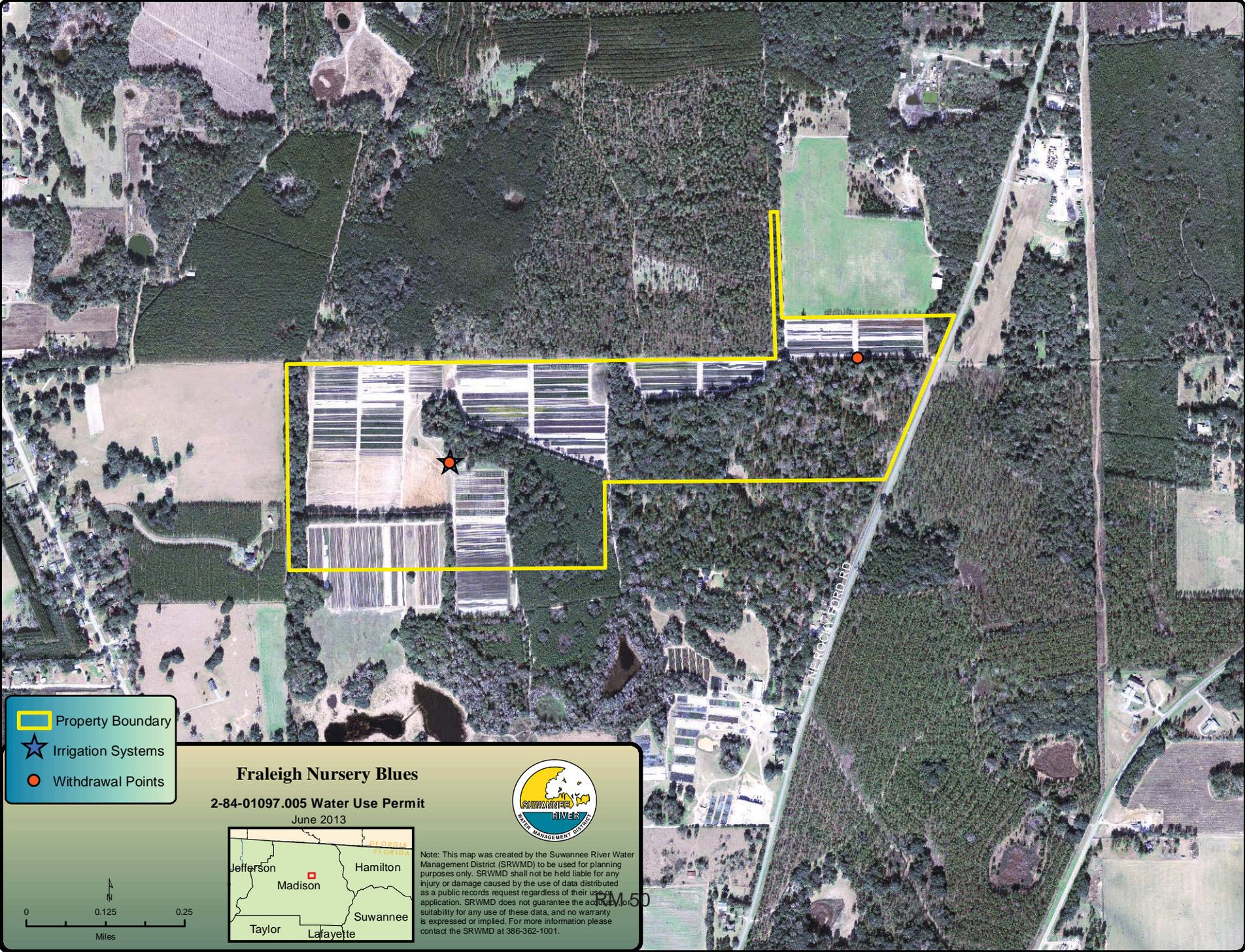
16. All correspondence sent to the District regarding this permit must include the permit number **2-84-01097.005**
17. When the District provides a permanent identification tag, the tag shall be prominently displayed at the withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility. If the permit covers several facilities such as a well field, a tag shall be affixed to each facility. Failure to display a tag as prescribed herein shall constitute a violation of the permit. The permittee shall be allowed ten (10) days after the notice of violation of this section to obtain a replacement tag.
18. The District reserves the right to open this permit, following notice to the permittee, to include a permit condition prohibiting withdrawals for resource protection.

Special Limiting Conditions

19. The Permittee shall implement automated monitoring of groundwater withdrawals, at Permittee's expense, upon commencement of withdrawals. The monitoring and reporting shall include reporting daily volume pumped by each well of inside diameter eight inches or greater at land surface and shall be delivered by 12:00 pm local time the following day via approved telemetry consistent with District data formats. The permittee may opt for a standardized SRWMD automated monitoring system to fulfill this requirement.
20. The Permittee shall implement and/or maintain the 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.

Attachment A
2-84-01097.005
Fraleigh Blues

Name	Status	Diameter	Capacity (gpm)	Water Use
Windy Hill Well	Existing	10	1000	Irrigation
Windy Hill Livestock	Existing	4	20	Livestock

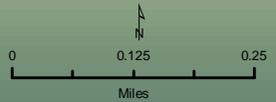


-  Property Boundary
-  Irrigation Systems
-  Withdrawal Points

Fraleigh Nursery Blues

2-84-01097.005 Water Use Permit

June 2013



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, 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.

10M50

MEMORANDUM

TO: Governing Board

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

DATE: May 29, 2013

RE: Approval of Water Use Permit Application Number
2-85-00314.003, Castleton/129 Pivot/Newground, Gilchrist County

RECOMMENDATION

Staff recommends the Governing Board approve Water Use Permit number 2-85-00314.003 with eighteen standard conditions and four special limiting conditions to Piedmont Farms, Inc. in Gilchrist County.

BACKGROUND

This is a modification to an existing permit to irrigate 504 acres with an Average Daily Rate (ADR) of 0.9340 million gallons daily (mgd). The ADR has increased 0.1098 mgd, from 0.8242 to 0.9340 mgd. This increase is less than 110,000 gallons/day and will not violate the minimum flows and levels. The project area is not located within a Water Resource Caution Area. This producer is participating in the District cost-share program. The applicant is requesting a five-year permit extension (existing permit expires on August 12, 2031; modified permit will expire on August 12, 2036) due to voluntarily implementing automated water use monitoring.

The permit contains special conditions regarding implementation of automatic monitoring of withdrawals, 10-year compliance review, implementation and maintenance of conservation plans, and irrigation of target areas.

Staff has determined that the application is complete and satisfies the conditions for issuance in Chapter 40B-2, Florida Administrative Code.

/tm

May 29, 2013

Mr. William A. McArthur, Jr.
Piedmont Farms, Inc.
569 Edgewood Avenue South
Jacksonville, FL 32205

Subject: Approval of Water Use Permit Application Number
2-85-00314.003, Castleton/129 Pivot/New Ground, Gilchrist County

Dear Mr. McArthur:

Suwannee River Water Management District (District) staff proposes to recommend to the Governing Board that the above-mentioned project be approved.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on June 11, 2013, which is open to the public.

Persons considered to be affected by this proposed agency action may request an administrative hearing. The request must be written and must adhere to the requirements of Chapter 28-106, Florida Administrative Code. Please see the enclosed Notice of Rights. All requests for administrative hearings shall be sent to the District at 9225 County Road 49, Live Oak, Florida 32060. Please call permitting staff at 386.362.1001 if you have any questions.

Sincerely,

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

TS/tm
Enclosure
Certified Mail Receipt Number: 7010 1060 0001 1350 3837

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 Florida Statutes. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may chose to pursue mediation as an alternative remedy as described above. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon receipt of the petition by the Office of the District Clerk at the District Headquarters in Live Oak, Florida.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing pursuant to Rule 28-106.111, Florida Administrative Code.
7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.

NOTICE OF RIGHTS

9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.
10. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
11. Failure to observe the relevant time frames for filing a petition for judicial review, or for Commission review, will result in waiver of the right to review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

Mr. William A. McArthur, Jr.
Piedmont Farms, Inc.
569 Edgewood Avenue South
Jacksonville, FL 32205

At 4:00 p.m. this _____ day of _____, _____

Tim Sagul
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

STAFF REPORT
WATER USE PERMIT APPLICATION

DATE: May 29, 2013

PROJECT: Castleton/129 Pivot/Newground

APPLICANT:

Mr. William A. McArthur, Jr.
Piedmont Farms, Inc.
569 Edgewood Avenue South
Jacksonville, FL 32205

PERMIT APPLICATION NO.: 2-85-00314.003

DATE OF APPLICATION: March 1, 2013

APPLICATION COMPLETE: May 9, 2013

DEFAULT DATE: August 7, 2013

	Previous Quantities:		Proposed Quantities:	
Average Daily Rate (ADR)	0.8242	mgd	0.9340	mgd

Recommended Agency Action

Staff recommends approval of a Water Use Permit for a modification located within Gilchrist County. The permit includes eighteen standard conditions and four special limiting conditions. Staff also recommends a five-year permit extension based on 40B-2.331(2) due to voluntarily implementing automated water use monitoring. The existing permit will expire on August 12, 2031, and the modified permit will expire on August 12, 2036.

Project Review Staff

James Link, P.E., Kevin Wright, P.E., and Tim Sagul, P.E. have reviewed the application.

Project Location

The withdrawal facilities are located in Township 09 South, Range 15 East, Section 31 and Township 10 South, Range 15 East, Section 06 in Gilchrist County. The project is located within the Lower Suwannee River basin according to the USGS National Hydrography Dataset, Hydrologic Unit Code-8 sub basins.

Project Description

The project area consists of 638 acres with approximately 504 acres being irrigated using groundwater.

The water use calculations were based upon the irrigated acreages and crop types provided by Piedmont Farms, Inc. Crops include corn, rye, sorghum, and watermelons. The applicant will use three center pivots and one drip system for irrigation. The Average Daily Rate (ADR) of withdrawal was calculated as 0.9340 mgd, which equates to 24.91 inches of supplemental irrigation annually. The producer is participating in the District cost-share program.

The project area includes four existing wells. Three wells are for irrigation, and the other well provides water for the 150 head of beef cattle on the project site. The well inventory can be found in the table on Attachment A.

Demonstration of Need

The applicant has provided information that supports the requested allocation, based upon the crop types. Piedmont Farms, Inc. plans to irrigate 504 acres with two crops each year. Crops include corn, rye, sorghum, and watermelons.

Water Conservation

The applicant has completed the Water Conservation Worksheets for Center Pivot Irrigation.

Minimum Flows and Levels Compliance

Due to this modification, the ADR has increased 0.1098 MGD from 0.8242 to 0.9340 MGD. This increase is less than 110,000 gallons/day and will not violate the minimum flows and levels (MFLs) at any downstream MFL points established along the Suwannee River or its tributaries. However, a standard limiting condition has been included in the permit for the District to seek a modification to the permit to assist in the recovery and/or prevention strategy associated with an adopted MFL.

Conditions of Issuance

Is this a reasonable–beneficial use?

[ref. 40B-2.301(1)(a)]

Yes. Based on the evaluation of criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

Will this use interfere with any presently existing legal use of water?

[ref. 40B-2.301(1)(b)]

No. This modification results in an increase in ADR of less than 110,000 gallons/day and will not interfere with any presently existing legal use of water.

Will this use be consistent with the public interest?

[ref. 40B-2.301(1)(c)]

Yes. Based on the provided information, the water will be used efficiently, will not be wasted, and is for an economically beneficial use. The use meets the criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

Will this use be in such a quantity and of such quality as is necessary for economic and efficient use?

[ref. 40B-2.301(2)(a)]

Yes. Based on IFAS crop water needs, the use is such a quantity and such quality as is necessary for economic and efficient use.

Is this use for a purpose that is both reasonable and consistent with the public interest?

[ref. 40B-2.301(2)(b)]

Yes. Based on IFAS crop water needs this use is both reasonable and consistent with the public interest.

Will the source of the water be capable of producing the requested amounts and appropriate quality of water?

[ref. 40B-2.301(2)(c)]

Yes. The source is capable of producing the requested increase of less than 110,000 gallons/day and the appropriate quality of water.

Will the use degrade the source from which it is withdrawn?

[ref. 40B-2.301(2)(d)]

No. The additional withdrawal of less than 110,000 gallons/day will not degrade the source from which it is drawn.

Will the use cause or contribute to flooding?

[ref. 40B-2.301(2)(e)]

No. Based on crop types and proposed farm practices, flooding is not a concern for this operation.

Will the use harm offsite land uses?

[ref. 40B-2.301(2)(f)]

No. Based on the existing land uses surrounding the operation, harm to offsite land uses is not a concern.

Will the use cause harm to wetlands or other surface water? Harm to wetland or other surface waters must be mitigated after completion of reduction or elimination of harm in accordance with sections 3.1.8. through 3.1.10. of the Water Use Permitting Guide.

[ref. 40B-2.301(2)(g)]

No. The additional withdrawal of less than 110,000 gallons/day will not cause harm to wetlands or other surface water.

Will the use cause or contribute to a violation of either minimum flows or levels?

[ref. 40B-2.301(2)(h)]

No. The additional withdrawal of less than 110,000 gallons/day will not cause a violation of either minimum flows or levels.

Will the use cause or contribute to a violation of state water quality standard in waters of the state as set forth on Chapters 62-301, 62-302, 62-520, and 62-550, Florida Administrative Code (F.A.C.)?

[ref. 40B-2.301(2)(i)]

No. The additional withdrawal of less than 110,000 gallons/day will not contribute to a violation of state water quality standards.

Is this use otherwise a reasonable-beneficial use as defined in Section 373.019(2), Florida Statutes,(F.S.) with consideration given to the factors set forth on subsection 62-40.410(2), F.A.C.?

[ref. 40B-2.301(2)(j)]

Yes. Staff has deemed the use a reasonable-beneficial use after considering the factors set forth in subsection 62-40.410(2), F.A.C.

Has the permit applicant proposed an alternative water supply?

[ref. 40B-2.301(2)(k)]

Alternative water supply is not feasible at this time.

Standard Conditions

1. This permit shall expire on **8/12/2036**. The permittee must submit the appropriate application form incorporated by reference in subsection 40B-2.041(2), Florida Administrative Code (F.A.C.) and the required fee to the District pursuant to section 40B-2.361, F.A.C., prior to this expiration date in order to continue the use of water.
2. The permittee may apply for a permit modification at any time in accordance with section 40B-2.331, F.A.C.
3. Primary Water Use classification(s): **Irrigation, Livestock**
4. Source classification(s) : **Groundwater**
5. In the event of a District-declared water shortage, the permittee must immediately comply with any restrictions or requirements ordered in accordance with the District's Water Shortage Plan, chapter 40B-21, F.A.C.
6. The permitted water withdrawal facilities consist of the items in the Withdrawal Point Information table on page 1.
7. 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.
8. 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.
9. 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.
10. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to chapter 373, F.S.
11. Authorized representatives of the District, upon reasonable notice to the permittee, shall be permitted to enter and inspect the permitted water use to determine compliance with the permit conditions.
12. This permit does not relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
13. This permit does not convey to the permittee any property rights or privileges other than those specified herein.
14. Permittee shall notify the District in writing within 90 days of any sale, conveyance, or other transfer of ownership or control of the real property on which the permitted water use activities are located. All water use permit transfers are subject to the requirements of section 40B-2.301, F.A.C.
15. 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.

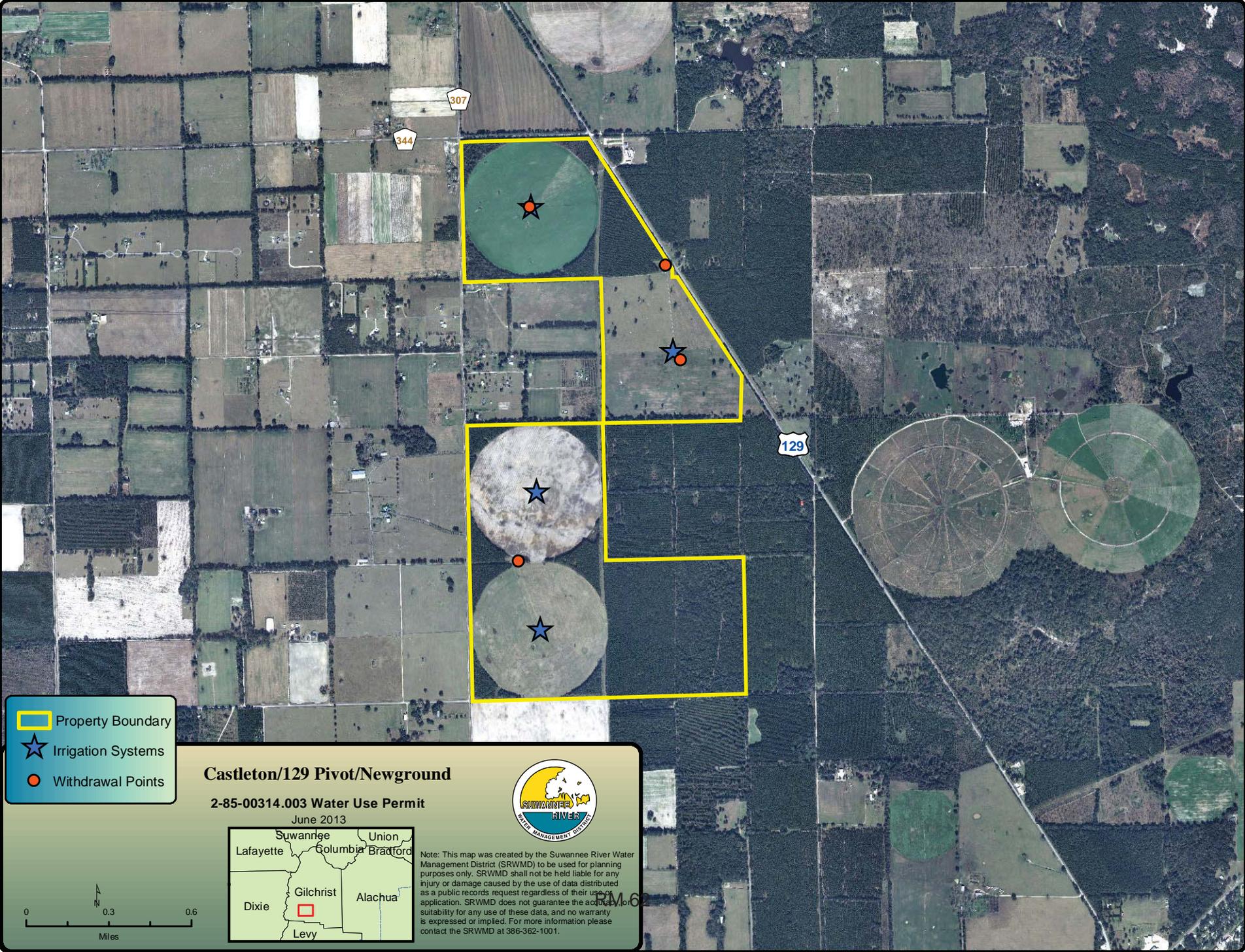
16. All correspondence sent to the District regarding this permit must include the permit number **2-85-00314.003**.
17. When the District provides a permanent identification tag, the tag shall be prominently displayed at the withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility. If the permit covers several facilities such as a well field, a tag shall be affixed to each facility. Failure to display a tag as prescribed herein shall constitute a violation of the permit. The permittee shall be allowed ten (10) days after the notice of violation of this section to obtain a replacement tag.
18. The District reserves the right to open this permit, following notice to the permittee, to include a permit condition prohibiting withdrawals for resource protection.

Special Limiting Conditions

19. The Permittee shall implement automated monitoring of groundwater withdrawals, at Permittee's expense, upon commencement of withdrawals. The monitoring and reporting shall include reporting daily volume pumped by each well of inside diameter eight inches or greater at land surface and shall be delivered by 12:00 pm local time the following day via approved telemetry consistent with District data formats. The permittee may opt for a standardized SRWMD automated monitoring system to fulfill this requirement.
20. The Permittee shall implement and/or maintain the 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.
21. The Permittee shall ensure that the irrigation systems will water target areas only under field operations. Irrigation of non-target areas (roads, woods, structures, etc.) is prohibited.
22. This permit and the agricultural operation will be reviewed by District staff and the Permittee during the year, 2021. During this review, the Permittee and/or District staff may make recommendations based upon this review to modify this permit. These recommendations may come from new Best Management Practices, improved irrigation techniques, different crop types, and/or any other significant factor.

Attachment A
2-85-00314.003
Castleton/129 Pivot/New Ground

Name	Status	Diameter	Capacity (gpm)	Water Use
Castleton Well	Active	12	1000	Irrigation
New Ground Irrigation	Active	10	1100	Irrigation
New Ground Livestock	Active	2	20	Livestock
129 Pivot Well	Active	12	1000	Irrigation



-  Property Boundary
-  Irrigation Systems
-  Withdrawal Points

Castleton/129 Pivot/Newground

2-85-00314.003 Water Use Permit

June 2013



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.

MEMORANDUM

TO: Governing Board
FROM: Tim Sagul, P.E., Division Director, Resource Management
DATE: May 29, 2013
RE: Approval of Water Use Permit Application Number
2-86-00022.002, J.M. Holtzclaw, Suwannee County

RECOMMENDATION

Staff recommends the Governing Board approve Water Use Permit number 2-86-00022.002 with eighteen standard conditions and four special limiting conditions to J.M. Holtzclaw in Suwannee County.

BACKGROUND

This is a modification to combine two existing water use permits 2-86-00022 and 2-90-00116 because the properties are contiguous and also to change the crop type. The ADR has decreased 0.4149 mgd, from 1.5689 to 1.1540 mgd. The project area is not located within a Water Resource Caution Area. This producer is participating in the District cost-share program. The applicant is requesting a ten-year permit extension (existing permit expires on January 4, 2016; modified permit will expire on January 4, 2026) due to voluntarily implementing automated water use monitoring.

The permit contains special conditions regarding implementation of automatic monitoring of withdrawals, implementation and maintenance of conservation plans, 10-year review and irrigation of target areas.

Staff has determined that the application is complete and satisfies the conditions for issuance in Chapter 40B-2, Florida Administrative Code.

/tm

May 29, 2013

J.M. Holtzclaw
21809 93RD Drive
O'Brien, Fl. 32071

Subject: Approval of Water Use Permit Application Number
2-86-00022.002, J.M. Holtzclaw Farms, Suwannee County

Dear Mr. Holtzclaw:

Suwannee River Water Management District (District) staff proposes to recommend to the Governing Board that the above-mentioned project be approved.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on June 11, 2013, which is open to the public.

Persons considered to be affected by this proposed agency action may request an administrative hearing. The request must be written and must adhere to the requirements of Chapter 28-106, Florida Administrative Code. Please see the enclosed Notice of Rights. All requests for administrative hearings shall be sent to the District at 9225 County Road 49, Live Oak, Florida 32060. Please call permitting staff at 386.362.1001 if you have any questions.

Sincerely,

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

TS/tm
Enclosure
Certified Mail Receipt Number:7010 1060 0001 1350 3844

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 Florida Statutes. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may chose to pursue mediation as an alternative remedy as described above. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon receipt of the petition by the Office of the District Clerk at the District Headquarters in Live Oak, Florida.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing pursuant to Rule 28-106.111, Florida Administrative Code.
7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.

NOTICE OF RIGHTS

9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.
10. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
11. Failure to observe the relevant time frames for filing a petition for judicial review, or for Commission review, will result in waiver of the right to review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

J.M. Holtzclaw
21809 93rd Drive
O'Brien, Fl. 32071

At 4:00 p.m. this _____ day of _____, _____

Tim Sagul
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

STAFF REPORT

**WATER USE PERMIT APPLICATION
2-86-00022.002**

DATE: May 29, 2013

PROJECT: J.M. Holtzclaw Farms

APPLICANT:
J.M. Holtzclaw
21809 93rd Drive
O'Brien, Fl. 32071

PERMIT APPLICATION NO.: 2-86-00022.002
DATE OF APPLICATION: March 11, 2013
APPLICATION COMPLETE: May 15, 2013
DEFAULT DATE: August 13, 2013

	Previous Quantities:		Proposed Quantities:	
Average Daily Rate (ADR)	1.5689*	mgd	1.1540	mgd

*Includes 2-86-00022 and 2-90-00116

Recommended Agency Action

Staff recommends approval of a Water Use Permit for a modification located within Suwannee County. The permit includes eighteen standard conditions and four special limiting conditions. Staff also recommends a ten-year permit extension based on 40B-2.331(2) due to voluntarily implementing automated water use monitoring. The existing permit will expire on January 4, 2016; the modified permit will expire on January 4, 2026.

Project Review Staff

Ronnie Spencer, Kevin Wright, P.E., and Tim Sagul, P.E. have reviewed the application.

Project Location

The withdrawal facilities are located in Township 05 South, Range 13 East, Section 12; Township 05 South, Range 14 East, Section 07; Township 05 South, Range 14 East, Section 18 in Suwannee County. The project is located within the Lower Suwannee River basin according to the USGS National Hydrography Dataset, Hydrologic Unit Code-8 sub basins.

Project Description

The project area consists of 1,117 acres with approximately 716 acres being irrigated using groundwater.

The water use calculations were based upon the irrigated acreages and crop types provided by Mitch Holtzclaw. Crops include corn, peanuts, and sorghum, with rye or oats as winter crops. The applicant will use fourteen center pivots for irrigation. The Average Daily Rate (ADR) of

withdrawal was calculated as 1.1540 mgd, which equates to 21.7 inches of supplemental irrigation annually. The producer is participating in the District cost-share program.

The project area includes seven active existing irrigation wells. The well inventory can be found in the table on Attachment A.

Demonstration of Need

The applicant has provided information that supports the requested allocation, based upon the crop types. Mitch Holtzclaw plans to irrigate 716 acres with two crops each year. Crops include corn, peanuts, sorghum in the spring with rye or oats as winter crops.

Water Conservation

The applicant has completed the Water Conservation Worksheets for Center Pivot Irrigation.

Minimum Flows and Levels Compliance

Due to this modification, the ADR has decreased 0.4149 MGD from 1.5689 to 1.1540 MGD. This will not violate the minimum flows and levels (MFLs) at any downstream MFL points established along the Suwannee River or its tributaries. However, a standard limiting condition has been included in the permit for the District to seek a modification to the permit to assist in the recovery and/or prevention strategy associated with an adopted MFL.

Conditions of Issuance

Is this a reasonable–beneficial use?

[ref. 40B-2.301(1)(a)]

Yes. Based on the evaluation of criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

Will this use interfere with any presently existing legal use of water?

[ref. 40B-2.301(1)(b)]

No. This modification decreases the amount of water allocated and will not interfere with any presently existing legal use of water.

Will this use be consistent with the public interest?

[ref. 40B-2.301(1)(c)]

Yes. Based on the provided information, the water will be used efficiently, will not be wasted, and is for an economically beneficial use. The use meets the criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

Will this use be in such a quantity and of such quality as is necessary for economic and efficient use?

[ref. 40B-2.301(2)(a)]

Yes. Based on IFAS crop water needs, the use is such a quantity and such quality as is necessary for economic and efficient use.

Is this use for a purpose that is both reasonable and consistent with the public interest?

[ref. 40B-2.301(2)(b)]

Yes. Based on IFAS crop water needs this use is both reasonable and consistent with the public interest.

Will the source of the water be capable of producing the requested amounts and appropriate quality of water?

[ref. 40B-2.301(2)(c)]

Yes. The decrease in allocation will help the source be capable of producing the requested amounts and appropriate quality of water.

Will the use degrade the source from which it is withdrawn?

[ref. 40B-2.301(2)(d)]

No. The decrease in allocation will not degrade the source from which it is drawn.

Will the use cause or contribute to flooding?

[ref. 40B-2.301(2)(e)]

No. Based on crop types and proposed farm practices, flooding is not a concern for this operation.

Will the use harm offsite land uses?

[ref. 40B-2.301(2)(f)]

No. Based on the existing land uses surrounding the operation, harm to offsite land uses is not a concern.

Will the use cause harm to wetlands or other surface water? Harm to wetland or other surface waters must be mitigated after completion of reduction or elimination of harm in accordance with sections 3.1.8. through 3.1.10. of the Water Use Permitting Guide.

[ref. 40B-2.301(2)(g)]

No. The decrease in allocation will not cause harm to wetlands or other surface water.

Will the use cause or contribute to a violation of either minimum flows or levels?

[ref. 40B-2.301(2)(h)]

No. The decrease in allocation will not cause a violation of either minimum flows or levels.

Will the use cause or contribute to a violation of state water quality standard in waters of the state as set forth on Chapters 62-301, 62-302, 62-520, and 62-550, Florida Administrative Code (F.A.C.)?

[ref. 40B-2.301(2)(i)]

No. The decrease in allocation will not contribute to a violation of state water quality standards.

Is this use otherwise a reasonable-beneficial use as defined in Section 373.019(2), Florida Statutes,(F.S.) with consideration given to the factors set forth on subsection 62-40.410(2), F.A.C.?

[ref. 40B-2.301(2)(j)]

Yes. Staff has deemed the use a reasonable-beneficial use after considering the factors set forth in subsection 62-40.410(2), F.A.C.

Has the permit applicant proposed an alternative water supply?

[ref. 40B-2.301(2)(k)]

Alternative water supply is not feasible at this time.

Standard Conditions

1. This permit shall expire on **1/4/2026** The permittee must submit the appropriate application form incorporated by reference in subsection 40B-2.041(2), Florida Administrative Code (F.A.C.) and the required fee to the District pursuant to section 40B-2.361, F.A.C., prior to this expiration date in order to continue the use of water.
2. The permittee may apply for a permit modification at any time in accordance with section 40B-2.331, F.A.C.
3. Primary Water Use classification(s): **Irrigation**
4. Source classification(s) : **Groundwater**
5. In the event of a District-declared water shortage, the permittee must immediately comply with any restrictions or requirements ordered in accordance with the District's Water Shortage Plan, chapter 40B-21, F.A.C.
6. The permitted water withdrawal facilities consist of the items in the Withdrawal Point Information table on page 1.
7. 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.
8. 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.
9. 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.
10. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to chapter 373, F.S.
11. Authorized representatives of the District, upon reasonable notice to the permittee, shall be permitted to enter and inspect the permitted water use to determine compliance with the permit conditions.
12. This permit does not relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
13. This permit does not convey to the permittee any property rights or privileges other than those specified herein.
14. Permittee shall notify the District in writing within 90 days of any sale, conveyance, or other transfer of ownership or control of the real property on which the permitted water use activities are located. All water use permit transfers are subject to the requirements of section 40B-2.301, F.A.C.
15. 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.

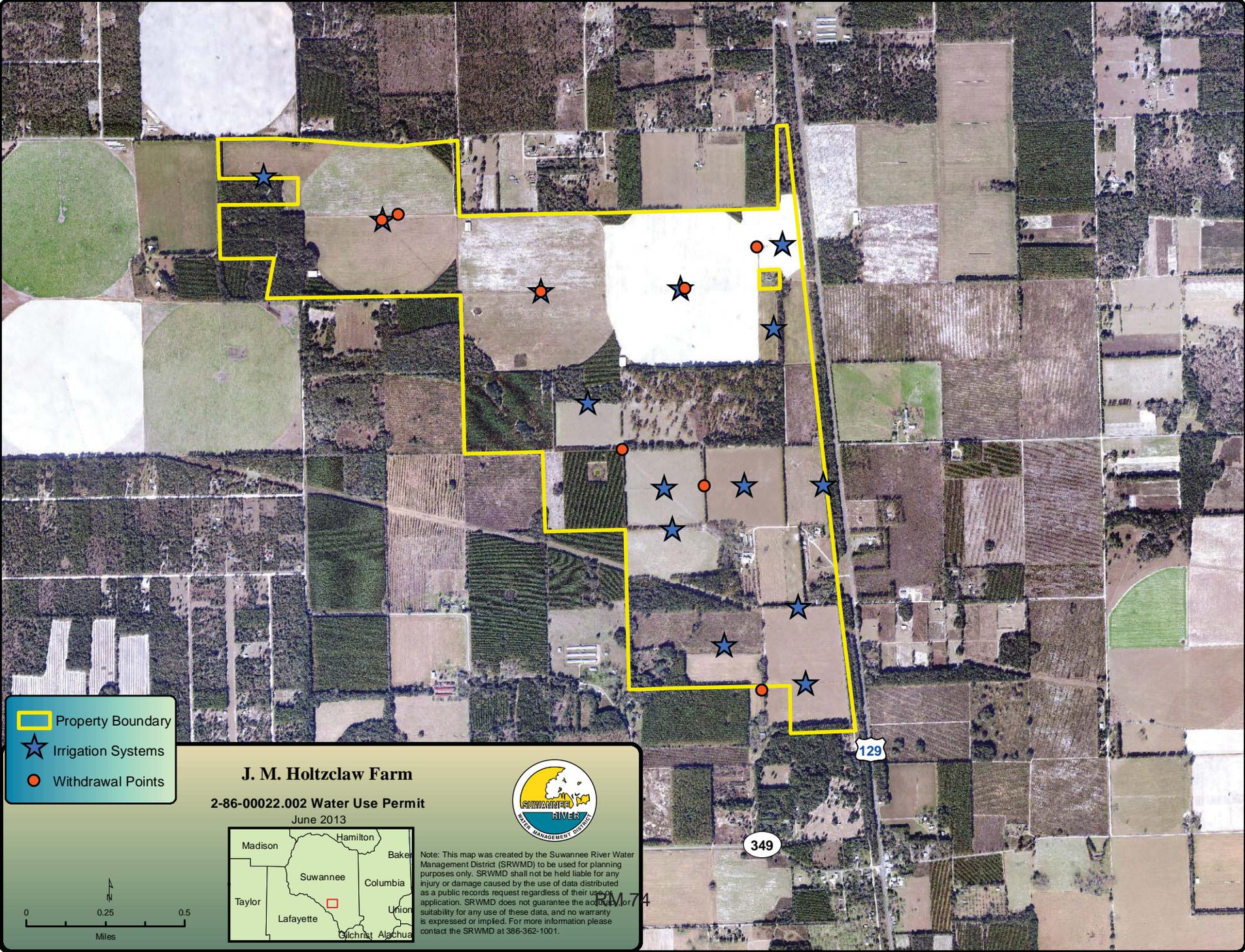
16. All correspondence sent to the District regarding this permit must include the permit number **2-86-00022.002**
17. When the District provides a permanent identification tag, the tag shall be prominently displayed at the withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility. If the permit covers several facilities such as a well field, a tag shall be affixed to each facility. Failure to display a tag as prescribed herein shall constitute a violation of the permit. The permittee shall be allowed ten (10) days after the notice of violation of this section to obtain a replacement tag.
18. The District reserves the right to open this permit, following notice to the permittee, to include a permit condition prohibiting withdrawals for resource protection.

Special Limiting Conditions

19. The Permittee shall implement automated monitoring of groundwater withdrawals, at Permittee's expense, upon commencement of withdrawals. The monitoring and reporting shall include reporting daily volume pumped by each well of inside diameter eight inches or greater at land surface and shall be delivered by 12:00 pm local time the following day via approved telemetry consistent with District data formats. The permittee may opt for a standardized SRWMD automated monitoring system to fulfill this requirement.
20. The Permittee shall implement and/or maintain the 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.
21. The Permittee shall ensure that the irrigation systems will water target areas only under field operations. Irrigation of non-target areas (roads, woods, structures, etc.) is prohibited.
22. This permit and the operation will be reviewed by District staff and the Permittee during the year, 2023. During this review, the Permittee and/or District staff may make recommendations based upon this review to modify this permit. These recommendations may come from new Best Management Practices, improved irrigation techniques, different crop types, and/or any other significant factor.

Attachment A
2-86-00022.002
J.M. Holtzclaw Farm

Name	Status	Diameter	Capacity (gpm)	Water Use
Well #1	Active	10	1100	Irrigation
Well #2	Active	10	1100	Irrigation
Well #3	Active	10	1000	Irrigation
Well #4	Active	8	600	Irrigation
Well #5	Active	12	1000	Irrigation
Well #6	Inactive	6	300	Irrigation
Well #7	Active	12	1000	Irrigation
Well #8	Active	12	600	Irrigation



-  Property Boundary
-  Irrigation Systems
-  Withdrawal Points

J. M. Holtzclaw Farm

2-86-00022.002 Water Use Permit

June 2013



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.

MEMORANDUM

TO: Governing Board

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

DATE: May 29, 2013

RE: Approval of Water Use Permit Application Number
2-96-00023.002, Charles & Sheila Buckner Farm, Suwannee County

RECOMMENDATION

Staff recommends the Governing Board approve Water Use Permit number 2-96-00023.002 with eighteen standard conditions and three special limiting conditions to Charles & Sheila Buckner Farm in Suwannee County.

BACKGROUND

This is a modification to an existing permit to irrigate 130 acres with an Average Daily Rate (ADR) of 0.2093 million gallons daily (mgd). The ADR has increased 0.0466 mgd, from 0.1627 to 0.2093 mgd. This increase will not violate the minimum flows and levels. The project area is not located within a Water Resource Caution Area. This producer is participating in the District cost-share program. The applicant is requesting a ten-year permit extension (existing permit expires on March 4, 2016; modified permit will expire on March 4, 2026) due to voluntarily implementing automated water use monitoring.

The permit contains special conditions regarding implementation of automatic monitoring of withdrawals, implementation and maintenance of conservation plans, and irrigation of target areas.

Staff has determined that the application is complete and satisfies the conditions for issuance in Chapter 40B-2, Florida Administrative Code.

/tm

May 29, 2013

J.M. Holtzclaw
21809 93rd Drive
O'Brien, Fl. 32071

Subject: Approval of Water Use Permit Application Number
2-96-00023.002, Charles & Sheila Buckner Farm, Suwannee County

Dear Mr. Holtzclaw:

Suwannee River Water Management District (District) staff proposes to recommend to the Governing Board that the above-mentioned project be approved.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on June 11, 2013, which is open to the public.

Persons considered to be affected by this proposed agency action may request an administrative hearing. The request must be written and must adhere to the requirements of Chapter 28-106, Florida Administrative Code. Please see the enclosed Notice of Rights. All requests for administrative hearings shall be sent to the District at 9225 County Road 49, Live Oak, Florida 32060. Please call permitting staff at 386.362.1001 if you have any questions.

Sincerely,

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

TS/tm
Enclosure
Certified Mail Receipt Number: 7010 1060 0001 1350 3851

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 Florida Statutes. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may chose to pursue mediation as an alternative remedy as described above. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon receipt of the petition by the Office of the District Clerk at the District Headquarters in Live Oak, Florida.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing pursuant to Rule 28-106.111, Florida Administrative Code.
7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.

NOTICE OF RIGHTS

9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.
10. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
11. Failure to observe the relevant time frames for filing a petition for judicial review, or for Commission review, will result in waiver of the right to review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

J.M. Holtzclaw
21809 93rd Drive
O'Brian, Fl. 32071

At 4:00 p.m. this _____ day of _____, _____

Tim Sagul
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

STAFF REPORT
WATER USE PERMIT APPLICATION

DATE: May 29, 2013

PROJECT: Charles & Sheila Buckner Farm

APPLICANT:
J.M. Holtzclaw
21809 93rd Drive
O'Brien, Fl. 32071

PERMIT APPLICATION NO.: 2-96-00023.002
DATE OF APPLICATION: March 11, 2013
APPLICATION COMPLETE: May 31, 2013
DEFAULT DATE: August 29, 2013

	Previous Quantities:		Proposed Quantities:	
Average Daily Rate (ADR)	0.1627	mgd	0.2093	mgd

Recommended Agency Action

Staff recommends approval of a Water Use Permit for a modification located within Suwannee County. The permit includes eighteen standard conditions and three special limiting conditions. Staff also recommends a ten-year permit extension based on 40B-2.331(2) due to voluntarily implementing automated water use monitoring. The existing permit will expire on March 4, 2016, and the modified permit will expire on March 4, 2026.

Project Review Staff

Ronnie Spencer, Kevin Wright, P.E., and Tim Sagul, P.E. have reviewed the application.

Project Location

The withdrawal facilities are located in Township 04 South, Range 14 East, Section 33 in Suwannee County. The project is located within the Lower Suwannee River basin according to the USGS National Hydrography Dataset, Hydrologic Unit Code-8 sub basins.

Project Description

The project area consists of 160 acres with approximately 130 acres being irrigated using groundwater.

The water use calculations were based upon the irrigated acreages and crop types provided by Mitch Holtzclaw. Crops include corn, peanuts, and sorghum, with rye or oats as winter crops. The applicant will use two half-circle center pivots for irrigation. The Average Daily Rate (ADR) of withdrawal was calculated as 0.2093 mgd, which equates to 21.64 inches of supplemental irrigation annually. The producer is participating in the District cost-share program.

The project area includes one existing well. The well inventory can be found in the table on Attachment A.

Demonstration of Need

The applicant has provided information that supports the requested allocation, based upon the crop types. Mitch Holtzclaw plans to irrigate 130 acres with two crops each year. Crops include corn, peanuts, and sorghum with rye or oats as winter crops.

Water Conservation

The applicant has completed the Water Conservation Worksheets for Center Pivot Irrigation.

Minimum Flows and Levels Compliance

Due to this modification, the ADR has increased 0.0466 MGD from 0.1627 to 0.2093 MGD. This will not violate the minimum flows and levels (MFLs) at any downstream MFL points established along the Suwannee River or its tributaries. However, a standard limiting condition has been included in the permit for the District to seek a modification to the permit to assist in the recovery and/or prevention strategy associated with an adopted MFL.

Conditions of Issuance

Is this a reasonable–beneficial use?

[ref. 40B-2.301(1)(a)]

Yes. Based on the evaluation of criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

Will this use interfere with any presently existing legal use of water?

[ref. 40B-2.301(1)(b)]

No. This modification results in an increase in ADR of less than 50,000 gallons/day and will not interfere with any presently existing legal use of water.

Will this use be consistent with the public interest?

[ref. 40B-2.301(1)(c)]

Yes. Based on the provided information, the water will be used efficiently, will not be wasted, and is for an economically beneficial use. The use meets the criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

Will this use be in such a quantity and of such quality as is necessary for economic and efficient use?

[ref. 40B-2.301(2)(a)]

Yes. Based on IFAS crop water needs, the use is such a quantity and such quality as is necessary for economic and efficient use.

Is this use for a purpose that is both reasonable and consistent with the public interest?

[ref. 40B-2.301(2)(b)]

Yes. Based on IFAS crop water needs this use is both reasonable and consistent with the public interest.

Will the source of the water be capable of producing the requested amounts and appropriate quality of water?

[ref. 40B-2.301(2)(c)]

Yes. The source is capable of producing the requested increase of less than 50,000 gallons/day and appropriate quality of water.

Will the use degrade the source from which it is withdrawn?

[ref. 40B-2.301(2)(d)]

No. The increase in allocation will not degrade the source from which it is drawn.

Will the use cause or contribute to flooding?

[ref. 40B-2.301(2)(e)]

No. Based on crop types and proposed farm practices, flooding is not a concern for this operation.

Will the use harm offsite land uses?

[ref. 40B-2.301(2)(f)]

No. Based on the existing land uses surrounding the operation, harm to offsite land uses is not a concern.

Will the use cause harm to wetlands or other surface water? Harm to wetland or other surface waters must be mitigated after completion of reduction or elimination of harm in accordance with sections 3.1.8. through 3.1.10. of the Water Use Permitting Guide.

[ref. 40B-2.301(2)(g)]

No. The additional withdrawal of less than 50,000 gallons/day will not cause harm to wetlands or other surface water.

Will the use cause or contribute to a violation of either minimum flows or levels?

[ref. 40B-2.301(2)(h)]

No. The additional withdrawal of less than 50,000 gallons/day will not cause a violation of either minimum flows or levels.

Will the use cause or contribute to a violation of state water quality standard in waters of the state as set forth on Chapters 62-301, 62-302, 62-520, and 62-550, Florida Administrative Code (F.A.C.)?

[ref. 40B-2.301(2)(i)]

No. The additional withdrawal of less than 50,000 gallons/day will not contribute to a violation of state water quality standards.

Is this use otherwise a reasonable-beneficial use as defined in Section 373.019(2), Florida Statutes,(F.S.) with consideration given to the factors set forth on subsection 62-40.410(2), F.A.C.?

[ref. 40B-2.301(2)(j)]

Yes. Staff has deemed the use a reasonable-beneficial use after considering the factors set forth in subsection 62-40.410(2), F.A.C.

Has the permit applicant proposed an alternative water supply?

[ref. 40B-2.301(2)(k)]

Alternative water supply is not feasible at this time.

Standard Conditions

1. This permit shall expire on **3/4/2026**. The permittee must submit the appropriate application form incorporated by reference in subsection 40B-2.041(2), Florida Administrative Code (F.A.C.) and the required fee to the District pursuant to section 40B-2.361, F.A.C., prior to this expiration date in order to continue the use of water.
2. The permittee may apply for a permit modification at any time in accordance with section 40B-2.331, F.A.C.
3. Primary Water Use classification(s): **Irrigation**
4. Source classification(s) : **Groundwater**
5. In the event of a District-declared water shortage, the permittee must immediately comply with any restrictions or requirements ordered in accordance with the District's Water Shortage Plan, chapter 40B-21, F.A.C.
6. The permitted water withdrawal facilities consist of the items in the Withdrawal Point Information table on page 1.
7. 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.
8. 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.
9. 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.
10. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to chapter 373, F.S.
11. Authorized representatives of the District, upon reasonable notice to the permittee, shall be permitted to enter and inspect the permitted water use to determine compliance with the permit conditions.
12. This permit does not relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
13. This permit does not convey to the permittee any property rights or privileges other than those specified herein.
14. Permittee shall notify the District in writing within 90 days of any sale, conveyance, or other transfer of ownership or control of the real property on which the permitted water use activities are located. All water use permit transfers are subject to the requirements of section 40B-2.301, F.A.C.
15. 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.

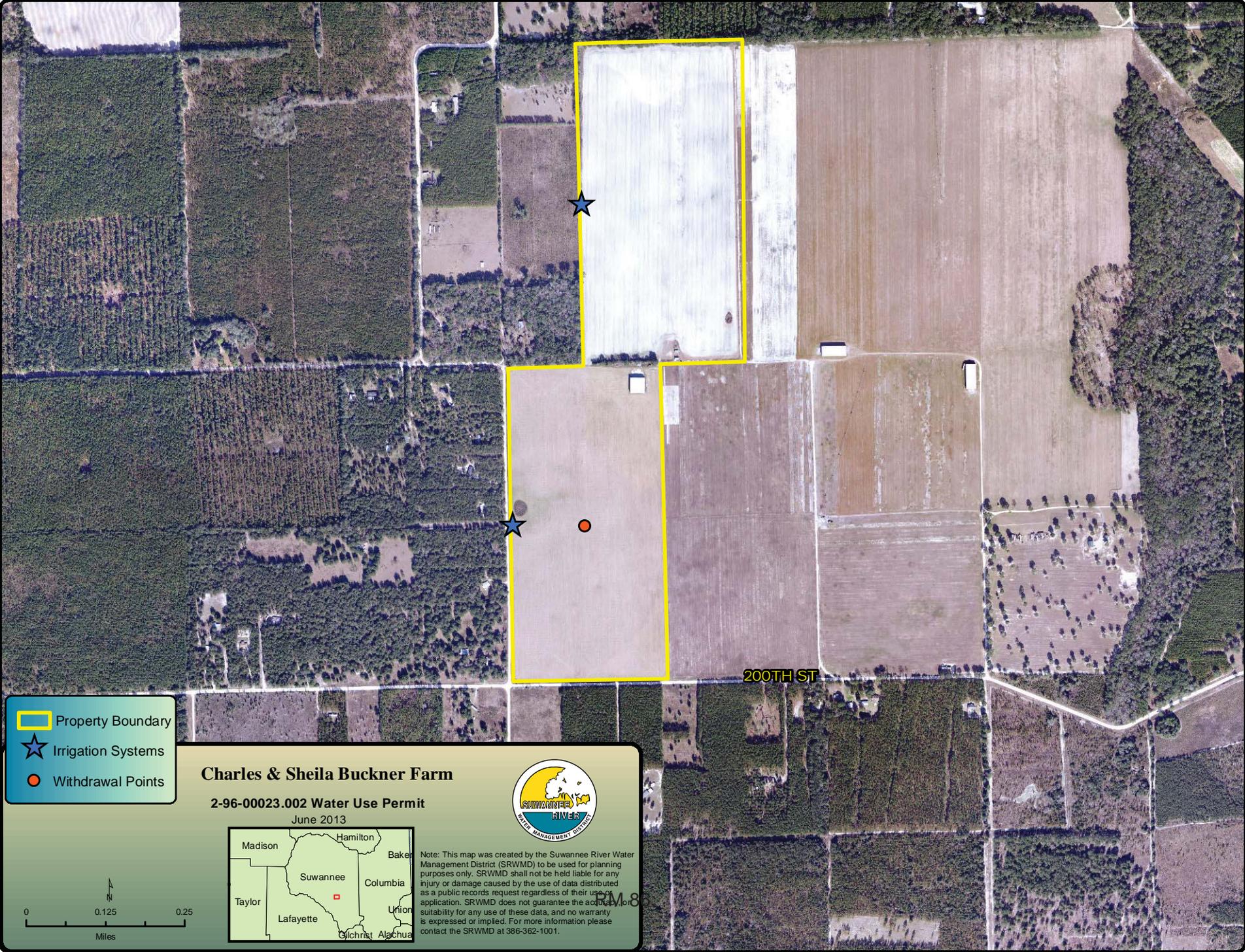
16. All correspondence sent to the District regarding this permit must include the permit number **2-96-00023.002**
17. When the District provides a permanent identification tag, the tag shall be prominently displayed at the withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility. If the permit covers several facilities such as a well field, a tag shall be affixed to each facility. Failure to display a tag as prescribed herein shall constitute a violation of the permit. The permittee shall be allowed ten (10) days after the notice of violation of this section to obtain a replacement tag.
18. The District reserves the right to open this permit, following notice to the permittee, to include a permit condition prohibiting withdrawals for resource protection.

Special Limiting Conditions

19. The Permittee shall implement automated monitoring of groundwater withdrawals, at Permittee's expense, upon commencement of withdrawals. The monitoring and reporting shall include reporting daily volume pumped by each well of inside diameter eight inches or greater at land surface and shall be delivered by 12:00 pm local time the following day via approved telemetry consistent with District data formats. The permittee may opt for a standardized SRWMD automated monitoring system to fulfill this requirement.
20. The Permittee shall implement and/or maintain the 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.
21. The Permittee shall ensure that the irrigation systems will water target areas only under field operations. Irrigation of non-target areas (roads, woods, structures, etc.) is prohibited.

Attachment A
2-96-00023.002
Charles & Sheila Buckner Farm

Name	Status	Diameter	Capacity (gpm)	Water Use
Well #1	Existing	8	600	Irrigation



-  Property Boundary
-  Irrigation Systems
-  Withdrawal Points

Charles & Sheila Buckner Farm

2-96-00023.002 Water Use Permit

June 2013



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.

TM 8

MEMORANDUM

TO: Governing Board

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

DATE: May 29, 2013

RE: Approval of Water Use Permit Application Number
2-94-00018.003, Cabbage Grove Mining Company, Taylor County

RECOMMENDATION

Staff recommends the Governing Board approve Water Use Permit number 2-94-00018.003 with eighteen standard conditions and two special limiting conditions to Foley Timber and Land Company, LP in Taylor County.

BACKGROUND

This is a renewal for a mining operation in Taylor County. Cabbage Grove Mining Company is a limestone mine that operates a closed circulation system of water use for the rock processing operation. Two surfacewater pumps pump the water from a pit through the operation, where it is then recycled and returned to the original pit for reuse. The project area is not located within a Water Resource Caution Area. The project duration is ten years based on the lease agreement.

The permit contains special conditions regarding implementation and maintenance of conservation plans and investigating use of alternative water supplies.

Staff has determined that the application is complete and satisfies the conditions for issuance in Chapter 40B-2, Florida Administrative Code.

/tm

May 29, 2013

Mr. Travis McCoy
Foley Timber and Land Company, LP
1700 Foley Ln
Perry, FL 32347

Subject: Approval of Water Use Permit Application Number
2-94-00018.003, Cabbage Grove Mining Company, Taylor County

Dear Mr. McCoy:

Suwannee River Water Management District (District) staff proposes to recommend to the Governing Board that the above-mentioned project be approved.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on June 11, 2013, which is open to the public.

Persons considered to be affected by this proposed agency action may request an administrative hearing. The request must be written and must adhere to the requirements of Chapter 28-106, Florida Administrative Code. Please see the enclosed Notice of Rights. All requests for administrative hearings shall be sent to the District at 9225 County Road 49, Live Oak, Florida 32060. Please call permitting staff at 386.362.1001 if you have any questions.

Sincerely,

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

TS/tm
Enclosure
Certified Mail Receipt Number: 7010 1060 0001 1350 3868

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 Florida Statutes. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may chose to pursue mediation as an alternative remedy as described above. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon receipt of the petition by the Office of the District Clerk at the District Headquarters in Live Oak, Florida.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing pursuant to Rule 28-106.111, Florida Administrative Code.
7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.

NOTICE OF RIGHTS

9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.
10. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
11. Failure to observe the relevant time frames for filing a petition for judicial review, or for Commission review, will result in waiver of the right to review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

Mr. Travis McCoy
Foley Timber and Land Company, LP
1700 Foley Ln
Perry, FL 32347

At 4:00 p.m. this _____ day of _____, _____

Tim Sagul
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

STAFF REPORT
WATER USE PERMIT APPLICATION

DATE: May 29, 2013

PROJECT: Cabbage Grove Mining Company

APPLICANT:

Foley Timber and Land Company, LP
1700 Foley Ln
Perry, FL 32347

PERMIT APPLICATION NO.: 2-94-00018.003

DATE OF APPLICATION: April 17, 2013

APPLICATION COMPLETE: May 7, 2013

DEFAULT DATE: August 5, 2013

	Previous Quantities:		Proposed Quantities:	
Average Daily Rate (ADR)	1.9200	mgd	1.9082	mgd

Recommended Agency Action

Staff recommends approval of a Water Use Permit for the renewal of a commercial use located within Taylor County. The permit includes eighteen standard conditions and two special limiting conditions. The permit will expire on June 11, 2023.

Project Review Staff

Lindsey Marks, Kevin Wright, P.E., and Tim Sagul, P.E. have reviewed the application.

Project Location

The withdrawal facilities are located in Township 04 South, Range 04 East, Section 13 in Taylor County. The project is located within the Coastal Rivers basin according to the USGS National Hydrography Dataset, Hydrologic Unit Code-8 sub basins.

Project Description

The project area consists of 518 acres, and the land is used for a limestone mining operation.

The water use calculations were based upon the recirculation of surfacewater, infiltration of groundwater, and groundwater for sanitary uses. The surfacewater pumps move the water from a pit through the entire operation process. It is then recycled and returned to the original pit for reuse. Water is lost in the process through evaporation from the pit and through the product. The amount lost through evaporation was based on the rate of 40 in/yr over the surface of the pit. The amount lost through the product was based on a water content of about 9% in the product and the average daily production of 3,000 tons. The water that is lost through evaporation and in the product is made up by groundwater infiltrating into the pit, not pumped groundwater. The Average Daily Rate (ADR) of withdrawal was calculated as 1.9082 mgd, with 1.6945 mgd of recirculated surfacewater, 0.2135 mgd of infiltrated groundwater, and 0.0002 mgd for sanitary uses.

The project area includes two surfacewater pumps for the mining operation and two wells that will supply non-potable water for the eight workers that will be on site at a time in the shop and scalehouse. Bottled water is provided for drinking water, and the wells are used for toilets and sinks in the facilities. The well and surfacewater pump inventory can be found in the table on Attachment A.

Demonstration of Need

The applicant has provided information that supports the requested allocation, based upon the surfacewater pump capacities. Foley Timber and Land Company, LP plans to produce 3,000 tons of products daily.

Water Conservation

The applicant has provided a water conservation plan for the operation.

Minimum Flows and Levels Compliance

Staff determined through the SRWMD North Florida Model, version 1.0, that the proposed water use would not violate minimum flows and levels (MFLs) at any downstream MFL points established along the Suwannee River or its tributaries. However, a standard limiting condition has been included in the permit for the District to seek a modification to the permit to assist in the recovery and/or prevention strategy associated with an adopted MFL.

Conditions of Issuance

Is this a reasonable–beneficial use?

[ref. 40B-2.301(1)(a)]

Yes. Based on the evaluation of criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

Will this use interfere with any presently existing legal use of water?

[ref. 40B-2.301(1)(b)]

No. Based on the SRWMD North Florida Model, version 1.0, the use will not interfere with any presently existing legal uses of water.

Will this use be consistent with the public interest?

[ref. 40B-2.301(1)(c)]

Yes. Based on the provided information, the water will be used efficiently, will not be wasted, and is for an economically beneficial use. The use meets the criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

Will this use be in such a quantity and of such quality as is necessary for economic and efficient use?

[ref. 40B-2.301(2)(a)]

Yes. Based on the surfacewater pump capacities and hours of operation, the use is such a quantity and such quality as is necessary for economic and efficient use.

Is this use for a purpose that is both reasonable and consistent with the public interest?
[ref. 40B-2.301(2)(b)]

Yes. Based on the surfacewater pump capacities and hours of operation, this use is both reasonable and consistent with the public interest.

Will the source of the water be capable of producing the requested amounts and appropriate quality of water?
[ref. 40B-2.301(2)(c)]

Yes. Based on the SRWMD North Florida Model, version 1.0, the source will be capable of producing the requested amounts and appropriate quality of water.

Will the use degrade the source from which it is withdrawn?
[ref. 40B-2.301(2)(d)]

No. Based on the SRWMD North Florida Model, version 1.0, the use will not degrade the source from which it is withdrawn.

Will the use cause or contribute to flooding?
[ref. 40B-2.301(2)(e)]

No. Based on the nature of the operation and that the property is maintained, flooding is not a concern for this operation.

Will the use harm offsite land uses?
[ref. 40B-2.301(2)(f)]

No. Based on the existing land uses surrounding the operation, harm to offsite land uses is not a concern.

Will the use cause harm to wetlands or other surface water? Harm to wetland or other surface waters must be mitigated after completion of reduction or elimination of harm in accordance with sections 3.1.8. through 3.1.10. of the Water Use Permitting Guide.
[ref. 40B-2.301(2)(g)]

No. Based on the SRWMD North Florida Model, version 1.0, the use will not cause harm to wetlands or other surface waters.

Will the use cause or contribute to a violation of either minimum flows or levels?
[ref. 40B-2.301(2)(h)]

No. Based on the SRWMD North Florida Model, version 1.0, the use will not cause or contribute to a violation of either minimum flows or levels.

Will the use cause or contribute to a violation of state water quality standard in waters of the state as set forth on Chapters 62-301, 62-302, 62-520, and 62-550, Florida Administrative Code (F.A.C.)?
[ref. 40B-2.301(2)(i)]

No. Based on the SRWMD North Florida Model, version 1.0, the use will not cause or contribute to a violation of state water quality standards.

Is this use otherwise a reasonable-beneficial use as defined in Section 373.019(2), Florida Statutes,(F.S.) with consideration given to the factors set forth on subsection 62-40.410(2), F.A.C.?

[ref. 40B-2.301(2)(j)]

Yes. Staff has deemed the use a reasonable-beneficial use after considering the factors set forth in subsection 62-40.410(2), F.A.C.

Has the permit applicant's proposed reasonable-beneficial use of an alternative water supply presumed to be in the public interest?

[ref. 40B-2.301(2)(k)]

Alternative water supply is not feasible at this time.

Standard Conditions

1. This permit shall expire on **6/11/2023**. The permittee must submit the appropriate application form incorporated by reference in subsection 40B-2.041(2), Florida Administrative Code (F.A.C.) and the required fee to the District pursuant to section 40B-2.361, F.A.C., prior to this expiration date in order to continue the use of water.
2. The permittee may apply for a permit modification at any time in accordance with section 40B-2.331, F.A.C.
3. Primary Water Use classification(s): **Mining**
4. Source classification(s) : **Surfacewater**
5. In the event of a District-declared water shortage, the permittee must immediately comply with any restrictions or requirements ordered in accordance with the District's Water Shortage Plan, chapter 40B-21, F.A.C.
6. The permitted water withdrawal facilities consist of the items in the Withdrawal Point Information table on page 1.
7. 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.
8. 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.
9. 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.
10. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to chapter 373, F.S.
11. Authorized representatives of the District, upon reasonable notice to the permittee, shall be permitted to enter and inspect the permitted water use to determine compliance with the permit conditions.
12. This permit does not relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
13. This permit does not convey to the permittee any property rights or privileges other than those specified herein.
14. Permittee shall notify the District in writing within 90 days of any sale, conveyance, or other transfer of ownership or control of the real property on which the permitted water use activities are located. All water use permit transfers are subject to the requirements of section 40B-2.301, F.A.C.
15. 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.

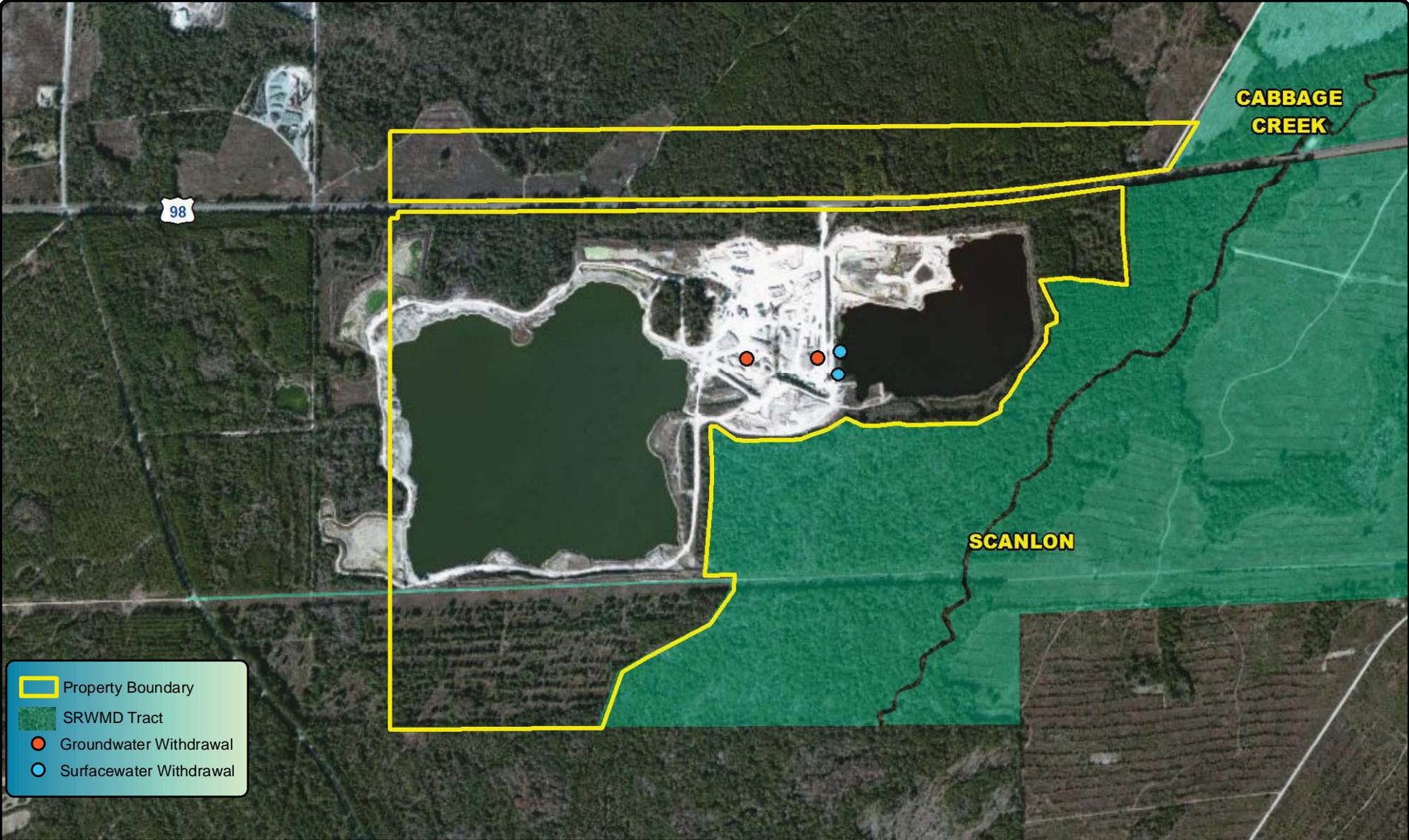
16. All correspondence sent to the District regarding this permit must include the permit number **2-94-00018.003**.
17. When the District provides a permanent identification tag, the tag shall be prominently displayed at the withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility. If the permit covers several facilities such as a well field, a tag shall be affixed to each facility. Failure to display a tag as prescribed herein shall constitute a violation of the permit. The permittee shall be allowed ten (10) days after the notice of violation of this section to obtain a replacement tag.
18. The District reserves the right to open this permit, following notice to the permittee, to include a permit condition prohibiting withdrawals for resource protection.

Special Limiting Conditions

19. The Permittee shall implement and/or maintain the 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.
20. The Permittee shall investigate the feasibility of using alternative water supplies as a water source once it becomes available. If the use of alternative water supplies is feasible, the Permittee shall connect to the alternative water supply and the groundwater withdrawal point will be placed in standby status to be used when the alternative water supply cannot be used.

Attachment A
2-94-00018.003
Cabbage Grove Mining Company

Name	Status	Diameter	Capacity (gpm)	Source	Water Use
SW-3N	Active	10	1940	Surfacewater	Mining
SW-4S	Active	8	1240	Surfacewater	Mining
S-1	Active	4	10	Groundwater	Public Supply
SH-2	Active	4	10	Groundwater	Public Supply



Cabbage Grove Mining Company

2-94-00018.003 Water Use Permit
June 2013



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.



MEMORANDUM

TO: Governing Board

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

DATE: May 29, 2013

RE: Approval of Water Use Permit Application Number
2-12-00012.002, Old College Tract, Gilchrist County

RECOMMENDATION

Staff recommends the Governing Board approve Water Use Permit number 2-12-00012.002 with eighteen standard conditions and six special limiting conditions to Bass Farms, Inc. in Gilchrist County.

BACKGROUND

This is an application to modify an existing water use permit. The request is to add 546 irrigated acres with an Average Daily Rate (ADR) increase of 0.9677 million gallons daily (mgd). The project area is not located within a Water Resource Caution Area.

The permit contains special conditions regarding implementation of automatic monitoring of withdrawals, implementation and maintenance of conservation plans, irrigation of target areas, ten-year compliance review, and well complaints, and a five-year duration for the increase in allocation.

Staff has determined that the application is complete and satisfies the conditions for issuance in Chapter 40B-2, Florida Administrative Code.

/tm

May 29, 2013

Mr. Trevor Bass
Bass Farms, Inc.
27367 SW 30th Ave
Newberry, FL 32669

Subject: Approval of Water Use Permit Application Number
2-12-00012.002, Old College Tract, Gilchrist County

Dear Mr. Bass:

Suwannee River Water Management District (District) staff proposes to recommend to the Governing Board that the above-mentioned project be approved.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on June 11, 2013, which is open to the public.

Persons considered to be affected by this proposed agency action may request an administrative hearing. The request must be written and must adhere to the requirements of Chapter 28-106, Florida Administrative Code. Please see the enclosed Notice of Rights. All requests for administrative hearings shall be sent to the District at 9225 County Road 49, Live Oak, Florida 32060. Please call permitting staff at 386.362.1001 if you have any questions.

Sincerely,

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

TS/tm
Enclosure
Certified Mail Receipt Number:7010 1060 0001 1350 3875

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 Florida Statutes. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may chose to pursue mediation as an alternative remedy as described above. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon receipt of the petition by the Office of the District Clerk at the District Headquarters in Live Oak, Florida.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing pursuant to Rule 28-106.111, Florida Administrative Code.
7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.

NOTICE OF RIGHTS

- 9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.
- 10. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
- 11. Failure to observe the relevant time frames for filing a petition for judicial review, or for Commission review, will result in waiver of the right to review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

Mr. Trevor Bass
Bass Farms, Inc.
27367 SW 30th Ave
Newberry, FL 32669

At 4:00 p.m. this _____ day of _____, _____

Tim Sagul
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

STAFF REPORT
WATER USE PERMIT APPLICATION

DATE: May 29, 2013

PROJECT: Old College Tract

APPLICANT:
Bass Farms, Inc.
27367 SW 30th Ave
Newberry, FL 32669

PERMIT APPLICATION NO.: 2-12-00012.002
DATE OF APPLICATION: February 6, 2013
APPLICATION COMPLETE: May 2, 2013
DEFAULT DATE: June 12, 2013

Officer/Director Detail: Bass Farms, Inc.

Trevor Bass	P
27367 SW 30 th Ave. Newberry, FL 32669	

	Previous Quantities:		Proposed Quantities:	
Average Daily Rate (ADR)	0.3040	mgd	1.2717	mgd

Recommended Agency Action

Staff recommends approval of a Water Use Permit modification for an agricultural use located within Gilchrist County. The permit includes eighteen standard conditions and six special limiting conditions. The permit will expire on March 13, 2032, except for the increase in allocation, which staff recommends an expiration date of June 11, 2018. Staff modeled the increase in allocation, and the model results show the potential for the increased withdrawals to affect the Lower Santa Fe River, thus the recommendation for a five-year duration for the increase in allocation.

Project Review Staff

James Link, P.E., Kevin Wright, P.E., and Tim Sagul, P.E. have reviewed the application.

Project Location

The withdrawal facilities are located in Township 10 South, Range 16 East, Sections 13, 14, 23 and 24 in Gilchrist County. The project is located within the Waccasassa River basin according to the USGS National Hydrography Dataset, Hydrologic Unit Code-8 sub basins.

Project Description

The project area consists of 921 acres, and approximately 717 acres are proposed to be irrigated using groundwater.

The water use calculations were based upon the irrigated acreages and crop types provided by Trevor Bass. Crops include tobacco, corn, peanuts, and rye. The applicant will use seven center pivots for irrigation. The Average Daily Rate (ADR) of withdrawal was calculated as 1.2717 mgd, which equates to 23.8 inches of supplemental irrigation annually.

The project area includes five proposed wells. Use of these five wells will be for irrigation. Bass Farms, Inc. has not applied for the Water Well Construction permits. The well inventory can be found in the table on Attachment A.

Demonstration of Need

The applicant has provided information that supports the requested allocation, based upon the crop types. Bass Farms, Inc. plans to irrigate 717 acres with two crops each year. Crops include carrots, corn, and peanuts with rye as a winter crop.

Water Conservation

The applicant has completed the Water Conservation Worksheets for Center Pivot Irrigation.

Minimum Flows and Levels Compliance

Staff determined through the SRWMD North Florida Model, version 1.0, that the proposed water use would not violate minimum flows and levels (MFLs) at any downstream MFL points established along the Suwannee River or its tributaries. However, a standard limiting condition has been included in the permit for the District to seek a modification to the permit to assist in the recovery and/or prevention strategy associated with an adopted MFL.

Conditions of Issuance

Is this a reasonable–beneficial use?

[ref. 40B-2.301(1)(a)]

Yes. Based on the evaluation of criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

Will this use interfere with any presently existing legal use of water?

[ref. 40B-2.301(1)(b)]

No. Based on the SRWMD North Florida Model, version 1.0, the use will not interfere with any presently existing legal uses of water.

Will this use be consistent with the public interest?

[ref. 40B-2.301(1)(c)]

Yes. Based on the provided information, the water will be used efficiently, will not be wasted, and is for an economically beneficial use. The use meets the criteria listed in 40B-2.301(2)(a)-40B-2.301(2)(k).

Will this use be in such a quantity and of such quality as is necessary for economic and efficient use?

[ref. 40B-2.301(2)(a)]

Yes. Based on IFAS crop water needs table, the use is such a quantity and such quality as is necessary for economic and efficient use.

Is this use for a purpose that is both reasonable and consistent with the public interest?

[ref. 40B-2.301(2)(b)]

Yes. Based on IFAS crop water needs this use is both reasonable and consistent with the public interest.

Will the source of the water be capable of producing the requested amounts and appropriate quality of water?

[ref. 40B-2.301(2)(c)]

Yes. Based on the SRWMD North Florida Model, version 1.0, the source will be capable of producing the requested amounts and appropriate quality of water.

Will the use degrade the source from which it is withdrawn?

[ref. 40B-2.301(2)(d)]

No. Based on the SRWMD North Florida Model, version 1.0, the use will not degrade the source from which it is withdrawn.

Will the use cause or contribute to flooding?

[ref. 40B-2.301(2)(e)]

No. Based on crop types and proposed farm practices, flooding is not a concern for this operation.

Will the use harm offsite land uses?

[ref. 40B-2.301(2)(f)]

No. Based on the existing land uses surrounding the operation, harm to offsite land uses is not a concern.

Will the use cause harm to wetlands or other surface water? Harm to wetland or other surface waters must be mitigated after completion of reduction or elimination of harm in accordance with sections 3.1.8. through 3.1.10. of the Water Use Permitting Guide.

[ref. 40B-2.301(2)(g)]

No. Based on the SRWMD North Florida Model, version 1.0, the use will not cause harm to wetlands or other surface waters.

Will the use cause or contribute to a violation of either minimum flows or levels?

[ref. 40B-2.301(2)(h)]

No. Based on the SRWMD North Florida Model, version 1.0, the use will not cause or contribute to a violation of either minimum flows or levels.

Will the use cause or contribute to a violation of state water quality standard in waters of the state as set forth on Chapters 62-301, 62-302, 62-520, and 62-550, Florida Administrative Code (F.A.C.)?

[ref. 40B-2.301(2)(i)]

No. Based on the SRWMD North Florida Model, version 1.0, the use will not cause or contribute to a violation of state water quality standards.

Is this use otherwise a reasonable-beneficial use as defined in Section 373.019(2), Florida Statutes,(F.S.) with consideration given to the factors set forth on subsection 62-40.410(2), F.A.C.?

[ref. 40B-2.301(2)(j)]

Yes. Staff has deemed the use a reasonable-beneficial use after considering the factors set forth in subsection 62-40.410(2), F.A.C.

Has the permit applicant's proposed reasonable-beneficial use of an alternative water supply presumed to be in the public interest?

[ref. 40B-2.301(2)(k)]

Alternative water supply is not feasible at this time.

Standard Conditions

1. This permit shall expire on **3/13/2032**. The permittee must submit the appropriate application form incorporated by reference in subsection 40B-2.041(2), Florida Administrative Code (F.A.C.) and the required fee to the District pursuant to section 40B-2.361, F.A.C., prior to this expiration date in order to continue the use of water.
2. The permittee may apply for a permit modification at any time in accordance with section 40B-2.331, F.A.C.
3. Primary Water Use classification(s): **Irrigation, Livestock**
4. Source classification(s) : **Groundwater**
5. In the event of a District-declared water shortage, the permittee must immediately comply with any restrictions or requirements ordered in accordance with the District's Water Shortage Plan, chapter 40B-21, F.A.C.
6. The permitted water withdrawal facilities consist of the items in the Withdrawal Point Information table on page 1.
7. 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.
8. 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.
9. 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.
10. If any condition of the permit is violated, the permittee shall be subject to enforcement action pursuant to chapter 373, F.S.
11. Authorized representatives of the District, upon reasonable notice to the permittee, shall be permitted to enter and inspect the permitted water use to determine compliance with the permit conditions.
12. This permit does not relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
13. This permit does not convey to the permittee any property rights or privileges other than those specified herein.
14. Permittee shall notify the District in writing within 90 days of any sale, conveyance, or other transfer of ownership or control of the real property on which the permitted water use activities are located. All water use permit transfers are subject to the requirements of section 40B-2.301, F.A.C.
15. 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.

16. All correspondence sent to the District regarding this permit must include the permit number **2-12-00012.002**.
17. When the District provides a permanent identification tag, the tag shall be prominently displayed at the withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility. If the permit covers several facilities such as a well field, a tag shall be affixed to each facility. Failure to display a tag as prescribed herein shall constitute a violation of the permit. The permittee shall be allowed ten (10) days after the notice of violation of this section to obtain a replacement tag.
18. The District reserves the right to open this permit, following notice to the permittee, to include a permit condition prohibiting withdrawals for resource protection.

Special Limiting Conditions

19. The Permittee shall implement automated monitoring of groundwater withdrawals, at Permittee's expense, upon commencement of withdrawals. The monitoring and reporting shall include reporting daily volume pumped by each well of inside diameter eight inches or greater at land surface and shall be delivered by 12:00 pm local time the following day via approved telemetry consistent with District data formats. The permittee may opt for a standardized SRWMD automated monitoring system to fulfill this requirement.
20. The Permittee shall implement and/or maintain the 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.
21. The Permittee shall ensure that the irrigation systems will water target areas only under field operations. Irrigation of non-target areas (roads, woods, structures, etc.) is prohibited.
22. This permit and the agricultural operation will be reviewed by District staff and the Permittee during the year 2022. During this review, the Permittee and/or District staff may make recommendations based upon this review to modify this permit. These recommendations may come from new Best Management Practices, improved irrigation techniques, different crop types, and/or any other significant factor.
23. The Permittee shall investigate withdrawal related well complaints within 2500' of property boundary. The complaint handling/mitigation procedure shall be as follows:
 - a. Within 48 hours of complaint receipt by the Permittee, the Permittee shall perform a preliminary investigation and determine whether the Permittee's withdrawals may have caused the problem.
 - b. If this preliminary assessment indicates that the Permittee may be responsible, the Permittee shall, within 72 hours of complaint receipt, supply the complainant with any water necessary for health and safety purposes, such as drinking water.
 - c. If the detailed investigation confirms that the complainant's problem was caused by the Permittee's withdrawals, the complainant's problem shall be fully corrected within 15 days of complaint receipt. Full correction shall be restoration of the complainant's well to pre-impact condition or better, including the aspects of pressure levels, discharge quantity, and water quality. This detailed investigation shall include, but not be limited to, an analysis of water levels and pumpage impacts at the time of the complainant's problem, well and pump

characteristics including depths, capacity, pump curves, and irrigation system requirements.

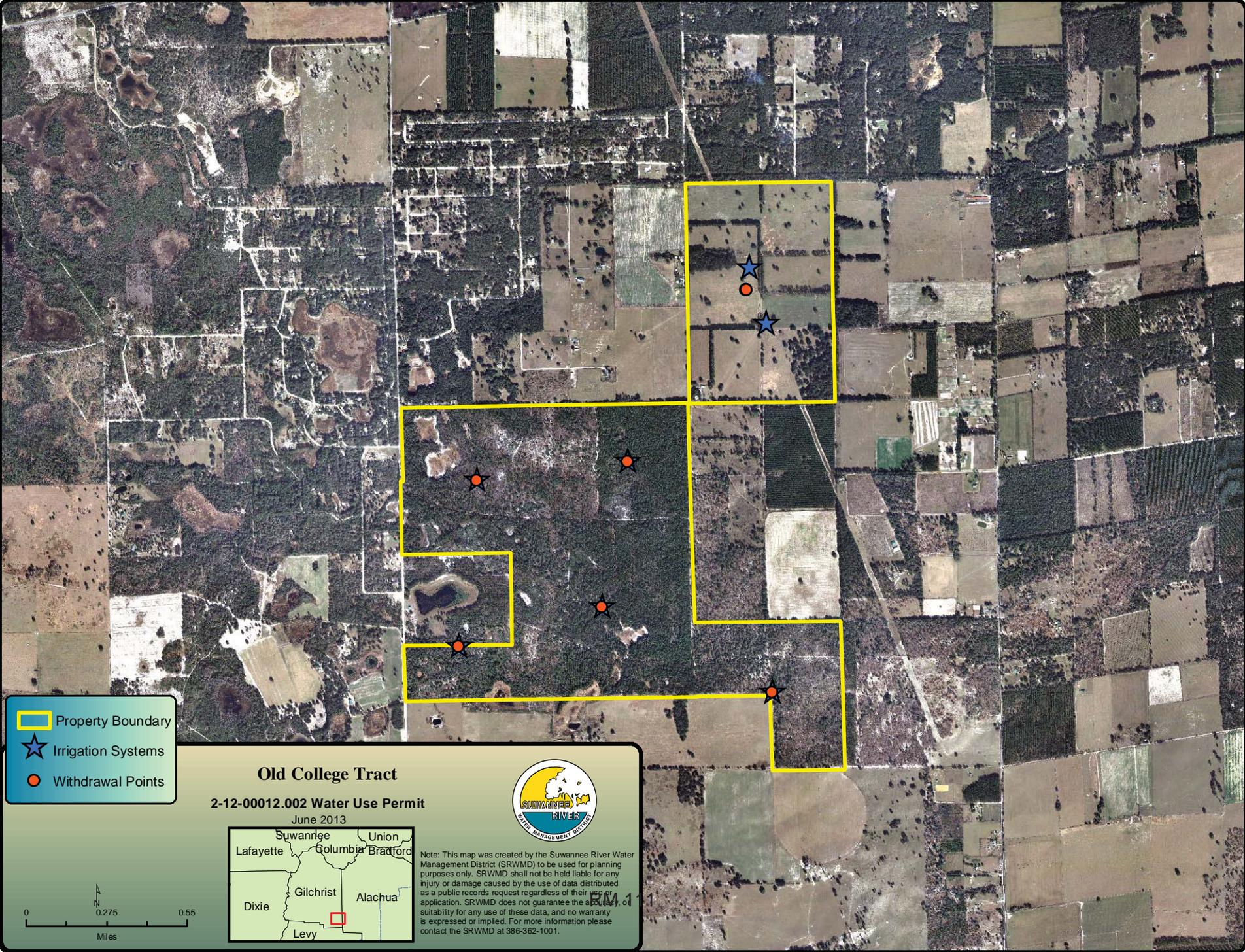
- d. If the resulting investigation determines that the Permittee was not responsible for the well problem, the Permittee shall document the reasons for this determination.
- e. The Permittee shall file a report of the complaint, the findings of facts, appropriate technical data, and any mitigating action taken or to be taken by the Permittee, to the Regulation Department Director, Resource Regulation, for review and approval within 20 days of the receipt of any complaint. The report shall include:
 1. The name and address of each complainant;
 2. The date and nature of the complaint;
 3. A summary of the Permittee's investigation;
 4. A summary of the Permittee's determination, including details of any mitigation activities; and
 5. Cost of mitigation activity of each complaint.

A copy of the report shall also be sent to the complainant within 20 days of complaint receipt.

24. The increased allocation of 0.9677 mgd in this modification is given for a five-year duration. This increased allocation shall expire on June 11, 2018. If the permittee does not apply for a modification prior to this expiration date, the permit shall revert to the previous allocation of 0.3040 mgd.

Attachment A
2-12-00012.002
Old College Tract

Name	Status	Diameter	Capacity (gpm)	Water Use
Well No. 1	Active	10	1200	Irrigation
Well No. 2	Active	4	20	Livestock
Big	Proposed	12	1600	Irrigation
$\frac{3}{4}$	Proposed	10	1050	Irrigation
$\frac{1}{2}$	Proposed	10	500	Irrigation
NE	Proposed	10	800	Irrigation
NW	Proposed	10	1050	Irrigation



-  Property Boundary
-  Irrigation Systems
-  Withdrawal Points

Old College Tract

2-12-00012.002 Water Use Permit

June 2013



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, 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.



MEMORANDUM

TO: Governing Board

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

DATE: May 29, 2013

RE: Approval to Amend Contract 09/10-077 with AMEC Environment & Infrastructure, Inc. for the Implementation of the Federal Emergency Management Agency (FEMA) Risk Mapping Assessment, and Planning (MAP) Program within the Mapping Activity Statement (MAS) for FEMA Fiscal Year (FY) 2011

RECOMMENDATION

Staff recommends the Governing Board authorize the Executive Director to amend contract 09/10-077 with AMEC Environment & Infrastructure, Inc. (AMEC) for MAS 11.08f tasks, not to exceed \$1,760,464.

BACKGROUND

The District is a Cooperative Technical Partner (CTP) assisting in the implementation of FEMA's Risk MAP Program. The District's five-year business plan has been approved by FEMA that identifies the District's vision and level of participation for supporting Risk MAP for each basin, and subsequently, a MAS is developed for each year of participation.

The Governing Board approved the Executive Director to enter into contracts with six qualified firms on October 13, 2009, to implement the Risk MAP five-year plan. AMEC is one of the six qualified firms. To date, the Governing Board has accepted FEMA grant funding through multiple contracts in the amount of \$5,364,290. The District expects to continue receiving FEMA grant money in the future.

As part of the \$5,364,290, the Governing Board accepted FEMA grant funding through contract 11/12-020 in the amount of \$1,845,000 in December 2011. The Board also authorized staff to extend contracts with the six firms previously accepted.

In support of MAS 11.08f, Atkins North America, Inc. was selected to perform the Discovery tasks under contract 09/10-048 amendment 3. With Discovery completed, staff would like to begin the remaining MAS 11.08f tasks with the services of AMEC based on the firm's past performance. AMEC has proven that they have the resources and skills necessary to accomplish these tasks and has worked well as a team with Atkins to provide quality products that FEMA Region IV approves.

This proposed amendment includes 15 flooding sources to be studied in the Upper Suwannee basin and 35 flooding sources to be studied in the Santa Fe River basin. A Flood Risk Report, Map, and Database are produced for each basin. These studies will also require updates to the Alachua, Bradford, Columbia, Hamilton, Suwannee, and Union County Flood Insurance Studies and Flood Insurance Rate Maps. Dividing these studies among multiple contractors would likely introduce inconsistency and scheduling delays in order to produce these unified products.

Under contract 09/10-077 AMEC has been assigned Floodplain Mapping tasks for FY 2009 and FY 2010. AMEC has provided efficient and quality services for the District's FEMA projects. The existing contract is for \$587,519. This amendment is an increase of \$1,172,945. The total contract with AMEC will now be \$1,760,464. The additional work is scheduled to be completed April 2016.

The District will be reimbursed actual expenses by FEMA on a monthly basis for work performed.

JL/tm

MEMORANDUM

TO: Governing Board

FROM: Kevin Wright, Professional Engineer

DATE: May 29, 2013

RE: Ratification of Contract 12/13-182 with Alliance Dairies for a Nutrient Reduction Project

RECOMMENDATION

Staff recommends the Governing Board authorize the Executive Director to ratify contract 12/13-182 with Alliance Dairies for a nutrient reduction project for an amount not to exceed \$300,000.

BACKGROUND

The Florida Department of Agriculture and Consumer Services (FDACS) awarded \$300,000 to the District to implement a nutrient reduction project. The proposed nutrient reduction project is located at Alliance Dairies within the Fanning Springs springshed. The Governing Board approved implementation of this project at the May 16, 2013 meeting.

This contract with Alliance Dairies will enable them to reduce solids in the wastewater stream by enhanced screening and retrofitting the pivots that spray the wastewater. The project deliverables will include two vibrating screen separators, 11 center pivot retrofits, one base station to control the equipment, and engineering design. The change from overhead impact sprinklers to spray nozzles on drops will increase the application uniformity. The increase in application uniformity will enhance the nutrient uptake by the cover crops and reduce leaching of nitrates into the groundwater flowing to springs. It is estimated that this project will reduce the nutrient loading to the groundwater system by just under 4,600 pounds of nitrogen annually and reduce groundwater pumping by 125 million gallons annually.

The FDACS funding for this proposed project is \$300,000, with a total project cost of \$400,000. Alliance Dairies will fund the balance of the project through a combination of in-kind services and cash payment. The funds are part of the DACS FY12/13 budget and must be spent by June 30, 2013.

gal

MEMORANDUM

TO: Governing Board

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

DATE: May 29, 2013

RE: Authorization for the Executive Director to Take Enforcement Action Regarding *Rodney O. Tompkins, Trustee, and Rodney Tompkins*, CE11-0001, Gilchrist County

RECOMMENDATION

Staff recommends the Governing Board authorize the Executive Director to take enforcement action regarding Rodney O. Tompkins, Trustee, and Rodney Tompkins for use of water without a permit in Gilchrist County.

BACKGROUND

A complaint was filed with District staff on January 13, 2011, regarding a land owner's irrigation system over spraying onto a county road in Gilchrist County. District staff researched the water use permits in the area and discovered that Misty Farms (now known as Rodney O. Tompkins, Trustee) does not have a valid permit. Subsequently, staff sent a Notice of Violation (NOV) to Rodney O. Tompkins, Trustee (Respondent) on January 21, 2011, for using water without a valid permit.

After numerous contacts including phone calls, letters and meetings, the Governing Board (at their December 2011 meeting), authorized the Executive Director to file an Administrative Complaint against Rodney Tompkins. Several attempts were made to resolve the situation prior to filing the Administrative Complaint by staff and staff counsel. On March 8, 2012, staff met with Mr. Tompkins and his legal counsel at the farm. During the meeting, Mr. Tompkins agreed to file an application. On April 16, 2012, Mr. Tompkins faxed an incomplete application. District staff reviewed the application and sent a Request for Additional Information (RAI) on May 16, 2012. The RAI deadline was August 14, 2012. Mr. Tompkins has not submitted the requested information.

The Governing Board Chairman has made numerous attempts to contact and meet with Mr. Tompkins to resolve the situation. Staff feels like the situation can no longer be resolved without further enforcement action.

KW/rl

MEMORANDUM

TO: Governing Board
FROM: Tim Sagul, Division Director, Resource Management
DATE: May 28, 2013
RE: Public Hearing and Authorization to Publish Notice of Change and File Amendments to 40B-1, 40B-4, and 40B-400, Florida Administrative Code (F.A.C)

RECOMMENDATION

Staff recommends the Governing Board authorize staff to:

- 1. Approval of changes for 40B-1, 40B-4, 40B-400 and the Applicant's Handbook Volume II.**
- 2. File 40B-1, 40B-4 and 40B-400, F.A.C., with Department of State if no comments or objections are received.**

BACKGROUND

On March 12, 2013, the Governing Board authorized publication of proposed rule for 40B-1, 40B-4, and 40B-400, F.A.C.

Since the March Board meeting, the State Wide Environmental Resource Permit (SWERP) group has finalized the language for sections 2.7 and 2.8 of the Applicant's Handbook Volume II. In addition, the District has received comments from the Joint Administrative Procedures Committee (JAPC) and the Office of Fiscal and Regulatory Reform (OFARR). The final language and changes requested by JPAC and OFARR are shown in the proposed Notices of Changes that follow this memorandum.

Staff published a Notice of Proposed Rule in the Florida Administrative Register for 40B-1, 40B-4, and 40B-400, F.A.C. on March 22, 2013.

Governing Board authorization is required by 120.54(3), Florida Statutes, for filing of the rules for adoption. Filing with the Department of State will occur following the publication of the notice of changes and any additional coordination with JAPC and OFARR. The rules will become effective 21 days after filing with the Department of State.

TS/rl

40B-1

40B-1.706 Fees.

Use of the reviewing agency's electronic self-certification system	\$0
-------------------------------------------------------------------------------	----------------

~~40B-1.707 Variances from Specific Rule Criteria for Works of the District Permits~~

~~(1) The Governing Board is authorized to grant a variance from the provisions of Section 373.414, F.S., and paragraph 40B-4.3030(2), F.A.C., pursuant to Section 403.201, F.S. The variance under this rule is provided in addition to the variance and waiver procedures set forth in Chapter 28-104, F.A.C., which implements Section 120.542, F.S.~~

~~(2) A person seeking a variance must demonstrate that any hardship asserted as a basis of the need for a variance is peculiar to the affected property and not self-imposed and that the grant of a variance will be consistent with the general intent and purpose of this chapter.~~

~~(3) Any person seeking a variance shall file a petition for a variance that contains the following information:~~

~~(a) The petitioner's name and signature.~~

~~(b) The statute or rule from which the variance is sought.~~

~~(c) Facts showing that a variance should be granted for one of the reasons set forth in Section 403.201, F.S.~~

~~(d) The time period for which the variance is sought, not to exceed the time period permitted by law, including the reasons and facts supporting the time period.~~

~~(e) The requirements which the petitioner can meet including the date or time when the requirements will be met.~~

~~(f) The steps or measures the petitioner is taking to meet the requirement from which the variance is sought. The petitioner shall include a schedule when compliance will be achieved.~~

~~(g) The social, economic and environmental impacts on the applicant, residents of the area and of the state if the variance is granted.~~

~~(h) The social, economic and environmental impacts on the applicant, residents of the area and of the state if the variance is denied.~~

~~(4) The District shall review the application within a reasonable period of time after receipt to determine if the application is complete. If the application is determined to be incomplete, the applicant shall be afforded an opportunity to supply additional information before the District evaluates the merits of the request.~~

~~(5) The District shall grant or deny a petition for variance or waiver within 90 days after receipt of the original petition, the last item of timely requested additional material, or the petitioner's written request to finish processing the petition.~~

~~(6) The District shall prepare a notice of proposed agency action regarding the petition for a variance. The District shall publish this notice one time in the Florida Administrative Weekly, and one time in a newspaper of general circulation, as defined in Section 50.031, F.S., in the county in which the property for which the variance is sought is located.~~

~~(7) Renewals of variances shall be applied for in the same manner as the initial variance.~~

~~Rulemaking Authority 373.044, 373.113, 373.171, 373.414(17) FS. Law Implemented 403.201 FS. History New 9-2-98, Amended 6-12-00, 6-26-02 [Date].~~

40B-1.708 Point of Entry into Proceedings and Mediation

~~(1) Point of entry into proceedings determining substantial interests are governed by Rule 28-106.111, F.A.C., and this section.~~

~~(a) "Receipt of written notice of agency decision" as set forth in Rule 28-106.111, F.A.C., means receipt of either written notice through regular United States mail, or electronic mail, or posting that the District has or intends to take final agency action, or publication of notice that the District has or intends to take final agency action.~~

~~(b) If notice is published pursuant to this chapter, publication shall constitute constructive notice to all persons. Until notice is published, the point of entry to request a formal or informal administrative proceeding shall remain open unless actual notice is received.~~

~~(2) If the Board takes action which substantially differs from the notice of intended agency decision, the applicant or persons who may be substantially affected shall have an additional point of entry pursuant to Section 28-106.111, F.A.C., unless otherwise provided by law. The Board action is considered to substantially differ from the notice of intended agency decision when the potential impact on water resources has changed.~~

~~(3) Notwithstanding Rule 28-106.111, F.A.C., intended agency decisions or agency decisions regarding consolidated applications for Environmental Resource Permits and Use of Sovereign Submerged Lands pursuant to Section 373.427, F.S., shall provide a 14 day point of entry to file petitions for administrative hearing under Rule 28-106.111, F.A.C.~~

~~Rulemaking Authority 120.54(5), 373.044, 373.113, 668.003, 668.004, 668.50 FS. Law Implemented 120.54(5), 120.569, 120.57, 120.60, 373.146, 373.413, 373.427, 668.003, 668.004, 668.50 FS. History New 7-2-98, Amended 6-12-00, 3-22-09, [Date].~~

40B-1.901 General

(1) though (6) No change

~~(7) Form number 40B-4.3020, Application for a Work of the District Permit for District Floodways, is incorporated by reference in Rule 40B-4.3020, F.A.C.;~~

~~(8) Form number 40B-1.901(A), As Built Certification by the Permittee, Effective January 29, 2001.~~

~~(9) Form number 40B-1.901(B), As Built Certification by the Operation and Maintenance Entity, Effective January 29, 2001.~~

~~(10) Form number 40B-1.901(C) As Built Certification by a Registered Professional, Effective January 29, 2001;~~

~~(11) Form number 40B-1.901(D), Transfer to Operation and Maintenance.~~

NOTICE OF CHANGE

UPDATED 5/27/13

40B-400

40B-400.091 Publications and Agreements Incorporated by Reference.

(1) This rule is used in conjunction with Rule 62-330, F.A.C., to ~~implement~~ implement the District's responsibility under part IV of Chapter 373, F.S. Rule 62-330, F.A.C., and Chapter 373, F.S., may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(2) The Governing Board hereby adopts the Applicants' ~~Handbook~~ Handbook Volume II, effective ~~August 1, 2013~~ January 31, 2013. This document may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060; is available at District headquarters and on the District's website.

(3) The Governing Board hereby adopts the Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., between the Suwannee River Water Management District and the Florida Department of Environmental Protection, effective July 1, 2007. This document may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060; is available at District headquarters and on the District's website.

(4) The Governing Board hereby adopts by reference the Final Survey – Review Report Suwannee River Georgia and Florida, July 1989, U.S. Army Corps of Engineers, Jacksonville District used to establish ~~the floodways~~ floodway within the District for the works of the district identified in Chapter 40B-4, F.A.C. This document may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060; is available at District headquarters and on the District's website.

(5) The Governing Board hereby adopts by reference the "Florida Stormwater, Erosion and Sedimentation Control Inspectors Manual", effective July 2008. This document may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060; is available at District headquarters and on the District's website.

(6) The Governing Board hereby adopts by reference the following Flood Insurance Studies ~~and digital flood insurance rate maps for each county listed below~~. Each of the documents are available at the District headquarters and on the District's website:

(a) Alachua County, Florida and Incorporated Areas, Effective June 16, 2006. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(b) ~~Baker County, Florida and Incorporated Areas, Effective June 17, 2008.~~ This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(c) Bradford County, Florida and Incorporated Areas, Effective May 2, 2012. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

~~(d)~~ (e) Columbia County, Florida and Incorporated Areas, Effective February 4, 2009. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

~~(e)~~ (d) Dixie County, Florida and Incorporated Areas, Effective ~~March 18, 2008~~ September 29, 2006. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

~~(f)~~ (e) Gilchrist County, Florida and Incorporated Areas, Revised ~~February 9, 2009~~ September 29, 2006. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

~~(g)~~ (f) Hamilton County, Florida and Incorporated Areas, Effective June 4, 2010. This form may be obtained

from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(h) ~~(g)~~ Jefferson County, Florida and Incorporated Areas, Effective July 16, 1991. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(i) ~~(h)~~ Lafayette County, Florida and Incorporated Areas, Effective September 29, 2006. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(j) ~~(i)~~ Levy County, Florida and incorporated Areas, Effective November 2, 2012. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(k) ~~(j)~~ Madison County, Florida and Incorporated Areas, Effective May 3, 2010. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(l) Putnam County, Florida and Incorporated Areas, Effective ~~September 28, 2007~~ April 16, 2013. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(m) ~~(k)~~ Suwannee County, Florida and Incorporated Areas, Effective ~~September 28, 2007~~ April 16, 2013. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(n) ~~(l)~~ Taylor County, Florida and Incorporated Areas, Effective May 4, 2009. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(o) ~~(m)~~ Union County, Florida and Incorporated Areas, Effective February 4, 2009. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060.

Applicants Handbook Volume II

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1.1.1 Introduction

This Volume provides specific, detailed information to meet the water quality and quantity design requirements of stormwater management systems. Such systems are regulated by the Suwannee River Water Management District through the ERP program authorized under s. 373.4145, F.S. This Volume explains, and provides more detail on, the rule criteria for stormwater quality and quantity contained in Chapter 62-330, F.A.C. In cases where conflicting or ambiguous interpretations of the information in this Volume results in uncertainty, the final determination of appropriate procedures to be followed will be made using Chapters 120 and 373, F.S., [and](#) applicable F.A.C. rule chapters, ~~and best professional judgment of staff.~~

1.3 Exemptions

Construction, operation and maintenance of excavated ponds for single family, ~~agriculture~~, forestry, conservation, wildlife management or wildlife enhancement purposes that have less than 50 acre feet of storage capacity or are less than 5 acres in surface area if

1. The materials excavated remain on the property.
2. The excavated pond is not in wetlands or other surface waters
3. The excavated pond does not impound water above natural grade

2.1 .1 Definitions

[“Registered Professional” means a professional registered or licensed by and in the State of Florida and practicing under Chapter 471, 472, 481, or 492, F.S.](#)

~~“Substantial Improvement” means any repair, reconstruction, rehabilitation or improvement of a structure, the cost of which exceeds, over a five year period a cumulative total of 50 percent of the market value of the structure either:~~

- ~~1. Before the improvement or repair is started; or~~
- ~~2. If the structure has been damaged and is being restored, before the damage occurred.~~

~~For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of a building commences whether or not that alteration affects the external dimensions of the building. The term does not, however, include either any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are necessary to assure safe conditions or any alteration of a structure listed on the National Register of Historic Places.~~

2.7 Flexibility for State Transportation Projects and Facilities

With regard to state linear transportation projects and facilities the Agencies shall be governed by subsection 373.413(6), F.S. (2012).

~~Due to the unique limitations of state linear transportation projects and facilities, subsection 373.413(6), F.S. (2012), requires the Agency, during the review of such activities, to consider and balance the expenditure of public funds for stormwater treatment with the benefits to the public in providing the most cost-efficient and effective method of achieving the treatment objectives of stormwater management systems. To do so, alternatives to onsite treatment for water quality will be considered, which may include regional stormwater treatment systems. The resultant design must be capable of ensuring that the treatment of the stormwater from the roadway will be designed in accordance with the design and performance standards of Volume II, and, if that treatment area accepts off site water, that the resultant discharges from stormwater treated from the roadway together with off site water will provide, at a minimum, a net improvement for water quality.~~

2.8 Redevelopments and Retrofits of Existing Surface Water Management Systems

A stormwater retrofit project is typically proposed by a county, municipality, state agency, or water management district to provide new or additional treatment or attenuation capacity, or improved flood control to an existing stormwater management system or systems. Stormwater retrofit projects shall not be proposed or implemented for the purpose of providing the water quality treatment or flood control needed to serve new development or redevelopment.

Example of stormwater retrofit projects are:

1. Construction or alteration that will add additional treatment or attenuation capacity and capability to an existing stormwater management system;
2. Modification, reconstruction, or relocation of an existing stormwater management system or stormwater discharge facility;
3. Stabilization of eroding banks through measures such as adding attenuation capacity to reduce flow velocities, planting of sod or other vegetation, and installation of rip rap boulders;
4. Excavation or dredging of sediments or other pollutants that have accumulated as a result of stormwater runoff and stormwater discharges.

The applicant for a stormwater quality retrofit project must provide reasonable assurance that the retrofit project itself will, at a minimum provide additional water quality treatment such that there is a net reduction of the stormwater pollutant loading into receiving waters.

Examples of stormwater quality projects are:

1. Addition of treatment capacity to an existing stormwater management system such that it reduces stormwater pollutant loadings to receiving waters;
2. Adding treatment or attenuation capability to an existing developed area when either the existing stormwater management system or the developed area has substandard stormwater treatment and attenuation capabilities, compared to what would be required for a new system requiring a permit under Part IV of Chapter 373, F.S.; or
3. Removing pollutants generated by, or resulting from, previous stormwater discharges.

If the applicant has conducted, and the Agency has approved, an analysis that provides reasonable assurance that the proposed stormwater quality retrofit will provide the intended pollutant load reduction from the existing system or systems, the project will be presumed to comply with the requirements in section 4 of this Volume.

The pollutants of concern will be determined on a case-by-case basis during the permit application review based upon factors such as the type and intensity of land use, existing water quality data within the area subject to the retrofit, and the degree of impairment or water quality violations in the receiving waters.

The applicant for a stormwater quantity retrofit project must provide reasonable assurance that the retrofit project will reduce existing flooding problems in such a way that it does not cause any of the following:

1. A net reduction in water quality treatment provided by the existing stormwater management system or systems;
2. Increased discharges of untreated stormwater entering adjacent or receiving waters;

If the applicant has conducted, and the Agency has approved, an analysis that provides reasonable assurance that the stormwater quantity retrofit project will comply with the above, the project will be presumed to comply with the requirements in section 3 of this Volume.

The applicant for any stormwater retrofit project must design, implement, and operate the project so that it:

1. Will not cause or contribute to a water quality violation;
2. Does not reduce stormwater treatment capacity or increase discharges of untreated stormwater. Where existing ambient water quality does not meet water quality standards the applicant must demonstrate that the proposed activities will not cause or contribute to a water quality violation. If the proposed activities will contribute to the existing violation, measures shall be proposed that will provide a net improvement of the water quality in the receiving waters for those parameters that do not meet standards.
3. Does not cause any adverse water quality impacts in receiving waters; or

4. Will not cause or contribute to increased flooding of adjacent lands or cause new adverse water quantity impacts to receiving waters;

~~Redevelopment and/or upgrading of existing surfacewater management systems or construction of new surfacewater management systems by units of local government in areas of existing intensive development may not be able to fully meet the standards above. In such circumstances, the District may issue surfacewater management permits utilizing alternate standards to those listed above provided the alternate standards provide, to the greatest extent practical, the reasonable assurance listed above. Applicants proposing to use alternative criteria are encouraged to have a pre-application conference with District staff.~~

~~A stormwater retrofit is a project that adds treatment to an existing stormwater management system or systems and results in reduced stormwater pollutant loadings from the existing system of systems. For the purposes of this section, retrofit projects shall not serve new development or redevelopment. The applicant for a retrofit project must provide reasonable assurance that the retrofit project itself will not result in new adverse water quality and quantity impacts to receiving waters. If the applicant has conducted, and this agency has approved, an analysis that provides reasonable assurance that the proposed retrofit will provide the intended pollutant load and or water quantity reduction from the existing system or systems, the retrofit project will be presumed to comply with the requirements in Part 3 and Part 4 of this Volume.~~

3.4 Recovery

Since the stormwater must receive at least the minimum amount of water quality treatment before ~~discharge~~ ~~discharge~~, detention systems with a bleed down pipe at the bottom of the pond are not permissible. For detention systems with filtration, the design must accommodate a safety factor of two which can be accomplished by increasing storage volumes, or reducing the percolation rates. Further, filters and filtration systems must have pore spaces large enough to provide a minimum permeability equal to or greater than the soil surrounding the filter. The filter medium must be stable and not move. If sand or other fine textured medium is used, it must meet the following characteristics:

1. Have less than one percent silt, clay, or organic matter unless filter fabric which will retain the fines is also used;
2. Have a uniformity coefficient of 1.5 or greater; and
3. Have an effective grain size of 0.20 to 0.55 millimeters in diameter.

These criteria are not intended to preclude the use of multilayered filters nor the use of additives to increase ion exchange, precipitation, or pollutant adsorption capacities of the filter.

3.6.6 “No-Rise” Requirements for Floodways

A generalized method for determining “no-rise” for adopted Works of the District may include the steps below. All model runs shall be in the floodplain (“without floodway”) conditions.

1. Obtain the current effective District model.
2. Run the current effective model. Your results must match that of the current effective model.
3. Add the pre-development cross-sections of channel and overbank geometry (without proposed floodway encroachment). Run the model with pre-development cross-sections.
4. Run the model with the existing permitted and proposed floodway encroachments.
5. The water surface profile obtained in paragraph 4. above (d) should be no greater than the water surface profile obtained in paragraph 3. above (e) by no greater than 0.01 feet.

4.3 State water quality Standards -

All storm water management systems must be designed to provide minimum state water quality ~~treatment~~ treatment requirements. Stormwater can be treated by percolation, evapotranspiration, detention with filtration, or other means to conform with the post-development runoff volumes listed below, whichever is less:

4.5 Erosion Control and Stabilization

The potential for soil erosion is greatly increased when development occurs. This is attributed to stripping of vegetation, land clearing activities, increased runoff volumes and rates, and concentration of surface runoff. The District requires that measures be taken to minimize soil erosion and sediment transport. BMPs from the FSE&SCIM should be designed, constructed, and maintained consistent with the FSE&SCIM such that at all times, erosion and sedimentation from the system, including the areas served by the system, do not cause violations of applicable state water quality standards in receiving waters.

5.4.1 Description

Wet detention systems are permanently wet ponds which are designed to slowly release collected stormwater runoff through an outlet structure. Wet detention systems are the recommended BMP for sites with moderate to high water table conditions. Wet detention treatment systems provide significant removal of both dissolved and suspended pollutants by taking advantage of physical, chemical, and biological processes within the pond. Wet detention ponds are less complex than other BMPs, such as exfiltration systems. Wet detention systems offer an effective alternative for the long term control of water levels in the pond, provide a predictable recovery of storage volumes within the pond, and are easily maintained by the maintenance entity. In addition to providing good removal of pollutants from runoff, wet detention systems also provide other benefits such as flood detention, passive ~~recreation~~ recreational activities adjacent to ponds, storage of runoff for irrigation, and pleasing aesthetics. As stormwater treatment systems, these ponds should not be designed to promote in-water recreation (i.e., swimming, fishing, and boating).

5.7.2 Criteria

The overflow structure of the pond shall be below the top of the pond. An overflow system shall be designed such that it can pass a storm greater than the design storm without damage. The registered professional pond shall ~~have~~ calculate the calculated normal water and 100 year flood elevation of the pond.

Borrow pits shall have at least one boring per two acres spatially arranged throughout the area of the proposed borrow pit. The underlying geology of the site and a subsurface cross section of the project site shall be determined and mapped. Documents shall provide reasonable assurance that the underlying aquifer will not be disturbed. Restoration plans should include detailed descriptions of all vegetative restoration efforts, stem densities of trees to be planted, species of grass to be sown, monitoring efforts and bank stabilization techniques. A survey shall be provided that determines the number and location of active gopher tortoise burrows or historical artifacts. The applicant shall provide an erosion and sediment control plan that provides reasonable assurance that the borrow pit will not erode and encroach on adjacent landowners. Waters diverted around the pit shall be discharge in the same general direction and pre-construction rate. A dewatering plan, if required, shall be the minimum plan required to provide reasonable assurance that water discharged for the site will meet state water quality standards. If the contractor discovers the plan is ineffective, he shall design and implement a plan that is effective.

6.4 Inspections and Reporting

Inspections and reporting shall be in accordance with Section 373.423, F.S., [\(2012\)](#), Chapter 62-330, F.A.C., and Applicant's Handbook Volume I. The permittee and/or ~~Operation operation~~ and Maintenance entity, after receiving prior or reasonable notice, shall give permission and allow district personnel with proper identification, access to the project. District personnel shall inspect, sample, test and review the project as necessary to ensure compliance with the specifications of the application and permit.

6.6 Enforcement

Parts I and IV of Chapter 373, FS, provide for the enforcement of District rules by administrative and civil complaint. The District also has the authority to obtain the assistance of county and city officials in the enforcement of the rules [in accordance with Sections 373.603 and 373.609, F.S., \(2012\)](#). ~~(see Sections 373.603 and 373.609, FS)~~. Any person, who violates any provisions of Chapter 373 or 403, FS, the rules adopted thereunder, or orders of the District, is subject to civil fines or criminal penalties as provided in Section 373.430, FS., [\(2012\)](#).

40B-4

40B-4.1020 Definitions.

(13) “Registered Professional” means a professional registered or licensed by and in the State of Florida and practicing under Chapter 471, 472, 481, or 492, F.S.

(14) through (19) renumbered

40B-4.1030 Implementation.

The implementation dates of this chapter are as follows:

(1) April 1, 1986 for paragraph 40B-4.1040(1)(a) and Rule 40B-4.3040, F.A.C., which require persons to obtain a works of the district ~~development~~ permit if the proposed development is in one of the following areas adopted as a work of the district.

(a) Through (d) no change

(2) July 1, 1986 for paragraph 40B-4.1040(1) (a) or 40B-4.3040, F.A.C., which require persons to obtain a work of the district ~~development~~ permit if the proposed development is in one of the following areas adopted as a work of the district.

(a) and (b) No change

40B-4.1040 Permits Required.

(1) (a) no change

(b) When the need to obtain a works of the district permit is in conjunction with the requirements for obtaining an environmental resource permit, application shall be made and shall be considered by the district as part of the request for an environmental resource permit application. In such cases the environmental resource permit shall include the requirements of this chapter. In instances when requirements of this chapter conflict with requirements to obtain an environmental resource permit, the more stringent requirement shall be followed. Otherwise, a separate works of the district permit must be obtained.

40B-4.1070 Exemptions.

(1)(a) no change

(b) Alterations to the topography of land which shall include, but not be limited to, plowing, bedding, or minor grading, harvesting or regeneration associated with the normal practices of agriculture, silviculture, or horticulture, whether private or commercial provided:

~~1. no~~ ~~Ne~~ fill from outside the immediate area of such alterations is used.

~~2. The erosion of disturbed soils can be controlled through the use of appropriate best management practices.~~

~~3. The seasonal scheduling of such activities will avoid work during times of high flood hazard.~~

~~4. The 75 feet immediately adjacent to and including the normally recognized bank of a water is left in its natural state.~~

(c) through (g) no change

(h) Decorative ~~Decorative~~ landscaping gardens ~~gradens~~ which are above the natural grade of the ground which are less than or equal to 25 square feet of the cross-sectional area of the floodway and of a reasonable size, which are less than or equal to 6 inches above the natural grade of the ground provided that the decorative landscape garden is located outside of the 75 foot setback.

(i) through (j) no change

(k) the removal of non-native, invasive, dead or diseased vegetation

(2) Upon written request, the district will provide written confirmation that projects such as described in subsection 40B-4.1070(1) F.A.C., are exempt. Persons making such requests shall state the provision under which a project is considered exempt and ~~may~~ supply any supporting information to substantiate the request.

40B-4.1090 Documents, Publications and Agreements Incorporated by Reference.

(1) The Governing Board hereby adopts by reference: Final Survey – Review Report Suwannee River Georgia and Florida, July 1989, U.S. Army Corps of Engineers, Jacksonville District used to establish the floodway for the works of the district identified in Chapter 40B-4, Part III, F.A.C. This document may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060.

(2) The following Flood Insurance Studies and digital flood insurance rate maps are hereby incorporated by reference and supersede subsection 40B-4.1090(1), F.A.C., for each county listed below. The documents may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060:

(a) Alachua County, Florida and Incorporated Areas, Effective June 16, 2006. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(b) Baker County, Florida and Incorporated Areas, Effective June 17, 2008. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(c) Bradford County, Florida and Incorporated Areas, Effective May 2, 2012. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(d) Columbia County, Florida and Incorporated Areas, Effective February 4, 2009. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(e) Dixie County, Florida and Incorporated Areas, Effective March 18, 2008. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(f) Gilchrist County, Florida and Incorporated Areas, Revised February 9, 2009. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(g) Hamilton County, Florida and Incorporated Areas, Effective June 4, 2010. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(h) Jefferson County, Florida and Incorporated Areas, Effective July 16, 1991. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(i) Lafayette County, Florida and Incorporated Areas, Effective September 29, 2006. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(j) Levy County, Florida and incorporated Areas, Effective November 2, 2012. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(k) Madison County, Florida and Incorporated Areas, Effective May 3, 2010. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(l) Putnam County, Florida and Incorporated Areas, Effective April 16, 2013. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(m) Suwannee County, Florida and Incorporated Areas, Effective April 16, 2013. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(n) Taylor County, Florida and Incorporated Areas, Effective May 4, 2009. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(o) Union County, Florida and Incorporated Areas, Effective February 4, 2009. This form may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

- (a) ~~Alachua County, Florida and Incorporated Areas, Effective June 16, 2006;~~
- (b) ~~Columbia County, Florida and Incorporated Areas, Effective June 16, 2006;~~
- (c) ~~Dixie County Florida and Incorporated Areas, Effective September 29, 2006;~~
- (e) ~~Hamilton County, Florida and Incorporated Areas, Effective June 4, 2010;~~
- (f) ~~Lafayette County, Florida and Incorporated Areas, Effective September 29, 2006;~~
- (g) ~~Madison County, Florida and Incorporated Areas, Effective May 3, 2010;~~
- (h) ~~Suwannee County, Florida and Incorporated Areas, Effective September 28, 2007;~~
- (i) ~~Taylor County, Florida and Incorporated Areas, Effective May 4, 2009;~~
- (j) ~~Union County, Florida and Incorporated Areas, Effective February 4, 2009;~~
- (k) ~~Bradford County, Florida and Incorporated Areas, Effective May 2, 2012;~~
- (l) ~~Levy County, Florida and incorporated Areas, Effective November 2, 2012;~~
- (m) ~~Jefferson County, Florida and Incorporated Areas, Effective July 16, 1991.~~

(3) ~~The Governing Board hereby adopts by reference the “Florida Stormwater, Erosion and Sedimentation Control Inspectors Manual”, effective July 2008. This is available at District headquarters and on the District’s website.~~

(4) ~~The Governing Board hereby adopts the Applicants’ Handbook Volume II effective August 1, 2013 March 1, 2013. This document may be obtained from the District website at <http://www.srwm.d.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060; This is available at district headquarters and on the District’s website.~~

(5) ~~The Governing Board hereby adopts by reference the “Urban Hydrology for Small Watersheds”, U.S. Department of Agriculture, Soil Conservation Service, Engineering Division, Technical Release 55, June 1986; and, “Buffer Zone Study for Suwannee River Water Management District”, Dames and Moore, September 8, 1988. This is available at district headquarters and on the District’s website.~~

(6) ~~The Governing Board hereby adopts by reference the “Standard Methods for the Examination of Water and Wastewater” by the American Public Health Association or “Methods for Chemical Analysis of Water and Wastes” by the U.S. Environmental Protection Agency. This is available at district headquarters and on the District’s website.~~

(4) (7) ~~The Governing Board hereby adopts by reference the latest version of the “Florida Standard Specification for Road and Bridge Construction”. This document may be obtained from the District website at <http://www.srwm.d.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060; This is available at district headquarters and on the District’s website.~~

40B-4.1100 Duration of Permits.

(1) No change

~~(2) Permits may be authorized with durations that are less than the standard durations found in subsection 40B-4.1100(1), F.A.C~~

(2) and (3) renumbered

40B-4.1110 Modification of Permits.

(1) No change.

(2) The district has the authority to may modify a permit issued pursuant to this chapter at any time if it determines that work or development in a work of the district is in violation of any district rule, order or a condition of the permit and has or may become a danger to public health or safety, ~~or is in violation of any district rule or order or the conditions of the permit.~~ Before any such modification, the district shall give affected persons notice of the proposed modification with the reasons for such modification and reference to applicable district rule, order, or permit conditions. The notice shall state that affected persons may request an administrative hearing by filing a petition for such hearing with the district. In no event shall the time for filing said petitions be more than 14 days from the date the notice was sent or published, and no such modification shall be made without a hearing if requested.

(3) When If the executive director determines that the danger to the public is imminent or that violations to these rules will result in adverse impacts to adjacent landowners, he shall may order a temporary suspension of

construction, alteration, repair, or operation of the work or development in a work of the district; or he shall may specify temporary conditions for continued operation, alteration, repair, or development until a hearing is complete or the district otherwise issues a final order; or the executive director may take appropriate action pursuant to Rule 40B-4.1170, F.A.C.

(4) Requests to modify permits for construction or operation may be made by application or by letter. Applications to modify permits shall may be made by permittees in the same manner as the original permit. Letter requests to modify permits shall be used if the proposed modification does not:

- (a) Request a substantial change in the permit authorization; or
- (b) Increase calculated 100 year flood/one percent chance elevations.

~~(5) Requests to modify permits for construction or operation may be made by , applications may be filed by letter request provided the modification does not:~~

- ~~(a) Request a substantial change in the permit authorization; or~~
- ~~(b) Increase calculated 100 year flood/one percent chance elevations.~~

40B-4.1120 Revocation of Permits.

(1) The district shall may revoke a permit if it determines that a work or development in a work of the district is in violation of any district rule, order or condition of the permit and has become a danger to the public health or safety. ~~or is in violation of any district rule or order or the conditions of the permit.~~

(2) No change.

40B-4.1130 Transfer of Permits.

(1) Noticed General, General, and Conceptual works of the district permits shall automatically transfer to the operation and maintenance entity upon completion of the permitted work or development or to the new owner upon his taking title to the lands involved in such a permit. No notice to the district shall be required for such transfers unless specifically required as a limiting condition on the permit.

(2) Individual, and abandonment permits shall not be automatically transferred. Individual permits shall be transferred following the criteria in the Applicant's Handbook Volume II and chapter 62-330, F.A.C. Abandonment permits will not become effective until the owner or his authorized agent certifies that all facilities have been removed in accordance with the permit. Within 30 days after the completion of the removal of the work or development in a work of the district, the owner or his authorized agent shall complete As-Built Certification Form 40B-1.901A. This document may be obtained from the District website at <http://www.srwm.d.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060. When the completed removal of the work or development in a work of the district differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed form shall serve to notify the District that the removal ~~construction~~ of the work or development in a work of the district is complete and ready for inspection. ~~After completion of construction or removal of the work or development in a work of the district, and any required approvals by the district, the district will transfer the operational and maintenance phase of the permit to the accepted operation and maintenance operational entity identified in the permit. When a new entity becomes the owner of the system, the permittee and new owner shall notify the District of the sale and new entity responsibilities. The District shall transfer the permit to the new operation and maintenance entity.~~

40B-4.1140 Limiting Conditions on Permits.

(1) through (2)(a) No change.

(b) Immediately prior to, during construction, and for the period of time after construction to allow for stabilization of all disturbed areas, the permittee shall implement and maintain performance based erosion and sediment control best management practices. All best management practices shall be in accordance with the guidelines and specifications described in the State of Florida Stormwater, Erosion and Sedimentation Control Inspectors Manual. This document may be obtained from the District website at

<http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060. If project-specific conditions require additional measures beyond those specified in the erosion and sediment control plan, if approved as part of the permit, the permittee shall implement the additional best management practices as necessary. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources or adjacent properties.

(c) Water quality data representative of the water discharged from the permitted work or development in a work of the district, including, but not limited to, the parameters in Chapter 62-302, F.A.C., shall be submitted to the district as required. If water quality data is required, the permittee shall provide data as required on the volume and rate of discharge including the total volume discharged during the sampling period. All water quality data shall be in accordance with and reference the specific method of analysis in “Standard Methods for the Examination of Water and Wastewater” by the American Public Health Association or “Methods for Chemical Analysis of Water and Wastes” by the U.S. Environmental Protection Agency. These documents may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060.

(d) Noticed general and general permits shall be transferred to the operational and maintenance phase automatically upon the completion of the work or development in a work of the district. The operational and maintenance phase of individual permits shall be transferred following the criteria in the Applicant’s Handbook Volume II and chapter 62-330, F.A.C. and Abandonment ~~abandonment~~ permits will not become effective until the owner or his authorized agent certifies that all facilities have been removed ~~constructed~~ in accordance with the ~~design permit~~ permitted by the district. ~~Such as-built certification shall be made by a registered licensed professional.~~ Within 30 days after the completion of the removal ~~construction or independent portion~~ of the work or development in a work of the district, the owner or his authorized agent shall complete As-Built Certification Form 40B-1.901A (8). ~~The permitted Operation and Maintenance Entity Shall complete As-built Certification Form 40B-1.901B (9). The registered professional shall submit a written statement of completion and certification, using As-Built Certification Form No. 40B-1.901C (10).~~ When the completed removal of the work or development in a work of the district differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed form shall serve to notify the District that the removal ~~construction~~ of the work or development in a work of the district is complete and ready for inspection. ~~The statement of completion and certification shall be based on on-site observations conducted by the registered licensed professional, or under his or her direct supervision or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown.~~ The plans must be clearly labeled as “as-built” or “record” drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor.

(e) The operation phase of individual and abandonment permits shall not become effective until the permittee has complied with the requirements of the condition in the paragraph above. ~~the District determines the work or development in a work of the district to be in compliance with the permitted plans, and the operation and maintenance entity approved by the District accepts responsibility for operation and maintenance of the system. The permit may not be transferred to the such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the approved responsible operation and maintenance operating entity if different from the permittee.~~ Until the permit is transferred pursuant to Rule 40B-4.1130, F.A.C., the permittee shall be liable for compliance with the terms of the permit.

(f) through (k) No Change

(l) Each phase or independent portion of the permitted work or development ~~development~~ in a work of the district must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the work or development. Each phase or independent portion of the work or development must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the work or development to an approved entity.

(m) no change

(n) ~~Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.~~

(o) through (p) renumbered

~~(q) (s) The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted work, development, or the real property at which the work or development is located.~~ All transfers of ownership or transfers of a permit are subject to the requirements of Rule 40B-4.1130, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.

(r) through (t) renumbered

(3) no change

40B-4.1150 Emergency Authorization.

(1) Permission to begin the construction of the work or development in a work of the district prior to the issuance of a permit may be requested in writing when emergency conditions exist which justify the request. However, no such permission shall be granted unless the requested work or development in a work of the district is part of a work of the district application which is already under consideration for a permit under this chapter. A serious set of unforeseeable circumstances must exist to create an emergency. Mere carelessness, financial hardship, or lack of planning on the part of the applicant shall not be sufficient grounds to warrant the granting of an emergency authorization.

(2) The executive director shall may grant emergency authorization at his discretion. The emergency authorization shall be presented to the board at its next regularly scheduled meeting. Failure to receive the board's concurrence shall immediately invalidate the emergency authorization.

40B-4.1170 Inspections and Enforcement.

(1) Inspections will be in accordance with Section 373.423, F.S., and Section 6.4 of the Applicants' Handbook Volume II.

(2) Enforcement will be in accordance with Chapter 373, F.S., and Section 6.6 of the Applicants' Handbook Volume II.

40B-4.3010 Works of the District Permits.

(1) A noticed general works of the district permit shall may be granted pursuant to the procedures in Rule 40B-1.703, F.A.C., to any person for a single family work or development in a work of the district described below:

(a) through (c) no change

(d) Driveways ~~Silviculture roads, driveways~~, sidewalks and paths which are, at the driving or walking surface, less than or equal to 1 foot above the adjacent natural ground elevation and are located outside of the 75 foot setback.

(e) ~~Decorative~~ Decorative landscaping ~~gardens gradens which are above the natural grade of the ground which are less than or equal to 50 square feet of the cross-sectional area of the floodway and of a reasonable size, which is less than or equal to 1 foot above the natural grade of the ground provided the decorative landscape is~~ located outside of the 75 foot setback.

(f) No change

(2) A noticed general works of the district permit shall may be granted pursuant to the procedures in Rule 40B-1.703, F.A.C., to any governmental agency for projects which are solely for the restoration of natural resources.

(3) A general works of the district permit shall may be granted pursuant to the procedures in Rule 40B-1.703, F.A.C., to any person for a single family work or development in a work of the district described below:

(a) through (i) no change

(4) An individual work of the district permit shall may be granted pursuant to the procedures in Rule 40B-1.703, F.A.C., to any person for work or development in a work of the district described below. Individual work of the district permits shall adhere to the requirements in Parts II, II and IV of the Applicants Handbook Volume II and

Chapter 62-330, F.A.C., in addition to the requirements of this chapter.

- (a) and (b) no change
- (5) no change

40B-4.3020 Content of Works of the District Permit Applications.

(1) no change

(a) Form 40B-4.3020, “Application for a Work of the District Permit for District Floodways,” This document may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060. The application form contains the following: ~~This form is available at District headquarters and on the District’s website at www.mysuwanneeriver.com.~~

1. through 3. No change.

(b) No change.

(c) For noticed general work of the district permits, a site plan to scale showing all improvements, works, or development prepared by the applicant or his agent. For general work of the district permits, a site plan to scale showing all improvements, works or development with any conditions or limitations placed thereon prepared by a registered ~~licensed~~ professional including plan and profile views with relevant elevations noted such as the elevation of the lowest structural member and benchmark shown. For both noticed general and general work of the district permits, the site plan shall show the location of all trees to be removed which are greater than six inches diameter as measured at four feet, six inches above the natural ground;

(d) For noticed general work of the district permits a building plan prepared by the applicant or his agent. For general work of the district permits, a building plan prepared or submitted by a registered ~~licensed~~ professional showing profile and detail views of the pilings, the elevation of the lowest structural member, and any building components within the area below the 100-year flood/one percent annual chance of flood elevation; and

(e) ~~Calculations Any supporting calculations~~, designs, surveys, ~~and or~~ applicable documents, which ~~may~~ support the application.

(f) through (h) no change

(2) (a) through (b) no change

(c) A site plan to scale showing all improvements, work, or works with any conditions or limitations placed thereon prepared or submitted by a registered ~~licensed~~ professional.

(d) ~~Calculations Any supporting calculations~~, designs, ~~and or~~ surveys, prepared ~~or submitted~~ by a registered ~~licensed~~ professional ~~and or~~ applicable legal documents, which support the application.

(e) through (h) No change.

40B-4.3030 Conditions for Issuance of Works of the District ~~Development~~ Permits.

(1) (a) no change

(b) ~~Any proposed Proposed~~ project that requires an environmental resource permit pursuant to Chapter 62-330, F.A.C. For such projects, works or development in a work of the district ~~shall may~~ be authorized as part of the environmental resource permit issued. In such cases, the ~~work or development in a works of the district environmental resource permit~~ shall meet the conditions of issuance found in Chapter 62-330, F.A.C., and this chapter.

(c) through (f) no change

(2) through (8) no change

(9) For any work or development in a work of the district which requires a general, conceptual, or individual permit, the district shall require that a registered ~~licensed~~ professional certify that such a work or development will not obstruct flows or increase 100-year flood/one percent annual chance of flood elevations by more than 0.01 feet. Such certification shall include step-backwater calculations using the 100-year flood/one percent annual chance of flood discharge rate. The certification shall include, at a minimum, a location map showing existing and added channel cross sections, a scaled graphical representation of channel geometry for each cross section used in the calculation, a scaled graphical representation of floodway encroachments for pre-development and post-

development conditions, pre-development calculations matching existing conditions, and post-development calculations showing the rise in flood elevation.

(10) Proposed boat ramps, seawalls, retaining walls, and rip-rap within a work of the district shall be designed by a registered ~~licensed~~ professional. Plans for these structures shall provide for erosion, sedimentation and turbidity control.

(11) through (13) no change

(14) Upon the request of the Permittee, the ~~The~~ governing board ~~has the authority to~~~~shall~~, in cases of extreme hardship, authorize a variance and issue a works of the district permit for exceptions to the conditions listed in paragraphs 40B-4.3030(2)-through (13), F.A.C., in accordance with section 120.542, F.S. and Chapter 373.414(17), F.A.C. These documents may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060;

(15) The 75-foot setback shall be considered a minimum depth for an undisturbed buffer. The limitations on disturbance and clearing within the buffer as set out in paragraphs (11) through (13) above shall apply, and any runoff through the buffer shall be maintained as unchannelized sheet flow. The actual depth of the setback and buffer for any land use other than single-family residential development, agriculture, or forestry shall be calculated in accordance with the methodology in: “Urban Hydrology for Small Watersheds”, U.S. Department of Agriculture, Soil Conservation Service, Engineering Division, Technical Release 55, June 1986; and, “Buffer Zone Study for Suwannee River Water Management District”, Dames and Moore, September 8, 1988.; This document may be obtained from the District website at <http://www.srwmd.state.fl.us/DocumentCenter/Index/37>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida, 32060. When calculating the setback, ~~such that~~ the post-development composite curve number for any one-acre area within the encroachment line does not exceed:

1. through 4. No change.

40B-4.3035 Minimum Operation and Maintenance Standards.

(1) The permittee or operation and maintenance entity shall ~~regularly~~ inspect and ~~maintain~~ ~~maintian~~ the work or development to insure that:

(a) through (b) no change

(c) All structures within the work or development shall remain in an operable condition and shall be ; free of obstruction and sediment. ~~, and, where appropriate, secure from vandalism or unauthorized operation.~~

MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Senior Professional Engineer

DATE: May 29, 2013

RE: Request for Approval and Authorization submit the 2013-2014 Annual Regulatory Plan to the Office of Fiscal and Regulatory Reform

RECOMMENDATION

Staff recommends the Governing Board:

- 1. Approve the 2013-2014 Annual Regulatory Plan.**
- 2. Authorize Staff to submit the 2013-2014 Annual Regulatory Plan to the Office of Fiscal Accountability and Regulatory Reform (OFARR), Joint Administrative Procedure Committee (JAPC), the Speaker of the House and the Senate President.**

BACKGROUND

Executive Order 11-72, section 7 requires state agencies to annually submit their regulatory plan the OFARR, JAPC, the Speaker of the House and the Senate President in order that they may have an expectation of the rules that will be updated and/or created. The agency is not required to complete all items on the plans, however, any changes or initiation of rules should be listed on the plan before the agency moves forward with rulemaking.

A copy of the 2013-2014 Annual Regulatory Plan is attached to this memorandum.

/rl

Suwannee River Water Management District								
2013-2014 Annual Regulatory Plan								
Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40B-1.706	General and Procedural Rules	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Consistency with Statewide CUPcon and SWERP	General	Update fee schedule.	SERC	No
40B-1.901	General and Procedural Rules	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Consistency with Statewide CUPcon and SWERP	General	Remove forms and possibly remove section.	None	No
40B-2	Permitting of Water Use	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Consistency with the Statewide CUPcon rulemaking.	Permitting of Water Use	Update various permitting rules to be consistent with other WMDs and FDEP.	SERC	No
40B-3	Permitting of Well Construction	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Consistency with Statewide CUPcon rulemaking	Permitting of Well Construction	Update various permitting rules to be consistent with other WMDs and FDEP.	SERC	No
40B-7	TBD	New Rule	Non-mandatory Statutory Change	Consistency with Statute	Adopt a small business program consistent with 373.1135, F.S., to assist and support small businesses and to foster economic development.	Adopt a small business program consistent with 373.1135, F.S., to assist and support small businesses and to foster economic development.	None	No
40B-8	Minimum Flows and Levels	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Update Minimum Flows and Levels	Minimum Flows and Levels	Update various rules	None	No
40B-9	Water Management Lands Acquisition Procedures	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Update rules and fees	Water Management Lands Acquisition Procedures	Update Public Use Guide and Fee schedule	SERC	No
40B-21	Water Shortage Plan	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Update rules	Water Shortage Plan	Update various rules	None	No
40B-400.091	Environmental Resource Permits	Rule Amendment	Statutory Mandate (federal or state) (Include effective date)	Consistency with Statewide SWERP rulemaking (2012)	Environmental Resource Permits	Update permitting rules to be consistent with other WMDs and FDEP.	SERC	No

MEMORANDUM

TO: Governing Board
 FROM: Tim Sagul, P.E., Division Director, Resource Management
 DATE: May 27, 2013
 RE: Permitting Summary Report

Environmental Resource Permitting (ERP) Activities

Permit Review

The following table summarizes the environmental resource permitting activities during the month of April

April 2013	Received					
ERP	Noticed General	General	Individual	Conceptual	Exemption Requests	Extension Requests
	11	8	1	0	5	0
	Issued					
	Noticed General	General	Individual	Conceptual	Exemptions Granted	Extensions Granted
	9	4	1	0	3	0

The following Individual Environmental Resource Permit was issued by staff, pursuant to 373.079(4)(a), Florida Statutes.

File Number	Project Name	County	Issue Date
ERP13-0026	Providence Road Construction Project/ US Hwy 19 Turn Lane	Taylor	4/1/2013

The following Environmental Resource Permit was issued with Accelerated Permit Review (APR) process, which reduces the time a permit is reviewed from 30 days to two business days. These permits met certain criteria and rules and conditions of issuance as listed in Chapter 40B-4 and 40B-400, Florida Administrative Code

File Number	Project Name	County	Issue Date
ERP07-0484M2	Lake City Neurological Institute	Columbia	5/17/13

Inspections and as-built certification

The following chart shows staff activity on projects that have been permitted from January 1, 2010 to April 30, 2013.

	Issued	Under Construction	Operation & Maintenance*	Construction Inspections	As-built Inspections
Permit Type				April 2013	April 2013
Exempt	182	149	33	0	0
Noticed General	423	295	128	6	0
General	368	210	158	2	0
10-2 Self Certifications	26	24	2	0	0
Individual	56	34	22	1	0

Conceptual	3	3	0	0	0
TOTAL	1058	715	343	9	0
PERCENT		68%	32%		

*O& M includes permits that have expired and were not constructed.

Water Use Permitting and Water Well Construction

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

April 2013	Received		Issued
Water Use Permits	28		25
Water well permits issued: 139			
Abandoned/destroyed	23	Livestock	2
Agricultural Irrigation	16	Monitor	8
Aquaculture	0	Nursery	1
Climate Control	0	Other	0
Fire Protection	0	Public Supply	1
Garden (Non Commercial)	0	Self-supplied Residential	82
Landscape Irrigation	5	Drainage or injection	0
Commercial or Industrial	0	Test	1

**Rulemaking Schedule
April 2013**

40B-2.301

Reuse

GB Rule Dev. Auth.	2/14/12
Notice of Rule Dev.	3/2/12
GB Proposed Rule Auth.	9/11/12
Notice of Proposed Rule	9/21/12
Public Workshop	10/11/12
Send to JAPC	11/12/12
Sent to OFARR	1/14/13
GB Notice of Change	3/20/13
Mail to DOS	
Effective Date (tentative)	

40B-1, 40B-4, 40B-400

Statewide Environmental Resource Permitting (SWERP)

GB Rule Dev. Auth.	9/11/12
Notice of Rule Dev.	9/28/12
GB Proposed Rule Auth.	11/15/12
Notice of Proposed Rule	3/22/2013
Send to JAPC	4/5/2013
Mail to DOS (tentative)	
Effective Date (tentative)	

40B-1, 40B-2, 40B-8, 40B-21

CUPcon

GB Rule Dev. Auth.	5/29/12
Notice of Rule Dev.	7/20/12
GB Proposed Rule Auth.	5/16/13
Notice of Proposed Rule	
Send to JAPC	
Mail to DOS (tentative)	
Effective Date (tentative)	

MEMORANDUM

TO: Governing Board
FROM: Tim Sagul, P.E., Division Director, Resource Management
DATE: May 29, 2013
RE: Enforcement Status Report

Matters Staff is attempting to gain compliance without enforcement action

Respondent	Justin M. Fitzhugh
Enforcement Number / County	CE05-0046 / Columbia
Violation	Non-Functioning Stormwater Management System & Failure to Submit As-Builts
Legal Counsel	Brannon, Brown, Haley & Bullock
Date Sent to Legal	July 1, 2010
Target Date	Ongoing
Legal Fees to date	\$2,111 (approximate)

This violation is for a non-functioning surface water management system and failure to submit as-built certification forms.

Staff inspected site on March 7, 2013. Vegetation cleared, the retention pond is still not in compliance. Staff contacted new owner, Joe Peurrung. Mr. Peurrung expects to submit a modification by June 30, 2013.

July 2013 Board for update and possible action.

Respondent	Derrick Freeman
Enforcement Number / County	CE08-0043 / Suwannee
Violation	Unpermitted Structure in Floodway
Legal Counsel	Brannon, Brown, Haley & Bullock
Date sent to Legal	August 9, 2010
Target Date	Ongoing
Legal Fees to date	\$667 (approximate)

This violation is for construction of a structure in the floodway.

Mortgage Company is aware of the outstanding violations existing on the property. Freeman has filed a Suggestion of Bankruptcy and the finalization of the foreclosure matter is on hold until either the bankruptcy is resolved or the mortgage company is given authorization to proceed with the foreclosure.

Counsel is awaiting status report from mortgage company attorney. The bank is proceeding with an in rem foreclosure action. Counsel will work with the bank's attorneys in an effort to have the bank cure the outstanding violations on the property.

Staff conducted a site visit on May 16, 2013. The structure in the floodway has been removed. The property is now owned by Wells Fargo Bank. The enforcement file will be closed.

Respondent	Richard Oldham
Enforcement Number / County	CE10-0024 / Bradford
Violation	Unpermitted Pond & Deposition of Spoil Material
Legal Counsel	Brannon, Brown, Haley & Bullock, P.A.
Date sent to legal	October 13, 2011
Target Date	Ongoing
Legal Budget / Legal Fees to date	\$5,000 / \$2,473

This violation is for construction of a pond without a permit and deposition of spoil material in a flood area.

Richard Oldham and Diana Nicklas were served with an Administrative Complaint and Order and the time for filing a petition for hearing lapsed.

Counsel has filed a Petition for Enforcement in the Circuit Court for Bradford County and will have Oldham and Nicklas personally served upon receipt of the summons from the Clerk. Awaiting service on Respondents.

July 2013 Board for update and possible action.

Respondent	Larry R. Sigers
Enforcement Number / County	CE08-0072 / Columbia
Violation	Unpermitted Dredge & Fill
Legal Counsel	Robinson, Kennon & Kendron, P.A.
Date sent to legal	October 5, 2011
Target Date	March 12, 2012
Legal Budget / Legal Fees to date	\$7,500 / \$7,517.00

A Consent Agreement was entered into with Mr. Sigers as a result of violations of District Rules. The replanting has failed and staff has contacted Mr. Sigers. To date there has been no response from Mr. Sigers.

July 2013 Board for update and possible action.

Respondent	Rodney O. Tompkins
Enforcement Number / County	CE11-0001 / Gilchrist
Violation	Unpermitted Water Use
Legal Counsel	Tommy Reeves, P.A.
Date sent to legal	October 3, 2011
Target Date	September 11, 2012
Legal Budget / Legal Fees to date	\$4,800/\$4,627

The respondent has at least one irrigation well on property and has no water use. For over two years staff has worked with property owner to submit applications for such well(s).

The Governing Board authorized the Executive Director to file an Administrative Complaint at its September 2012 Board meeting. Mr. Tompkins was served by the Gilchrist County Sheriff's Office. Mr. Tompkins's attorney requested mediation re: Chapter 70, FS. Enforcement actions have been stayed as the respondent has agreed to submit an application for permit. Respondent has submitted information for a Water Use Permit and staff is working with Respondent with an April 30, 2013 deadline.

June 2013 Board for update and possible action.(Ask Tim)

Respondent	Cannon Creek Airpark
Enforcement Number / County	CE05-0031/ Columbia
Violation	Unpermitted Construction
Legal Counsel	Tommy Reeves
Date sent to legal	February 2006
Target Date	In Permit Process
Legal Fees to date	\$7,048.50

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

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

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

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

A permit for this project was issued on August 6, 2012. Staff is still working with Columbia County on the associated Interlocal Agreement. **No change since last report.**

July 2013 Board for update and possible action.

Matters the Governing Board has directed staff to take enforcement

Respondent	Charlie Hicks, Jr.
Enforcement Number / County	CE07-0087 / Madison County
Violation	Unpermitted Construction in Floodway
Legal Counsel	Brannon, Brown, Haley & Bullock, P.A
Date sent to legal	October 30, 2008
Target Date	Ongoing
Legal Fees to date	\$21,536.50

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

The nonjury trial on damages was conducted on April 3, 2012. The Court entered its Final Judgment awarding the District a total amount of \$31,794.07, which consisted of a \$10,000 penalty, an award of attorneys' fees of \$19,454.50, and legal and investigative costs totaling \$2,339.57. Counsel is proceeding in executing on the judgment. **No change since last report.**

Legal Counsel working with Sherriff for sale date. July 2013 Board for update

Respondent	Steven Midyette
Enforcement Number / County	CE07-0065 / Gilchrist County
Violation	Unpermitted Clearing & Filling of Wetlands & Unpermitted Construction
Legal Counsel	Brannon, Brown, Haley & Bullock, P.A
Date sent to legal	September 9, 2008
Target Date	Ongoing
Legal Fees to date	\$9,190

The is an ongoing enforcement case which involved clearing of wetland vegetation within a riverine wetland slough without a permit, filling in wetlands and constructing a boat ramp within a riverine wetland slough without a permit.

A Complaint was filed with the Circuit Court of Gilchrist County and it was served on Mr. Midyette on March 30, 2011. There have been several status conferences with the latest being October 30, 2012.

The majority of remedial work has been accomplished. The parties are currently negotiating the attorneys' fees and costs and penalty amount to be paid by Midyette and the procedure for payment of the agreed upon amount. **No change since last report.**

Mitigation has been completed, staff to verify. On May 16, 2013, the District received partial reimbursement for fees and costs in the amount of \$2,000. Legal Counsel drafting Consent Order. July 2013 Board for update and possible action.

Respondent	EI Rancho No Tengo, Inc.
Enforcement Number / County	CE05-0017 / Columbia
Violation	Unpermitted Construction
Legal Counsel	Tommy Reeves
Date sent to legal	January 2006
Target Date	April 30, 2012
Legal Fees to date	\$251,932

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

The Sheriff's Sale of Defendant's real property pursuant to two writs of execution occurred on May 3, 2011. The Executive Director and Counsel were present at the sale. After an opening bid by Jeffrey Hill of ten dollars, Mr. Still bid \$390,000, which was also the highest bid. Twenty-two minutes prior to the sale, Jeffrey Lance Hill, Sr., filed a chapter 12 case with the U.S. Bankruptcy Court in Jacksonville, Florida. Counsel has since consulted with Lance Cohen, a bankruptcy attorney in Jacksonville, whom the District retained in 2008 when EI Rancho No Tengo, Inc., filed a bankruptcy case. Mr. Cohen is of the opinion that because Mr. Hill filed for bankruptcy prior to the Sheriff's Sale, the District's interest in quieting title would best be served in bankruptcy court. Therefore, Staff has directed Counsel to work with Mr. Cohen again to efficiently and expeditiously secure title to the land in the District.

On March 22, 2012, the Bankruptcy Court granted the District's motion to dismiss the Chapter 12 bankruptcy case filed by Jeffrey Hill. On March 28, 2012, District staff recorded the Sheriff's deed with the Columbia County Clerk's Office.

On May 16, 2012, Mr. Hill filed a Notice of Appeal of the Bankruptcy Court's May 3rd Order. The District's bankruptcy counsel, Lance Cohen, is responding to the appeal. Staff was directed to meet with the newer Board members individually to bring them up to date and after this was done to schedule a meeting with Mr. Hill, Mr. Williams and Mr. Reeves to discuss possible settlement. The parties have met, but a settlement was not reached.

The District's bankruptcy counsel, Lance Cohen, filed an Answer Brief on September 10, 2012, in Jeffrey Hill's appeal of the Bankruptcy Court's dismissal of his Chapter 12 case. The case is now fully briefed and, therefore, either oral argument or a written decision should occur or be issued before the end of the year. **No change since last report.**

Plaintiff	Jeffrey L. Hill, Sr. and Linda P. Hill
Enforcement Number / County	CE11-0045 / Columbia
Violation	NA
Legal Counsel	SRWMD Insurance Legal Counsel
Date sent to legal	August 2011
Target Date	Ongoing
Legal Fees to date	\$9,550

This is not a District enforcement matter, but appears to have been prompted by one. This matter concerns a circuit court complaint recently filed against the District by Jeffrey and Linda Hill arising out of the District's enforcement litigation against El Rancho No Tengo, Inc. In summary, the Complaint alleges that the District has violated Plaintiffs' personal and property rights, acted with recklessness and malice, taken Plaintiffs' personal and property, forced Mr. Hill into bankruptcy, and caused Plaintiffs psychological and emotional harm. The request for relief includes returning all real and personal property taken, permanently enjoining the District from taking Plaintiffs' property, damages in the amount of \$1,000,000.00, renewal and reinstatement of a writ dated August 4, 1991, and costs and attorney's fees. District Counsel has responded by filing a motion to dismiss, strike and for more definite statement. Counsel is currently researching whether a judgment on the merits may also be available at this stage of the proceeding. In any event, Counsel will soon request a hearing on the District's motion(s).

On October 20, 2011, Plaintiffs served an Amended Complaint to which Counsel responded by serving an Amended Motion to Dismiss and Strike. Counsel also provided a draft Motion to Award [\$57.105, F.S.] Attorney's Fees to Plaintiffs on November 17, 2011. Counsel attended a hearing on the District's amended motion to dismiss and strike the amended complaint on December 9, 2011. The Court dismissed three counts of Hills' amended complaint and struck three more, but also gave the Hills 30 days from the date the order is signed to file a second amended complaint.

Counsel drafted and delivered an order to the Hills for review and comment on December 19, 2011. Comments on the draft order are due from the Hills to Counsel on December 22, 2011, at which time Counsel will send a proposed order to Judge Parker. Once a second amended complaint is filed by the Hills, Counsel will prepare an answer with affirmative defenses.

Rather than commenting to Staff Counsel on the District's draft proposed order, Plaintiff's filed their "Objection to Proposed Order," but not before Staff Counsel submitted the District's

proposed order to Judge Parker on December 26, 2011. Thereafter, the District's proposed order was entered and Plaintiffs filed a timely motion for rehearing. On January 25, 2012, this case was transferred from Staff Counsel Jennifer Springfield to Staff Counsel Lindsey Lander. In February, this case was transferred to the District's Insurance Claim Services.

A hearing was set for October 5, 2012, regarding the Plaintiffs Motion for Rehearing on the Court's order dismissing and striking the amended complaint and allowing Plaintiffs 30 days leave to file a second amended complaint. **No change since last report.**

Respondent	Linda Fennell (Buckles)
Enforcement Number / County	CE06-0107 / Lafayette
Violation	Unpermitted Construction in Floodway
Legal Counsel	Brannon, Brown, Haley & Bullock, P.A
Date sent to legal	July 2009
Target Date	Ongoing
Legal Fees to date	\$13,610

This violation is for construction of structures within the regulatory floodway without a works of the district permit. This matter is ongoing in the Lafayette County Circuit Court.

Staff Counsel is negotiating a settlement proposal with Fennell's attorney, which would require removal of the dock, payment of the District's costs and attorneys' fees, and application of a deed restriction or similar instrument allowing the home to stay within the 75-foot setback for the duration of Fennell's ownership. The settlement proposal, if accepted by Fennell, will be brought to the Governing Board for approval. **Trial has been set for October 22 -23, 2013. July 2013 Board for update and possible action.**

Respondent	Jeffrey Hill / Haight Ashbury Subdivision
Enforcement Number / County	CE04-0003 / Columbia
Violation	Not Built in Accordance with Permitted Plans
Legal Counsel	
Date sent to legal	May 2006
Target Date	Ongoing
Legal Fees to date	\$13,176

This enforcement activity has been ongoing for several years. At the hearing on January 31, 2011, the Court granted the District's motion for summary judgment in this case. The judge's order requires Mr. Hill to comply with the corrective actions specified in the District's final order, imposes a civil penalty, and awards the District its costs and attorney's fees.

Since the Bankruptcy Court's automatic stay is no longer in effect due to the dismissal of Jeffrey Hill's Chapter 12 case (see above discussion under Suwannee River Water Management District v. El Rancho No Tengo, Inc.), Counsel intends to ask the Court to schedule another case management conference, as well as a hearing to determine the civil penalty amount and the amount of the District's costs and attorney's fees, all of which have already been awarded.

During the pendency of the bankruptcy proceeding, Staff Counsel drafted an agreement between the District and the County setting forth the County's offer to obtain the necessary legal access and perform the correction action required on the stormwater management system. Thereafter, the District would transfer the permit to the County as the perpetual operation and maintenance entity. In exchange for the County's assistance, and other actions agreed to by the County to help the District resolve two other long-standing ERP violations, the District

contemplates donating an approximate 42-acre parcel of land on Alligator Lake that adjoins County-owned property.

Columbia County Attorney, Marlin Feagle, has reviewed the draft interlocal agreement and County Manager is still interested in pursuing this approach. **Staff to follow up with County.**

Respondent	Jeffrey Hill / Smithfield Estates-Phase 1
Enforcement Number / County	CE04-0025 / Columbia
Violation	Not Built in Accordance with Permitted Plans
Legal Counsel	Tommy .Reeves
Date sent to legal	May 2006
Target Date	June 30, 2012
Legal Fees to date	\$13,176

This enforcement activity has been ongoing for several years. At the hearing on January 31, 2011, the Court granted the District's motion for summary judgment in this case. The judge's order requires Mr. Hill to comply with the corrective actions specified in the District's final order, imposes a civil penalty, and awards the District its costs and attorney's fees.

Since the Bankruptcy Court's automatic stay is no longer in effect due to the dismissal of Jeffrey Hill's Chapter 12 case (see above discussion under Suwannee River Water Management District v. El Rancho No Tengo, Inc.), Counsel intends to ask the Court to schedule another case management conference, as well as a hearing to determine the civil penalty amount and the amount of the District's costs and attorney's fees, all of which have already been awarded.

During the pendency of the bankruptcy proceeding, Staff Counsel drafted an agreement between the District and the County setting forth the County's offer to obtain the necessary legal access and perform the correction action required on the stormwater management system. Thereafter, the District would transfer the permit to the County as the perpetual operation and maintenance entity. In exchange for the County's assistance, and other actions agreed to by the County to help the District resolve two other long-standing ERP violations, the District contemplates donating an approximate 42-acre parcel of land on Alligator Lake that adjoins County-owned property.

Columbia County Attorney, Marlin Feagle, has reviewed the draft interlocal agreement and County Manager is still interested in pursuing this approach. **Staff to follow up with County.**

MEMORANDUM

TO: Governing Board
FROM: Ann B. Shortelle, Ph.D., Executive Director
DATE: May 28, 2013
RE: Approval of Tentative Fiscal Year 2014 Millage and Budget

RECOMMENDATION

Staff recommends the Governing Board approve the Tentative Fiscal Year (FY) 2014 Budget of \$23,288,415 and authorize staff to notify the Property Appraisers of the District's 15 counties that: (1) the District proposes to levy a millage rate of 0.4143; (2) the District will hold one public hearing on September 10, 2013, at 5:30 p.m. to tentatively adopt the FY 2014 budget and establish the millage rate; and (3) will hold a second public hearing on September 24, 2013, at 5:30 p.m. to adopt the FY 2014 budget and establish the millage rate.

BACKGROUND

Section 373.536(2), Florida Statutes, requires the District budget officer, on or before July 15 of each year, to submit for consideration by the Governing Board of the District a tentative budget for the District covering its proposed operation and requirements for the ensuing fiscal year.

The FY 2014 Tentative Budget is represented as follows:

- Depicts an operational budget of \$23,288,415
- Separates funds carried forward and reserves;
- Is consistent with the other water management districts' budget processes; and
- Will be reported to the Governor's office by August 1, 2013.

Further refinements of fund allocations and areas of emphasis within the budget may be changed between now and September 10, 2013, as deemed appropriate by the Governing Board, Executive Office of the Governor, and the Florida Legislature. A summary of all District

funds as well as a breakout of fund allocations by Programs and Activities per the Governor's office designations is included in the two attachments to this memorandum.

The major milestones in the budget adoption process for FY 2014 are as follows:

June 11, 2103	Tentative Budget and Millage recommended to Governing Board
July 15, 2013	Millage provided to Property Appraisers
August 1, 2013	Tentative Budget submitted to Governor's Office
September 10, 2013	First Public Hearing on FY 2014 Budget
September 24, 2013	Final Public Hearing on FY 2014 Budget

If you have any questions about this recommendation, or if you would like any additional information, please feel free to contact me.

/gal

Suwannee River Water Management District	
Tentative Budget Summary Fiscal Year 2013-2014	
CASH BALANCES BROUGHT FORWARD	\$0
TAXES	
Ad Valorem Taxes (Millage per \$1000 / 0.4143 Mills)	\$5,368,786
PERMIT AND LICENSE FEES	\$171,939
OTHER INCOME	\$0
INTERGOVERNMENTAL REVENUES	
Legislative Appropriations:	
Water Management Lands Trust Fund	\$4,896,148
Springs Protection and Restoration	\$3,000,000
Florida Forever	\$363,000
Wetlands Grant	\$247,000
ERP Grant	\$453,000
Delineated Areas Grant	\$40,000
Suwannee River Water Improvement Program	\$424,874
Water Protection & Sustainability Trust Fund	\$0
State Grants:	
DEP Santa Fe River Nutrient Reduction	\$1,134,750
DOT Grants	\$0
Dept. of Agriculture And Consumer Services	\$0
DEP Grant	\$0
DEP Springs Grant	\$0
FEDERAL GRANTS	
FEMA Grants	\$1,123,000
LOCAL REVENUES	\$0
MISCELLANEOUS REVENUES	
Interest and General Sales	\$349,601
Timber Sales	\$146,317
PCS Mitigation Funds	\$0
Madison Blue Monitoring	\$70,000
Local Government Cost Share Program (RIVER) Carry Forward	\$1,250,000
Agricultural Cost Share Program Carry Forward	\$1,250,000
Local Government Cost Share Program (RIVER)	\$1,500,000
Agricultural Cost Share Program	\$1,500,000
FUND TRANSFERS	\$0
TOTAL REVENUES AND OTHER SOURCES	\$23,288,415
TOTAL ESTIMATED REVENUES AND BALANCES	\$23,288,415
EXPENDITURES/EXPENSES	
Salaries And Benefits	\$5,651,129
Contractual Services	\$12,185,240
Operating Expenses	\$1,236,846
Operating Capital Outlay	\$229,100
Fixed Capital Outlay	\$0
Interagency Expenditures	\$3,986,100
TOTAL EXPENDITURES	\$23,288,415
Reserves	\$0
TOTAL EXPENDITURES AND RESERVES	\$23,288,415
THE TENTATIVE, ADOPTED, AND/OR FINAL BUDGETS ARE ON FILE IN THE OFFICE	
OF THE ABOVE MENTIONED TAXING AUTHORITY AS A PUBLIC RECORD.	

Suwannee River Water Management District Program and Activity by Expenditure Category Tentative Budget Fiscal Year 2013-2014	
PROGRAMS, ACTIVITIES AND SUB-ACTIVITIES	TOTAL
1.0 Water Resources Planning and Monitoring	\$7,614,133
1.1 - District Water Management Planning	2,770,484
1.1.1 Water Supply Planning	858,664
1.1.2 Minimum Flows and Levels	1,761,820
1.1.3 Other Water Resources Planning	150,000
1.2 - Research, Data Collection, Analysis and Monitoring	2,744,159
1.3 - Technical Assistance	1,164,559
1.4 - Other Water Resources Planning and Monitoring Activities	570,305
1.5 - Technology & Information Services ⁽¹⁾	364,626
2.0 Acquisition, Restoration and Public Works	\$10,214,378
2.1 - Land Acquisition	\$234,265
2.2 - Water Source Development	\$8,442,267
2.2.1 Water Resource Development Projects	\$5,692,267
2.2.2 Water Supply Development Assistance	\$2,750,000
2.2.3 Other Water Source Development Activities	\$0
2.3 - Surface Water Projects	1,039,671
2.4 - Other Cooperative Projects	445,744
2.5 - Facilities Construction and Major Renovations	0
2.6 - Other Acquisition and Restoration Activities	0
2.7 - Technology & Information Service ⁽¹⁾	52,431
3.0 Operation and Maintenance of Lands and Works	\$2,547,752
3.1 - Land Management	1,960,857
3.2 - Works	0
3.3 - Facilities	299,098
3.4 - Invasive Plant Control	60,899
3.5 - Other Operation and Maintenance Activities	0
3.6 - Fleet Services ⁽²⁾	135,845
3.7 - Technology & Information Services ⁽¹⁾	91,053
4.0 Regulation	1,156,339
4.1 - Consumptive Use Permitting	280,181
4.2 - Water Well Construction Permitting and Contractor Licensing	89,852
4.3 - Environmental Resource and Surface Water Permitting	678,245
4.4 - Other Regulatory and Enforcement Activities	0
4.5 - Technology & Information Services ⁽¹⁾	108,061
5.0 Outreach	256,178
5.1 - Water Resource Education	13,048
5.2 - Public Information	103,095
5.3 - Public Relations	0
5.4 - Lobbying / Legislative Affairs / Cabinet Affairs	117,035
5.5 - Other Outreach Activities	0
5.6 - Technology & Information Services ⁽¹⁾	23,000
<i>SUBTOTAL - Major Programs (excluding Management and Administration)</i>	<i>21,788,780</i>
6.0 District Management and Administration	1,499,635
6.1 - Administrative and Operations Support	1,248,635
6.1.1 - Executive Direction ⁽²⁾	447,679
6.1.2 - General Counsel / Legal	50,000
6.1.3 - Inspector General	53,000
6.1.4 - Administrative Support	348,034
6.1.5 - Fleet Services ⁽²⁾	0
6.1.6 - Procurement / Contract Administration	71,724
6.1.7 - Human Resources	36,485
6.1.8 - Communications	115,000
6.1.9 - Technology & Information Services ⁽¹⁾⁽³⁾	126,713
6.2 - Computer/Computer Support ⁽¹⁾	0
6.3 - Reserves	0
6.4 - Other - (Tax Collector / Property Appraiser Fees)	251,000
TOTAL	23,288,415

MEMORANDUM

TO: Governing Board
FROM: Ann B. Shortelle, Ph.D., Executive Director
DATE: May 28, 2013
RE: Ratification of Updated District Attendance and Leave Policy

RECOMMENDATION

Staff recommends the Governing Board ratify the Executive Director's approval of the updated Attendance and Leave Policy.

BACKGROUND

Staff has been systematically updating District policies and procedures in order to increase accountability, transparency, and efficiency.

The attached Attendance and Leave Policy, effective April 30, 2013, has been updated to be consistent with the other water management districts and the State of Florida. The Policy sets consistent parameters for accrual and use of holidays, personal holiday, annual leave, sick leave, family medical leave, compensatory leave, and administrative leave. The Policy also establishes a standard work schedule to ensure consistent public service and consistent administration of earned leave payments.

JD/rl

ATTENDANCE AND LEAVE POLICY

Effective: ***April 30, 2013***

Attendance

Employees are expected to report to work timely and as assigned on their assigned jobs for the total hours in the established workday or work period unless the supervisor authorizes absence from duty. Employees who expect to be absent from work for any reason should request approval from the supervisor as much in advance as possible. When an employee will be late to or absent from work, the supervisor is to be notified in accordance with the established procedure of the employee's division. Absences without authorization will result in leave without pay and may be cause for disciplinary action, up to and including dismissal. Your job is an important one. If you are absent, your work must be assumed by someone else or be left undone. You are encouraged to consider the value of the work you do, consider the impact of absences on your fellow employees and your supervisor, and plan your absences accordingly.

The District is open for business Monday through Friday from 8:00 a.m. through 5:00 p.m. Employee work schedules must conform to District business hours unless the employee's supervisor approves an alternative work schedule in accordance with this policy.

Employee Attendance and Leave Reporting

Each employee must keep an accurate daily record of all hours worked and leave taken. Falsification of an attendance and leave report (timesheet) is grounds for disciplinary action, up to and including dismissal.

At the end of the pay period, each employee must total all work and leave hours, certify the accuracy of the timesheet, and submit it according to District procedures prior to the close of business on the last day of the pay period.

Work Schedule

In accordance with the Fair Labor Standards Act, the standard District workweek consists of 40 work hours between 8:00 a.m. and 5:00 p.m. Although not required by law, a maximum 1-hour lunch period is provided to be taken between 11:00 a.m. and 2:00 p.m. Monday through Friday. Two rest breaks of 15 minutes each, one during each half of the workday, may be scheduled during the workday. These lunch and break periods may not be accumulated to provide for a shorter work schedule.

Exceptions to the normal workweek are determined by the Executive Director and include part-time positions. Division Directors may recommend a variance from the standard District workweek to the Executive Director for approval in writing.

Commuting

Normal commuting from home to work, regardless of whether it is to an assigned location or a job site, and returning to home at the end of the workday is not considered hours of work.

Home to work travel on a one-day special assignment to another work location beyond normal commute shall be considered hours of work. A work assignment is considered a special assignment if it is performed for the District's benefit and at the District's request to meet the needs of a particular and unusual assignment.

Alternative Work Schedules

Variances from the five-day work week are not authorized except for employees that are dedicated to working in the field on a daily basis such that working four 10-hour days is to the benefit of the District. Division Directors may recommend a four 10-hour day schedule for such employees to the Executive Director for approval in writing. Authorization for a four 10-hour day shall be revisited on an annual basis, at a minimum, during the employee's performance review. Holidays count as eight hours for employees working an approved alternative work schedule.

Alternative Work Station

An alternative work station may be authorized by the Executive Director in certain circumstances when it is for the District's benefit and at the District's request to meet the needs of a particular work assignment. (i.e. the Capitol, Department of Environmental Protection Office, and etc.)

Telecommuting

Telecommuting is a temporary work arrangement authorized in certain circumstances as provided in Section 110.0171, Florida Statutes. Telecommuting is not a guarantee or right; it is an exception to working at District headquarters. Not all positions are well suited for telecommuting. Telecommuting may be an option where the business benefit clearly outweighs the impact, we can meet the needs of our internal and external customers, and workload assignments are clear and measurable. All telecommuting arrangements must be approved in writing by the Executive Director.

Division Directors and supervisors are responsible for ensuring employee accountability for specific deliverables and for providing appropriate coverage and level of service to meet our customer's needs (both internal and external). In all cases, Division Directors must monitor and re-evaluate telecommuting agreements at the appropriate time.

Telecommuting schedules must allow for sufficient employees at the District and within each division at all times.

Telecommuting work arrangements may be no more than two days per week.

Telecommuting employees shall attend meetings, seminars and training as required.

Management and supervisory employees are not eligible for telecommuting work arrangements.

The Executive Director may modify a telecommuting arrangement at any time.

An employee who wishes to telecommute shall develop a written proposal that details all aspects of the proposed telecommuting arrangement and its potential effect on his or her position, work unit, division and job duties. The written proposal must include a description of the proposed work area and a list of all needed equipment and property. The employee must submit the written proposal to the employee's Division Director for consideration.

When presented with a written proposal, a Division Director shall:

- Review the employee's written proposal;
- Consider the particular position and division to determine whether it qualifies for a telecommuting arrangement;
- Determine the effect of a telecommuting work schedule on the operations of the work unit or division;
- Consult with the employee's immediate supervisor about the employee's performance, ability to plan and manage his or her time efficiently and effectively, as well as the effect of a telecommuting arrangement on the District and the employee, including but not limited to the employee's productivity and the business and operational needs of the District;
- The Division Director shall recommend telecommuting requests to the Executive Director for final approval.

Holidays

The following are paid holidays, as provided by Section 110.117, Florida Statutes, and the Suwannee River Water Management District Governing Board:

- New Year's Day – January 1
- Birthday of Martin Luther King Jr. – Third Monday in January
- Memorial Day – Last Monday in May
- Independence Day – July 4
- Labor Day – First Monday in September
- Veterans Day – November 11
- Thanksgiving Day – Fourth Thursday in November

- Friday after Thanksgiving Day
- Christmas Day – December 25

Holidays that fall on Saturday will be observed on the Friday before, and those that fall on Sunday will be observed on the Monday after.

In addition to the officially observed holidays, employees, except temporary and student employees, are authorized one personal holiday per fiscal year. A personal holiday may be taken at any time with prior supervisory approval.

1. A personal holiday must be taken as a full day, except as provided below for part-time and shared positions.
2. A personal holiday not taken by the last day of the last full pay period to be paid in the current fiscal year shall be forfeited.
3. Employees in part-time a positions shall receive pro-rated personal holiday leave based on the FTE of the employee. Employees in part-time positions, after taking personal holiday leave in a full day increment, may take any remaining accrual that is less than a full day increment.
4. Employees beginning employment on or after April 1st shall not be eligible for a personal holiday during that fiscal year.
5. A personal holiday shall be considered the same as annual leave when determining time worked.

Any workday specially designated as a holiday by the Governing Board may be observed by the District. Any specially designated holiday approved by the Governing Board will not carry over as a recurring official holiday.

Occasionally there may be situations where selected staff members are required to work on a District holiday. With approval of the Division Director, this unused holiday time may be used at a later date within the fiscal year.

General Leave Overview

The use of annual, compensatory, administrative, some forms of sick leave and the personal holiday require prior approval. The District may send an employee home and compel the employee to use his/her accumulated sick leave under certain circumstances where management, in good faith, has reason to believe the sick employee's health condition is an immediate threat to the health of other employees, clients, or the good working order of the office. With the exception of Sick Leave, employees are required to utilize any Compensatory Leave credits before approval to use Annual Leave.

Leave must be earned before it is taken. The District will accept sick leave credits upon transfer from another state agency, provided the transfer occurs within a 31-day period from the date of separation from the previous agency. An employee will not be paid for leave or holidays occurring after the last day of employment.

Annual Leave

Annual leave is used to provide periods of rest, relaxation, vacation, and to conduct personal business. Before taking annual leave, the employee must obtain supervisor approval as established as standard procedure by the employee's respective Division Director. Annual leave may be denied if the employee's absence would adversely affect the work unit.

All previous documented service under the Florida Retirement System (FRS), including optional retirement programs when FRS is the default retirement system, shall be used in determining eligibility for increased annual leave credits. Employees who work less than a full pay period earn annual leave credits for the hours worked during that pay period in proportion to the total hours in the pay period.

Annual leave earned during any pay period shall be credited to the employee on the last day of that pay period or, in the case of separation, on the last day the employee is on the payroll.

During leaves of absence with pay an employee shall continue to earn annual leave credits. During leaves of absence without pay an employee shall not earn annual leave credits.

Employees may carry annual leave balances of 240 hours during the calendar year. Any hours accrued in excess of 240 hours will be converted to sick leave on an hour per hour basis.

Full Time Employees:

Full-time employees, excluding temporary employees and students, shall accrue annual leave on the following basis:

<u>Creditable FRS Service</u>	<u>Hours Earned Biweekly</u>
Up to five years	4
Five to 10 years	5
Over 10 years	6

Part Time Employees:

Employees in part-time positions, excluding temporary, student employees and senior management, shall earn a prorated amount of annual leave based on the assigned FTE of the employee.

Senior Management Employees:

On the date of appointment to Senior Management Service, employees begin accruing up to 176 hours of Annual Leave. On the 1st day of the following fiscal year (October 1) and every year thereafter, Senior Management employees receive 176 hours of Annual Leave.

As per the provisions of Chapter 110.205, Florida Statutes, the authorized Senior Management positions for SRWMD are as follows:

- Executive Director
- Assistant Executive Director
- Administrative Services Division Director
- Water Supply Division Director
- Resource Management Division Director
- Land Resources Division Director
- Governmental Affairs & Communications Director
- Water Resources Division Director

As per the provisions of Chapter 110.205, Florida Statutes, Senior Management positions can accrue annual leave credits up to an amount of 480 hours. Annual leave credits that are accrued in excess of 480 hours shall then be converted to sick leave on an hour-per-hour basis.

Payment for Unused Annual Leave to Employees.

Employees may be paid up to a cumulative maximum of 240 hours of annual leave.

Payment may occur under the following circumstances, however will not exceed the maximum of 240 hours in total:

- Upon retirement
- Upon entering DROP
- Upon the conclusion of DROP, or
- Upon separation from the District.
- In case of the death of an employee, the employee's beneficiary shall be paid for all Annual Leave credits.

All such payments for unused Annual leave credits shall be made lump sum.

A Senior Management Service employee may be paid up to a cumulative maximum of 480 hours of accumulated annual leave. The actual hours paid include the employee's annual leave balance on the day prior to the first day of the district's fiscal year, plus the prorated portion of any annual leave earned after the 1st day of the district's fiscal year.

Employees discharged for gross misconduct, will not be paid for any unused accrued Annual Leave.

Sick Leave

Full-time employees, excluding temporary employees and students, shall accrue four hours of sick leave per pay period. Employees who work less than a full pay period earn sick leave credits for the hours worked during that pay period in proportion to the total hours in the pay period.

Employees in part-time positions, excluding temporary, students, and senior management, shall earn a prorated amount of sick leave based on the assigned FTE of the employee.

On the date of appointment to Senior Management Service, employees begin accruing up to 104 hours of Sick Leave. On the 1st day of the following fiscal year (October 1) and every year thereafter, Senior Management employees receive 104 hours of Sick Leave.

During leaves of absence with pay, employees continue to earn sick leave credits. Sick leave earned during any pay period is credited to the employee on the last day of that pay period or, in the case of separation, on the last day the employee is on the payroll.

Use of Earned Sick Leave

Use of sick leave is not authorized prior to the time it is earned and credited to the employee and shall be used only with the approval of the employee's supervisor within the District. Notification of absence due to illness, injury, or exposure to a contagious disease shall be given to the employee's supervisor by the employee or the employee's representative as soon as possible on the first day of absence.

Sick leave shall be authorized for an employee's personal or family illness or injury or appointments with a dentist, doctor or other medical practitioner. Illness or injury requiring the use of sick leave that extends beyond 80 consecutive hours must be verified in writing by medical certification from the attending physician. Employees, who are unable to work a full eight-hour work day due to a medical condition, must submit a written medical certification stating their working limitations from the attending physician. A doctor's release after surgery or prolonged illness is required before returning to work.

Employees are reminded that the District must be notified of any absence from work and that abandonment of position occurs after three days absence without such notice, unless there are extenuating circumstances, as verified by the employee's supervisor.

Sick leave is not to be used as annual or compensatory leave.

If a Division Director determines that an employee is excessively absent based on a pattern of absence, such as regular absences on the day preceding or following the employee's

regular days off or holidays; absences on the same day each week or month; continual use of sick leave as it is accrued; or often uses leave-without pay for unplanned absences; the Division Director may take action to control such excessive absences. After a total of three workdays of absence in any 30-day calendar period, the supervisor may require, at his or her discretion, a Medical Certification. After ten consecutive workdays of absence, the employee must submit a Medical Certification from the attending physician to his/her immediate supervisor before the supervisor will authorize additional use of Sick Leave credits, Annual leave due to illness or leave without pay. Such action may be taken only after the absences have been discussed with the employee and the plan to control the absences has been reviewed by Human Resources. The plan to control excessive absences may include requiring medical certification for subsequent absences and shall conform to the requirements of the FMLA.

Payment for Unused Sick Leave to Employees.

Employees terminating with 10 or more years continuous credible service shall receive payment for 1/4 of the total sick leave hours credited to their account on the final day of employment, not to exceed 480 hours:

- Upon retirement,
- Upon entering DROP, (after ¼ payment of sick leave is elected, sick leave balance will then be reset to zero)
- Upon the conclusion of DROP, or
- Upon separation from the District.

In the case of the death of an employee, the employee's estate shall receive ¼ payment of unused sick leave credits accrued, provided one fourth ¼ of the unused leave credits does not exceed 480 hours, regardless of length of service.

All such payments for unused sick leave credits shall be made lump sum, and the employee shall not be carried on the District payroll beyond the last official day of employment.

The payment made pursuant to this section shall not be considered as salary payments and shall not be used in determining the average final compensation of an employee in any state-administered retirement system.

Transfer of Earned Sick Leave

Newly hired employees may transfer into the District a maximum of four hundred eighty (480) hours of sick leave earned, and not taken or paid, for immediately past continuous and credible service in a State agency or agency of the State. This transfer shall occur at the rate of 80 hours per year on the employee's anniversary date.

Administrative Leave

The Executive Director may grant Administrative Leave to staff members at the Executive Director's discretion. Administrative leave is leave with pay that is not taken from an employee's personal leave balances. Approval of administrative leave is limited to an amount necessary to bring the employee to full pay status for the work period. In no case can approval

of administrative leave cause the employee to exceed the number of contracted hours in the employee's work period.

In all cases the staff member must request Administrative Leave by submitting a Leave Request form for paid or unpaid leave to the Executive Director describing the facts and circumstances associated with the request for Administrative Leave.

Examples of the types of Administrative Leave and how it may be used are listed below:

- Jury Duty (more specific information below)
- Subpoenaed Court Appearance for non-personal litigation (more specific information below)
- Disabled Veteran Re-examination or Treatment (requires medical certification of treatment/evaluation of service connected disability)
- Disaster Service Volunteers approved by the Governor or Executive Director (more specific information below)
- Formal agency investigation for violation of a rule or statute, for which dismissal is a penalty
- Death in Immediate Family (16 hours for death of spouse, children, parents, grandparents, stepparents, stepchildren, brothers, sisters and grandchildren of the employee or spouse). Each employee requesting administrative leave due to death in the immediate family shall submit a statement to the Executive Director stating the name of the deceased and the relationship to employee.
- Governor's Mentoring Initiative (one hour of administrative leave per week, not to exceed five hours per calendar month, to participate in school or community volunteer activities)
- Office Closures (as authorized by the Governor or Executive Director)
- Day of Entrance Examination for Military Service (documentation required)

Court

An employee subpoenaed in the line of duty to represent the District as a witness or defendant shall not be granted administrative leave, and appearance in such cases shall be considered a part of the employee's job assignment. The employee will be eligible for District travel and per diem but shall be required to turn over to the District any fees received from the court.

An employee who is summoned as a member of a jury panel shall be granted administrative leave with pay for all hours in the employee's normal workday; however, if the jury duty does not require absence for the entire workday the employee shall return to duty immediately upon release by the court. If the employee's court attendance does not coincide with the employee's regular work schedule, the employee shall be granted administrative leave based on the total hours served on jury duty, not to exceed the number of hours in the employee's regular workday. Such leave shall be granted within the next biweekly pay period. The employee must submit proof of jury service. The District shall not reimburse the employee for meals, lodging, and travel expenses incurred while serving as a juror.

An employee subpoenaed as an expert witness in a court or an administrative hearing, not involving personal litigation or service as a paid expert witness, shall be granted administrative leave with pay, and any witness fees shall be retained by the employee. The District shall not reimburse the employee for meals, lodging, and travel expenses incurred while serving as a witness. The employee must submit proof of court or hearing service.

In no case shall administrative leave with pay be granted for court attendance when an employee is engaged in personal litigation or service as a paid expert witness, voluntarily or subpoenaed.

Natural Disasters and Other Emergency Conditions

When the Governor, by Executive Order, declares an emergency, the Executive Director will determine whether affected facilities or portions thereof which are located in the area covered by the Executive Order are to be closed.

Except for those employees determined by the Executive Director to be necessary for providing essential services, employees assigned to those facilities which have been closed by the Executive Director shall be released from duty and granted administrative leave for the period the facility is closed. Those employees who were required by the Executive Director to remain on duty to provide essential services shall be granted special compensatory leave credits for the hours worked during the period the facility is closed, and the other employees are granted administrative leave with pay.

An employee who was on a prior approved leave of absence or scheduled holiday during the emergency shall not have the leave of absence changed to administrative leave.

Disability Leave

An employee who sustains a job-connected disability that is compensable under the Worker's Compensation Law shall be carried in full pay status for a period not to exceed the 7 calendar days immediately following the injury or for a maximum of 40 work hours if taken intermittently without being required to use accrued leave credits. If the employee receives Worker's Compensation benefits for this period of leave with pay, the employee shall reimburse the District the amount of the benefits. Such reimbursement shall not include payments for medical, surgical, hospital, nursing, or related expenses, or lump-sum or scheduled payments of disability losses.

If, as a result of the job-connected injury, the employee is unable to resume work at the end of the period provided in the previous paragraph:

- The employee may elect to use accrued sick, compensatory, or annual leave in an amount necessary to receive salary payment that will increase the Worker's Compensation payments to the total salary being received prior to the occurrence of the disability. In no case shall the employee's salary and Worker's Compensation benefits exceed the amount of the employee's regular salary payments.
- If the employee elects not to use accrued leave or after the employee has exhausted all earned leave in accordance with paragraph (1) above, the

employee shall be placed on leave without pay and shall revert to normal Worker's Compensation benefits.

Family and Medical Leave Act

The Family and Medical Leave Act (FMLA) is a federal law that allows employees to take up to 12 workweeks of paid or unpaid, job-protected leave within a 12-month period for one of the following reasons (FMLA-qualifying events):

- Birth of the employee's child and to care for the newborn child;
- Placement of a child with the employee for adoption or foster care;
- Employee is needed to care for a family member (child, spouse or parent) with a serious health condition;
- Employee's own serious health condition makes the employee unable to perform the functions of his/her job; or
- A qualifying exigency (as defined by the U.S. Department of Labor) arising from a spouse, child, or parent's call to active military duty in support of a contingency operation

In addition, an employee who is the spouse, parent, child, or next of kin of a current member of the armed forces (including the regular armed forces) who was injured while on active duty, may be eligible for up to 26 weeks of FMLA leave in a 12-month period. The 26 weeks of leave allowed includes the types of leave above.

To be eligible for FMLA, employees must have been employed by the state for at least 12 months. They must also have worked for at least 1,250 hours during the 12-month period immediately before the start of their leave.

FMLA leave for the birth or placement of a child for adoption or foster care expires 12 months from the date of the birth or placement.

An employee must provide at least 30 days advance notice, or as much notice as practicable, before FMLA leave is to begin if the need for the leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or a family member. An employee will provide, at least, verbal notice sufficient to make the employer aware that the employee needs FMLA-qualifying leave, and the anticipated timing and duration of the leave. When the approximate timing of the need for leave is not foreseeable, an employee should give notice of the need for FMLA leave as soon as practicable under the facts and circumstances of the particular case. The employee must comply with all other requirements contained in the FMLA implementing regulations.

In certain circumstances, the District may determine that the medical absence is qualified for FMLA. In such cases, the District will notify the employee that FMLA is being applied.

During any period that an employee is on FMLA leave, the employee's group health insurance benefits and life insurance or supplemental insurance plans will continue under the same terms and conditions as if the employee had been continuously working during the FMLA leave period.

An employee on authorized leave without pay status is responsible for coordinating payment of payroll deductions to ensure continuation of administered health care coverage, where necessary.

Consult with Human Resources for assistance in processing a family medical leave of absence request, leave use options and benefit continuation.

Family Supportive Work Program

Parental or Family Medical Leave

The Florida Family Supportive Work Program (FSWP) is a state law which allows an employee to take up to six months of leave for the birth or adoption of a child or for a family member's serious health condition. Such leave will commence on a date that is determined by the employee in consultation with the attending physician following notification to the supervisor in writing.

For the purposes of parental or family medical leave, the employee may be placed on leave without pay or may elect to use accrued sick leave or annual leave credits. During this time the state contribution toward the employee's health insurance coverage will continue. Also, where appropriate, FSWP leave will run concurrent with FMLA leave.

Military Leave

The National Defense Authorization Act of 2008 amended the FMLA to allow eligible employees to take up to 12 weeks of job-protected leave in the applicable 12-month period for any "qualifying exigency" arising out of the active duty or call to active duty status of a spouse, son, daughter, or parent. This Act's amendments also include the allowance of eligible employees to take up to 26 weeks of job-protected leave in a single "12-month period" to care for a covered service member with a serious injury or illness. In addition, leaves of absence for military service will be granted pursuant to the provisions of Sections 115.09, 115.14 and 250.48, Florida Statutes. **All such leaves of absence will be verified by official orders or appropriate military certification submitted to the supervisor and filed in the employee's personnel file.** Please see the FMLA section of this Handbook for more detailed information.

An employee called to active duty will automatically continue coverage in any benefit plans the employee was enrolled in at the time of reporting for active duty, unless coverage is cancelled. For health and basic life, the employer will continue to pay the share of the premiums for that coverage.

The employee will continue to be responsible for any amount that the employee had been paying, whether through continued payroll deductions or by personal check or money order.

Reservists called to active military service must notify the agency within 90 days from the date of discharge from active service. The employee or his/her power of attorney is responsible for notifying the agency of the last day of active duty.

The Uniformed Services Employment and Reemployment Rights Act (USERRA) protects the employees who voluntarily or involuntarily leave employment positions to undertake military service.

Further information regarding employment and reemployment rights under USERRA can be found on the Department of Labor's Web site at <http://www.dol.gov/compliance/laws/comp-userra.htm>.

In addition, employees who are in the military reserves or the National Guard shall be entitled to leaves of absence for training purposes, in accordance with Section 115.07, Florida Statutes.

Civil Disorder or Disaster

Employees who are members of a volunteer fire department, police auxiliary or reserve, civil defense unit, or other law enforcement-type organization may be granted administrative leave with pay upon approval by the Executive Director.

Executive approval may be obtained when employees are called on as members of these organizations to perform duties in times of civil disturbances, riots, and natural disasters. This includes employees who are members of the Civil Air Patrol or Coast Guard Auxiliary and are called upon to assist in emergency search and rescue missions. Such leave shall not exceed two days on any one occasion.

Executive Director

Effective Date

MEMORANDUM

TO: Governing Board
FROM: Ann B. Shortelle, Ph.D., Executive Director
DATE: May 28, 2013
RE: Approval of Updated District Travel Policy

RECOMMENDATION

Staff recommends the Governing Board authorize the Executive Director to approve the updated Travel Policy.

BACKGROUND

Staff has been systematically updating District policies and procedures in order to increase accountability, transparency, and efficiency.

The attached Travel Policy has been updated to follow generally accepted travel procedures for state agencies, to the extent practicable, and comply with the legislative intent of Chapter 112, Florida Statutes (F.S.).

JD/rl

TRAVEL

The travel procedures for the District shall follow generally accepted travel procedures for state agencies, to the extent practicable, and comply with the legislative intent of Chapter 112, Florida Statutes (F.S.).

PUBLIC PURPOSE: The public purpose test for travel is that it must be necessary to conduct official District business. Justification must be detailed, sufficient to explain the benefit to the District and to the traveler's work responsibilities.

AUTHORITY TO INCUR TRAVEL EXPENSES: All travelers of the District must be authorized by a supervisor in advance to incur travel expenses for a public purpose through a properly executed Travel Authorization form. Travel expense is defined as the usual ordinary and incidental expenditures necessarily incurred by a traveler. (§112.061(2)(g), F.S.)

AUTHORIZED TRAVELERS: Any person who has received advance authorization to incur travel necessary to perform official District business under one of the following categories:

- Governing Board members
- Executive Director, Assistant Executive Director, General Counsel and Inspector General.
- Employees in a Board authorized regular, part-time or temporary position declared to be in travel status by their supervisor.

OFFICIAL HEADQUARTERS: This is the office, field office or location where the traveler is normally assigned and from which that person performs the majority of their duties. Each employee's official headquarters shall be that which is designated in their Human Resources official record.

The official headquarters of a Governing Board member is their home address. Board members will be reimbursed for actual round trip mileage from their home address to their destination when traveling on District business.

TRAVEL AUTHORIZATION (TA): A TA form must be fully executed, prior to scheduling or incurring any expenses related to the travel period. Travel period is defined as the period of time between the time of departure and time of return. (§112.061(2)(j), F.S.) All District travelers must use this form to define the public purpose and obtain approval for the following:

- Attendance at any convention, conference, seminar or workshop.
- Travel advance requests

The statement of public purpose for attendance at a convention, conference, seminar or workshop must explain how the objectives of the event are related to or provide benefit to the mission of the District and/or the duties and responsibilities of the traveler.

Convention is defined as an assembly of a group of persons representing persons and groups, coming together for the accomplishment of a purpose of interest to a larger group or groups. A convention does not mean the coming together of agency or interagency personnel. (Rule 69I-42.002(4), Florida Administrative Code (F.A.C.))

Conference is defined as the coming together of persons with a common interest for the purpose of deliberation, interchange of views, or for the removal of differences or disputes and for discussion of their common problems and interests. The term also includes similar meetings such as seminars and workshops, which are large formal group meetings that are programmed and supervised to accomplish intensive research, study, discussion and work in some specific field or on a governmental problem or problems. A conference does not mean the coming together of agency or interagency personnel. (Rule 69I-42.002(3), F.A.C.)

The TA form must be completely filled out according to the form instructions. The form must be typed or completed in ink. The original TA form must be submitted with the Travel Reimbursement Voucher.

When in the best interest of the District, an employee who has been approved to leave from home must identify their home address as the point of origin for the specific travel period covered on their TA. Point of origin is defined as the geographic location of the traveler's official headquarters or the geographic location where travel begin, whichever is lesser distance from the destination. (Rule 69I-42.002(15), FA.C.) It is in the best interest of the District when the distance from the employee's home to the point of destination is less than the distance from their official headquarters to the point of destination.

SIGNATURES REQUIRED FOR TRAVEL AUTHORIZATION: The traveler must sign the TA form in ink and secure the appropriate approval authority signatures as indicated on the form. No one may exercise signature authority for himself or herself; rather, approval of a higher level of authority must be obtained in division.

TRAVEL ADVANCES: A traveler may request a Travel Advance for Class A travel when the traveler anticipates substantial travel expenses. Advances will not be authorized for Class B or C travel. The maximum travel advance shall not exceed 80 percent of the estimated cash expenses, such as mileage, per diem, subsistence (meal allowance), parking and tolls. In calculating an advance, the traveler may not include expenses, which will be paid directly by District procurement card or District check. A Travel Advance will not be issued for less than \$100. To request a Travel Advance, a traveler must submit a fully executed TA to Accounts Payable at least five days prior to departure. The Advance must be reconciled by submitting a Travel Reimbursement Voucher to Accounts Payable within ten workdays of the traveler's return to work.

CONTINUOUS TRAVEL STATUS: Continuous travelers are employees who routinely travel overnight. Those employees authorized for continuous travel status may request a Travel Advance in an amount not to exceed 80 percent of expected travel expenses for a two-week travel period. Employees in continuous travel status must submit a Travel Voucher at the end of the travel period to document their actual expenses and reconcile the Travel Advance. When an employee is no longer in continuous travel status, any Travel Advance amount in excess of actual expenses must be refunded to the District within ten workdays. All continuous Travel Advances must be reconciled before the end of each fiscal year.

TRAVEL REIMBURSEMENT VOUCHER (TRV): The TRV form is used to document and request reimbursement for all authorized travel related expenses. The TRV must be completely filled out according to the form instructions and must be typed or completed in ink.

When a TRV covers a travel period for which a TA was issued, the original TA form along with all necessary backup documentation, such as the registration form, agenda, travel itinerary and route maps, must be submitted to Accounts Payable within ten workdays of the traveler's return to work. TRVs that do not include a travel period covered by a TA must be submitted to Accounts Payable at least monthly.

If a traveler has been issued a Travel Advance that exceeded their actual expenses, they must submit reimbursement to the District within ten workdays of their return to work and attach a copy of the cash receipt to their TRV. The actual amount of the reimbursement will be determined by an audit of their TRV by Accounts Payable.

Governing Board members may elect to submit their TRVs quarterly.

SIGNATURES REQUIRED FOR TRAVEL REIMBURSEMENT VOUCHER: The traveler must sign the form in ink and secure the appropriate approval authority signatures as indicated. No one may exercise signature authority for himself or herself; rather, approval of a higher level of authority must be obtained.

CLASSES OF TRAVEL: Three classes of travel exist as follows:

- | | |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Class A | Continuous travel of 24 hours or more, away from official headquarters and away from home overnight. This is based on four equal quarters of six hours each, which shall be a travel day (midnight to midnight). |
| Class B | Continuous travel of less than 24 hours, away from official headquarters and away from home overnight. This is based on six-hour quarters, which begin at the hour of departure. |
| Class C | Short or daytime trips during which the traveler is not away from official headquarters overnight (travel may occur during evening hours due to special assignment). |

PER DIEM (Class A or B Travel Only): All travelers shall be allowed reimbursement for per diem or subsistence (meal allowance) when traveling to a convention or conference or when traveling within or outside the state in order to conduct official District business, when such convention, conference, seminar, or business serves a direct and lawful public purpose with relation to the District. Either of the following methods of calculating per diem may be selected for the travel period at the option of the traveler:

- A flat rate of \$80 per day (\$20 per quarter day) requiring no receipts for rooms or meals.

OR

- If the actual expenses exceed \$80, reimbursement for actual lodging cost, at the single occupancy rate to be substantiated by a detailed receipt, and the authorized subsistence (meal allowance).

When lodging or meals are provided at a publicly operated facility, the traveler shall be reimbursed only for the actual expense of lodging or meals not to exceed the maximum allowances. No one shall be reimbursed for any meal or lodging included in a convention or conference registration fee.

In the case of foreign travel, the traveler may choose the State per diem rate as stated above or the foreign travel per diem rate as authorized by Section 112.061(3)(f), F.S.

SUBSISTENCE (MEAL ALLOWANCE) RATES (Class A, B or C Travel):

To receive payment for	Must depart prior to	Must return after	Meal allowance
Breakfast	6 a.m.	8 a.m.	\$6.00
Lunch	12 p.m.	2 p.m.	\$11.00
Dinner	6 p.m.	8 p.m.	\$19.00

Subsistence (meal allowance) will be paid to travelers in Class A and Class B status participating in scheduled meetings, seminars, workshops, special assignments or other official business which occurs outside the normal work assignment of a traveler. No allowance shall be made for subsistence (meal allowance) when travel is confined to the city or town of a traveler's official headquarters or the immediate vicinity, except when travel expenses are authorized by a TA form.

When a conference or convention registration fee includes meals, the traveler will not be reimbursed for the meals being provided (continental breakfast is considered a breakfast and is not reimbursable when provided). Reimbursement for meal expense will be at the appropriate subsistence (meal allowance) rate regardless of the actual cost of the meal. The traveler must absorb any cost above the subsistence (meal allowance) amount. Tips will not be reimbursed.

LODGING/ACCOMODATIONS: Lodging expenses are authorized for District travelers in Class A or B travel status. Lodging for District employees and Board members is to be reserved and paid with a District procurement card and must be substantiated by an original detailed receipt which must be filed with the traveler's procurement card reconciliation documents. If circumstances necessitate that the traveler use a personal credit card, the original detailed receipt along with an explanation of the circumstances must be filed with their TRV.

When two or more District employees elect to share a room while traveling under Class A or B travel status, they must all elect the same method of per diem reimbursement.

A traveler may not receive reimbursement for lodging within the local area (Within 50 miles one-way of their official headquarters or home) unless authorized by a supervisor.

When the scheduled conclusion of an event prevents a traveler from returning home by a reasonable hour, the Division Director must determine whether an additional overnight accommodation is warranted. If approved, the traveler's departure shall be scheduled for the following morning. If the traveler chooses to delay departure without approval, the use of personal leave will be required and reimbursement of per diem and lodging expenses may be waived.

In order to achieve a cost savings to the District, the District may contract directly with a hotel.

TRANSPORTATION: All travel must be by a usually traveled route utilizing the most efficient and economical means. It is the responsibility of the traveler's division to determine the most efficient and economical means prior to scheduling any travel arrangements. It is recommended that a District vehicle be used for all statewide business travel, unless the use of a personal vehicle or common carrier would be more efficient or cost effective. All common carrier business travel or District employees must be paid with a District procurement card. A common carrier is a commercial airline operating scheduled flights or rental vehicles of an established rental car firm. (§112.061(2)(h), F.S.)

Special provisions when business and personal travel are combined: Personal travel expenses must never be charged to a District procurement card. Prior to scheduling combined business and personal travel, staff must receive prior approval from their Division Director and make arrangements to accurately document business and personal expenses.

PERSONAL VEHICLE EXPENSES: The use of a personal vehicle must be authorized by the Director of the Division incurring the expense. When a traveler is authorized to use a personal vehicle in lieu of a District vehicle or common carrier, the following conditions shall apply:

- A traveler shall be entitled to a mileage reimbursement at the rate approved by the State Legislature (currently 44.5 cents per mile).
- All mileage shall be shown from the point of origin to the point of destination, along a usually traveled route.
- Mileage shall be calculated by one of the following methods:
 - Odometer readings
 - Online map program
 - District established mileage (Frequently Traveled Routes)
- When a person travels by an indirect route for their own convenience, any additional costs shall be borne by the traveler. Reimbursement shall be based only on such costs as would have been incurred by a usually traveled route.
- Each stop during a travel period must be reported on a separate line on the TRV form and must include all information required on the form.
- A traveler shall not be paid a mileage reimbursement for travel between their home and their official headquarters or assigned work location.
- If traveling on a non-business day to a location other than their official headquarters or assigned work location, the point of origin may be the traveler's home. In no case shall mileage claimed exceed the miles actually driven. Non-business day means, for a public officer or employee, a weekend or an authorized State holiday; for an authorized person

means a day on which such person was not scheduled to be performing service or contributing time to an agency. (Rule 69I-42.002(10). F.A.C.).

- On a regularly scheduled business day when a traveler leaves from or returns to their home, the traveler shall only be entitled to reimbursement for the lesser of the mileage between a business site and their home or their official headquarters or assigned work location. In no case shall mileage claimed exceed the miles actually driven.
- No traveler shall be entitled to mileage or transportation expense when gratuitously transported by another person or by another traveler who is entitled to reimbursement.
- Mileage for two round trips to an airport or the cost of contracted transportation may be approved if it is determined to be more efficient or economical than one round trip plus airport parking fees.
- A traveler shall be reimbursed the lesser of the common carrier fare or the actual mileage reimbursement amount, whichever is determined to be more economical to the District.
- Reimbursement for expenditures related to the operation, maintenance and ownership of a vehicle shall not be allowed.

VEHICLE RENTAL: Travelers may request a rental when a District vehicle is not available or appropriate for the travel need. The traveler must obtain supervisor approval in advance of a rental reservation. District employees on official business must make payment with a District procurement card. Personal use of a rental vehicle may not be reserved or charged to a District procurement card. Before signing a rental vehicle agreement, travelers are to ensure:

- The proper rental rate has been applied.
- Additional insurance coverage will not be charged to the District.
- The refueling service option has not been selected.
- Sales tax will not be charged in the State of Florida.
- The most economical vehicle to appropriately accommodate the travel has been selected.

Travelers shall use a Class 3C, intermediate vehicle. The use of any vehicle larger than Class 3C intermediate must be adequately justified (e.g., more than four travelers, transporting equipment or supplies) and approved by the traveler's Division Director.

Class	Vehicle Size	Code
3 (C)	Intermediate	IDAR
4 (E)	Full-Sized, Four-Door	FDAR
5 (V)	Minivan	MVAN

Business use of a rental vehicle under the State contract or District agreement includes collision coverage. The District will not pay for additional insurance coverage. The rental vehicle must be refueled prior to being returned. Original fuel receipts must be filed with the traveler's procurement card reconciliation documents or submitted with a TRV, as appropriate.

The traveler must retain both the rental agreement and the final detailed rental receipt to be filed with their procurement card reconciliation documents. A copy of the rental agreement must be submitted with the TRV.

Special provisions for combined business and personal use of a rental vehicle:

When combining business and personal travel, a traveler must reserve and make payment with a personal credit card. A copy of the rental agreement and original detailed receipt must be submitted with their TRV. The traveler shall only be reimbursed for the business portion of the travel period based on the lesser of, the estimated cost or the amount calculated (by Accounts Payable) from their actual receipt.

All seated occupants of rented vehicles are required to use the seat belts or occupant restraint systems provided. Failure to comply with this rule shall subject employees to disciplinary action. Any costs incurred for personal negligence (i.e., traffic or parking citations, keys locked in vehicle, etc.) will be the sole responsibility of the traveler. Additionally, all travelers shall be responsible for providing proof of vehicle insurance to the District, if requested.

AIR TRAVEL: A traveler must obtain Division Director approval in writing on a TA prior to making air travel reservations. All commercial flights must be economy class unless otherwise approved by the Executive Director or designee. Payment for employee business related travel must be charged to a District procurement card designated by the employee's Division Director.

Cancellations must be made no later than one hour prior to a flights scheduled departure time to retain the value of a ticket for future use (within one year) by the named traveler. If the District incurs costs for the purchase of an airline ticket and the traveler subsequently chooses not to use the ticket, the ticket must be canceled in a timely manner or the traveler must reimburse the District for all unrecoverable costs. Any costs incurred for tickets, which are canceled at the traveler's discretion, but not rebooked within the allowable timeframe, must also be reimbursed to the District.

An increase in airfare of \$100 or more over the estimated costs on the TA must be justified by the traveler and approved by the traveler's Division Director. All unjustified costs, whether due to a traveler's negligence or personal discretion, must be reimbursed to the District.

Special provisions for combined business and personal air travel: Although personal travel may be combined with business travel, personal expenses must never be charged to a District procurement card. The traveler must make payment with a personal credit card and must submit a copy of the itinerary and proof of payment with their TRV. The traveler shall only be reimbursed for the business portion of the travel period based on the lesser of the estimated or the amount calculated from receipts.

CHARTER FLIGHT SERVICE: This service is to provide specific transportation in order to conduct District business (overflights are excluded from this procedure). Flight requests for Governing Board members, Executive Director, Assistant Executive Director, General Counsel or Inspector General will be arranged through the Executive Department, after receiving approval as stated in this procedure. The use of charter flights by staff members should be an exception and must be authorized by the Executive Director or designee.

INCIDENTAL TRAVEL EXPENSES: The following information shall be required with a TRV when claiming reimbursement for incidental travel expenses:

- Receipts or canceled checks for registration fees paid by the traveler.
- Receipts for taxi fares in excess of \$25 on a per-fare basis.
- Receipts for storage, parking fees or tolls in excess of \$25 on a per transaction basis. Storage or parking fees are not allowed on a weekly or monthly basis unless it can be established that such method results in a savings to the District.
- A statement that communication expenses were business related. This includes fax and internet connection charges. NOTE: Telephone calls made to the traveler's family are not a reimbursable communication expense.
- Receipts for dry-cleaning, laundry and pressing expenses when official travel extends beyond seven days and such expenses are necessarily incurred to complete the official business portion of the trip.
- Receipts for passport and visa fees required for official travel.
- Receipts for necessary fees charged to purchase traveler's checks for official travel expenses.
- Receipts for fees charged to exchange currency necessary to pay for official travel expenses.
- Photocopy charges that are business related in excess of \$25 on a per event basis.

Lost or missing receipts will require a signed statement from the traveler with Division Director's approval in order to receive reimbursement. Other travel expenses may be reimbursed if deemed to be in the best interest of the District and upon the Finance Director's approval.

The following do not require a receipt:

- Tips paid to taxi drivers that do not exceed fifteen percent of the taxi fare.
- Tips paid for mandatory valet parking not to exceed \$1 per incident
- Portage paid shall not exceed \$1 per bag not to exceed \$5 per incident. Portage charges exceeding \$5 per incident will require justification.

Other travel expenses not detailed in this procedure manual shall be handled by exception with the Finance Director's approval.

EMERGENCY SITUATIONS: Emergency Situation means circumstances in which there is an immediate danger or a threat of immediate danger to the public health, safety or welfare or of other substantial loss, requiring emergency action. (Rule 69I-42.002(6), F.A.C.)

When a public officer, employee or authorized person away from their official headquarters on personal time is required to travel because of a District emergency situation, the following shall apply:

- The traveler may be reimbursed for travel expenses incurred in traveling from their point of origin to their point of destination, which may be their official headquarters.

- If personal circumstances necessitate the traveler to return to their point of origin after the emergency situation has ended, rather than returning to or staying at their official headquarters, the traveler may be reimbursed their travel expenses to return.
- The traveler's request for reimbursement of travel expenses claimed from a point of origin rather than their official headquarters shall contain an explanation of the emergency situation that necessitated their travel from such point.
- If an authorized traveler has incurred certain unrecoverable costs associated with personal plans and is unable to carry out such plans due to an emergency situation, such costs that are not recoverable may be reimbursed by the District. Request for reimbursement must provide the circumstances of the emergency situation.

Personal Time means the time outside the regular work hours of a business day, a non-business day or day for which the officer or employee had prior approval for a leave of absence. (Rule 691-42.002(13), F.A.C.)

The Executive Director may modify or interpret travel procedures.

Executive Director

Effective Date

MEMORANDUM

TO: Governing Board
FROM: Ann B. Shortelle, Ph.D., Executive Director
DATE: May 28, 2013
RE: Approval of Updated District Information Technology and Communications Systems Policy

RECOMMENDATION

Staff recommends the Governing Board authorize the Executive Director to approve the updated Information Technology and Communications Systems Policy.

BACKGROUND

Staff has been systematically updating District policies and procedures in order to increase accountability, transparency, and efficiency.

The attached Information Technology and Communications Systems Policy has been updated to set consistent parameters for employee use of information technology and communication systems, including wireless devices.

JD/rl

INFORMATION TECHNOLOGY

The Bureau of Administrative Services provides information technology support activities that include hardware, software and network purchase, installation and maintenance, and database consultation. Services should be requested by using the Help Desk.

INTERNET USE

District-provided access to the Internet is a powerful tool to be used for obtaining information needed in the performance of District duties and responsibilities. During work hours staff members should limit their respective Internet searches to web sites that contain information pertinent to District business.

Staff members may access other appropriate web sites during the lunch hour and during break periods. Unauthorized or inappropriate use of the Internet is considered to constitute conduct unbecoming of a public employee and will result in disciplinary action.

Inappropriate use shall include using the Internet for financial gain or for any commercial or illegal activity. Inappropriate sites include those using profanity, obscenity, or other language/graphics that may be offensive to another user.

SOFTWARE PROCEDURES

Over the years, the District has distributed many computer applications to desktop machines controlled by individual users. Software can easily be loaded or modified on these machines, but users must take care to ensure that appropriate software is used in a responsible manner.

Most computer software is protected under copyright laws, so use of the software requires a fee to be paid to the manufacturer or distributor. Use of unlicensed software or other violation of license terms is subject to penalties prescribed by law. It is District procedure that all computer software be properly licensed before use.

Computer viruses can damage data stored on machines and, in extreme cases, cause hardware problems. All computers issued by Information Technology staff include software to screen for viruses and other malware. However, such software is not infallible, so users should take care when using the web, accessing email, or otherwise bringing data from outside onto a local machine.

Desktop units and servers are backed up regularly by Information Technology staff, but users should keep their own backups of critical data that is stored locally on their machines.

Users should not store critical data on their local drives, but rather on network drives. Copies on local drives for offsite work or editing should be saved back to network drives as soon as possible.

COMMUNICATIONS POLICIES AND PROCEDURES

The District is committed to a premise of openness with the news media and the public and is committed to providing information that is timely, accurate, complete, and useful. Providing information to the news media and the public is one of the primary functions of the District Leadership Team.

Information Sharing: The District will use the internet website as the primary vehicle for sharing information and will make a conscious and concerted effort to minimize the production of printed (on paper) materials.

Media Inquiries: The Communications Specialist will be the primary person to receive media inquiries. To obtain the best information possible for an official media response, the Communications Specialist will approach members of the Leadership Team for their expert data and knowledge of the subjects in question.

Communication Services Provided to Staff: The Communications Specialist position is one of support to the entire staff. Thereby the Communications Specialist is expected to respond readily and cooperatively to staff requests for communication services.

COMMUNICATION SYSTEM

In order to enhance employee productivity and increase accessibility and accountability of staff to the public, the District maintains a state-of-the-art multi-functioned voice and data communication system.

Each employee workstation is equipped with a telephone system which has both programmed and programmable features that allow for multi-line conferencing, speed dialing, automatic call back, and other efficiency techniques. The District utilizes a Voice over Internet Protocol (VOIP) phone system in which all employees are assigned a phone and number.

A customized voice message greeting is provided for use in setting up employee's voice mail as follows:

This is _____ I am unavailable to take your call. Please leave a message and I will return your call as soon as possible. If you would like to speak to the receptionist, please dial 0. Thank you.

Employees may record a customized out-of-the-office greeting, if they plan to be away for more than a day.

WIRELESS DEVICES

Wireless devices include smartphones, tablets such as iPads, laptops, mobile phones, and other devices that are capable of wireless communications.

UNAUTHORIZED PERSONAL USE OF WIRELESS TECHNOLOGY

The following uses of wireless technology are prohibited:

- (1) Displaying, sharing, communicating, or transferring information that is threatening, abusive, obscene or offensive, or any material or communication that creates an atmosphere or situation that detracts from any employee completing his or her job duties, regardless of intent;
- (2) Participating in on-line gaming;
- (3) Using wireless technology for a personal, income-producing business;
- (4) Using wireless technology for any activity in violation of District policy;
- (5) Using a District-issued mobile phone or mobile voice device for personal purposes, where such use is more than incidental, as described below; or
- (6) Downloading material, the possession or publication of which would violate either District policy or local, state, or federal laws.

AUTHORIZED PERSONAL USE OF WIRELESS TECHNOLOGY

Limited personal use of the following wireless technology is authorized under the parameters described below, so long as the individual does not engage in any of the unauthorized uses as describe above.

- (1) Wireless technology may be used to communicate changes in an employee's normal work schedule to the employee's family or household; or
- (2) Personal use of a District-issued mobile phone or mobile voice device, where such use is incidental. Personal use will be considered incidental if fewer than 200 minutes are spent on personal calls per month and fewer than 100 personal text messages are sent or received per month, predominantly during non-business hours. Individuals assigned a

voice device may contact the Administrative Services Bureau for information regarding when such calls will not result in a charge.

- (3) All charges for personal use that are not incidental must be reimbursed to the District at a rate of \$0.05 per voice minute and \$0.05 per text message.

For purposes of the explicit authorization identified herein, limited personal use shall mean only such use that does not interfere with the ability of the employee or other employees to perform assigned job duties. Additionally, unless within the employee's job duties, during work hours employees are prohibited from posting content (e.g., text comments, photos, audio or video) on any website, including, without limitation, virtual bulletin boards, blogs, newsgroups or other social media. "Social media" is an umbrella term, and includes any website that integrates technology, social interaction, and content creation. Examples of social media include, but are not limited to, Facebook (except for the District Facebook page in accordance with employee duties), MySpace, Twitter, LinkedIn and YouTube.

Composing, sending, posting or reading e-mail, text-messages, or other content while operating a District vehicle or other equipment, or a private vehicle on official business, is strictly prohibited.

While operating a District vehicle or other equipment, or a private vehicle on official business, individuals shall use only hands-free technology, such as the speakerphone function or a hands-free headset, when making or receiving phone calls.

Instant messaging and text messaging shall be used only to communicate short transitory messages, and not to perpetuate or formalize a conversation. That is, these messages shall be used to communicate information of short-term value. Examples of transitory messages include, but are not limited to, communications confirming or changing scheduled meetings or appointments; telephone messages; or confirming employee location or status. Instant and text messages shall not be used to formulate or perpetuate knowledge, set policy, establish guidelines or procedures certify a transaction, or become a receipt.

As with any Information Technology, the District may monitor use of those services and equipment that may be used for limited personal use to ensure compliance with District policies. Such monitoring may include, but is not limited to, random audits conducted on a regular basis to determine whether personal use of a desk phone, mobile phone, or mobile voice device is more than incidental.

EMPLOYEES' PERSONAL WIRELESS DEVICES

District employees' personal wireless devices are not supported by the Information Technology Department. The District will not configure, modify or upgrade employees' personal wireless devices.

The District will not reimburse for usage of personal wireless devices used for District business.

FACSIMILE MACHINE

The facsimile machine is located at the Receptionist desk. The fax can be used to send an incidental number of pages of personal faxes to US numbers. In this case, incidental is defined as 10 pages per month.

EMAIL USAGE

Employees are given individual District email addresses which are to be solely used for District business. All E-mail sent to and from the District may be public records. The following format is required for District e-mail messages.

Name, Degree or Certification(s)
Position, XXX Division
Suwannee River Water Management District
9225 CR 49, Live Oak, FL 32060
386.362.1001
800.226.1066 (FL Toll Free)
www.mysuwanneeriver.com
Let us know how we're doing: [Contact Us](#)



All E-mail sent to and from this address may be public records. The Suwannee River Water Management District does not allow use of the District E-mail system and other equipment for non-business related purposes.

COMPUTER NETWORK DRIVES

The District utilizes several computer networks for business purposes. The following table lists the various drives and/or directories which have specific uses and indicates where files of particular types should be stored.

Network Drive Letter/Name	Usage Description
U PoseidonSRWMDusers	This is a personal use drive location for employees. It is not accessible by other employees.
V GISPROJ	This is a drive location for an individual employee's GIS project files.
W GISLIB	This is a drive location for corporate GIS project files.

DISTRICT PORTAL

The District maintains an internal sharepoint system for document management, internal communications (including announcements), and as a clearinghouse for employee information.

Employees may post announcements on the portal as a means of communicating about District-related events and for general information.

Executive Director

Effective Date

MEMORANDUM

TO: Governing Board

FROM: Carlos Herd, Division Director, Water Supply

THRU: Ann B. Shortelle, Ph.D., Executive Director

DATE: May 27, 2013

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

May 20, 2013 Stakeholder Advisory Committee (SAC) Meeting:

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

- Northeast Florida Southeast Georgia Regional Groundwater Flow Model development status update and conceptual model.
- Briefing on the Lower Santa Fe and Ichetucknee Rivers and Springs Minimum Flows and Levels results.
- Members approved the committee recommendation agreeing on the methodologies used to develop available water use data for groundwater model calibration for the years 2001 and 2009.
- Members' open discussion regarding water supply issues in North Florida.

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

Thank you for your attention to this summary of current activities. Please feel free to contact staff prior to the Governing Board meeting if you would like further information.

/ch

**NORTH FLORIDA REGIONAL WATER SUPPLY PARTNERSHIP
STAKEHOLDER ADVISORY COMMITTEE
MAY 20, 2013—LAKE CITY, FLORIDA
MEETING EVALUATION SUMMARY**

Members used a 0 to 10 Rating Scale Where a 0 Meant Totally Disagree and a 10 Meant Totally Agree.

Please Check If You Are An Alternate:

1. Please assess the overall meeting.

- 9.0 The background information was very useful.
- 8.9 The agenda packet was very useful.
- 9.4 The objectives for the meeting were stated at the outset.
- 9.0 Overall, the objectives of the meeting were fully achieved.

2. Do you agree that each of the following meeting objectives was achieved?

- 9.7 Updated *SAC Workplan* review and approval.
- 8.8 Available water use data for Model calibration recommendation.
- 8.7 Regional Groundwater Model development status update and conceptual model briefing.
- 8.8 Lower Santa Fe River MFLs briefing.
- 9.2 Members' open discussion regarding water supply issues (time permitting).
- 9.0 Review of next steps and agenda items for next meeting.
- 9.2 Public Comment.

3. Please tell us how well the Facilitator helped the participants engage in the meeting.

- 9.8 The members followed the direction of the Facilitator.
- 9.8 The Facilitator made sure the concerns of all members were heard.
- 9.6 The Facilitator helped us arrange our time well.
- 9.7 Participant input was documented accurately in Facilitator's Summary Report (last meeting).

4. Please tell us your level of satisfaction with the meeting?

- 8.4 Overall, I am very satisfied with the meeting.
- 9.2 I was very satisfied with the services provided by the Facilitator.
- 8.3 I am satisfied with the outcome of the meeting.

5. Please tell us how well the next steps were communicated?

- 9.0 I know what the next steps following this meeting will be.
- 8.6 I know who is responsible for the next steps.

6. What did you like best about the meeting?

- Good water model presentation.
- Mary Louis' testimonial.
- Organization, adherence to agenda.
- Frank discussion, thanks to Mayor Hildreth.

7. How could the meeting have been improved?

- More macro data to show sensitivities.
- Get more action accomplished.
- Would be nice to know how staff really feels. Probably not realistic.

8. Do you have any other comments?

- Put the lady with the public comments on the board.
- Have less politicking and more action.

**NORTH FLORIDA REGIONAL WATER SUPPLY PARTNERSHIP
STAKEHOLDER ADVISORY COMMITTEE
EVALUATION SUMMARY REPORT—FACILITATION, MEETING SATISFACTION, MEETING OBJECTIVES**

RANKING SCALE CRITERIA									
10	9	8	7	6	5	4	3	2	1
Excellent Superior	Very Good	Good	Acceptable	Fair	Average	Mediocre Sub-Par	Poor	Very Poor	Extremely Poor

NFRWSP SAC FACILITATION EVALUATION RESULTS SUMMARY—JUNE 2012-MAY 2013											
EVALUATION QUESTIONS	JUNE 2012	AUG. 2013	SEPT. 2012	OCT. 2012	DEC. 2012	JAN. 2013	FEB. 2013	MARCH 2013	APRIL 2013	MAY 2013	
The members followed the direction of the Facilitator.	9.0	9.3	8.8	9.1	9.4	9.2	9.2	9.3	9.3	9.8	
The Facilitator made sure the concerns of all members were heard.	9.6	9.6	9.2	9.3	9.5	9.6	8.6	9.7	9.6	9.8	
The Facilitator helped us arrange our time well.	8.9	9.5	8.7	9.3	8.8	9.0	8.8	9.7	9.3	9.6	
Participant input was documented accurately in Facilitator's Report.	8.8	9.4	8.9	8.8	9.1	9.1	9.5	9.6	9.4	9.7	
I was very satisfied with the services provided by the Facilitator.	8.3	8.9	7.8	8.6	8.6	9.0	8.1	9.4	9.4	9.2	
AVERAGE RANKING	8.9	9.3	8.7	9.1	9.1	9.2	8.8	9.5	9.4	9.6	
<i>Average rank using a 0 to 10 scale, where 0 means totally disagree and 10 means totally agree.</i>											

NFRWSP SAC MEETING SATISFACTION EVALUATION RESULTS SUMMARY—JUNE 2012-MAY 2013										
EVALUATION QUESTIONS	JUNE 2012	AUG. 2013	SEPT. 2012	OCT. 2012	DEC. 2012	JAN. 2013	FEB. 2013	MARCH 2013	APRIL 2013	MAY 2013
Overall, I am very satisfied with the meeting.	7.7	8.6	5.9	8.2	8.0	8.5	7.4	8.6	8.9	8.4
I am satisfied with the outcome of the meeting.	7.3	8.3	5.7	7.7	7.6	8.0	7.2	8.7	9.1	8.3
AVERAGE RANKING	7.5	8.5	5.8	7.8	7.8	8.3	7.3	8.7	9.0	8.4

NFRWSP SAC MEETING OBJECTIVES EVALUATION RESULTS SUMMARY—JUNE 2012-MAY 2013										
EVALUATION QUESTIONS	JUNE 2012	AUG. 2013	SEPT. 2012	OCT. 2012	DEC. 2012	JAN. 2013	FEB. 2013	MARCH 2013	APRIL 2013	MAY 2013
AVERAGE RANKING FOR ALL OF THE MEETING OBJECTIVES (PRIMARILY PRESENTATIONS)	7.3	9.1	7.8	7.9	7.8	8.0	8.5	9.1	9.2	9.1

MEMORANDUM

TO: Governing Board
FROM: Ann B. Shortelle, Ph.D., Executive Director
DATE: May 27, 2013
RE: District's Weekly Reports

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

ABS/rl
Attachments



Weekly Activity Report to Governing Board May 6, 2013

Executive/Management

- Ann Shortelle spoke at the Paynes Prairie Sheetflow Groundbreaking event. Erich Marzolf was also in attendance.
- Ann Shortelle attended a meeting at Ginnie Springs with DEP Secretary Herschel Vinyard.
- Steve Minnis met with Representative Elizabeth Porter and her legislative aides for a 2013 Legislative debriefing.

Water Supply

- Carlos Herd and John Good, along with staff from SJRWMD and DEP, attended a webinar to discuss the Lower Santa Fe and Ichetucknee MFL Update/Crosswalk.

Resource Management

- James Link participated in a FEMA webinar to preview the Knowledge Sharing Site (KSS). The site serves as the central location for all Risk MAP Standards and Guidance, and as a central location for Risk MAP practitioners to access, post, or discuss program standards, guidance, best practices, lessons learned, and other related information and resources.
- Leroy Marshall participated in a rule hearing webinar regarding adoption of state-wide environmental resource permit (SWERP) rules.

Ag Team/Suwannee River Partnership

- Kevin Wright attended the Suwannee FFA Banquet.
- Staff attended a lunch and learn presented by McCrometer to discuss their latest water use monitoring equipment.

Water Resources

- Erich Marzolf participated in a webinar titled: What Social Factors "Sell" Landowners on Agroforestry Practices.
- Paul Buchanan was contacted by the Southern Georgia Regional Commission to inquire about SRWMD LIDAR data and possible future cooperation opportunities on LIDAR collection projects along our shared state boundary.

Land Resources

- Charlie Houser and Bill McKinstry conducted a follow up inspection of the Zellwin Farms/Jennings Bluff conservation easement
- Charlie Houser conducted an inspection of the Newberry Wellfield conservation easement.
- Richard Rocco conducted an inspection of the Platt/Upper Aucilla conservation easement.

Administrative Services

- Dave Dickens and Sara Alford participated in a Preliminary Tentative Budget teleconference with DEP and the other WMDs.

Communications

- Communications staff sent out press releases on the dedication ceremony of Fanning Springs Waste Water Treatment Plant and the North Florida Regional Water Supply Partnership Stakeholder Advisory Committee's May 20 meeting.

Announcements for Week of May 13:

- The Governing Board meeting will take place in Cedar Key on May 16.
- The Governing Board workshop will take place in Cedar Key on May 17.



Weekly Activity Report to Governing Board May 13, 2013

Executive/Management

- Ann Shortelle (presenter, SRWMD), Carlos Herd (presenter, water supply), and Kevin Wright attended the DACS Office of Agricultural Water Policy Spring Agriculture Water Meeting in Tallahassee.
- Chairman Don Quincey, Ann Shortelle, Jon Dinges, and Carlos Herd attended a Quarterly Executive NFRWSP progress meeting with the DEP and the SJRWMD in Palatka.
- Jon Dinges gave a presentation concerning lessons learned from the District's response to Tropical Storm Debby at the annual hurricane preparedness meeting with DEP in Tallahassee.

Resource Management

- Tim Sagul, Carlos Herd and Trey Grubbs met with Gainesville Regional Utilities to discuss the groundwater modeling approach that GRU is considering for their CUP renewal.

Ag Team/Suwannee River Partnership

- Kevin Wright, Hugh Thomas, and Joel Love attended the monthly Suwannee River Partnership meeting.
- Kevin Wright attended the Branford FFA Banquet.

Water Resources

- Erich Marzolf met with a class from Brevard College, NC at the Woods Ferry River Camp to discuss river chemistry and management.
- Marc Minno and Darlene Saindon participated in the judging of 4th grade Science Fair projects at Lafayette Elementary School.

Land Resources

- Charlie Houder participated in a webinar titled "Ecological Site Descriptions: An Interdisciplinary and Interagency Effort - Data Mining; Locating and Analyzing Vegetation Data".
- Edwin McCook attended the monthly meeting of the Florida Trail Association Suwannee Chapter.

Administrative Services

- Dave Dickens participated in a webinar concerning training for 2013 Statewide Hurricane Exercise along with staff from the other WMDs.
- Dave Dickens attended a Water Management District Emergency Operations Coordination meeting in Orlando along with staff from the other WMDs.

Communications

- Communications staff sent out press releases to announce two CUP Consistency Rule Development (CUPCon) Workshops and to recognize a Girl Scout for helping to improve District lands to earn her Girl Scout Gold Award.

Announcements for Week of May 20:

- A CUPCon Workshop will take place at 9:00 a.m. on May 21 at the Tommy Usher Community Center in Chiefland.
- A CUPCon Workshop will take place at 5:30 p.m. on May 21 at the District headquarters.
- The Surplus Lands Committee meeting, previously scheduled for May 22, has been canceled.
- The face-to-face meeting between DEP, the WMDs and Governing Board chairs is May 22-23 in Tampa.



Weekly Activity Report to Governing Board May 20-24, 2013

Executive/Management

- Chairman Don Quincey, Ann Shortelle and Jon Dinges attended the face-to-face meeting between DEP, the WMDs and Governing Board Chairs in Tampa.
- Ann Shortelle and Erich Marzolf met with Bill Bartnick of FDACS to discuss nutrient remediation projects for the Santa Fe River.

Water Supply

- Ann Shortelle, Carlos Herd, Hugh Thomas and Vanessa Fultz attended the North Florida Regional Water Supply Partnership monthly Stakeholder Advisory Committee meeting at Florida Gateway College.
- Carlos Herd attended a North Central Florida Regional Planning Council Meeting.

Resource Management

- Tim Sagul, Kevin Wright, and Tilda Musgrove conducted two CUPCon workshops to inform the public of rule development for statewide consumptive use permitting consistency. The workshops were held in Chiefland and Live Oak.
- Carlos Herd, Lindsey Marks, and Tim Sagul attended a Gainesville Regional Utilities consumptive use permit pre-application meeting.
- Leroy Marshall attended a webinar with representatives from DEP and the other WMD's regarding language changes to the formal wetland delineation rule.
- Pat Webster attended a webinar with FDOT regarding the Efficient Transportation Decision Making (ETDM) billing process.
- James Link attended a webinar hosted by FEMA officials regarding project management.
- Leroy Marshall attended a webinar with representatives from DEP and the other WMD's regarding the public hearing for Chapter 62-4, F.A.C. (Statewide Environmental Resource Permitting).

Ag Team/Suwannee River Partnership

- Kevin Wright, Hugh Thomas, and Joel Love attended the Suwannee River Partnership Breakfast meeting.

Water Resources

- Erich Marzolf met with Governing Board Member Dr. George Cole and Michael Hill from FWC at Sneads Smokehouse Lake to discuss FWC's hydrologic restoration plans.
- Erich Marzolf gave a presentation on springs health to the Perry Kiwanis Club.
- Paul Buchanan participated in GIS coordination conference calls as part of the 2013 FDEM Florida Statewide Hurricane Exercise.

- Staff installed a new, permanent river level gage at the River Rise in O'Leno State Park, with cooperation from FDEP personnel. Data from the gage will support the MFL program and National Weather Service flood forecasting.
- Staff installed 17 telemetered water use monitors.
- Staff completed installation of groundwater level sensors at 9 wells in Mallory Swamp.

Land Resources

- Charlie Houder attended a meeting on Geo-Spatial Technologies: Solutions for Natural Resource Management in Gainesville.
- Charlie Houder and Bob Heeke inspected the Chinquapin Farms and GRU Wellfield conservation easements.

Administrative Services

- Dave Dickens attended the Statewide Hurricane Exercise in Tallahassee.
- Dave Dickens and Sara Alford met with staff from NFWFMD regarding budget processes.

Communications

- Communications staff sent out press releases on Water Reuse Week and the District's newest employee, Alejandra Rodriguez.
- Vanessa Fultz attended an outreach event at Suwannee High School to promote water conservation.

Announcements for Week of May 27

- SRWMD will meet with DEP to discuss MFL's of the Lower Santa Fe and Ichetucknee on May 29.
- The Land Management Review Team will meet on May 30.
- Ann Shortelle will participate in a Florida Farm Bureau tour of a watermelon farm, packing house, and a large beef cattle operation in Levy and Gilchrist Counties on May 31.



Weekly Activity Report to Governing Board May 27, 2013

Executive/Management

- Ann Shortelle, Jon Dinges, and Carlos Herd attended a North Florida Utility Coordination Group Executive meeting at the St. Johns River Water Management District headquarters in Palatka.
- Steve Minnis attended the Nature Coast Regional Water Authority Meeting and presented the District's regional water supply position at the Workshop in Old Town.
- Steve Minnis met with Brian Mimbs, Regional Director for Senator Marco Rubio, to discuss District water supply issues.

Water Supply

- Ann Shortelle, Jon Dinges, and Carlos Herd participated in a meeting with DEP to discuss MFL's within the Lower Santa Fe and Ichetucknee River basins.

Resource Management

- Tim Sagul and Kevin Wright met with DEP to discuss DEP's comments regarding SRWMD's proposed CUPCon rules.
- Leroy Marshall participated in a webinar with representatives from DEP and the other WMD's regarding the Adoption of Fees Hearing for chapter 62-4, F.A.C. (Statewide Environmental Resource Permitting).
- Leroy Marshall and James Link participated in a conference call with the state-wide Silver Jacket team regarding a proposed state-wide Flood Map website.
- Pat Webster met with Shannon White of the USACOE regarding permitting for the restoration of Bell Springs.

Ag Team/Suwannee River Partnership

- Kevin Wright and Joel Love attended the Suwannee County Conservation District Annual meeting at the Suwannee County Extension Office. Kevin Wright spoke at the meeting.
- Ann Shortelle, Kevin Wright, and Hugh Thomas attended a CARES dinner preparation meeting at the UF/IFAS Research Center.
- Ann Shortelle, Hugh Thomas, and Kevin Wright attended a Farm Bureau Farm tour on May 31. The tour featured Alachua, Gilchrist and Levy County Agriculture.

Water Resources

- Erich Marzolf attended a Reuse Coordinating Committee meeting via conference call with DEP.
- Erich Marzolf and Megan Wetherington attended a Santa Fe River Springs Basin Working Group meeting in High Springs where nitrates and discharge were discussed.

- Erich Marzolf, Marc Minno, and Darlene Saindon attended an Inter-District Springs meeting in Ocala for staff to discuss springs issues.

Land Resources

- The Land Management Review team met to evaluate the District's land management practices. Ann Shortelle, Edwin McCook, Bill Mckinstry, Scott Gregor, Pennie Flickinger, and Tyler Futch were in attendance.
- Charlie Houser attended a Silviculture Best Management Practices Technical Advisory Committee meeting in Tallahassee.
- Richard Rocco and Edwin McCook conducted an inspection of the Florida Youth Ranch conservation easement.

Communications

- Communications staff sent out a press release entitled: More than 300 Suwannee High School students pledge to conserve water.
- Communications staff set up a Facebook page to expand outreach opportunities. To date, the page has received 110 likes.

Announcements for Week of June 3, 2013:

- Staff will attend the Agriculture Water Policy Advisory Committee meeting on June 7.