

Governing Board Meeting

Agenda and Meeting Information

August 22, 2023

9:00 a.m.

Brooksville Office

2379 Broad Street • Brooksville, Florida
(352) 796-7211 • 1-800-423-1476

Southwest Florida
Water Management District

WATERMATTERS.ORG • 1-800-423-1476



2379 Broad Street, Brooksville, Florida 34604
(352) 796-7211 or 1-800-423-1476 (FL only)
WaterMatters.org

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Opportunity
Employer

The Southwest Florida Water Management District (District) does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs, services and activities. Anyone requiring reasonable accommodation, or who would like information as to the existence and location of accessible services, activities, and facilities, as provided for in the Americans with Disabilities Act, should contact the Human Resources Office Chief, at 2379 Broad St., Brooksville, FL 34604-6899; telephone (352) 796-7211 or 1-800-423-1476 (FL only); or email ADACoordinator@WaterMatters.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice). If requested, appropriate auxiliary aids and services will be provided at any public meeting, forum, or event of the District. In the event of a complaint, please follow the grievance procedure located at WaterMatters.org/ADA.

Final Agenda GOVERNING BOARD MEETING

**AUGUST 22, 2023
9:00 AM**

**2379 BROAD STREET, BROOKSVILLE, FL 34604
(352) 796-7211**

All meetings are open to the public

MEETING NOTICE

- › Viewing of the Board meeting will be available through the District's website at www.WaterMatters.org.
- › Public input will be taken only at the meeting location.
- › Public input for issues not listed on the published agenda will be heard shortly after the meeting begins.

Pursuant to Section 373.079(7), Florida Statutes, all or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

The Governing Board may take official action at this meeting on any item appearing on this agenda and on any item that is added to this agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

The order of items appearing on the agenda is subject to change during the meeting and is at the discretion of the presiding officer.

Public Comment will be taken after each presentation and before any Governing Board action(s) except for Governing Board hearings that involve the issuance of final orders based on recommended Orders received from the Florida Division of Administrative Hearings.

Unless specifically stated, scheduled items will not be heard at a time certain.

The current Governing Board agenda and minutes of previous meetings are available at WaterMatters.org.

Bartow Office
170 Century Boulevard
Bartow, Florida 33830
(863) 534-1448 or 1-800-492-7862 (FL only)

Sarasota Office
78 Sarasota Center Boulevard
Sarasota, Florida 34240
(941) 377-3722 or 1-800-320-3503 (FL only)

Tampa Office
7601 Hwy 301 N
Tampa, Florida 33637
(813) 985-7481 or 1-800-836-0797 (FL only)

1. CONVENE PUBLIC MEETING

- 1.1 Call to Order
- 1.2 Oath of Office
- 1.3 Invocation and Pledge of Allegiance
- 1.4 Employee Recognition
- 1.5 Additions/Deletions to Agenda
- 1.6 Public Input for Issues Not Listed on the Published Agenda

2. CONSENT AGENDA

- 2.1 **Finance/Outreach and Planning Committee:** Authorization to Dispose of Equipment
- 2.2 **Resource Management Committee:** FARMS – Bay Grove – T&T Environmental, LLC, Phase 2 (H818), DeSoto County
- 2.3 **Operations, Lands and Resource Monitoring Committee:** Sale of Easement to Verizon Wireless – Lake Marion Creek – Horseshoe Scrub Tract, SWF 20-597-110X
- 2.4 **Operations, Lands and Resource Monitoring Committee:** Modification of Restrictive Covenant – Charlotte Sarasota Holdings, LLP, SWF Parcel No. 20-708-128S
- 2.5 **Regulation Committee:** Water Use Permit No. 20 002715.027, Mosaic Fertilizer, LLC and South Ft. Meade Partnership, LP / Mosaic Agricultural WUP (Hardee and Polk Counties)
- 2.6 **Regulation Committee:** Water Use Permit No. 20 007417.008, Astin Strawberry Property Management, LLC / Astin Blueberry Farm (Hillsborough County)
- 2.7 **Regulation Committee:** Water Use Permit No. 20 007121.007, Citrus County Board of County Commissioners and Withlacoochee Regional Water Supply Authority / Charles A Black Water Supply System (Citrus County)
- 2.8 **General Counsel's Report:** Approval of Rulemaking to Amend Rule 40D-1.1010, Florida Administrative Code, to Clarify Point of Entry into Proceedings
- 2.9 **Executive Director's Report:** Approve Calendar for Fiscal Year 2024 Meeting Dates
- 2.10 **Executive Director's Report:** Approve Governing Board Minutes – July 25, 2023

3. FINANCE/OUTREACH AND PLANNING COMMITTEE

- 3.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion
- 3.2 **Submit & File:** Information Item: Budget Transfer Report

4. RESOURCE MANAGEMENT COMMITTEE

- 4.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion
- 4.2 **Discussion:** Information Item: Facilitating Agricultural Resource Management Systems Program 20th Anniversary
- 4.3 **Discussion:** Action Item: Peace River Regional Reservoir No. 3 Project – Third-Party Review Q272

- 4.4 **Submit & File:** Information Item: Minimum Flows and Minimum Water Levels Priority List and Schedule Update
- 4.5 **Submit & File:** Information Item: Lower Hillsborough River Recovery Strategy Implementation – Annual Update

5. OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

- 5.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion
- 5.2 **Discussion:** Information Item: Hydrologic Conditions Report
- 5.3 **Discussion:** Information Item: Overview of Land Management Plan Updates
- 5.4 **Discussion:** Action Item: Surplus Lands 2023 Biennial Assessment
- 5.5 **Submit & File:** Information Item: Summary of Fiscal Year 2023 Interagency Land Management Reviews

6. REGULATION COMMITTEE

- 6.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion
- 6.2 **Discussion:** Action Item: Denials Referred to the Governing Board

7. GENERAL COUNSEL'S REPORT

- 7.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion

8. COMMITTEE/LIAISON REPORTS

- 8.1 **Discussion:** Information Item: Environmental Advisory Committee

9. EXECUTIVE DIRECTOR'S REPORT

- 9.1 **Discussion:** Information Item: Executive Director's Report

10. CHAIR'S REPORT

- 10.1 **Discussion:** Information Item: Chair's Report
- 10.2 **Discussion:** Information Item: Employee Milestones

ADJOURNMENT

GOVERNING BOARD OFFICERS, COMMITTEES AND LIAISONS

Approved June 26, 2023

OFFICERS	
Chair	Ed Armstrong
Vice Chair	Michelle Williamson
Secretary	John Mitten
Treasurer	Jack Bispham

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE
John Hall
Kelly Rice
John Mitten

RESOURCE MANAGEMENT COMMITTEE
Ashley Bell Barnett
Michelle Williamson
James Holton

REGULATION COMMITTEE
Dustin Rowland
Robert Stern
Joel Schleicher

FINANCE/OUTREACH AND PLANNING COMMITTEE
Jack Bispham
Joel Schleicher
Kelly Rice

** Board policy requires the Governing Board Treasurer to chair the Finance Committee.*

STANDING COMMITTEE LIAISONS	
Agricultural and Green Industry Advisory Committee	Dustin Rowland
Environmental Advisory Committee	John Mitten
Industrial Advisory Committee	James Holton
Public Supply Advisory Committee	Robert Stern

OTHER LIAISONS	
Central Florida Water Initiative	Ashley Bell Barnett
Springs Coast Steering Committee	Kelly Rice
Coastal & Heartland National Estuary Partnership Policy Committee	John Hall
Sarasota Bay Estuary Program Policy Board	Joel Schleicher
Tampa Bay Estuary Program Policy Board	James Holton
Tampa Bay Regional Planning Council	Vacant

**Southwest Florida Water Management District Schedule of Meetings
Fiscal Year 2023**

5/11/2023

Governing Board Meeting

October 18, 2022 – 9:00 a.m., Tampa Office
November 15, 2022 – 9:00 a.m., Brooksville Office
December 13, 2022 – 9:00 a.m., Brooksville Office
January 24, 2023 – 9:00 a.m., Tampa Office
February 28, 2023 – 9:00 a.m., Brooksville Office
March 28, 2023 – 9:00 a.m., Brooksville Office
April 25, 2023 – 9:00 a.m., Tampa Office
May 23, 2023 – 9:00 a.m., Tampa Office
June 27, 2023 – 9:00 a.m., Brooksville Office
July 25, 2023 – 9:00 a.m., Tampa Office
August 22, 2023 – 9:00 a.m., Brooksville Office
September 26, 2023 – 3:00 p.m., Tampa Office

Governing Board Workshop

November 15, 2022 – 10:30 a.m., Brooksville Office

Governing Board Budget Hearing – 5:01 p.m., Tampa Office

2023 – September 12 & 26

Agricultural & Green Industry Advisory Committee – 10:00 a.m.

2022 – December 6 (meeting replaced with December 16 field trip)
2023 – March 14, June 13, September 12

Environmental Advisory Committee – 10:00 a.m.

2022 – October 11 (canceled)
2023 – January 10, April 11, July 11

Industrial Advisory Committee – 10:00 a.m.

2022 – November 8
2023 – February 14 (meeting replaced with February 17 field trip), May 9, August 8

Public Supply Advisory Committee – 1:00 p.m.

2022 – November 8 (canceled)
2023 – February 14, May 9 (meeting replaced with May 5 field trip), August 8

Springs Coast Management Committee – 1:30 p.m.

2022 – October 26, December 7
2023 – January 11, (canceled) February 22, May 24, July 12

Springs Coast Steering Committee – 2:00 p.m.

2022 – November 9
2023 – January 25, March 8, July 26

Meeting Locations

Brooksville Office – 2379 Broad St., Brooksville, FL 34604

Tampa Office – 7601 US Highway 301 North, Tampa, FL 33637

Governing Board Meeting

August 22, 2023

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CONVENE PUBLIC MEETING

August 22, 2023

Call to Order

The Board Chair calls the meeting to order. The Board Secretary confirms that a quorum is present. The Board Chair then opens the public meeting. Anyone wishing to address the Governing Board concerning any item listed on the agenda or any item that does not appear on the agenda should fill out and submit a speaker's card. Comments will be limited to three minutes per speaker, and, when appropriate, exceptions to the three-minute limit may be granted by the Chair. Several individuals wishing to speak on the same issue/topic should designate a spokesperson.

Presenter:

Ed Armstrong, Chair

CONVENE PUBLIC MEETING

August 22, 2023

Oath of Office

Conduct the Oath of Office for newly appointed Board Member Nancy H. Watkins. Watkins represents Hillsborough and Pinellas counties. The Oath of Office will also be conducted for the reappointments of Ashley Bell Barnett, Kelly Rice and Joel Schleicher.

Presenter:

Virginia Singer, Manager, Communications and Board Services

CONVENE PUBLIC MEETING

August 22, 2023

Invocation and Pledge of Allegiance

An invocation is offered. The Board Chair conducts the Pledge of Allegiance to the Flag of the United States of America.

Presenter:

Ed Armstrong, Chair

CONVENE PUBLIC MEETING

August 22, 2023

Employee Recognition

Staff that have reached 20 or more years of service at the District will be recognized.

Staff Recommendation:

- Anthony Andrade, Reuse Coordinator, Water Reuse Bureau - 25 Years
- John Diez, Survey Technician 2, Data Collection Bureau - 20 Years

Presenter:

Ed Armstrong, Chair

CONVENE PUBLIC MEETING

August 22, 2023

Additions/Deletions to Agenda

According to Section 120.525(2), Florida Statutes, additions to the published agenda will only be made for "good cause" as determined by the "person designated to preside." Based upon that authority, the Chair has determined that good cause exists to make certain changes to the agenda. These changes are being made in order to permit the Governing Board to efficiently accomplish necessary public business at this meeting and to reflect the items on the agenda that have been requested or suggested to be deleted, revised, supplemented or postponed.

ADDITIONS: The items that have been added to the agenda were received by the District after publication of the regular agenda. The Board was provided with the information filed and the District staff's analyses of these matters. Staff has determined that action must be taken on these items prior to the next Board meeting. Therefore, it is the District staff's recommendation that good cause has been demonstrated and should be considered during the Governing Board's meeting.

Staff Recommendation:

Approve the recommended additions and deletions to the published agenda if necessary.

Presenter:

Brian J. Armstrong, P.G., Executive Director

CONVENE PUBLIC MEETING

August 22, 2023

Public Input for Issues Not Listed on the Published Agenda

At this time, the Board will hear public input for issues not listed on the published agenda.

Presenter:

Ed Armstrong, Chair

Governing Board Meeting

August 22, 2023

2. CONSENT AGENDA

All matters listed under the Consent Agenda are considered routine and action will be taken by one motion, second of the motion and approval by the Board. If discussion is requested by a Board member, that item(s) will be deleted from the Consent Agenda and moved to the appropriate Committee or Report for consideration.

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2.4	Operations, Lands and Resource Monitoring Committee: Modification of Restrictive Covenant – Charlotte Sarasota Holdings, LLP, SWF Parcel No. 20-708-128S.....	31
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CONSENT AGENDA

August 22, 2023

Finance/Outreach and Planning Committee: Authorization to Dispose of Equipment

Purpose

The purpose of this item is to request authorization to dispose of surplus tangible personal property pursuant to the Capital Assets Governing Board Policy.

Background/History

The District recently purchased a Kubota M6-141 tractor (Unit 2171) to replace a 2014 New Holland TS6.125 tractor (Unit 2120) as part of a planned replacement. The asset is used for maintenance of District properties.

Benefits/Costs

Staff recommends sending Unit 2120 to auction with an estimated sale price of more than \$25,000. In compliance with the Capital Assets Governing Board Policy, tangible personal property with a current market value in excess of \$25,000 requires Governing Board approval.

Staff Recommendation:

Staff recommends disposition of the New Holland TS6.125 tractor (Unit 2120) through the auction process.

Presenter:

Michelle Weaver, Bureau Chief, General Services

CONSENT AGENDA

August 22, 2023

Resource Management Committee: FARMS – Bay Grove – T&T Environmental, LLC, Phase 2 (H818), DeSoto County

Purpose

To request approval for a Facilitating Agricultural Resource Management Systems (FARMS) project with T&T Environmental, LLC, and approval to reimburse FARMS eligible costs up to a not-to-exceed limit of \$350,540 (51 percent of total project costs). The District funding is requested from the Governing Board FARMS Fund. Total project costs are estimated at \$684,540.

Project Proposal

The District received a project proposal from T&T Environmental, LLC for their 282-acre sod operation located five (5) miles south of Arcadia in southern DeSoto County, within the Peace River Basin Watershed, and within the Southern Water Use Caution Area, and Shell, Prairie and Joshua Creek. This project will involve construction and operation of a 3.4-acre canal reservoir to collect tailwater and surface water from the property and surrounding watershed to offset Upper Floridan aquifer groundwater used for supplemental irrigation of 122 acres of sod. The project area is permitted to use an annual average daily quantity for supplemental irrigation of 310,386 gallons per day (gpd). The Water Use Permit for the entire property authorizes the use of 624,700 gpd. FARMS project components consist of a linear overhead irrigation system with a mobile pumping unit, filtration, automation, soil moisture probes, valves, and fertigation. The linear irrigation system will convert the site from seepage irrigation to microirrigation and reduce surface water runoff to an adjacent watershed.

In February 2015, the Governing Board approved a FARMS project with Premier Citrus, LLC to facilitate a 2.3-acre tailwater irrigation reservoir to offset groundwater use for supplemental citrus irrigation. FARMS project components consisted of two stationary surface water pump stations, filtration systems, and mainline pipe to connect the surface water pump stations to the existing irrigation system. The estimated offset for this project was 78,000 gpd, and its period of record offset is more than 157,059 gpd yield. The property is no longer used for citrus production, however, the site drains to the northwest into the original reservoir. This will allow the original pumps and reservoir constructed with the 2015 project will to be used to augment the linear ponds constructed for the Phase 1 and 2 projects.

In October 2022, the Governing Board approved a Phase 1 FARMS project with T&T Environmental, LLC, who purchased the property from Premiere Citrus. The Phase 1 project consisted of two (2) 1.25-acre reservoirs to collect tailwater and surface water from the property and surrounding watershed to offset groundwater use. FARMS project components consisted of two (2) linear irrigation systems for the two (2) proposed 1.25-acre surface water reservoirs, with mobile pumping units, filtration, valves, automation, soil moisture probes, a weather station, and fertigation. These linear irrigation systems converted the site from seepage irrigation to microirrigation and reduce surface water runoff to adjacent watersheds. The estimated offset for this project was 120,000 gpd. The project is currently under construction.

Benefits/Costs

The proposed project involves water quantity and water quality best management practices (BMPs) for supplemental irrigation and qualifies for a 75 percent cost-share reimbursement rate under the FARMS

Program. The project is expected to reduce groundwater use by about 25 percent, or 78,000 gpd for daily irrigation, and reduce 220 pounds of nitrogen per year. The conservation components are integrated with the nutrient reduction components to maximize nutrient reduction. Based on the estimated groundwater offset, the estimated nitrogen reduction, and a proposed seven-year contract term, the cost per thousand gallons of water saved is \$3.86, and the cost per pound of nitrogen reduced is \$10.89 (based on the fertigation components). This value is within the guidelines for the generally accepted average cost savings per thousand gallons for the implementation of alternative supplies, improved irrigation techniques, and nutrient reduction BMPs for sod operations. Reimbursement will be from the Governing Board FARMS Fund. Upon approval of the projects presented at this meeting, the Governing Board will have \$2,695,742 remaining in its FARMS Program budget.

Staff Recommendation:

1. Approve the Bay Grove - T&T Environmental, LLC, Phase 2 project for a not-to-exceed project reimbursement of \$350,540 provided by the Governing Board;
2. Authorize the transfer of \$350,540 from fund 010 H017 Governing Board FARMS Fund to the H818 Bay Grove - T&T Environmental, LLC, Phase 2 project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

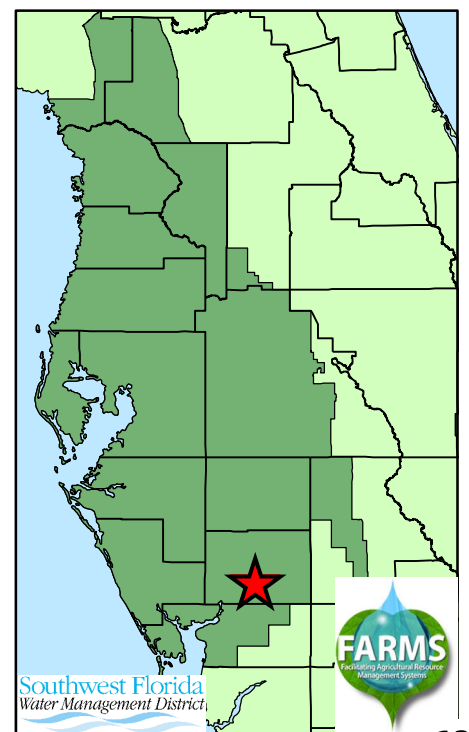
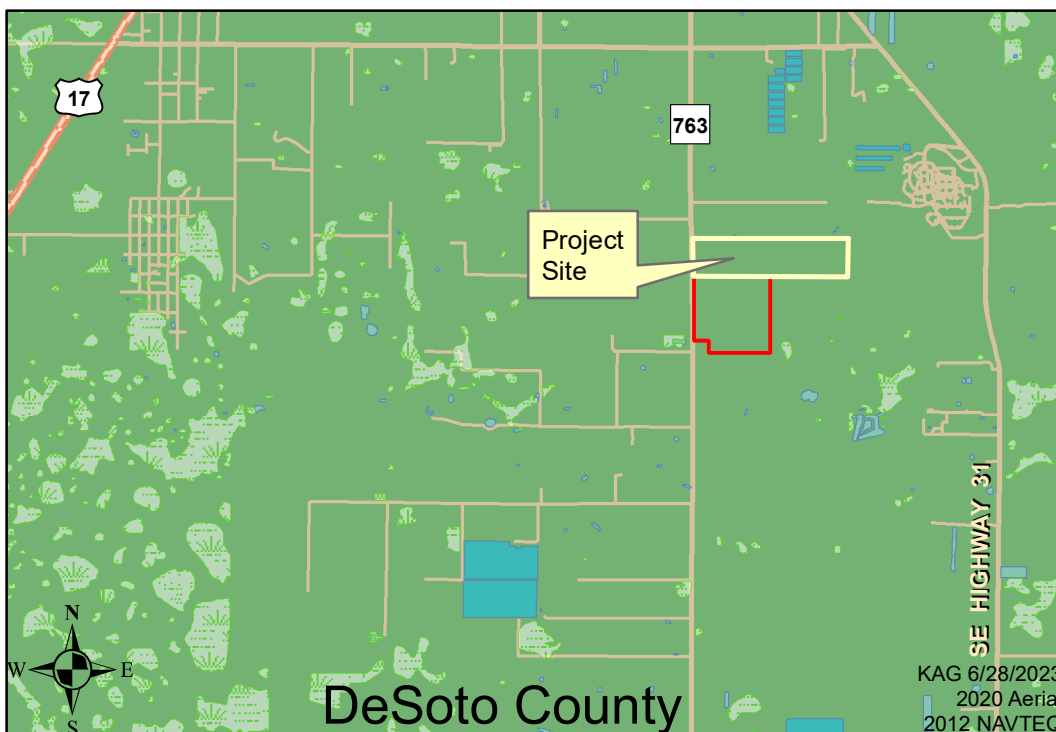
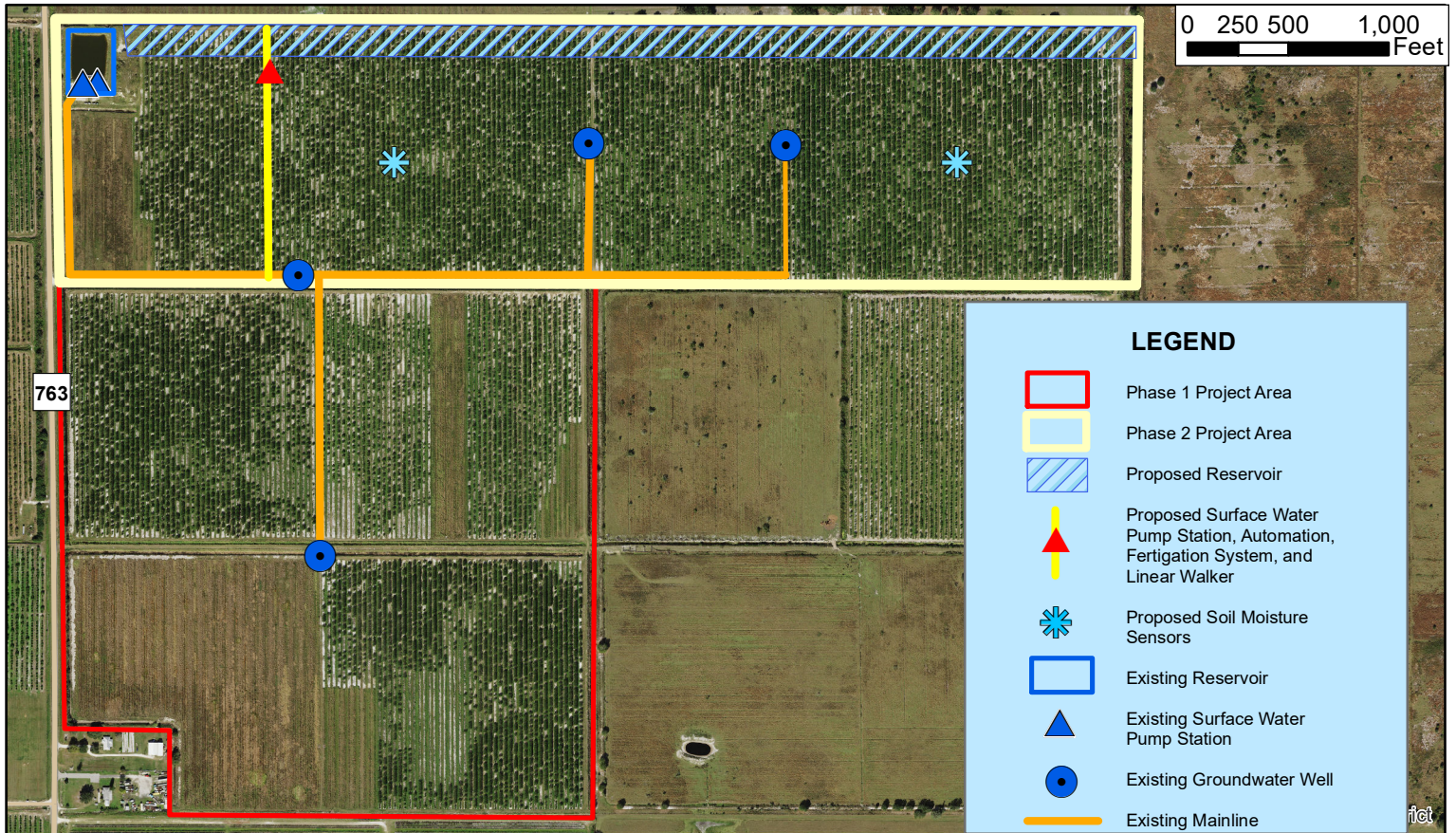
Presenter:

Carole Estes, P.G., FARMS Program Manager, Water Resources

Location Map

FARMS Project H818

Bay Grove - T&T Environmental Phase 2



CONSENT AGENDA

August 22, 2023

Operations, Lands and Resource Monitoring Committee: Sale of Easement to Verizon Wireless - Lake Marion Creek - Horseshoe Scrub Tract, SWF 20-597-110X

Purpose

Recommend the Governing Board approve the sale of an easement (Proposed Easement) to Verizon Wireless. A site map and general location map are included as Exhibits 1 and 2, respectively. The Purchase and Sale Agreement that includes the legal description for the Proposed Easement is included as Exhibit 3 and a draft Grant of Utility Easement is included as Exhibit 4.

Background

In August 1998, the Southwest Florida Water Management District (District) acquired the Lake Marion Creek property (Property) for the protection of water resources and to ensure the conservation, preservation, and restoration of the Property's natural systems.

On August 26, 1998, the District entered into a Management Agreement (Agreement) with South Florida Water Management District (SFWMD) which described the terms in which SFWMD manages lands mutually identified for preservation in Lake Marion Creek and SFWMD's Lake Marion Project. The Agreement was amended in December 2003 to include additional property acquired by the District. The Agreement expired on September 26, 2018. The District and SFWMD entered into a new Management Agreement on September 27, 2018, for a term of twenty-five (25) years in which the SFWMD has agreed to operate, manage and maintain the Property.

The Proposed Easement would be a ten foot (10') wide easement granted to Verizon Wireless for the underground installation of a fiber optic cable that will terminate at a Verizon Wireless cell tower on Baker Dairy Road north of the Property (Exhibit 4). Verizon estimates approximately 2,925.91 feet of easement starting at a hand hole located on the Southern boundary and running North toward the cell tower site on the eastern side of the Property.

SFWMD has reviewed the proposed easement and agrees with the recommendation to place the easement on the eastern side of the Property. Additionally, it has been required that Verizon commit to controlling any exotic vegetation if it becomes established within the easement area as a result of clearing activities and ground disturbance.

Appraisal and Price

The Proposed Easement was appraised by Mancuso Appraisal Services, Inc., Nicholas J. Mancuso, MAI. The date of valuation of his report is February 20, 2023, with a reported value of the easement of \$3,700.

Benefits/Costs

The District will receive revenue of \$3,700 associated with the sale of the Proposed Easement. Verizon Wireless will maintain the Proposed Easement in accordance with the terms set forth in the Proposed Easement. There is no cost to the District related to the project.

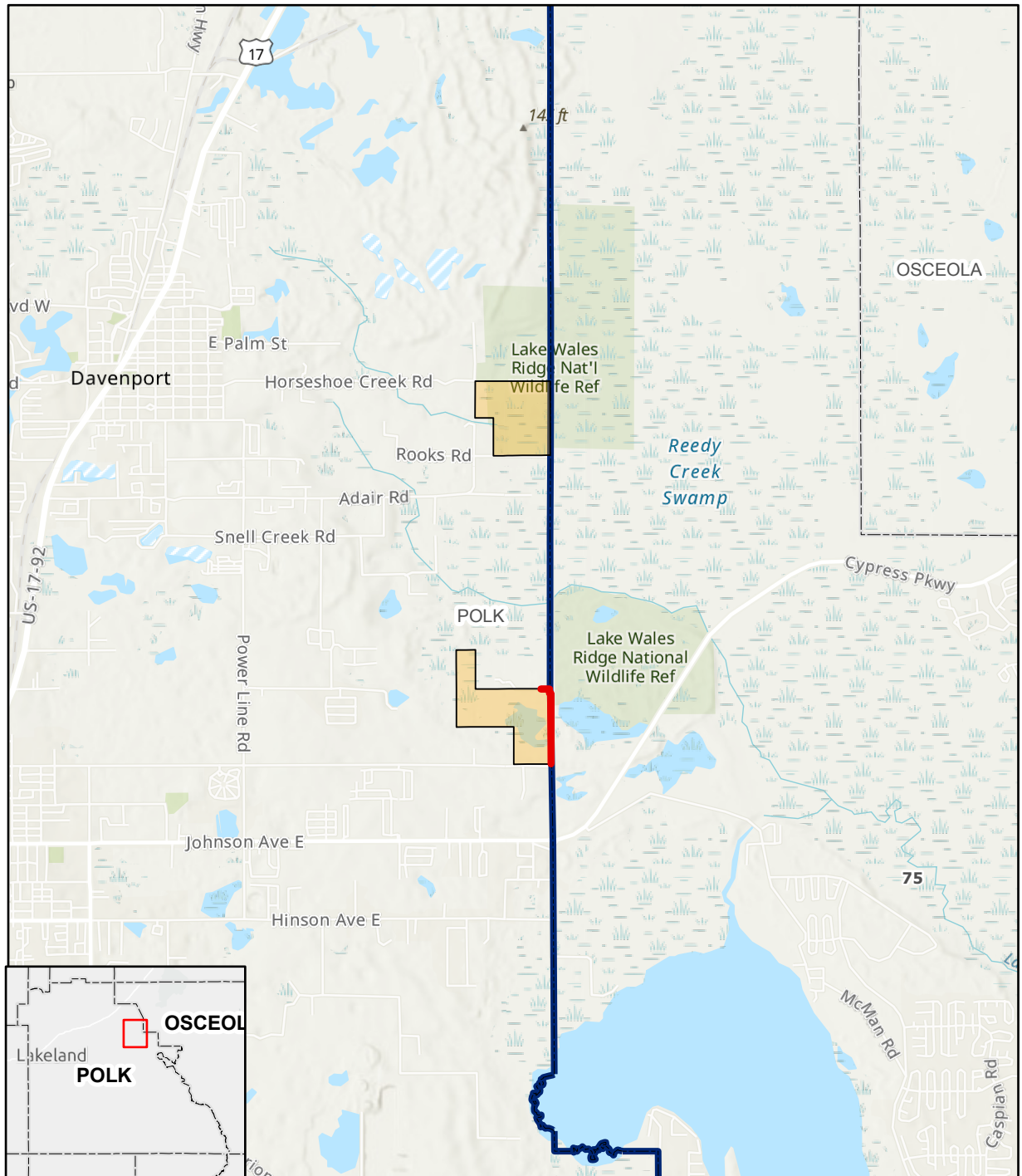
Staff Recommendation:

- Accept the offer of \$3,700; and
- Approve the Purchase/Sale Agreement and authorize the Executive Director to execute on behalf of the District; and
- Approve the Grant of Utility Easement and authorize the Chair and Secretary to execute on behalf of the District; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

Presenter:

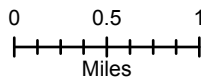
Ellen Morrison, Bureau Chief, Land Resources

Exhibit 1 Lake Marion Creek - Horseshoe Scrub Tract, SWF Parcel No. 20-597-110X Location Map



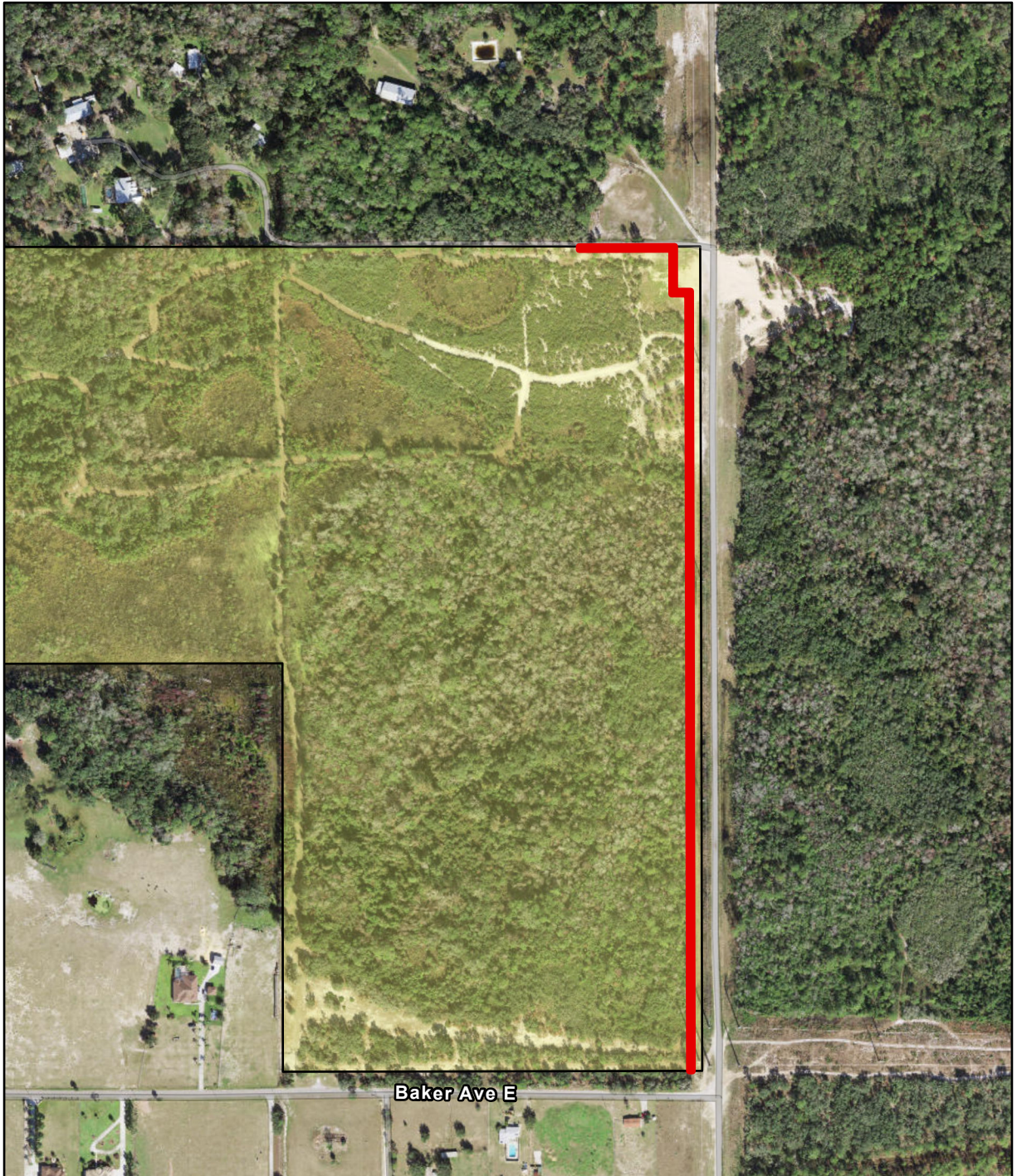
Esri, NASA, NGA, USGS, FDEP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA, University of South Florida, FDEP, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS

- Proposed Easement (SWF Parcel# 20-597-110X)
- District Owned Lands Fee Simple
- WMD Boundary





Southwest Florida
Water Management District

Exhibit 2
Lake Marion Creek - Horseshoe Scrub Tract, SWF Parcel No. 20-597-110X
Site Map



State of Florida, Maxar, Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

-  Proposed Easement (SWF Parcel# 20-597-110X)
-  District Owned Lands Fee Simple

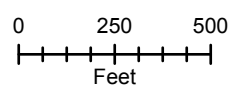


Exhibit 3

Lake Marion Creek – Horseshoe Scrub Tract
SWF Parcel No. 20-597-110X

Approved by Attorney: CT

PURCHASE/SALE AGREEMENT

This Agreement (Agreement) made and entered into by and between the Southwest Florida Water Management District, a public corporation, having an address of 2379 Broad Street, Brooksville, Florida 34604-6899, (District), and _____, d/b/a Verizon Wireless, having an address of One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920 (Buyer), and collectively the Parties.

WITNESSETH:

WHEREAS, District is the owner in fee simple of real property as recorded in _____ Public Records Polk County, Florida; and

WHEREAS, the Buyer desires to acquire an Easement interest in District's property for the installation of a fiber optic cable.

NOW THEREFORE, in consideration of ten dollars and no cents (10.00) paid by the Buyer to the District and the mutual covenants contained herein, together with other good and valuable consideration, the receipt of which is acknowledged, the District hereby agrees to sell to the Buyer, and the Buyer hereby agrees to purchase from the District, a perpetual easement over that certain real property situated in Polk County, Florida, upon the following terms and conditions:

1. **PROPERTY.** Subject to the terms, covenants, and conditions set forth in this Agreement, the District agrees to sell to the Buyer, and the Buyer agrees to purchase from the District, a perpetual easement to enter on, over and across that certain real property situated in Polk County, Florida, (Property) more specifically described in Exhibit A attached hereto and incorporated herein by this reference. For the purpose described in the proposed Perpetual Easement attached hereto as Exhibit B.
2. **EFFECTIVE DATE.** The effective date of this Agreement shall be the date upon which the last of the Parties have signed below.
3. **APPROVAL.** This Agreement is subject to approval by the District's Governing Board. If the Governing Board does not approve this Agreement and all the terms and conditions hereof, the District will notify the Buyer thereof in writing, and this Agreement will be null and void and all rights and liabilities arising hereunder will terminate.
4. **PURCHASE PRICE.** The total purchase price will be Three Thousand Seven Hundred dollars and no cents (\$3,700.00), payable by the Buyer to the District upon Governing Board approval for the perpetual easement interest.
5. **ENCROACHMENTS AND ENCUMBRANCES.** After the final execution of this Agreement neither the District nor anyone under the District's control or direction will cause or

Exhibit 3

allow any encroachments or encumbrances on the Property not existing on the date of the District's execution hereof.

6. **PROCEEDS.** At closing, the distribution of the purchase amount will be made by the Buyer to the District in the form of a check or electronic funds transfer.

7. **BINDING EFFECT.** The covenants herein contained will bind, and the benefits and advantages hereof will inure to, the personal representatives, successors and assigns of the Parties hereto; whenever used herein, the singular will include the plural, the plural will include the singular, and the use of any gender will include the other.

8. **SURVIVAL OF CONTRACT TERMS.** The terms and conditions of this Agreement will survive the closing of the sale of the Perpetual Easement over the Property.

9. **NOTICE.** Any notice which must or may be given under this Agreement or by law will be in writing and will be deemed to have been given when delivered by personal delivery or when deposited in the United States mail, certified, return receipt requested, full postage prepaid to the Parties at the addresses set forth above.

10. **ELECTRONIC/FACSIMILE SIGNATURE.** The Parties agree that this Agreement may be executed by electronic signature in a manner that complies with Chapter 668, F.S. This Agreement and any documents relating to it may be executed and transmitted to any other party by facsimile, which facsimile shall be deemed to be, and utilized in all respects as an original, manually executed document.

11. **CONSTRUCTION.** The District and the Buyer acknowledge that each party and its counsel have reviewed and revised this Agreement and that the rule of construction to the effect that any ambiguities are to be resolved against the drafting party will not be employed in the interpretation of this Agreement.

12. **HEADINGS.** The paragraph headings are inserted herein for convenience and reference only, and in no way define, limit, or otherwise describe the scope or intent of any provisions hereof.

13. **SEVERABILITY.** Should any section or any part of any section of this Agreement be rendered void, invalid, or unenforceable by any court of law, for any reason, such determination will not render void, invalid or unenforceable any other section or any part of any section of this Agreement.

14. **WAIVER.** No act of omission or commission of either party, including without limitation, any failure to exercise any right, remedy, or recourse, will be deemed to be a waiver, release, or modification of the same. Such a waiver, release, or modification is to be affected only through a written modification to this Agreement.

15. **PUBLIC RECORDS.** All records and documents generated or received by the Parties in relation to this Agreement are subject to the Public Records Act, Chapter 119, F.S., except that appraiser reports, offers and counteroffers are confidential and exempt from the provisions of Section 119.07(1), F.S., until an option contract is executed, or if no option contract is executed, until thirty (30) days before a contract or Agreement for purchase is considered for approval by the District Governing Board pursuant to Section 373.139(3)(a), F.S.

Exhibit 3

IN WITNESS WHEREOF, the Parties and the lawful representatives of the Parties hereto have caused these presents to be executed in their respective names upon the day and year entered below their respective signatures.

Buyer: _____ **d/b/a Verizon Wireless**

By: _____
Signature

Its: _____
Title

Date: _____

District: Southwest Florida Water Management District

By: _____
Brian Armstrong, P.G., Executive Director

Date: _____

Exhibit 3

Exhibit A – Legal Description

Parcel 1:

The East $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, Township 27 South, Range 27 East, Polk County, Florida.

The East $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24, Township 27 South, Range 27 East, Polk County, Florida.

The NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Township 27 South, Range 27 East, Polk County, Florida.

The North $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Township 27 South, Range 27 East, Polk County, Florida.

Parcel 2:

The South $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Township 27 South, Range 27 East, Polk County, Florida.

The SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Township 27 South, Range 27 East, Polk County, Florida, less the South 25 feet for road Right of Way.

Exhibit 3

Exhibit B – Proposed Easement
(see attached sketch and description)

DRAFT

Approved by Attorney: _____

Prepared by and, when recorded, please return to:

Ginsberg Jacobs LLC
300 South Wacker Drive
Suite 2750
Chicago, Illinois 60606
Attn: Bonnie Bolz Merkt, Esq.

STATE OF FLORIDA)
)
COUNTY OF POLK)

Grantor Parcel ID: 20-597-110X
Grantee Site ID: _____

GRANT OF UTILITY EASEMENT

THIS GRANT OF UTILITY EASEMENT (“Easement”) is made and entered into on this _____ day of _____, 2023, by and between Southwest Florida Water Management District with an address of 2379 Broad Street, Brooksville, FL 34604 (hereinafter “Grantor”), and _____ d/b/a Verizon Wireless (hereinafter “Grantee”), with its principal offices located at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920. Grantor and Grantee are at times collectively referred to hereinafter as the “Parties” or individually as the “Party”.

WHEREAS, Grantor is the owner of certain real property in Polk County, Florida, as more fully described in Exhibit A attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, Grantee has requested a ten (10’) foot wide easement for the installation of a fiber optic cable which will terminate at a Verizon Wireless cell tower located north of the Property; and

WHEREAS, in order for Grantee to construct, maintain, and operate its equipment located within the Premises, Grantor agrees to grant to Grantee a certain easement over, under, and across a portion of the Property as legally described in Exhibit B attached hereto and incorporated herein by reference (the “Easement Area”).

NOW, THEREFORE, in consideration of the mutual covenants and agreements of the Parties, it is covenanted and agreed as follows:

Exhibit 4

1. Grant of Easement. Subject to the conditions of this Easement, Grantor hereby grants, gives and conveys to Grantee and its successors and assigns a non-exclusive easement over, under, and across the Easement Area for the purposes of installation, construction, operation, use, maintenance, repair, and removal of utility wires, fiber, cables, conduits, pipes, and ancillary equipment (collectively, the "Utilities"). Grantor acknowledges that a utility company may be utilized by Grantee to conduct the installation, construction, operation, use, maintenance, repair, and removal of the Utilities. Grantor hereby agrees that said utility company shall be permitted to perform such operations and have access to the Easement Area. All costs directly associated with the installation of any Utilities in the Easement Area shall be the responsibility of Grantee.

Restoration of Easement. Grantee shall promptly repair or replace all physical damage over the Easement Area proximately caused by the construction, operation, maintenance or use of the Utilities by Grantee. Grantee shall also be responsible for maintenance and control of exotic plants including but not limited to Cogon grass if any become established within the Easement Area.

2. Term. The term of the easement, rights, and privileges herein granted shall be in perpetuity or until such time that the Grantee provides Grantor with notice of their intent to terminate this Easement, including any amendments thereof.
3. Covenants Running with the Land. The easement created, established and granted hereby shall (a) exist at all times hereafter amongst all persons, corporations, partnerships, trusts, or other entities having or acquiring ownership or other interest in and to the Easement Area or any portion thereof while this Easement is in effect; (b) be binding upon and inure to the benefit and detriment of Grantee and Grantor and their respective successors and assigns; and (c) run with the land subjected to this Easement, to be held, owned, and conveyed subject to this Easement.
4. Grantor Use of the Easement Area. Following completion of installation of the Utilities, Grantor reserves full use of the Easement Area which is not inconsistent with the existence and maintenance of the Utilities, provided, however, that Grantor shall not (a) change elevation or grade within the Easement Area or (b) construct any structure, building, or obstruction upon the Easement Area without the prior written consent of Grantee, which consent shall not be unreasonably withheld, conditioned or delayed.
5. Assignment. This Easement may not be sold, assigned, or transferred by the Grantee without prior written approval or consent from the Grantor.
6. Transfer of Ownership of Property. Whenever a transfer of ownership of the Property occurs, the transferor shall remain liable for any breach of covenant occurring before the transfer but shall not be liable for any breach of covenant occurring after the transfer. Any transferee shall automatically assume, and be bound by, the burdens and obligations hereunder running with the land.
7. Indemnification. Grantee agrees to indemnify, defend and hold harmless Grantor from and against all claims and liabilities caused by or arising out of (a) Grantee's breach of any of its obligations, covenants or warranties contained herein or (b) Grantee's acts or omissions with regards to this Easement, except in each case to the extent such claims or liabilities may be due to or caused by the negligence or willful misconduct of Grantor.
8. Interpretation. The rule of strict construction does not apply to the grants herein. The grants herein shall be given a reasonable construction to carry out the intentions of the parties.

Exhibit 4

9. Notice & Contacts. All notices and other communications given pursuant to this Easement shall be in writing and shall be deemed validly given if sent by certified mail, return receipt requested, or by commercial courier, provided the courier's regular business is delivery service and provided further that it guarantees delivery to the addressee by the end of the next business day following the courier's receipt from the sender, addressed as follows (or any other address that the party to be notified may have designated to the sender by like notice:

GRANTOR: Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604
Attn: Real Estate Services

GRANTEE: _____
d/b/a Verizon Wireless
180 Washington Valley Road
Bedminster, New Jersey 07921
Attention: Network Real Estate

10. Entire Agreement. This Easement constitutes the entire agreement between Grantor and Grantee relating to the subject matter hereof. Any prior agreements, promises, negotiations, or representations not expressly set forth in this Easement are of no force and effect.
11. Authority. Grantor represents and certifies that it is fully empowered to execute and deliver this document; that Grantor has full capacity to convey the real estate described herein; that there are no other liens, judgments, or impediments of title on Grantor's Property or affecting Grantor's title to the same; that there are no covenants, easements or restrictions which prevent the use of the Easement by the Grantee set forth above; and that all necessary action for the making of such conveyance has been taken and done. Grantor agrees to indemnify and hold Grantee harmless from any loss or liability arising out of, or in connection with, any breach of any of the representations, warranties or covenants made by Grantor in this Paragraph.
12. Amendments. Any modification or termination of this Easement shall become effective only upon the execution by the Grantor and Grantee of a written instrument.
13. Effective Date: The effective date of this Agreement shall be the date upon which the last of the Parties have signed below.
14. Recording. Grantee shall record this Easement, at its sole cost and expense, in the office of the County Clerk of Polk County, Florida.
15. Miscellaneous. To the extent that the grant of the Easement made hereby shall fail in any respect, or is held to be invalid, in whole or in part, including but not limited to the effectiveness of the grant made hereby, this Easement shall continue in full force and effect to the full extent of the portion of the Easement that did not fail or that was not held to be invalid.

[Signatures appear on the following page.]

Exhibit 4

IN WITNESS WHEREOF, the parties hereto have executed this Easement as of the day and year first above written.

GRANTOR:

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, a public corporation

By: _____

Name: E.D. Armstrong, III

Its: Chairman

Date: _____

By: _____

Name: John Mitten

Its: Secretary

Date: _____

GRANTEE:

_____ d/b/a Verizon Wireless

By: _____

Name: _____

Its: _____

Date: _____

GRANTOR ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me, **by means of** **physical presence or** **online notarization**, this ____ day of _____, 2023, by E.D. Armstrong, III as Chairman of the Governing Board of the Southwest Florida Water Management District, on behalf of the Southwest Florida Water Management District, who is personally known to me.

(Notary Seal)

Notary Public
Print: _____
Commission No. _____
My Commission Expires: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me, **by means of** **physical presence or** **online notarization**, this ____ day of _____, 2023, by John Mitten as Secretary of the Governing Board of the Southwest Florida Water Management District, on behalf of the Southwest Florida Water Management District, who is personally known to me.

(Notary Seal)

Notary Public
Print: _____
Commission No. _____
My Commission Expires: _____

GRANTEE ACKNOWLEDGEMENT

STATE OF _____)
) SS
COUNTY OF _____)

On _____, 20___, before me personally appeared _____, as
_____ of _____, a _____ d/b/a Verizon Wireless,
personally known to me or proven on the basis of satisfactory evidence to be the person whose name is
ascribed on the within instrument, and acknowledged that s/he executed the same on behalf of
_____ and by its authority for the purposes set forth therein.

Print Name: _____
Notary Public

My commission expires: _____

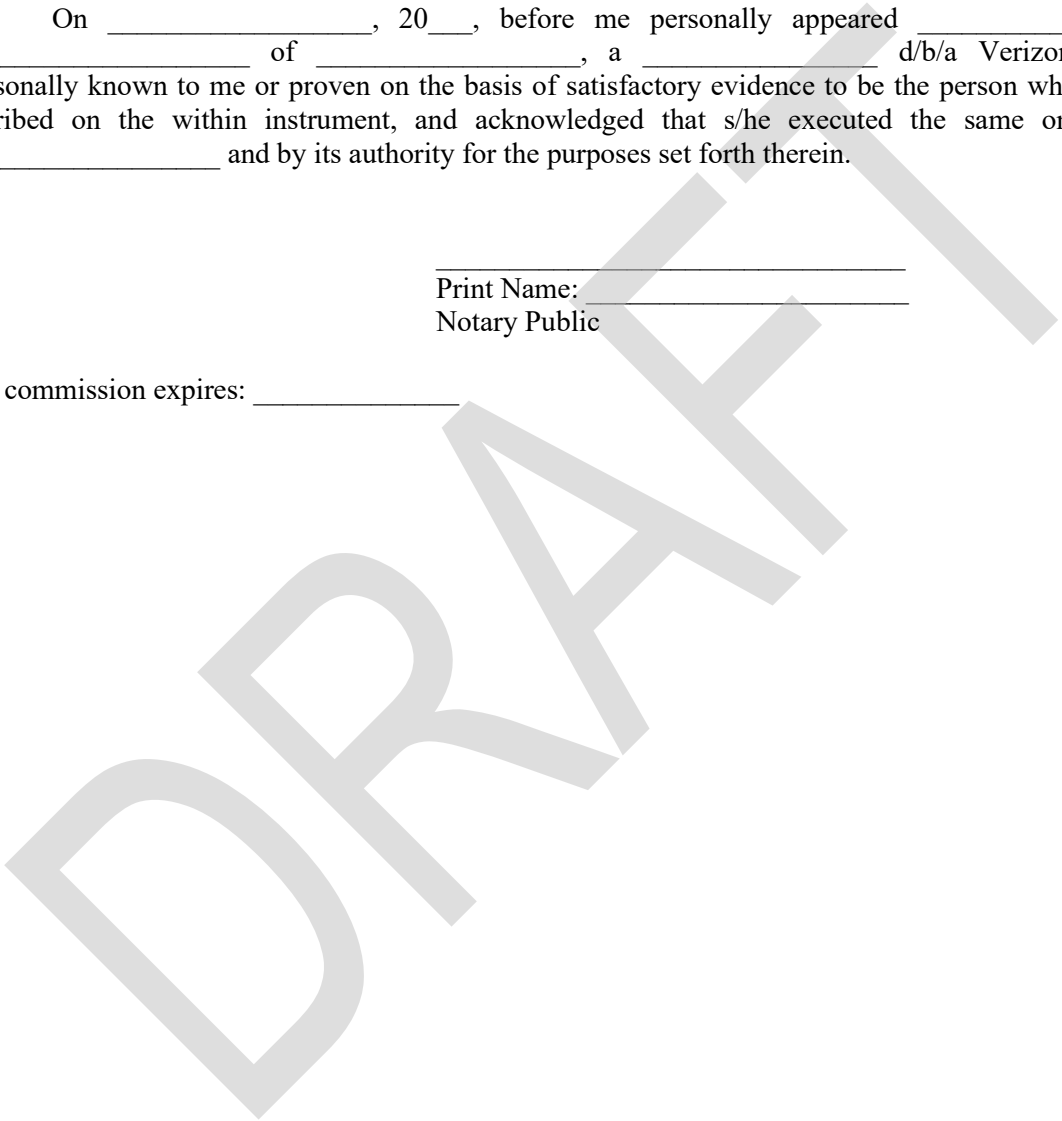


Exhibit 4

EXHIBIT A

Legal Description of Property

Parcel 1:

The East $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, Township 27 South, Range 27 East, Polk County, Florida.

The East $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24, Township 27 South, Range 27 East, Polk County, Florida.

The NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Township 27 South, Range 27 East, Polk County, Florida.

The North $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Township 27 South, Range 27 East, Polk County, Florida.

Parcel 2:

The South $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Township 27 South, Range 27 East, Polk County, Florida.

The SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Township 27 South, Range 27 East, Polk County, Florida, less the South 25 feet for road Right of Way.

Exhibit 4

EXHIBIT B

Legal Description of Easement Area

[To be attached.]

DRAFT

CONSENT AGENDA

August 22, 2023

Operations, Lands and Resource Monitoring Committee: Modification of Restrictive Covenant – Charlotte Sarasota Holdings, LLP, SWF Parcel No. 20-708-128S

Purpose

Recommend the Governing Board approve the request from Charlotte Sarasota Holdings, LLP (CSH) for a modification of a restrictive covenant on an approximately 210-acre parcel. The approximately 210-acre parcel was jointly owned by the District and the Board of Trustees of the Internal Improvement Trust Fund (BOT) and conveyed to CSH by the District and the BOT in 2005. The deeds from the District and the BOT to CSH are attached hereto as Exhibits 1 and 2 respectively, and the proposed modification of restrictive covenant is attached hereto as Exhibit 3.

Background/History

On December 6, 2003, the BOT approved a settlement agreement to resolve a quiet title action filed by South Florida Land Holdings, LLC and CSH. The settlement agreement provided for approximately 468 acres of land on the Florida Forever list to be conveyed to the BOT and approximately 210 acres of land jointly owned by the BOT and the District be conveyed to CSH, improvements to an access easement to adjacent District-owned lands to be made by CSH at CSH's expense, and conveyance of a 93-acre tract within the RV Griffin Reserve from CSH to the District. The settlement agreement also provided for a perpetual restrictive covenant on the 210-acre parcel limiting the residential development to 1.5 units per acre, although the restrictive covenant does not limit CSH from developing any other improvements such as commercial or industrial that complies with the existing or future Charlotte County zoning codes or planned unit developments. The District subsequently approved the settlement agreement on February 24, 2004.

The BOT approved CSH's request to modify the restrictive covenant increasing the residential units per acre from 1.5 residential units per acre to 2.5 residential units per acre as requested on May 23, 2023, and was directed by the BOT to seek additional approval of the modification from the District.

Benefits/Costs

The restrictive covenant currently limits potential residential development on the property but does not limit other types of development that may be allowable under current or future County zoning requirements; the property could still be developed into a wide variety of industrial or commercial uses such as gas stations, retail centers, or similar uses. The modification that CSH is requesting increases the residential units from 1.5 residential units per acre to 2.5 residential units per acre along with a prohibition of all types of commercial and industrial development on the property. The modification of the restrictive covenant will remain subject to compliance with the Charlotte County zoning code or an approved planned unit development. Additionally, CHS is proposing to use green development techniques above and beyond standard state and local permitting requirements, public access to greenspace with pedestrian and bicycle use, the removal of invasive plants with the replacement of native landscaping and conducting water reuse where feasible.

There is no cost to the District other than staff time to process the modification.

Deliverables

None

Staff Recommendation:

- Approve the request to modify the restrictive covenant contained in the Quit Claim Deed dated June 10, 2005, from 1.5 residential units per acre to 2.5 residential acres per unit; and
- Authorize the Governing Board Chair and Secretary to execute the Modification of Restrictive Covenant on behalf of the District.

Presenter:

Ellen Morrison, Bureau Chief, Land Resources

RECORDED AND RETURNED TO SENDER BY MAIL ROOM 06/30/2005 03:30:12 PM

This Instrument Prepared By and Please Return To: Elaine Vergara American Government Services Corporation 3812 W. Linebaugh Avenue Tampa, FL 33618 AGS # 14751

BARBARA T. SCOTT, CLERK CHARLOTTE COUNTY OR BOOK 02742 PGS 0446-0448 (3 Pg(s)) FILE NUMBER 1412043 RECORDED 06/30/2005 03:30:12 PM RECORDING FEES 27.00 DEED DOC 10,850.00

Purchase

QUIT CLAIM DEED

THIS INDENTURE, made this 10th day of JUNE, A.D. 2005, between Southwest Florida Water Management District, whose address is 2379 Broad Street, Brooksville, FL 34604-6899, GRANTOR, and Charlotte Sarasota Holdings, LLP, a Florida limited liability partnership, whose post office address is 2911 NE Pine Island Road, Cape Coral, FL 33909, GRANTEE,

(Wherever used herein the terms "GRANTOR" and "GRANTEE" include all the parties to this instrument and their heirs, legal representatives, successors and assigns. "GRANTOR" and "GRANTEE" are used for singular and plural, as the context requires and the use of any gender shall include all genders.)

WITNESSETH: That the said GRANTOR, for and in consideration of the sum of Ten Dollars, to said GRANTOR in hand paid by said GRANTEE, the receipt whereof is hereby acknowledged, has released, remised and quitclaimed, and by these presents does hereby remise, release, and quitclaim unto the said GRANTEE, and GRANTEE'S successors and assigns forever, all the right, title and interest of GRANTOR in and to the following described land situate, lying and being in Charlotte County, Florida, to-wit:

See Exhibit "A" Attached

This property is not the homestead property of the GRANTOR, nor contiguous to homestead property, as such homestead is defined under Florida law.

The Property is conveyed subject to the following perpetual restrictive covenant ("Restrictive Covenant") hereby imposed by GRANTOR and accepted by GRANTEE, its successors and assigns:

Residential development of the Property shall be limited to 1.5 units per acre. This Restrictive Covenant shall only apply to limit the number of residential units that can be developed on the Property and shall not limit GRANTEE and its successors and assigns from developing any other improvement on the Property that complies with the existing or future Charlotte County Zoning Code or that may be approved under a planned unit development. GRANTEE shall obtain all required federal, state, and local regulatory approvals and permits prior to the construction of any improvements on the Property. Nothing herein shall be construed to bind, require or encourage Charlotte County to increase current allowable residential density from its current Preservation land use designation of one development unit per 40 acres. GRANTEE shall obtain all required federal, state and local regulatory approval and permits prior to any construction.

By acceptance of this quitclaim deed, GRANTEE hereby agrees that the use of the Property shall be subject to this Restrictive Covenant. This Restrictive Covenant shall run with the title to the Property in perpetuity and be binding upon GRANTEE and all successive owners (and all parties claiming by, through and under the owners) of the Property. Until such time as the Restrictive Covenant is released from the Property, GRANTOR shall be deemed a third party beneficiary of this Restrictive Covenant in a court of competent jurisdiction. GRANTOR shall have the authority to enforce this Restrictive Covenant in any judicial proceeding seeking any remedy recognizable at law or in equity, including an action or lawsuit seeking damages, injunction, specific performance, or any other form of relief, against any person, firm or entity violating or attempting to violate any provision of this Restrictive Covenant. The failure by GRANTOR to enforce any covenant or restriction contained herein shall in no event be deemed a waiver of such covenant or restriction or of the right of GRANTOR to thereafter enforce said covenant or restriction. The invalidation of any provision of this Restrictive Covenant by a court of competent jurisdiction shall in no way affect any of the other provisions of this Restrictive Covenant, which shall remain in full force and effect. Venue for enforcement actions regarding this Restrictive Covenant shall be in the Circuit Court of Hernando County, Florida. GRANTEE agrees to incorporate this Restrictive Covenant in any subsequent deed or other written legal instrument by which GRANTEE transfers or conveys fee simple title or any other lesser estate in the Property or any part thereof to a third party by making an express reference to the Restrictive Covenant and specifically identifying the official records book and page at which this quitclaim deed is recorded in the public records of Charlotte County, Florida.

TO HAVE AND TO HOLD the above described lands subject to all outstanding easements, reservations and other interests, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, law or equity, to the only proper use, benefit and behoof of the said GRANTEE, its successors and assigns forever.

IN WITNESS WHEREOF the GRANTOR has hereunto set GRANTOR'S hand and seal, the day and year first above written.

Southwest Florida Water Management District

BY: Heidi McCree, Chair

Attest: Patsy Symons, Secretary



(Seal)

IMAGED IN PG

STATE OF Florida
COUNTY OF Hernando

The foregoing instrument was acknowledged before me this 10th day of JUNE, 2005, by Heidi McCree and Patsy Symons, Chair and Secretary, respectively, of the Southwest Florida Water Management District, on behalf of said District. Such person(s) (Notary Public must check applicable box):

- are personally known to me.
- produced a current driver license.
- produced _____ as identification.

[Signature]
Notary Public
STEVEN F. BLASCHKA

(Printed, Typed or Stamped Name of Notary Public)

Commission No.: DD 063615

My Commission Expires: 10-9-2005

(NOTARY PUBLIC SEAL)



APPROVED BY:
 ATTORNEY: [Signature]
 MANAGER: [Signature]
 DIRECTOR: [Signature]
 DEPUTY EXEC. DIR: [Signature]

Exhibit 1

Exhibit "A"

All of the South 1/2 of Section 3, Township 41 South, Range 21 East, lying West of the Interconnector Waterway as recorded in Official Records Book 1228, Page 1638, Public Records of Charlotte County, Florida; less the West 1850 feet of the Southwest 1/4 of Section 3, Township 41 South, Range 21 East, Charlotte County, Florida;

AND

All of Section 10, Township 41 South, Range 21 East lying West of the Interconnector Waterway as recorded in Official Records Book 1228, Page 1638, Public Records of Charlotte County, Florida;

AND

All of the Southeast 1/4 of Section 9, Township 41 South, Range 21 East lying West of the Interconnector Waterway and North of the Butterford Waterway as recorded in Official Records Book 1228, Page 1638, Public Records of Charlotte County, Florida;

LESS AND EXCEPT The Village of Holiday Lake according to the Plat thereof recorded in Plat Book 15, Pages 5A-5F, Public Records of Charlotte County, Florida;

ALSO LESS AND EXCEPT Unit Two of the Village of Holiday Lake according to the Plat thereof recorded in Plat book 15, Pages 51A-51C, Public Records of Charlotte County, Florida.

BSM APPROVED
By JSR Date 4/6/05

American Government Services
3812 W Linebaugh Ave
Tampa, FL 33618-8702



BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT
TRUST FUND OF THE STATE OF FLORIDA

QUITCLAIM DEED

Deed Number 31305

KNOW ALL MEN BY THESE PRESENTS: That WHEREAS, the BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA is by Section 253.03, Florida Statutes, authorized and empowered to convey certain lands under the terms and conditions set forth herein; and,

WHEREAS, said BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA did approve this transfer on the 16th day of December, 2003.

NOW, THEREFORE, the undersigned BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA, as "GRANTOR", under authority of Section 253.03, Florida Statutes, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable considerations, to it in hand paid by CHARLOTTE SARASOTA HOLDINGS, LLP, a Florida limited liability partnership, as "GRANTEE," has remised, released, conveyed and quitclaimed, and by these presents does remise, release, convey and quitclaim unto GRANTEE, its successors and assigns forever, all of its right, title and interest in and to the following described lands in Charlotte County, Florida (the "Property"), to-wit:

(EXHIBIT "A" ATTACHED)

The Property is conveyed subject to the following perpetual restrictive covenant ("Restrictive Covenant") hereby imposed by GRANTOR and accepted by GRANTEE, its successors and assigns:

Residential development of the Property shall be limited to 1.5 units per acre. This Restrictive Covenant shall only apply to limit the number of residential units that can be developed on the Property and shall not limit GRANTEE and its successors and assigns from developing any other improvement on the Property that complies with the existing or future Charlotte

Exhibit 2

County Zoning Code or that may be approved under a planned unit development. GRANTEE shall obtain all required federal, state, and local regulatory approvals and permits prior to the construction of any improvements on the Property. Nothing herein shall be construed to bind, require, or encourage Charlotte County to increase current allowable residential density from its current Preservation land use designation of one development unit per 40 acres. GRANTEE shall obtain all required federal, state and local regulatory approval and permits prior to any construction.

By acceptance of this quitclaim deed, GRANTEE hereby agrees that the use of the Property shall be subject to this Restrictive Covenant. This Restrictive Covenant shall run with the title to the Property in perpetuity and be binding upon GRANTEE and all successive owners (and all parties claiming by, through and under the owners) of the Property. Until such time as the Restrictive Covenant is released from the Property, GRANTOR shall be deemed a third party beneficiary of this Restrictive Covenant in a court of competent jurisdiction. GRANTOR shall have the authority to enforce this Restrictive Covenant in any judicial proceeding seeking any remedy recognizable at law or in equity, including an action or lawsuit seeking damages, injunction, specific performance, or any other form of relief, against any person, firm or entity violating or attempting to violate any provision of this Restrictive Covenant. The failure by GRANTOR to enforce any covenant or restriction contained herein shall in no event be deemed a waiver of such covenant or restriction or of the right of GRANTOR to thereafter enforce said covenant or restriction. The invalidation of any provision of this Restrictive Covenant by a court of competent jurisdiction shall in no way affect any of the other provisions of this Restrictive Covenant, which shall remain in full force and effect. Venue for enforcement actions regarding this Restrictive Covenant shall be in the Circuit Court

of Leon County, Florida. GRANTEE agrees to incorporate this Restrictive Covenant in any subsequent deed or other written legal instrument by which GRANTEE transfers or conveys fee simple title or any other lesser estate in the Property or any part thereof to a third party by making an express reference to the Restrictive Covenant and specifically identifying the official records book and page at which this quitclaim deed is recorded in the public records of Charlotte County, Florida.

TO HAVE AND TO HOLD the above described lands subject to all outstanding easements, reservations and other interests.

IN TESTIMONY WHEREOF, the members of the BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA have hereunto subscribed their names and have caused the official seal of said BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA to be hereunto affixed in the City of Tallahassee, Florida, on this 27th day of May, A.D. 2005.

(SEAL)
BOARD OF TRUSTEES OF THE
INTERNAL IMPROVEMENT
TRUST FUND OF THE STATE
OF FLORIDA

Jeb Bush
JEB BUSH
GOVERNOR
Charlie Crist
CHARLIE CRIST
ATTORNEY GENERAL
Tom Gallagher
TOM GALLAGHER
CHIEF FINANCIAL OFFICER

CHARLES H. BRONSON
COMMISSIONER OF AGRICULTURE

As and Constituting the BOARD
OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE
STATE OF FLORIDA

Approved as to Form and
Legality

By: Jerry L. Hersh
DEP Attorney

Exhibit 2

Exhibit "A"

All of the South 1/2 of Section 3, Township 41 South, Range 21 East, lying West of the Interceptor Waterway as recorded in Official Records Book 1228, Page 1638, Public Records of Charlotte County, Florida; less the West 1850 feet of the Southwest 1/4 of Section 3, Township 41 South, Range 21 East, Charlotte County, Florida;

AND

All of Section 10, Township 41 South, Range 21 East lying West of the Interceptor Waterway as recorded in Official Records Book 1228, Page 1638, Public Records of Charlotte County, Florida;

AND

All of the Southeast 1/4 of Section 9, Township 41 South, Range 21 East lying West of the Interceptor Waterway and North of the Butterford Waterway as recorded in Official Records Book 1228, Page 1638, Public Records of Charlotte County, Florida;

LESS AND EXCEPT The Village of Holiday Lake according to the Plat thereof recorded in Plat Book 15, Pages 5A-5F, Public Records of Charlotte County, Florida;

ALSO LESS AND EXCEPT Unit Two of the Village of Holiday Lake according to the Plat thereof recorded in Plat book 15, Pages 51A-51C, Public Records of Charlotte County, Florida.

CHARLOTTE HARBOR ESTUARY
SWFWMD/TIIF

BSM APPROVED
By JSR Date 11/16/04

OWNER'S POLICY OF TITLE INSURANCE

Issued by **Commonwealth Land Title Insurance Company**



Commonwealth Land Title Insurance Company is a member of the LandAmerica family of title insurance underwriters.

POLICY NUMBER
A02-1109227

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, COMMONWEALTH LAND TITLE INSURANCE COMPANY, a Pennsylvania corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company also will pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

IN WITNESS WHEREOF, COMMONWEALTH LAND TITLE INSURANCE COMPANY has caused its corporate name and seal to be hereunto affixed by its duly authorized officers, the Policy to become valid when countersigned by an authorized officer or agent of the Company.

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Attest:


Secretary



By:


President

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws that is based on:
 - (a) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
 - (b) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
 - (i) to timely record the instrument of transfer; or
 - (ii) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

American Government Services
3812 W. Linebaugh Avenue
Tampa, Florida 33618
(813) 933-3355

**POLICY FOR TITLE INSURANCE
SCHEDULE A**

Issued with Policy No.: F02-0262586
Policy No.: A02-1109227
File Number: 14751
Commitment #: N/A
Amount of Insurance: \$3,100,000.00
Effective Date: June 30, 2005 at 3:30 P.M.

1. Name of Insured:

Charlotte/Sarasota Holdings, LLP, a Florida limited liability partnership

2. The estate or interest in the land described herein and which is covered by this policy is a fee simple and is at the effective date hereof vested in the named insured as shown by instrument recorded in Official Records Book 2742, Page 446, of the Public Records of Charlotte County, Florida.

3. The land referred to in this policy is described as follows:

See Exhibit "A"

American Government Services Corporation
3812 W. Linebaugh Avenue
Tampa, FL 33618
(813) 933-3355

Countersigned: W. McA
Authorized Officer of Agent

SCHEDULE B

Policy Number: A02-1109227
File Number: 14751

This policy does not insure against loss or damage by reason of the following exceptions:

1. Taxes for the year 2005 and subsequent years, which are not yet due and payable.
2. Utility easement 20 feet in width in favor of Florida Power and Light Company as set forth in Grant of Easement Deed dated October 20, 1978 and recorded November 9, 1978 in Official Records Book 588, Page 1117, of the Public Records of Charlotte County, Florida. (As to Section 3)
3. Mortgage executed by Charlotte/Sarasota Holdings, LLP, a Florida limited liability partnership in favor of Colonial Bank, N.A., dated June 2, 2005 and recorded June 30, 2005 in Official Records Book 2742, Page 465, of the Public Records of Charlotte County, Florida.

Exhibit "A"

All of the South 1/2 of Section 3, Township 41 South, Range 21 East, lying West of the Interconnector Waterway as recorded in Official Records Book 1228, Page 1638, Public Records of Charlotte County, Florida; less the West 1850 feet of the Southwest 1/4 of Section 3, Township 41 South, Range 21 East, Charlotte County, Florida;

AND

All of Section 10, Township 41 South, Range 21 East lying West of the Interconnector Waterway as recorded in Official Records Book 1228, Page 1638, Public Records of Charlotte County, Florida;

AND

All of the Southeast 1/4 of Section 9, Township 41 South, Range 21 East lying West of the Interconnector Waterway and North of the Butterford Waterway as recorded in Official Records Book 1228, Page 1638, Public Records of Charlotte County, Florida;

LESS AND EXCEPT The Village of Holiday Lake according to the Plat thereof recorded in Plat Book 15, Pages 5A-5F, Public Records of Charlotte County, Florida;

ALSO LESS AND EXCEPT Unit Two of the Village of Holiday Lake according to the Plat thereof recorded in Plat book 15, Pages 51A-51C, Public Records of Charlotte County, Florida.

BGM APPROVED
WJSR Date 4/6/05

CHARLOTTE HARBOR ESTUARY
DISTRICT / BOT LANDS
SWFWMD/THTF

Exhibit 3

Prepared by and Return To:
Ellen Morrison, Bureau Chief
Land Resources Bureau
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34602

MODIFICATION OF RESTRICTIVE COVENANT

This Modification of Restrictive Covenant (Modification) is made this ____ day of August, 2023, by and between the Southwest Florida Water Management District, a public corporation having an address of 2379 Broad Street, Brooksville, FL 34604-6899 (Grantor), and Charlotte Sarasota Holdings, LLP, a Florida limited liability partnership, having an address of _____ (Grantee).

WHEREAS, Grantor conveyed to Grantee lands more particularly described in the Quit Claim Deed (Deed) dated June 10, 2005 and recorded in Official Records Book 02742, Page 0446, Public Records of Charlotte County, Florida (Property), attached hereto and made a part hereof as Exhibit "A"; and

WHEREAS, the Deed contains the following restrictive covenant (Restrictive Covenant):

Residential development of the Property shall be limited to 1.5 units per acre. This Restrictive Covenant shall only apply to limit the number of residential units that can be developed on the Property and shall not limit GRANTEE and its successors and assigns from developing any other improvement on the Property that complies with existing or future Charlotte County Zoning Code or that may be approved under a planned unit development; and

WHEREAS, Grantor and Grantee desire to modify the Restrictive Covenant.

NOW THEREFORE, in consideration of the foregoing recitals, and of the mutual covenants, terms and conditions herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereby modify the Restrictive Covenant as follows:

The development of the Property shall be solely limited to residential purposes with a maximum of 2.5 units per acre, that complies with the existing or future Charlotte County Zoning Code or that may be approved under a planned unit development. All other development is strictly prohibited.

It is understood and agreed by Grantor and Grantee that in each and every respect the terms of the Deed, except as modified by this Modification, shall remain unchanged and in full force and effect, and the same are hereby ratified, approved, and confirmed by Grantor and Grantee as of the date of this Modification.

(Signatures continue on following page)

Exhibit 3

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed the day and year first written above.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT, a public
corporation,

By: E.D. Armstrong, III
Its: Chairman

ATTEST:

By: John Mitten
Its: Secretary

ACKNOWLEDGMENT

State of Florida

County of _____

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this _____ day of _____ 20____ by E. D. Armstrong, III, as Chairman of the Governing Board of the Southwest Florida Water Management District, on behalf of the Southwest Florida Water Management District, who is personally known to me.

Name of Notary

(Name of Notary typed, printed or stamped)
(Seal)

Commission No. _____

My Commission Expires: _____

(Signatures continue on following page)

Exhibit 3

State of Florida

County of _____

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this _____ day of _____ 20____ by John Mitten, as Secretary of the Governing Board of the Southwest Florida Water Management District, on behalf of the Southwest Florida Water Management District, who is personally known to me.

Name of Notary

(Name of Notary typed, printed or stamped)
(Seal)

Commission No.

My Commission Expires:

(Signatures continue on following page)

Exhibit 3

CHARLOTTE SARASOTA HOLDINGS, LLP,
a Florida limited liability partnership,

By: Neekaytan Sharma
Its: General Partner

Witness

Print/Type Witness Name

Witness

Print/Type Witness Name

ACKNOWLEDGMENT

State of Florida

County of _____

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this _____ day of _____ 20____ by Neekaytan Sharma, as General Partner of Charlotte Sarasota Holdings, LLP, a Florida limited liability partnership, on behalf of the limited liability partnership. He is personally known to me or has produced _____ as identification.

Name of Notary

(Name of Notary typed, printed or stamped)
(Seal)

Commission No. _____

My Commission Expires: _____

CONSENT AGENDA

August 22, 2023

Regulation Committee: Water Use Permit No. 20 002715.027, Mosaic Fertilizer, LLC and South Ft. Meade Partnership, LP / Mosaic Agricultural WUP (Hardee and Polk Counties)

This is a modification of an existing water use permit for agricultural use. The authorized quantities have changed from those previously permitted. The annual average quantity has increased from 3,924,000 gallons per day (gpd) to 4,348,700 gpd, the drought annual average has increased from 4,768,000 gpd to 5,234,700 gpd, the peak month quantity has increased from 16,502,500 gpd to 17,905,000 gpd, and the crop protection quantity has increased from 65,386,200 gpd to 71,902,600 gpd. There is no change in use type from the previous revision. The change in quantities is due to a self-relocation of 427,000 gpd annual average from Water Use Permit No. 20003258.007 and a change in crop plan. This modification adds three proposed wells. Quantities are based on information provided by the Permittee and the District's irrigation allotment calculation program, AGMOD. The crop plan has changed as follows - citrus (existing 1,741.4 acres, proposed 1,923.3 acres), sod (existing 779.8 acres, proposed 907.7 acres), nursery (existing 116.5 acres, proposed 49.2 acres), blueberries (proposed 66.6 acres) and spring tomatoes (38.2 acres, no change). Other water uses include livestock water use for 1,750 head of cattle and personal sanitary water use. The use of groundwater is limited to 3,223,000 gpd annual average, 3,963,900 gpd drought annual average, 14,476,800 gpd peak month and 71,902,600 gpd crop protection. The Permittee is using 1,407,500 gpd of surface water (representing 32% of the total annual average demand) as an alternative water supply (AWS). This water use permit is located within the Southern Water Use Caution Area (SWUCA) and the Central Florida Water Initiative (CFWI) in Polk County.

Special Conditions include those that require the Permittee to report monthly meter readings, perform meter accuracy checks every five years, report quantities used for crop protection, submit seasonal and annual crop reports, construct the proposed withdrawals in accordance to permit specifications and submit a well completion reports, implement water conservation and best management practices, provide an update to the Conservation Plan at permit midterm, evaluate the feasibility of using reclaimed water upon request, modify the permit upon incorporation of an AWS, comply with the permitted quantities, provide an overpumpage report upon request and comply with the SWUCA recovery strategy.

The permit application meets all Rule 40D-2 Conditions for Issuance.

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

Presenter:

Darrin Herbst, P.G., Bureau Chief, Water Use Permit

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 002715.027**

PERMIT ISSUE DATE: August 22, 2023

EXPIRATION DATE: March 08, 2032

The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

TYPE OF APPLICATION: Modification

GRANTED TO: Mosaic Fertilizer, LLC/Attn: Tom Pospichal
13830 Circa Crossing Drive
Lithia, FL 33547

South Ft. Meade Partnership, LP/Attn: Dorian Mangual
13830 Circa Crossing Drive
Lithia, FL 32547

PROJECT NAME: Mosaic Agricultural WUP

WATER USE CAUTION AREA(S): SOUTHERN WATER USE CAUTION AREA

COUNTY: Hardee, Polk

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)	
ANNUAL AVERAGE	3,223,000 gpd
PEAK MONTH ¹	14,476,800 gpd
DROUGHT ANNUAL AVERAGE ²	3,963,900 gpd
CROP PROTECTION/MAXIMUM ³	71,902,600 gpd

1. Peak Month: Average daily use during the highest water use month.
2. Drought Annual Average: Annual average limit when less than historical average rainfall if sufficient Water Conservation credits exist in the Permittee's account.
3. Crop Protection/Maximum: Maximum use allowed any 24-hour period/Frost and Freeze protection of crops.

ABSTRACT:

This is a modification of an existing water use permit for agricultural use. The authorized quantities have changed from those previously permitted. The annual average quantity has increased from 3,924,000 gallons per day (gpd) to 4,348,700 gpd, the drought annual average has increased from 4,768,000 gpd to 5,234,700 gpd, the peak month quantity has increased from 16,502,500 gpd to 17,905,000 gpd, and the crop protection quantity has increased from 65,386,200 gpd to 71,902,600 gpd. There is no change in use type from the previous revision. The change in quantities is due to a self-relocation of 427,000 gpd annual average from Water Use Permit No. 20003258.007 and a change in crop plan. This modification adds three proposed wells. Quantities are based on information provided by the Permittee and the District's irrigation allotment calculation program, AGMOD. The crop plan has changed as follows - citrus (existing 1,741.4 acres, proposed 1,923.3 acres), sod (existing 779.8 acres, proposed 907.7 acres), nursery (existing 116.5 acres, proposed 49.2 acres), blueberries (proposed 66.6 acres) and spring tomatoes (38.2 acres, no change). Other water uses include livestock water use for 1,750 head of cattle and personal sanitary water use. The use of groundwater is limited as shown in the table above to 3,223,000 gpd annual average, 3,963,900 gpd drought annual average, 14,476,800 gpd peak month and 71,902,600 gpd crop protection. The Permittee is using 1,407,500 gpd of surface water (representing 32% of the total annual average demand) as an alternative water supply (AWS). This water use permit is located within the Southern Water Use Caution Area (SWUCA) and the Central Florida Water Initiative (CFWI) in Polk County.

Special Conditions include those that require the Permittee to report monthly meter readings, perform meter accuracy checks every five years, report quantities used for crop protection, submit seasonal and annual crop reports, construct the proposed withdrawals in accordance to permit specifications and submit a well completion reports, implement water conservation and best management practices, provide an update to the Conservation Plan at permit midterm, evaluate the feasibility of using reclaimed water upon request, modify the permit upon incorporation of an AWS, comply with the permitted quantities, provide an overpumpage report upon request and comply with the SWUCA recovery strategy.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>	<u>DROUGHT ANNUAL AVERAGE</u>	<u>CROP PROTECTION /MAXIMUM</u>
Agricultural	4,348,700	17,905,000	5,234,700	71,902,600

USES AND IRRIGATION ALLOCATION RATE TABLE

<u>CROP/USE TYPE</u>	<u>IRRIGATED ACRES</u>	<u>IRRIGATION METHOD</u>	<u>STANDARD IRRIGATION RATE</u>	<u>DROUGHT IRRIGATION RATE</u>
Blueberries	66.60	Drip Without Plastic	28.80"/yr.	34.35"/yr.
Citrus	213.20	Low Volume Spray	20.30"/yr.	25.28"/yr.
Citrus	230.40	Low Volume Spray	12.40"/yr.	17.98"/yr.
Citrus	481.90	Low Volume Spray	18.30"/yr.	20.10"/yr.
Citrus	80.60	Low Volume Spray	13.90"/yr.	20.18"/yr.
Citrus	11.00	Low Volume Spray	17.00"/yr.	22.42"/yr.
Citrus	253.82	Low Volume Spray	12.90"/yr.	18.84"/yr.
Citrus	470.50	Low Volume Spray	12.80"/yr.	18.66"/yr.
Greenhouse Plants/Nursery	49.20	Low Volume Spray	64.60"/yr.	69.51"/yr.
Sod	127.90	Seepage Without Plastic	29.60"/yr.	33.34"/yr.
Sod	779.80	Center Pivot	32.60"/yr.	35.92"/yr.
Tomatoes (Spring)	38.24	Drip With Plastic	36.60"/yr.	36.59"/yr.
Animals				
Personal Sanitary Use				

WITHDRAWAL POINT QUANTITY TABLE

Water use from these withdrawal points are restricted to the quantities given below :

<u>I.D. NO. PERMITTEE/ DISTRICT</u>	<u>DIAM (in.)</u>	<u>DEPTH TTL./CSD.FT. (feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE (gpd)</u>	<u>PEAK MONTH (gpd)</u>	<u>CROP PROTECTION (gpd)</u>
Area H / 31	10	N/A / N/A	Re-Pump	1,407,500	3,710,000	N/A
Mine Block / 34	12	880 / 120	Irrigation	69,500	325,500	3,709,400
Moon / 37	12	980 / 396	Irrigation	70,400	374,400	4,173,800
SP-2 Well / 83	12	1,200 / 320	Irrigation	218,200	1,021,900	5,328,000
SP-2 LAKE / 84	24	N/A / N/A	Irrigation	218,200	1,021,900	5,328,000
Nicholson / 91	4	UNK / UNK	Irrigation	10,300	77,700	129,600
Brown / 145	12	800 / UNK	Irrigation	154,300	1,161,100	5,328,000
KD Revel / 147	10	800 / UNK	Irrigation	186,100	1,287,400	2,923,200
SF Chance / 148	10	800 / UNK	Irrigation	16,300	114,400	1,275,300
Shirley / 150	8	800 / UNK	Irrigation	148,400	788,900	1,382,400
Lafon / 151	10	800 / UNK	Irrigation	78,600	417,800	2,923,200
Big Weeks / 152	10	800 / UNK	Irrigation	97,100	516,400	2,923,200
KAYSWORT H / 154	8	908 / 410	Irrigation	10,700	25,000	363,300
Gillard SW / 159	10	816 / UNK	Irrigation	130,100	558,500	2,183,400
Gillespie / 162	10	970 / 120	Irrigation	12,400	69,300	790,000
Emmerson Jo / 171	8	900 / UNK	Irrigation	77,000	603,900	1,382,400
Jones / 199	4	UNK / UNK	Irrigation	8,400	64,000	129,600
C Summers / 200	8	1,000 / UNK	Irrigation	27,300	205,400	1,382,400
B J Johnson / 231	14	1,000 / 410	Irrigation	107,300	812,900	8,193,600

Massam / 267	8	740 / 410	Irrigation	54,900	429,600	1,382,400
Abbott / 268	10	770 / 78	Irrigation	39,900	279,200	2,923,200
Conley East Wel / 269	6	941 / UNK	Irrigation	18,200	127,100	504,000
Monies NW / 272	10	1,000 / 150	Irrigation	47,700	253,800	2,829,400
Monies Barn / 273	10	1,003 / 446	Irrigation	47,700	253,800	2,829,400
Monies E / 274	12	1,030 / 419	Irrigation	58,000	454,700	5,069,000
Bryan / 275	12	1,200 / 120	Irrigation	99,300	752,500	5,328,000
John Paris Pisp / 296	5	280 / 190	Livestock	1,500	1,500	N/A
John Paris Pisp / 297	5	275 / 200	Livestock	1,500	1,500	N/A
Mike Chester we / 298	5	315 / 240	Livestock	1,500	1,500	N/A
John Paris #2 / 299	5	325 / 240	Livestock	1,500	1,500	N/A
John Paris #1 / 300	5	310 / 240	Livestock	1,500	1,500	N/A
North Pasture # / 301	5	375 / 240	Livestock	1,500	1,500	N/A
North Pasture # / 302	5	380 / 240	Livestock	1,500	1,500	N/A
Cemetery Well / 303	10	1,170 / 462	Irrigation	481,600	1,269,500	N/A
1-109 / 304	4	250 / 100	Livestock	1,500	1,500	N/A
1-110 / 305	4	250 / 100	Livestock	1,500	1,500	N/A
1-111 / 306	4	250 / 100	Livestock	1,500	1,500	N/A
1-113 / 308	20	934 / 412	Irrigation	281,800	816,900	N/A
1-112 / 310	16	915 / 141	Irrigation	281,800	816,900	N/A
Standby 1-114 / 311	4	250 / 100	Livestock	1,500	1,500	N/A
1-115 / 312	4	250 / 100	Livestock	1,500	1,500	N/A

1-116 / 313	4	250 / 100	Livestock	1,500	1,500	N/A
1-117 / 314	4	250 / 100	Livestock	1,500	1,500	N/A
1-118 / 315	4	280 / 110	Personal Sanitary	500	1,500	N/A
1-119 / 316	10	925 / 420	Irrigation	8,500	19,900	N/A
1-120 / 317	10	1,000 / 420	Irrigation	217,100	507,000	N/A
1-121 / 318	14	1,000 / 582	Irrigation	71,300	292,000	3,258,200
1-122 / 319	14	1,000 / 582	Irrigation	71,300	292,000	3,258,200
1-123 / 320	16	1,000 / 552	Augmentation	281,800	281,800	N/A

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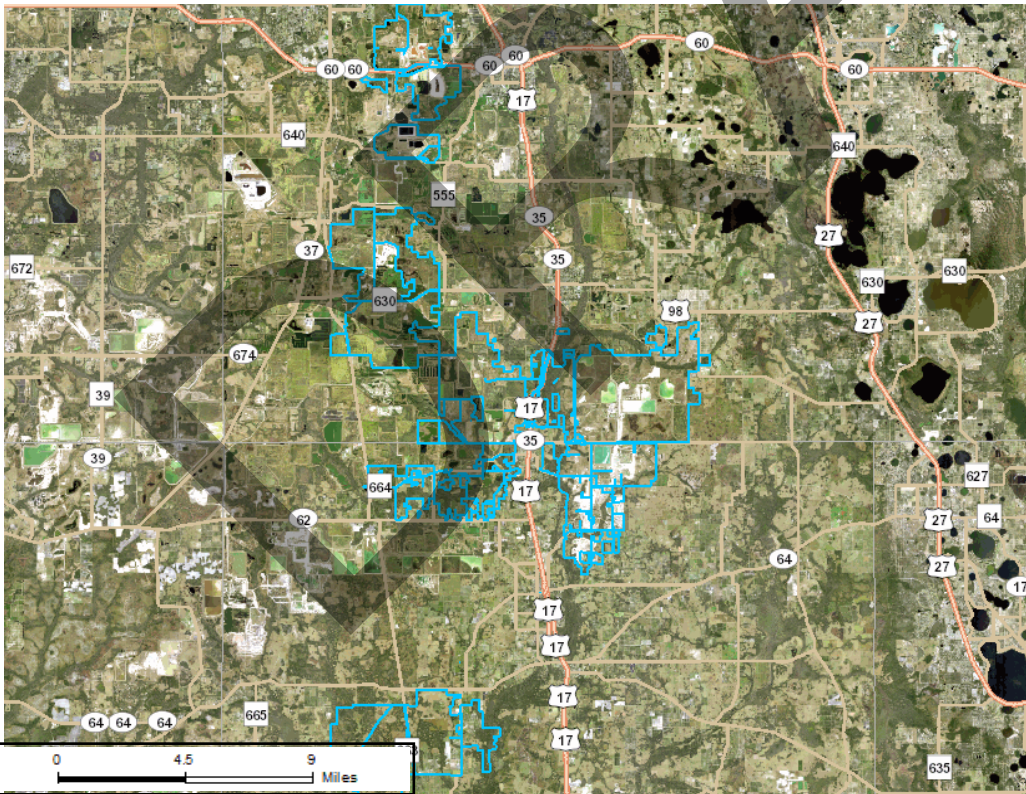
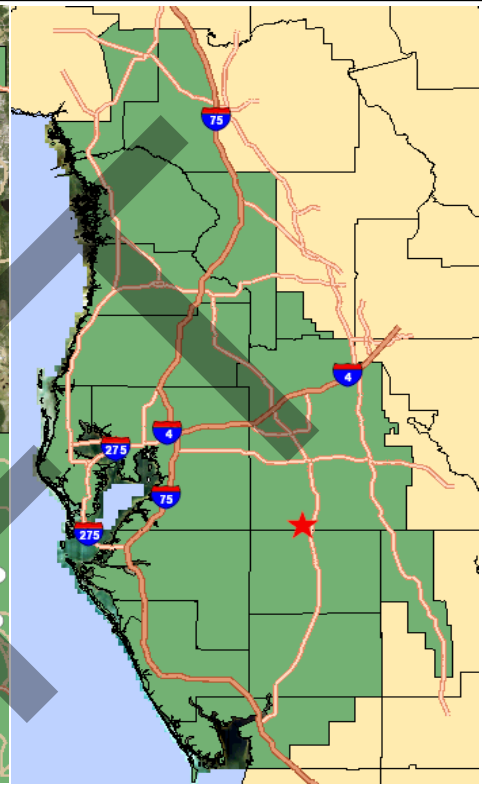
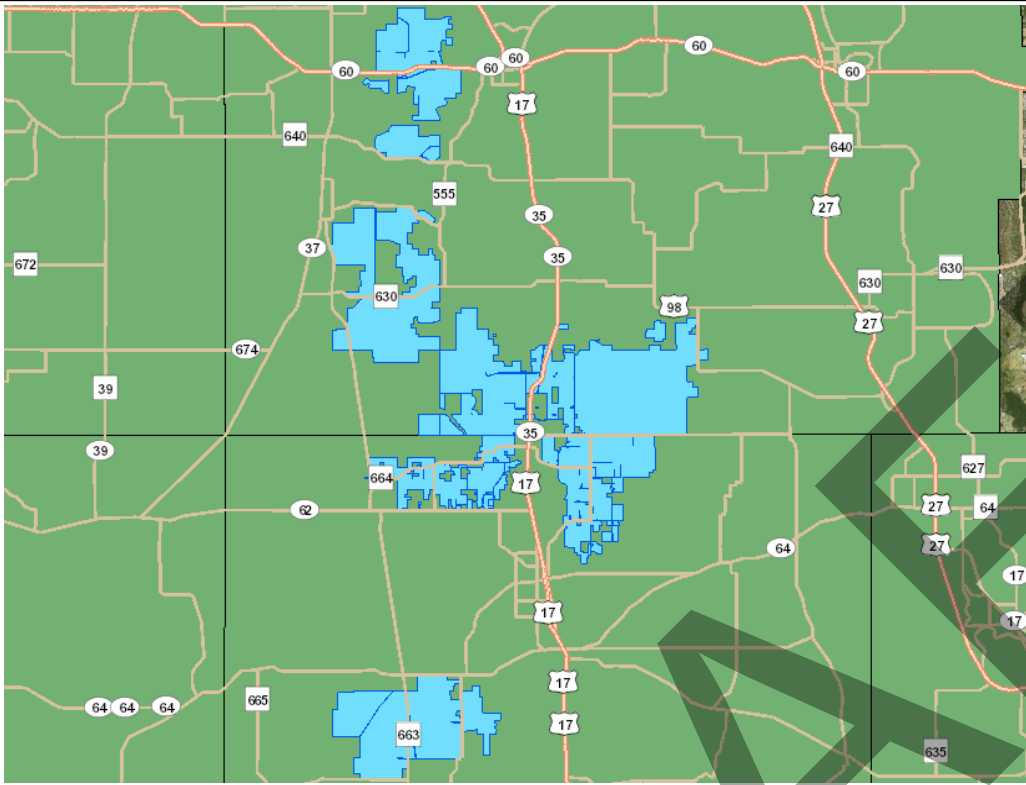
WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
31	27° 39' 43.22"/81° 51' 04.39"
34	27° 41' 43.70"/81° 50' 42.40"
37	27° 38' 15.50"/81° 50' 26.80"
83	27° 42' 29.60"/81° 51' 30.90"
84	27° 42' 31.00"/81° 52' 12.00"
91	27° 37' 23.50"/81° 51' 32.10"
145	27° 36' 12.40"/81° 52' 45.90"
147	27° 37' 19.80"/81° 53' 58.90"
148	27° 37' 07.20"/81° 54' 49.30"
150	27° 36' 41.60"/81° 50' 48.20"
151	27° 36' 08.90"/81° 51' 20.30"
152	27° 36' 28.00"/81° 51' 32.00"
154	27° 41' 52.00"/81° 51' 29.30"
159	27° 37' 03.70"/81° 52' 50.10"
162	27° 39' 45.40"/81° 47' 06.90"
171	27° 37' 13.60"/81° 55' 20.00"
199	27° 35' 56.80"/81° 54' 58.40"
200	27° 35' 49.00"/81° 52' 39.50"
231	27° 36' 01.00"/81° 53' 22.00"
267	27° 37' 44.08"/81° 54' 42.05"
268	27° 36' 15.31"/81° 54' 48.27"
269	27° 36' 04.52"/81° 55' 06.81"
272	27° 36' 08.65"/81° 52' 31.37"
273	27° 35' 58.23"/81° 52' 33.36"
274	27° 35' 54.79"/81° 52' 10.68"
275	27° 36' 00.60"/81° 51' 08.63"
296	27° 41' 15.57"/81° 47' 23.18"
297	27° 40' 15.17"/81° 47' 23.79"
298	27° 41' 26.61"/81° 50' 30.83"
299	27° 40' 09.10"/81° 52' 28.06"
300	27° 40' 28.36"/81° 53' 25.15"
301	27° 37' 27.25"/81° 56' 37.84"
302	27° 37' 02.39"/81° 56' 21.73"
303	27° 38' 59.89"/81° 50' 20.84"
304	27° 41' 10.11"/81° 47' 39.89"
305	27° 40' 33.51"/81° 47' 22.53"
306	27° 39' 48.90"/81° 47' 22.22"
308	27° 41' 53.90"/81° 51' 08.80"
310	27° 41' 54.00"/81° 51' 18.50"
311	27° 35' 40.50"/81° 58' 08.76"
312	27° 34' 03.61"/81° 46' 07.23"



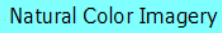
313	27° 42' 52.09"/81° 42' 06.75"
314	27° 43' 05.42"/81° 42' 18.65"
315	27° 38' 51.18"/81° 53' 28.25"
316	27° 38' 55.08"/81° 53' 29.04"
317	27° 39' 08.75"/81° 53' 21.45"
318	27° 43' 41.83"/81° 52' 33.89"
319	27° 43' 32.57"/81° 52' 33.90"
320	27° 39' 43.30"/81° 51' 05.00"

DRAFT


Location Map
Mosaic Fertilizer, LLC/Attn: Tom Pospichal
WUP No. 20 002715.027



Legend

-  DIDs
-  WUP Boundary
-  Natural Color Imagery

HARDEE, POLK COUNTY



N
W E
S

*Southwest Florida
Water Management District*

STANDARD CONDITIONS:

The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit A and made a part hereof.

SPECIAL CONDITIONS:

1. All reports and data required by condition(s) of the permit shall be submitted to the District according to the due date(s) contained in the specific condition. If the condition specifies that a District-supplied form is to be used, the Permittee should use that form in order for their submission to be acknowledged in a timely manner. The only alternative to this requirement is to use the District Permit Information Center (www.swfwmd.state.fl.us/permits/epermitting/) to submit data, plans or reports online. There are instructions at the District website on how to register to set up an account to do so. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal.

All mailed reports and data are to be sent to:

Southwest Florida Water Management District
Tampa Service Office, Water Use Permit Bureau
7601 U.S. Hwy. 301 North
Tampa, Florida 33637-6759

Submission of plans and reports: Unless submitted online or otherwise indicated in the special condition, the original and two copies of each plan and report, such as conservation plans, environmental analyses, aquifer test results, per capita annual reports, etc. are required.

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level, evapotranspiration, or water quality data.

(499)

2. The Permittee shall document and report on District forms, the beginning and ending hours and dates of operation of each withdrawal point used for the protection of crops from frost, freeze or heat damage. The report shall include the gallons per day pumped from each withdrawal point based on irrigation system capacity, or if available, totalizing flow meter readings. This report shall be submitted by the 10th day of the month following irrigation for crop protection. The crop protection daily quantities specified in this permit are solely for the purpose of crop protection, and do not apply to routine irrigation practices. Irrigation for crop protection shall not exceed the crop protection daily quantity listed on the permit and shall not cause water to go to waste.

(1)

3. The annual average and peak month quantities for District ID Nos. 31 and 320, Permittee ID Nos. Area H and 1-123 shown in the withdrawal point quantity table are estimates based on historic and/or projected distribution of pumpage, and are for water use inventory and impact analysis purposes only. The quantities listed for these individual sources are not intended to dictate the distribution of pumpage from permitted sources. The Permittee may make adjustments in pumpage distribution as necessary up to 1,407,500 gallons per day (gpd) on an annual average basis (DID No. 320/ User ID 1-123 not to exceed 281,800 gpd on an annual average basis), and up to 3,710,000 gpd on a peak month basis, so long as adverse environmental impacts do not result and the Permittee complies with all other conditions of this Permit. In all cases, the total annual average daily withdrawal, the total peak month daily withdrawal, and the total crop protection withdrawal are limited to the quantities set forth above.

The annual average, drought annual average, peak month, and crop protection quantities for District ID Nos. 83 and 84, Permittee ID Nos. SP-2 Well and SP-2 Lake, shown in the withdrawal point quantity table are estimates based on historic and/or projected distribution of pumpage, and are for water use inventory and impact analysis purposes only. The quantities listed for these individual sources are not intended to dictate the distribution of pumpage from permitted sources. The Permittee may make adjustments in pumpage distribution as necessary up to 218,200 gpd annual average, 271,900 gpd

drought annual average, 1,021,900 gpd peak monthly, and 5,328,000 gpd crop protection, so long as adverse environmental impacts do not result, and the Permittee complies with all other conditions of this Permit. In all cases, the total annual average daily withdrawal, the total peak month daily withdrawal, and the total crop protection withdrawal are limited to the quantities set forth above.(221)

4. The Permittee shall construct the proposed wells according to the surface diameter and casing depth specifications below. The casing shall be continuous from land surface to the minimum depth stated and is specified to prevent the unauthorized interchange of water between different water bearing zones. If a total depth is listed below, this is an estimate, based on best available information, of the depth at which high producing zones are encountered. However, it is the Permittee's responsibility to have the water in the well sampled during well construction, before reaching the estimated total depth. Such sampling is necessary to ensure that the well does not encounter water quality that cannot be utilized by the Permittee, and to ensure that withdrawals from the well will not cause salt-water intrusion. All depths given are in feet below land surface. For Well Construction requirements see Exhibit B, Well Construction Instructions, attached to and made part to this permit.

District ID No.	Permittee ID No.	Surface Diameter (inches)	Minimum Casing Depth (feet)	Estimated Total Depth (feet)
311	1-114	4	100	250
312	1-115	4	100	250
313	1-116	4	100	250
314	1-117	4	100	250
315	1-118	4	110	280
316	1-119	10	420	925
317	1-120	10	420	1,000
318	1-121	14	420	1,000
319	1-122	14	582	1,000
320	1-123	16	552	1,000

(240)

5. The Permittee shall evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvement(s) or conversion when determined to be operationally and economically feasible.(296)
6. The Permittee shall implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.(309)
7. The Permittee shall incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.(312)
8. The Permittee shall limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices. (331)
9. Within 90 days of the replacement of any or all withdrawal quantities from ground water or surface water bodies with an Alternative Water Supply, the Permittee shall apply to modify this permit to place equal quantities of permitted withdrawals from the ground and/or surface water resource on standby. The standby quantities can be used in the event that some or all of the alternative source is not available.(363)
10. The Permittee shall geophysically (caliper) or video log District ID Nos. 91, 145, 147, 148, 150, 151, 152, 159, 171, 199, 200, and 269, Permittee ID No. Nicholson, Brown, KD Revel, SF chance, Shirley, Lafon, Big Weeks, Gillard SW, Emmerson Jo, Jones, C Summers, Conley East Well, if the pump assembly is removed for maintenance or replacement within the term of this permit. If the Permittee does not have to remove the pump assembly during the term of this permit, he or she shall notify the District in writing upon submittal of their application to renew their water use permit (WUP). Such notification will not prejudice the Permittee's application. The District does not require the Permittee to remove the well assembly for the single purpose of logging the well.

The geophysical or video log must clearly show the diameter and total depth of each well, and the casing depth and casing continuity in each well. If a video log is made of the well, it shall clearly show the WUP number, Permittee name, and well identification number on the tape itself. One copy of the log shall be submitted to the District within 30 days of the logging event. Upon sufficient notice (approximately two to three weeks), the District can caliper log the well(s) at no cost to the Permittee; however, the Permittee shall remove the pump assembly at their own cost and prior to the arrival of the District logging vehicle on location.

Until such time as the logging is performed, the District shall continue to assess withdrawal impacts, and credit existing use per aquifer based on the assumption that multiple aquifers are open in the well bore. If an analysis of the log with respect to geology or hydrogeology is made, the report must be signed and sealed by a Professional Geologist who is registered and in good standing with the Florida Department of Business and Professional Regulation.

(408)

11. Permittee shall not exceed the quantity determined by multiplying the total irrigated acres by the total allocated acre-inches per irrigated acre per season for each crop type. For all crops except Citrus, an irrigated acre, hereafter referred to as "acre," is defined as the gross acreage under cultivation, including areas used for water conveyance such as ditches, but excluding uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches. For Citrus, an irrigated acre is based on 74% shaded area, equivalent to 89.4% of the gross acreage minus uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches.

An applicant or permittee within the Southern Water Use Caution Area may obtain the total allocated acre-inches per acre per season for their crops, plants, soil types, planting dates, and length of growing season by completing the "Irrigation Water Allotment Form" and submitting it to the District. The District will complete and return the form with the calculated total allocated acre-inches and water conserving credit per acre per season per crop, if applicable, based on the information provided. The "Irrigation Water Allotment Form" is available upon request.

(427)

12. The Permittee shall immediately implement the District-approved water conservation plan that was submitted in support of the application for this permit. Conservation measures that the Permittee has already implemented shall continue, and proposed conservation measures shall be implemented as proposed in the plan. Progress reports on the implementation of water conservation practices indicated as proposed in the plan as well as achievements in water savings that have been realized from each water conservation practice shall be submitted March 1, 2027.(449)

13. The Permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for annual crops for each permitted irrigation withdrawal point, District ID. Nos. 31, 34, 37, 83, 84, 91, 145, 147, 148, 150, 151, 152, 154, 162, 171, 199, 200, 231, 267, 268, 269, 272, 273, 274, 275, 303, 316, and 317, Permittee ID Nos.: Area H, Mine Block, Moon, SP-2 Well, SP-2 Lake, Nicholson, Brown, KD Revel, SF Chance, Shirley, Lafon, Big Weeks, Kaysworth, Gillespie, Emerson Jo, Jones, C Summers, B J Johnson, Massam, Abbott, Conley East Well, Monies NW, Monies Barn, Monies E, Bryan, Cemetery Well, 1-119, and 1-120:

1. Crop type,
2. Irrigated acres,
3. Irrigation method (NTBWUCA only),
4. Dominant soil type per crop or the number of acres per crop on that dominant soil type, and
5. If used, quantities used for crop protection.

This information shall be submitted by March 1 of each year documenting irrigation for the previous calendar year.

(474)

14. The Permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for seasonal crops for each permitted irrigation withdrawal point, District ID. No. 159, Permittee ID No. Gillard SW:

1. Crop type
2. Irrigated acres per crop for the appropriate season,
3. Dominant soil type or acres by dominant soil type,
4. Irrigation method (NTBWUCA only),

5. Use or non-use of plastic mulch,
6. Planting dates, and
7. Season length.

This information shall be submitted by February 1 of each year documenting irrigation for the previous summer/fall seasonal crops, and by September 1 of each year documenting irrigation for the previous winter/spring crops. Strawberry irrigation information shall be submitted as a winter/spring crop.(476)

15. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500, F.A.C.(568)
16. The Permittee shall submit a copy of the well completion reports to the District's Water Use Permit Bureau, within 30 days of each well completion.(583)
17. The Area H Surface Water Pump (DID No. 31) currently operates at water surface elevations above \pm 127.0-ft NAVD (approximately 1-ft above the intake). Augmentation from DID Nos. 308 and 320, will begin when the water surface is within 1-ft of the Area H Surface Water Pump Station intake (\pm 127.0-ft NAVD). The pumping rates for DID Nos. 308 and 320 are 1,800-gpm, or 2,592,000-gpd. Since 1-day of pumping is only expected to raise the reservoir water level $\frac{3}{4}$ -inch; therefore, the Cargill East well pump will be controlled by a timer set to pump in 24-hr intervals. The Area H Surface Water Pump (DID No. 31) is manually operated so the need for augmentation will be evaluated during each irrigation event.(647)
18. The Permittee shall comply with allocated irrigation quantities, which are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per actual crop grown. If the allocated quantities are exceeded, upon request by the District, the Permittee shall submit a report that includes reasons why the allocated quantities were exceeded, measures taken to attempt to meet the allocated quantities, and a plan to bring the permit into compliance. The District will evaluate information submitted by Permittees who exceed their allocated quantities to determine whether the lack of achievement is justifiable and a variance is warranted. The report is subject to approval by the District; however, justification for exceeding the allowed withdrawal quantity does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.(651)
19. This Permit is located within the Southern Water Use Caution Area (SWUCA). Pursuant to Section 373.0421, Florida Statutes, the SWUCA is subject to a minimum flows and levels recovery strategy, which became effective on January 1, 2007. The Governing Board may amend the recovery strategy, including amending applicable water use permitting rules based on an annual assessment of water resource criteria, cumulative water withdrawal impacts, and on a recurring five-year evaluation of the status of the recovery strategy up to the year 2025 as described in Chapter 40D-80, Florida Administrative Code. This Permit is subject to modification to comply with new rules.(652)
20. Augmentation to and withdrawal of water from the man-made reservoir associated with DID No. 84, that is authorized under this Water Use Permit, shall be conducted so as not to impair the function of the Surface Water Management System.(670)
21. The Permittee shall use surface water as the primary source of water to the maximum extent practicable for their reasonable-beneficial water demand. In the event that surface water is not sufficiently available to meet reasonable-beneficial water demand, the Permittee may supplement with groundwater sources. As surface water becomes more available, the Permittee shall use it as the primary source and reduce or cease withdrawals of groundwater.(696)
22. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID Nos. 317, 318, 319 and 320, Permittee ID Nos. 1-120, 1-121, 1-122 and 1-123. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(718)
23. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Water Use Permit Bureau Chief: District ID Nos. 31, 34, 37, 83, 84, 91, 145, 147, 148, 150, 151, 152, 154, 159, 162, 171, 199, 200, 231, 267, 268, 269, 272, 273, 274, 275, 303 and 308, Permittee ID Nos. Area H, Mine Block, Moon, SP-2 Well, SP-2 Lake, Nicholson, Brown, KD Revel, SF Chance, Shirley, Lafon, Big Weeks, Kaysworth, Gillard SW, Gillespie, Emmerson Jo, Jones, C Summers, B J Johnson, Massam, Abbott, Conley East Well, Monies NW, Monies Barn, Monies E, Bryan, Cemetery Well and 1-113. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in

accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(719)

24. The following existing standby withdrawal facilities (those that provide back-up water for another withdrawal point in the event the other withdrawal point becomes unusable) shall continue to be metered: District ID No(s). 310, Permittee ID No(s). 1-112. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(722)

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40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

1. With advance notice to the Permittee, District staff with proper identification shall have permission to enter, inspect, collect samples, take measurements, observe permitted and related facilities and collect and document any information deemed necessary to determine compliance with the approved plans, specifications and conditions of this permit. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. When necessary to analyze impacts to the water resource or existing users, the District shall require the Permittee to install flow metering or other measuring devices to record withdrawal quantities and submit the data to the District.
3. A District identification tag shall be prominently displayed at each withdrawal point that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, by permanently affixing the tag to the withdrawal facility.
4. The Permittee shall mitigate any adverse impact to environmental features or offsite land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Examples of adverse impacts include the following:
 - A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - B. Damage to crops and other vegetation causing financial harm to the owner; and
 - C. Damage to the habitat of endangered or threatened species.
5. The Permittee shall mitigate any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District may require the Permittee to mitigate the impacts. Adverse impacts include:
 - A. A reduction in water levels which impairs the ability of a well to produce water;
 - B. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - C. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of an aquifer or water body.
6. Permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and / or related facilities from which the permitted consumptive use is made. Where Permittee's control of the land subject to the permit was demonstrated through a lease, the Permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system / project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40D-1.6105, F.A.C. Alternatively, the Permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
7. All withdrawals authorized by this WUP shall be implemented as conditioned by this permit, including any documents submitted as part of the permit application incorporated by reference in a permit condition. This permit is subject to review and modification, enforcement action, or revocation, in whole or in part, pursuant to Section 373.136 or 373.243, F.S.
8. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
9. The Permittee shall cease or reduce surface water withdrawal as directed by the District if water levels in lakes fall below the applicable minimum water level established in Chapter 40D-8, F.A.C., or rates of flow in streams fall below the minimum levels established in Chapter 40D-8, F.A.C.

10. The Permittee shall cease or reduce withdrawal as directed by the District if water levels in aquifers fall below the minimum levels established by the Governing Board.
11. A Permittee may seek modification of any term of an unexpired permit. The Permittee is advised that section 373.239, F.S., and Rule 40D-2.331, F.A.C., are applicable to permit modifications.
12. The Permittee shall practice water conservation to increase the efficiency of transport, application, and use, as well as to decrease waste and to minimize runoff from the property. At such time as the Governing Board adopts specific conservation requirements for the Permittee's water use classification, this permit shall be subject to those requirements upon notice and after a reasonable period for compliance.
13. The District may establish special regulations for Water-Use Caution Areas. At such time as the Governing Board adopts such provisions, this permit shall be subject to them upon notice and after a reasonable period for compliance.
14. Nothing in this permit should be construed to limit the authority of the District to declare a water shortage and issue orders pursuant to chapter 373, F.S. In the event of a declared water shortage, the Permittee must adhere to the water shortage restrictions, as specified by the District. The Permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
15. This permit is issued based on information provided by the Permittee demonstrating that the use of water is reasonable and beneficial, consistent with the public interest, and will not interfere with any existing legal use of water. If, during the term of the permit, it is determined by the District that a statement in the application and in the supporting data are found to be untrue and inaccurate, the use is not reasonable and beneficial, in the public interest, or does impact an existing legal use of water, the Governing Board shall modify this permit or shall revoke this permit following notice and hearing, pursuant to sections 373.136 or 373.243, F.S. The Permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
16. Within the Southern Water Use Caution Area, if the District determines that significant water quantity or quality changes, impacts to existing legal uses, or adverse environmental impacts are occurring, the District, upon reasonable notice to the Permittee, including a statement of facts upon which the District based its determination, may reconsider the quantities permitted or other conditions of the permit as appropriate to address the change or impact, but only after an opportunity for the Permittee to resolve or mitigate the change or impact or to request a hearing.
17. All permits are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

Exhibit B
Instructions

METERING INSTRUCTIONS

The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter reading(s) shall be reported to the Water Use Permit Bureau on or before the tenth day of the following month for monthly reporting frequencies.

For bi-annual reporting, the data shall be recorded on a monthly basis and reported on or before the tenth day of the month following the sixth month of recorded data.

The Permittee shall submit meter readings online using the Permit Information Center at www.swfwmd.state.fl.us/permits/epermitting/ or on District supplied scanning forms unless another arrangement for submission of this data has been approved by the District. Submission of such data by any other unauthorized form or mechanism may result in loss of data and subsequent delinquency notifications. Call the Water Use Permit Bureau in Tampa at (813) 985-7481 if difficulty is encountered.

The meters shall adhere to the following descriptions and shall be installed or maintained as follows:

1. The meter(s) shall be non-resettable, totalizing flow meter(s) that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring device(s) are proposed, prior to installation, approval shall be obtained in writing from the Water Use Permit Bureau Chief.
2. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.
3. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.
4. The flow meter(s) or other approved device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.
5. Meter accuracy testing requirements:
 - A. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
 - B. The meter shall be tested for accuracy on-site, as installed according to the Flow Meter Accuracy Test Instructions in this Exhibit B, every five years in the assigned month for the county, beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.
 - C. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.
 - D. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.
 - E. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.
6. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.
7. Broken or malfunctioning meter:
 - A. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
 - B. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
 - C. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than

60 consecutive days.

8. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

9. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

FLOW METER ACCURACY TEST INSTRUCTIONS

1. Accuracy Test Due Date - The Permittee is to schedule their accuracy test according to the following schedule:

A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.

B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.

C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.

D. For the Permittee's convenience, if there are multiple due-years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Water Use Permit Bureau Chief for one specific year to be assigned as the due date year for meter testing. Permittees with many meters to test may also request the tests to be grouped into one year or spread out evenly over two to three years.

E. The months for accuracy testing of meters are assigned by county. The Permittee is requested but not required to have their testing done in the month assigned to their county. This is to have sufficient District staff available for assistance.

January	Hillsborough
February	Manatee, Pasco
March	Polk (for odd numbered permits)*
April	Polk (for even numbered permits)*
May	Highlands
June	Hardee, Charlotte
July	None or Special Request
August	None or Special Request
September	Desoto, Sarasota
October	Citrus, Levy, Lake
November	Hernando, Sumter, Marion
December	Pinellas

* The permittee may request their multiple permits be tested in the same month.

2. Accuracy Test Requirements: The Permittee shall test the accuracy of flow meters on permitted withdrawal points as follows:

A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.

B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained.

C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.

D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent accuracy indicates the deviation (if any), of the meter being tested from the test meter.

3. Accuracy Test Report: The Permittees shall demonstrate that the results of the meter test(s) are accurate by submitting the following information within 30 days of the test:

A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.101.00 (5/14) for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org) under "ePermitting and Rules" for Water Use Permits.

B. A printout of data that was input into the test equipment, if the test equipment is capable of creating such a printout;

C. A statement attesting that the manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing;

D. The date of the test equipment's most recent calibration that demonstrates that it was calibrated within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.

E. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.

F. A picture of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site with a notation of distances to these items.

WELL CONSTRUCTION INSTRUCTIONS

All wells proposed to be constructed shall be drilled and constructed as specified below:

1. All well casing (including liners and/or pipe) must be sealed to the depth specified in the permit condition.
2. The proposed well(s) shall be constructed of materials that are resistant to degradation of the casing/grout due to interaction with the water of lesser quality. A minimum grout thickness of two (2) inches is required on wells four (4) inches or more in diameter.
3. A minimum of twenty (20) feet overlap and two (2) centralizers is required for Public Supply wells and all wells six (6) inches or more in diameter.
4. Any variation from estimated, maximum or minimum total depths; maximum or minimum casing depths; well location or casing diameter specified in the condition requires advanced approval by the Water Use Permit Bureau Chief, or the Well Construction Section Manager.
5. The Permittee is notified that a proposal to significantly change any of these well construction specifications may require permit modification if the District determines that such a change would result in significantly greater withdrawal impacts than those considered for this Permit.
6. The finished well casing depth shall not vary from these specifications by greater than ten (10) percent unless advance approval is granted by the Water Use Permit Bureau Chief, or the Well Construction Section Manager.

Authorized Signature
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

This permit, issued under the provision of Chapter 373, Florida Statutes and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined above, and may require various activities to be performed by the Permittee as described in the permit, including the Special Conditions. The permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.

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CONSENT AGENDA

August 22, 2023

Regulation Committee: Water Use Permit No. 20 007417.008, Astin Strawberry Property Management, LLC / Astin Blueberry Farm (Hillsborough County)

This is a modification of an existing water use permit for agricultural use. The authorized quantities have changed from those previously permitted. The annual average quantity has increased from 499,900 gallons per day (gpd) to 528,300 gpd, the drought annual average has increased from 547,700 gpd to 577,700 gpd, the peak month quantity has increased from 1,388,500 gpd to 1,478,400 gpd, and the crop protection quantity has increased from 12,102,200 gpd to 14,980,100 gpd. The change in quantities is due to an increase in the irrigated area from 155 acres to 165 acres of blueberries and a self-relocation of quantities from Water Use Permit No. 20009915.008. There are no changes in Use Type from the previous permit. Quantities are based on the District's irrigation allotment calculation program, AGMOD and information provided by the Permittee. Groundwater modeling shows no new impact with the movement of quantities associated with the self-relocation. The Permittee is utilizing captured stormwater when available to supplemental irrigation quantities. The onsite ponds will also be used as a resource for crop protection when needed. This permit is in the Most Impacted Area of the Southern Water Use Caution Area.

Special Conditions include those that require the Permittee to report monthly meter readings, install meters on the previously unmetered withdrawal points and the pond augmentation lines, perform meter accuracy checks every five years, report quantities used for crop protection, submit annual crop reports, construct the proposed withdrawal in accordance to permit specifications and submit a well completion report, implement water conservation and best management practices, provide an update to the Conservation Plan at permit midterm, evaluate the feasibility of using reclaimed water upon request, modify the permit upon incorporation of an AWS, comply with the permitted quantities, provide an overpumpage report upon request and comply with the SWUCA recovery strategy.

The permit application meets all Rule 40D-2 Conditions for Issuance.

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

Presenter:

Darrin Herbst, P.G., Bureau Chief, Water Use Permit

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 007417.008**

PERMIT ISSUE DATE: August 22, 2023

EXPIRATION DATE: December 05, 2040

The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

TYPE OF APPLICATION: Modification

GRANTED TO: Astin Strawberry Property Management, LLC/Attn: Sam Astin III
4408 Mudlake Rd
Plant City, FL 33567

PROJECT NAME: Astin Blueberry Farm

WATER USE CAUTION AREA(S): Most Impacted Area, SOUTHERN WATER USE CAUTION AREA

COUNTY: Hillsborough

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)	
ANNUAL AVERAGE	528,300 gpd
PEAK MONTH ¹	1,478,400 gpd
DROUGHT ANNUAL AVERAGE ²	577,700 gpd
CROP PROTECTION/MAXIMUM ³	14,980,100 gpd

1. Peak Month: Average daily use during the highest water use month.
2. Drought Annual Average: Annual average limit when less than historical average rainfall if sufficient Water Conservation credits exist in the Permittee's account.
3. Crop Protection/Maximum: Maximum use allowed any 24-hour period/Frost and Freeze protection of crops.

ABSTRACT:

This is a modification of an existing water use permit for agricultural use. The authorized quantities have changed from those previously permitted. The annual average quantity has increased from 499,900 gallons per day (gpd) to 528,300 gpd, the drought annual average has increased from 547,700 gpd to 577,700 gpd, the peak month quantity has increased from 1,388,500 gpd to 1,478,400 gpd, and the crop protection quantity has increased from 12,102,200 gpd to 14,980,100 gpd. The change in quantities is due to a self-relocation of quantities from Water Use Permit No. 20009915.008. There are no changes in Use Type from the previous permit. The change in quantities is due to an increase in the irrigated area from 155 acres to 165 acres of blueberries. Quantities are based on the District's irrigation allotment calculation program, AGMOD and information provided by the Permittee. The Permittee is utilizing captured stormwater when available to supplemental irrigation quantities. The onsite ponds will also be used as an additional resource for crop protection when needed. This permit is located in the Most Impacted Area of the Southern Water Use Caution Area.

Special Conditions include those that require the Permittee to report monthly meter readings, install meters on the previously unmetered withdrawal points and the pond augmentation lines, perform meter accuracy checks every five years, report quantities used for crop protection, submit annual crop reports, construct the proposed withdrawal in accordance to permit specifications and submit a well completion report, implement water conservation and best management practices, provide an update to the Conservation Plan at permit midterm, evaluate the feasibility of using reclaimed water upon request, modify the permit upon incorporation of an AWS, comply with the permitted quantities, provide an overpumpage report upon request and comply with the SWUCA recovery strategy.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>	<u>DROUGHT ANNUAL AVERAGE</u>	<u>CROP PROTECTION /MAXIMUM</u>
Agricultural	528,300	1,478,400	577,700	14,980,100

USES AND IRRIGATION ALLOCATION RATE TABLE

<u>CROP/USE TYPE</u>	<u>IRRIGATED ACRES</u>	<u>IRRIGATION METHOD</u>	<u>STANDARD IRRIGATION RATE</u>	<u>DROUGHT IRRIGATION RATE</u>
Blueberries	165.00	Low Volume Spray	42.87"/yr.	47.07"/yr.
Tank Fill For Fertigation/Chemigation				
Tank Fill For Fertigation/Chemigation				

WITHDRAWAL POINT QUANTITY TABLE

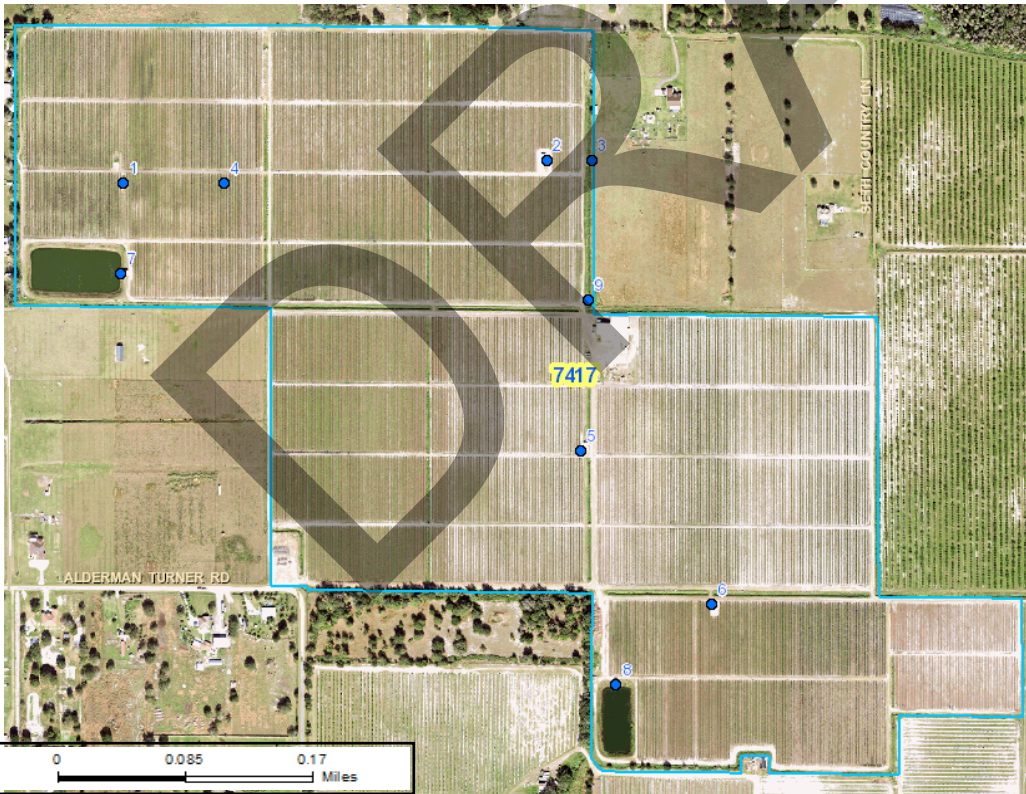
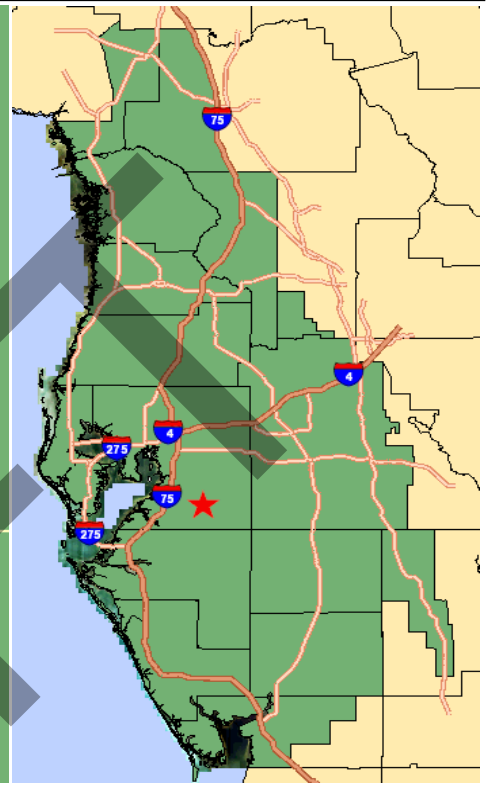
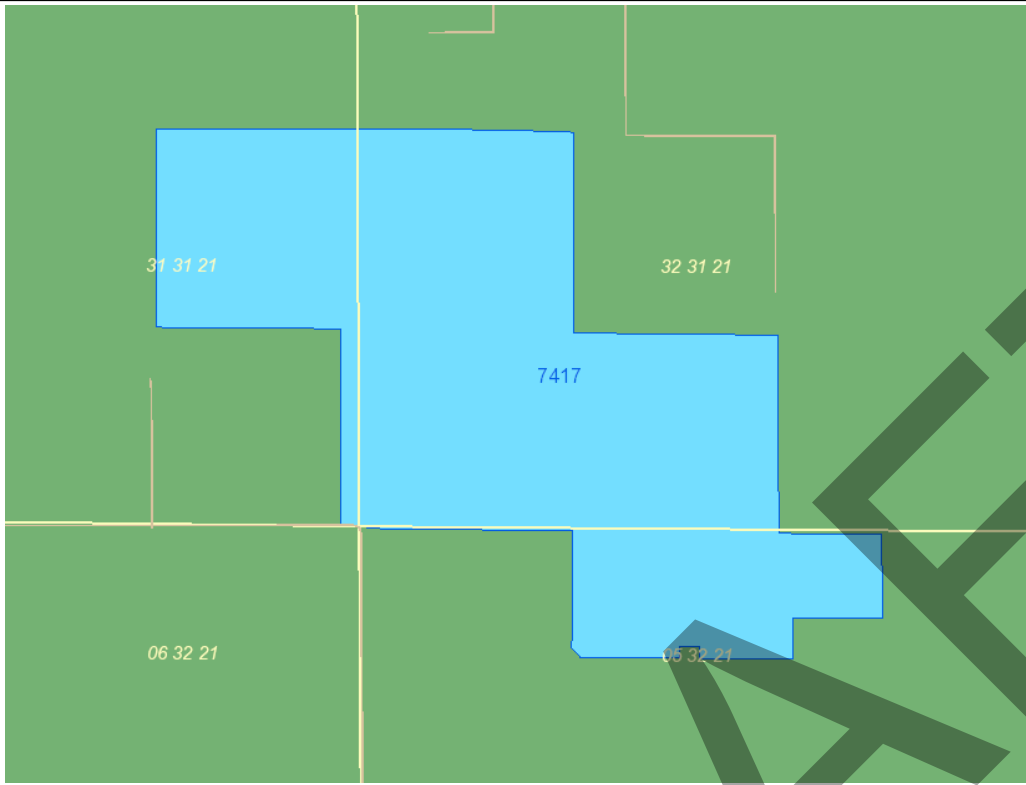
Water use from these withdrawal points are restricted to the quantities given below :

<u>I.D. NO. PERMITTEE/ DISTRICT</u>	<u>DIAM (in.)</u>	<u>DEPTH TTL./CSD.FT. (feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE (gpd)</u>	<u>PEAK MONTH (gpd)</u>	<u>CROP PROTECTION (gpd)</u>
1 / 1	8	600 / 200	General Agricultural	1,000	1,500	N/A
2 / 2	12	820 / 410	Irrigation	131,500	369,600	3,745,000
3 / 3	8	200 / UNK	Irrigation	131,500	369,600	3,745,000
Standby 4 / 4	12	600 / 410	Irrigation	131,600	369,600	3,745,000
5 / 5	12	960 / 170	Irrigation	131,600	369,600	3,745,000
6 / 6	12	900 / 180	Irrigation	131,600	369,600	3,745,100
7 / 7	12	N/A / N/A	Irrigation	263,100	739,200	7,490,100
8 / 8	12	N/A / N/A	Irrigation	263,200	739,200	7,490,000
9 / 9	5	340 / 180	General Agricultural	1,000	1,500	N/A

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
1	27° 44' 21.32"/82° 14' 20.28"
2	27° 44' 22.40"/82° 13' 58.50"
3	27° 44' 22.40"/82° 13' 56.20"
4	27° 44' 21.30"/82° 14' 15.13"
5	27° 44' 09.19"/82° 13' 56.74"
6	27° 44' 02.22"/82° 13' 49.99"
7	27° 44' 17.22"/82° 14' 20.42"
8	27° 43' 58.56"/82° 13' 54.89"
9	27° 44' 16.07"/82° 13' 56.39"

Location Map
Astin Strawberry Property Management, LLC/Attn: Sam Astin III
WUP No. 20 007417.008



Legend

- DIDs
- WUP Boundary
- Natural Color Imagery

HILLSBOROUGH COUNTY

Southwest Florida
Water Management District

STANDARD CONDITIONS:

The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit A and made a part hereof.

SPECIAL CONDITIONS:

1. All reports and data required by condition(s) of the permit shall be submitted to the District according to the due date(s) contained in the specific condition. If the condition specifies that a District-supplied form is to be used, the Permittee should use that form in order for their submission to be acknowledged in a timely manner. The only alternative to this requirement is to use the District Permit Information Center (www.swfwmd.state.fl.us/permits/epermitting/) to submit data, plans or reports online. There are instructions at the District website on how to register to set up an account to do so. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal.

All mailed reports and data are to be sent to:

Southwest Florida Water Management District
Tampa Service Office, Water Use Permit Bureau
7601 U.S. Hwy. 301 North
Tampa, Florida 33637-6759

Submission of plans and reports: Unless submitted online or otherwise indicated in the special condition, the original and two copies of each plan and report, such as conservation plans, environmental analyses, aquifer test results, per capita annual reports, etc. are required.

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level, evapotranspiration, or water quality data.

(499)

2. The Permittee shall document and report on District forms, the beginning and ending hours and dates of operation of each withdrawal point used for the protection of crops from frost, freeze or heat damage. The report shall include the gallons per day pumped from each withdrawal point based on irrigation system capacity, or if available, totalizing flow meter readings. This report shall be submitted by the 10th day of the month following irrigation for crop protection. The crop protection daily quantities specified in this permit are solely for the purpose of crop protection, and do not apply to routine irrigation practices. Irrigation for crop protection shall not exceed the crop protection daily quantity listed on the permit and shall not cause water to go to waste.

(1)

3. The annual average daily, peak month, and crop protection/maximum, if applicable, quantities for District ID Nos. 2, 3, 4, 5 and 6, Permittee ID Nos. 2, 3, 4, 5 and 6, shown in the withdrawal point quantity table are estimates based on historic and/or projected distribution of pumpage, and are for water use inventory and impact analysis purposes only. The quantities listed for these individual sources are not intended to dictate the distribution of pumpage from permitted sources. The Permittee may make adjustments in pumpage distribution as necessary up to 526,300 gallons per day on an annual average basis, up to 1,478,400 gallons per day on a peak month basis, and up to 14,980,100 gallons per day for crop protection for the individual wells, so long as adverse environmental impacts do not result and the Permittee complies with all other conditions of this Permit. In all cases, the total annual average daily withdrawal, the total peak month daily withdrawal, and the total crop protection withdrawal are limited to the quantities set forth above.(221)

4. The Permittee shall construct the proposed well according to the surface diameter and casing depth specifications below. The casing shall be continuous from land surface to the minimum depth stated and is specified to prevent the unauthorized interchange of water between different water bearing zones. If a total depth is listed below, this is an estimate, based on best available information, of the depth at which high producing zones are encountered. However, it is the Permittee's responsibility to have the water in the well sampled during well construction, before reaching the estimated total depth.

Such sampling is necessary to ensure that the well does not encounter water quality that cannot be utilized by the Permittee, and to ensure that withdrawals from the well will not cause salt-water intrusion. All depths given are in feet below land surface. For Well Construction requirements see Exhibit B, Well Construction Instructions, attached to and made part to this permit.

District ID No. 4, Permittee ID No. 4, having a surface diameter of 12-inches, with a minimum casing depth of 410 feet, drilled to an estimated total depth of 600 feet.

(240)

5. The Permittee shall evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvement(s) or conversion when determined to be operationally and economically feasible.(296)
6. The Permittee shall implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per year.(309)
7. The Permittee shall incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS.(312)
8. By October 1, 2023, the Permittee shall install a backflow prevention systems on District ID Nos. 2 and 6, Permittee ID Nos. 2 and 6, the groundwater withdrawals that are used to augment the onsite farm ponds for crop protection use prior to freeze events. (315)
9. The Permittee shall limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, crop protection, plant establishment, or for other reasons which require daytime irrigation are permissible; but should be limited to the minimum amount necessary as indicated by best management practices. (331)
10. Within 90 days of the replacement of any or all withdrawal quantities from ground water or surface water bodies with an Alternative Water Supply, the Permittee shall apply to modify this permit to place equal quantities of permitted withdrawals from the ground and/or surface water resource on standby. The standby quantities can be used in the event that some or all of the alternative source is not available.(363)
11. Permittee shall not exceed the quantity determined by multiplying the total irrigated acres by the total allocated acre-inches per irrigated acre per season for each crop type. For all crops except Citrus, an irrigated acre, hereafter referred to as "acre," is defined as the gross acreage under cultivation, including areas used for water conveyance such as ditches, but excluding uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches. For Citrus, an irrigated acre is based on 74% shaded area, equivalent to 89.4% of the gross acreage minus uncultivated areas such as wetlands, retention ponds, and perimeter drainage ditches.

An applicant or permittee within the Southern Water Use Caution Area may obtain the total allocated acre-inches per acre per season for their crops, plants, soil types, planting dates, and length of growing season by completing the "Irrigation Water Allotment Form" and submitting it to the District. The District will complete and return the form with the calculated total allocated acre-inches and water conserving credit per acre per season per crop, if applicable, based on the information provided. The "Irrigation Water Allotment Form" is available upon request.
(427)
12. The Permittee shall immediately implement the District-approved water conservation plan that was submitted in support of the application for this permit. Conservation measures that the Permittee has already implemented shall continue, and proposed conservation measures shall be implemented as proposed in the plan. Progress reports on the implementation of water conservation practices indicated as proposed in the plan as well as achievements in water savings that have been realized from each water conservation practice shall be submitted July 1, 2033.(449)
13. The Permittee shall investigate the feasibility of increasing the use of or using reclaimed water for irrigation when notified by the District that reclaimed water may be available in sufficient supply to be utilized for this permit . The Permittee shall submit a report documenting the feasibility investigation within six months of the notification. The report shall contain an analysis of reclaimed water sources for the area, including the relative location of

these sources to the Permittee's property, the quantity of reclaimed water available, the projected date(s) of availability, costs associated with obtaining the reclaimed water, and an implementation schedule for reuse, if feasible. Infeasibility shall be supported with a detailed explanation. If the use of reclaimed water is determined to be feasible by the Permittee or by the District, then the Permittee shall submit an application to modify this water use permit to include reclaimed water as a source of water. The modification application shall include a date when the reclaimed water will be available and shall indicate a proposed reduction in permitted quantities. If the permit application is not submitted by the Permittee, the District may reduce, following notice to the Permittee, the quantities authorized with this permit to account for the availability of reclaimed water.

(458)

14. The Permittee shall record the following information on the Irrigation Water Use Form that is supplied by the District for annual crops for each permitted irrigation withdrawal point, District ID. No(s). 2, 3, 4, 5, 6, 7 and 8, Permittee ID No(s). 2, 3, 4, 5, 6, 7 and 8:
 1. Crop type,
 2. Irrigated acres,
 3. Irrigation method (NTBWUCA only),
 4. Dominant soil type per crop or the number of acres per crop on that dominant soil type, and
 5. If used, quantities used for crop protection.This information shall be submitted by March 1 of each year documenting irrigation for the previous calendar year.
(474)
15. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500, F.A.C.(568)
16. The Permittee shall submit a copy of the well completion reports to the District's Water Use Permit Bureau, within 30 days of each well completion.(583)
17. District ID Nos. 2 and 6, Permittee ID Nos. 2 and 6 may be used to augment the onsite farm ponds prior to freeze events for additional crop protection use. Augmentation of the ponds shall cease when the surface water elevation is 6-inches below the weir outlet structure elevation. The groundwater withdrawals shall not be used to augment the ponds for irrigation use.
(644)
18. The Permittee shall maximize the use of surface water from the onsite farm ponds for irrigation when available. Groundwater may be used to augment the ponds only when needed as an additional resource for crop protection use. Augmentation for irrigation and aesthetic purposes is prohibited.
(648)
19. The Permittee shall comply with allocated irrigation quantities, which are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per actual crop grown. If the allocated quantities are exceeded, upon request by the District, the Permittee shall submit a report that includes reasons why the allocated quantities were exceeded, measures taken to attempt to meet the allocated quantities, and a plan to bring the permit into compliance. The District will evaluate information submitted by Permittees who exceed their allocated quantities to determine whether the lack of achievement is justifiable and a variance is warranted. The report is subject to approval by the District; however, justification for exceeding the allowed withdrawal quantity does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.(651)
20. This Permit is located within the Southern Water Use Caution Area (SWUCA). Pursuant to Section 373.0421, Florida Statutes, the SWUCA is subject to a minimum flows and levels recovery strategy, which became effective on January 1, 2007. The Governing Board may amend the recovery strategy, including amending applicable water use permitting rules based on an annual assessment of water resource criteria, cumulative water withdrawal impacts, and on a recurring five-year evaluation of the status of the recovery strategy up to the year 2025 as described in Chapter 40D-80, Florida Administrative Code. This Permit is subject to modification to comply with new rules.(652)
21. The Permittee shall use captured surface water runoff when available to offset groundwater use for irrigation. However, augmentation of the farm ponds with groundwater for irrigation repump is not allowed. As surface water becomes more available, the Permittee shall use it as the primary source and reduce or cease withdrawals of groundwater.(696)
22. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID No. 4, Permittee ID No. 4. Monthly meter reading and reporting,

as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(718)

23. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Water Use Permit Bureau Chief: District ID No(s). 2, 5, 6, 7 and 8, Permittee ID No(s). 2, 5, 6, 7 and 8. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(719)
24. The following existing, but previously un-metered withdrawal facilities inflow lines augmenting the onsite farm recovery ponds, shall be metered upon permit issuance: District ID No(s). 2 and 6 (meter Nos. 2 on augmentation inflow lines), Permittee ID No(s). 2 and 6 (meter Nos. 2 on augmentation inflow lines). Augmentation quantities shall be reported on the meter sequence No. 2 for the specified withdrawals. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(720)
25. The following existing, but previously un-metered standby withdrawal facilities (those that provide back-up water for another withdrawal point in the event the other withdrawal point becomes unusable) shall be metered upon permit issuance: District ID No. 3, Permittee ID No.3. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(723)
26. The permittee is eligible for water conserving credits on July 1, 2033, through the submittal of a Letter Modification Application.” The Permittee must be in compliance with all permit conditions and have submitted all appropriate seasonal and annual crop reporting forms to be eligible for the additional water conserving credits. The available water conserving credit quantity will be equal to twice the difference between the 5-in-10 and 2-in-10 irrigation requirements as determined by AGMOD.(1027)

DRAFT

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

1. With advance notice to the Permittee, District staff with proper identification shall have permission to enter, inspect, collect samples, take measurements, observe permitted and related facilities and collect and document any information deemed necessary to determine compliance with the approved plans, specifications and conditions of this permit. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. When necessary to analyze impacts to the water resource or existing users, the District shall require the Permittee to install flow metering or other measuring devices to record withdrawal quantities and submit the data to the District.
3. A District identification tag shall be prominently displayed at each withdrawal point that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, by permanently affixing the tag to the withdrawal facility.
4. The Permittee shall mitigate any adverse impact to environmental features or offsite land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Examples of adverse impacts include the following:
 - A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - B. Damage to crops and other vegetation causing financial harm to the owner; and
 - C. Damage to the habitat of endangered or threatened species.
5. The Permittee shall mitigate any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District may require the Permittee to mitigate the impacts. Adverse impacts include:
 - A. A reduction in water levels which impairs the ability of a well to produce water;
 - B. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - C. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of an aquifer or water body.
6. Permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and / or related facilities from which the permitted consumptive use is made. Where Permittee's control of the land subject to the permit was demonstrated through a lease, the Permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system / project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40D-1.6105, F.A.C. Alternatively, the Permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
7. All withdrawals authorized by this WUP shall be implemented as conditioned by this permit, including any documents submitted as part of the permit application incorporated by reference in a permit condition. This permit is subject to review and modification, enforcement action, or revocation, in whole or in part, pursuant to Section 373.136 or 373.243, F.S.
8. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
9. The Permittee shall cease or reduce surface water withdrawal as directed by the District if water levels in lakes fall below the applicable minimum water level established in Chapter 40D-8, F.A.C., or rates of flow in streams fall below the minimum levels established in Chapter 40D-8, F.A.C.

10. The Permittee shall cease or reduce withdrawal as directed by the District if water levels in aquifers fall below the minimum levels established by the Governing Board.
11. A Permittee may seek modification of any term of an unexpired permit. The Permittee is advised that section 373.239, F.S., and Rule 40D-2.331, F.A.C., are applicable to permit modifications.
12. The Permittee shall practice water conservation to increase the efficiency of transport, application, and use, as well as to decrease waste and to minimize runoff from the property. At such time as the Governing Board adopts specific conservation requirements for the Permittee's water use classification, this permit shall be subject to those requirements upon notice and after a reasonable period for compliance.
13. The District may establish special regulations for Water-Use Caution Areas. At such time as the Governing Board adopts such provisions, this permit shall be subject to them upon notice and after a reasonable period for compliance.
14. Nothing in this permit should be construed to limit the authority of the District to declare a water shortage and issue orders pursuant to chapter 373, F.S. In the event of a declared water shortage, the Permittee must adhere to the water shortage restrictions, as specified by the District. The Permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
15. This permit is issued based on information provided by the Permittee demonstrating that the use of water is reasonable and beneficial, consistent with the public interest, and will not interfere with any existing legal use of water. If, during the term of the permit, it is determined by the District that a statement in the application and in the supporting data are found to be untrue and inaccurate, the use is not reasonable and beneficial, in the public interest, or does impact an existing legal use of water, the Governing Board shall modify this permit or shall revoke this permit following notice and hearing, pursuant to sections 373.136 or 373.243, F.S. The Permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
16. Within the Southern Water Use Caution Area, if the District determines that significant water quantity or quality changes, impacts to existing legal uses, or adverse environmental impacts are occurring, the District, upon reasonable notice to the Permittee, including a statement of facts upon which the District based its determination, may reconsider the quantities permitted or other conditions of the permit as appropriate to address the change or impact, but only after an opportunity for the Permittee to resolve or mitigate the change or impact or to request a hearing.
17. All permits are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

Exhibit B
Instructions

METERING INSTRUCTIONS

The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter reading(s) shall be reported to the Water Use Permit Bureau on or before the tenth day of the following month for monthly reporting frequencies.

For bi-annual reporting, the data shall be recorded on a monthly basis and reported on or before the tenth day of the month following the sixth month of recorded data.

The Permittee shall submit meter readings online using the Permit Information Center at www.swfwmd.state.fl.us/permits/epermitting/ or on District supplied scanning forms unless another arrangement for submission of this data has been approved by the District. Submission of such data by any other unauthorized form or mechanism may result in loss of data and subsequent delinquency notifications. Call the Water Use Permit Bureau in Tampa at (813) 985-7481 if difficulty is encountered.

The meters shall adhere to the following descriptions and shall be installed or maintained as follows:

1. The meter(s) shall be non-resettable, totalizing flow meter(s) that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring device(s) are proposed, prior to installation, approval shall be obtained in writing from the Water Use Permit Bureau Chief.
2. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.
3. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.
4. The flow meter(s) or other approved device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.
5. Meter accuracy testing requirements:
 - A. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
 - B. The meter shall be tested for accuracy on-site, as installed according to the Flow Meter Accuracy Test Instructions in this Exhibit B, every five years in the assigned month for the county, beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.
 - C. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.
 - D. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.
 - E. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.
6. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.
7. Broken or malfunctioning meter:
 - A. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
 - B. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
 - C. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than

60 consecutive days.

8. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

9. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

FLOW METER ACCURACY TEST INSTRUCTIONS

1. Accuracy Test Due Date - The Permittee is to schedule their accuracy test according to the following schedule:

A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.

B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.

C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.

D. For the Permittee's convenience, if there are multiple due-years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Water Use Permit Bureau Chief for one specific year to be assigned as the due date year for meter testing. Permittees with many meters to test may also request the tests to be grouped into one year or spread out evenly over two to three years.

E. The months for accuracy testing of meters are assigned by county. The Permittee is requested but not required to have their testing done in the month assigned to their county. This is to have sufficient District staff available for assistance.

January	Hillsborough
February	Manatee, Pasco
March	Polk (for odd numbered permits)*
April	Polk (for even numbered permits)*
May	Highlands
June	Hardee, Charlotte
July	None or Special Request
August	None or Special Request
September	Desoto, Sarasota
October	Citrus, Levy, Lake
November	Hernando, Sumter, Marion
December	Pinellas

* The permittee may request their multiple permits be tested in the same month.

2. Accuracy Test Requirements: The Permittee shall test the accuracy of flow meters on permitted withdrawal points as follows:

A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.

B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained.

C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.

D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent accuracy indicates the deviation (if any), of the meter being tested from the test meter.

3. Accuracy Test Report: The Permittees shall demonstrate that the results of the meter test(s) are accurate by submitting the following information within 30 days of the test:

A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.101.00 (5/14) for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org) under "ePermitting and Rules" for Water Use Permits.

B. A printout of data that was input into the test equipment, if the test equipment is capable of creating such a printout;

C. A statement attesting that the manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing;

D. The date of the test equipment's most recent calibration that demonstrates that it was calibrated within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.

E. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.

F. A picture of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site with a notation of distances to these items.

WELL CONSTRUCTION INSTRUCTIONS

All wells proposed to be constructed shall be drilled and constructed as specified below:

1. All well casing (including liners and/or pipe) must be sealed to the depth specified in the permit condition.
2. The proposed well(s) shall be constructed of materials that are resistant to degradation of the casing/grout due to interaction with the water of lesser quality. A minimum grout thickness of two (2) inches is required on wells four (4) inches or more in diameter.
3. A minimum of twenty (20) feet overlap and two (2) centralizers is required for Public Supply wells and all wells six (6) inches or more in diameter.
4. Any variation from estimated, maximum or minimum total depths; maximum or minimum casing depths; well location or casing diameter specified in the condition requires advanced approval by the Water Use Permit Bureau Chief, or the Well Construction Section Manager.
5. The Permittee is notified that a proposal to significantly change any of these well construction specifications may require permit modification if the District determines that such a change would result in significantly greater withdrawal impacts than those considered for this Permit.
6. The finished well casing depth shall not vary from these specifications by greater than ten (10) percent unless advance approval is granted by the Water Use Permit Bureau Chief, or the Well Construction Section Manager.

Authorized Signature
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

This permit, issued under the provision of Chapter 373, Florida Statutes and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined above, and may require various activities to be performed by the Permittee as described in the permit, including the Special Conditions. The permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.

DRAFT

CONSENT AGENDA

August 22, 2023

Regulation Committee: Water Use Permit No. 20 007121.007, Citrus County Board of County Commissioners and Withlacoochee Regional Water Supply Authority / Charles A Black Water Supply System (Citrus County)

This is a renewal of an existing water use permit for public supply use. The quantities have changed from those previously permitted. This permit authorizes an increase in the annual average quantity from 4,597,000 gallons per day (gpd) to 7,181,900 gpd, and an increase in the peak month from 6,574,000 gpd to 9,121,000 gpd. The annual average and peak month quantities have changed due to an updated population projection for 39,630 persons with a compliance per capita of 150 gallons per day per person (gpcd) through the year 2042. The previous permit had a population projection of 26,410 persons with a compliance per capita of 150 gpcd. There is no change in use type from the previous permit. Quantities are based on information provided by the Applicant.

Special conditions include those that require the Permittee to continue to record and report monthly meter readings for all withdrawal points, submit water quality data on a quarterly basis, submit water level data on a monthly basis, submit a water level monitoring report annually, submit the wellfield report annually, submit the billing information annually, submit meter accuracy tests every five years, submit an overpumpage report upon District request, maintain the current water conservation rate, submit the public supply annual report, and respond to reclaimed water requests in a timely manner.

The permit application meets all Rule 40D-2 Conditions for Issuance.

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

Presenter:

Darrin Herbst, P.G., Bureau Chief, Water Use Permit

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 007121.007**

PERMIT ISSUE DATE: August 22, 2023

EXPIRATION DATE: July 11, 2043

The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

TYPE OF APPLICATION: Renewal

GRANTED TO: Citrus County Board of County Commissioners/Attn: Ken Cheek
3600 West Sovereign Path, Suite 241
Lecanto, FL 34461

Withlacoochee Regional Water Supply Auth./Attn: Suzannah Folsom
3600 W Sovereign Path, Suite 228
Lecanto, FL 34461

PROJECT NAME: Charles A Black Water Supply System

WATER USE CAUTION AREA(S): Not in a WUCA

COUNTY: Citrus

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)	
ANNUAL AVERAGE	7,181,900 gpd
PEAK MONTH ¹	9,121,000 gpd

¹ Peak Month: Average daily use during the highest water use month.

ABSTRACT:

This is a renewal of an existing water use permit for public supply use. The quantities have changed from those previously permitted. This permit authorizes an increase in the annual average quantity from 4,597,000 gallons per day (gpd) to 7,181,900 gpd, and an increase in the peak month from 6,574,000 gpd to 9,121,000 gpd. The annual average and peak month quantities have changed due to an updated population projection for 39,630 persons with a compliance per capita of 150 gallons per day per person (gpcd) through the year 2042. The previous permit had a population projection of 26,410 persons with a compliance per capita of 150 gpcd. There is no change in use type from the previous permit. Quantities are based on information provided by the Applicant.

Special conditions include those that require the Permittee to continue to record and report monthly meter readings for all withdrawal points, submit water quality data on a quarterly basis, submit water level data on a monthly basis, submit a water level monitoring report annually, submit the wellfield report annually, submit the billing information annually, submit meter accuracy tests every five years, submit an overpumpage report upon District request, maintain the current water conservation rate, submit the public supply annual report, and respond to reclaimed water requests in a timely manner.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>
Public Supply	7,181,900	9,121,000

USE TYPE

Line Flushing
 Qty'S Sold Or Otherwise Provided To Another Util.
 Residential Single Family

PUBLIC SUPPLY:

Population Served: 39,630
 Per Capita Rate: 150 gpd/person

WITHDRAWAL POINT QUANTITY TABLE

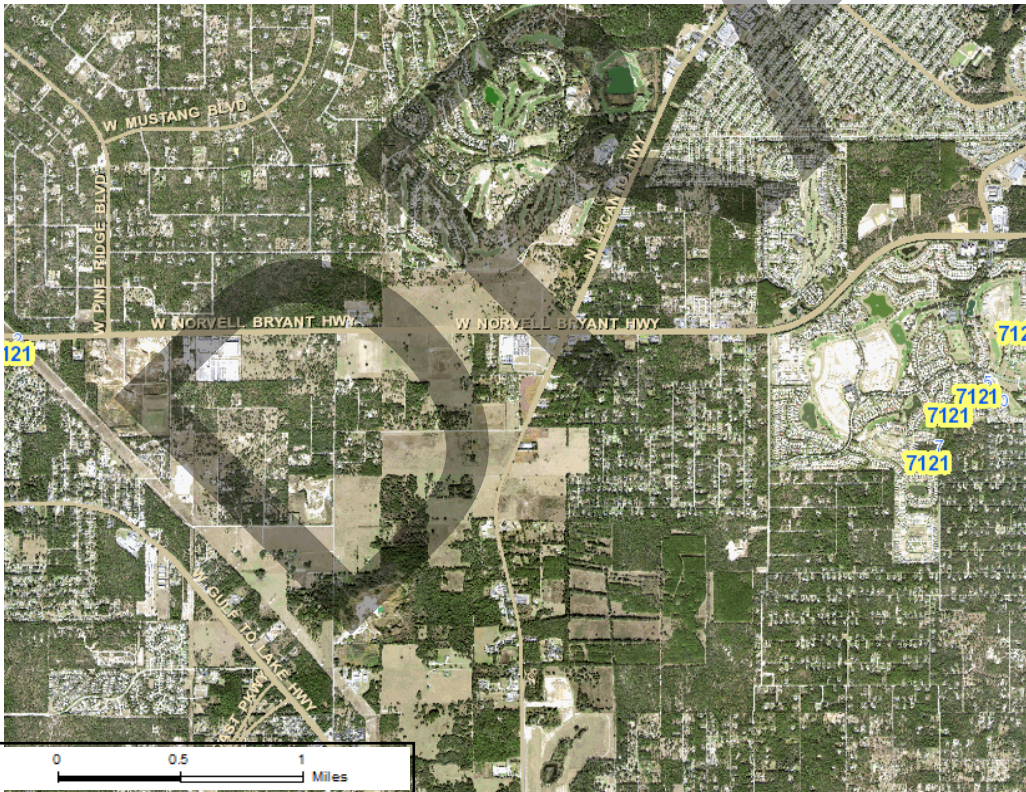
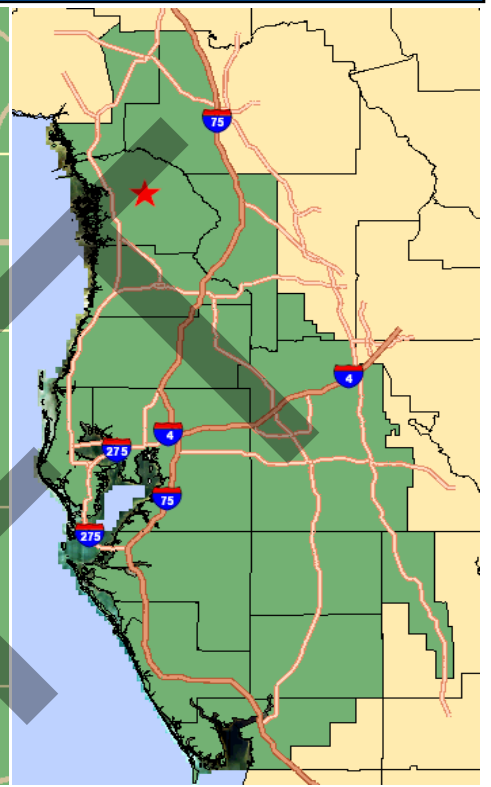
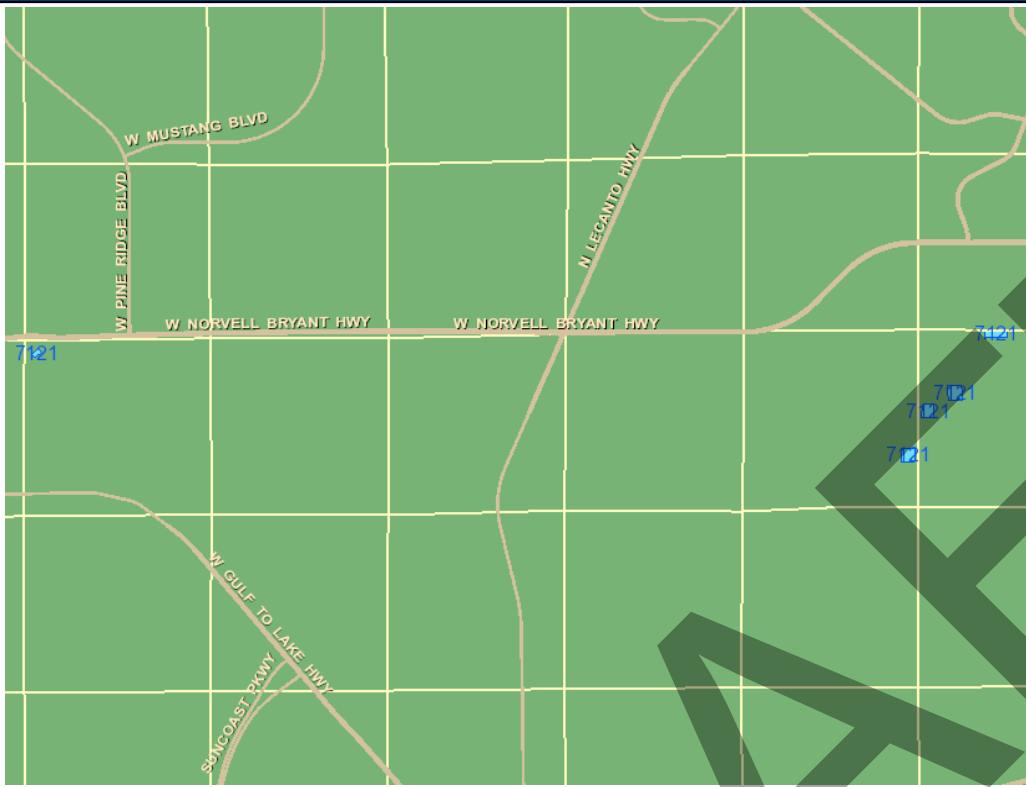
Water use from these withdrawal points are restricted to the quantities given below :

<u>I.D. NO. PERMITTEE/DISTRICT</u>	<u>DIAM (in.)</u>	<u>DEPTH TTL./CSD.FT. (feet bls)</u>	<u>USE DESCRIPTION</u>	<u>AVERAGE (gpd)</u>	<u>PEAK MONTH (gpd)</u>
MCW-1 / 1	12	160 / 140	Public Supply	359,100	456,000
MCW-2 / 2	12	143 / 109	Public Supply	359,100	456,000
HHW-1 / 3	16	422 / 220	Public Supply	718,200	912,100
HHW-2 / 4	16	423 / 222	Public Supply	1,077,300	1,368,200
WRWSA-1 / 5	18	341 / 282	Public Supply	1,077,300	1,368,200
WRWSA-2 / 6	24	301 / 236	Public Supply	2,154,500	2,736,300
WRWSA-3 / 7	24	321 / 238	Public Supply	1,436,400	1,824,200

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
1	28° 53' 26.70"/82° 31' 59.70"
2	28° 53' 25.80"/82° 32' 01.00"
3	28° 53' 32.80"/82° 26' 41.30"
4	28° 53' 32.80"/82° 26' 36.30"
5	28° 53' 15.20"/82° 26' 52.30"
6	28° 53' 09.90"/82° 27' 01.30"
7	28° 52' 57.10"/82° 27' 08.00"

Location Map
Citrus County Board of County Commissioners/Attn: Ken Cheek
WUP No. 20 007121.007



Legend

- DIDs
- WUP Boundary
- Natural Color Imagery

CITRUS COUNTY

*Southwest Florida
Water Management District*

STANDARD CONDITIONS:

The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit A and made a part hereof.

SPECIAL CONDITIONS:

1. All reports and data required by condition(s) of the permit shall be submitted to the District according to the due date(s) contained in the specific condition. If the condition specifies that a District-supplied form is to be used, the Permittee should use that form in order for their submission to be acknowledged in a timely manner. The only alternative to this requirement is to use the District Permit Information Center (www.swfwmd.state.fl.us/permits/epermitting/) to submit data, plans or reports online. There are instructions at the District website on how to register to set up an account to do so. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal.

All mailed reports and data are to be sent to:

Southwest Florida Water Management District
Tampa Service Office, Water Use Permit Bureau
7601 U.S. Hwy. 301 North
Tampa, Florida 33637-6759

Submission of plans and reports: Unless submitted online or otherwise indicated in the special condition, the original and two copies of each plan and report, such as conservation plans, environmental analyses, aquifer test results, per capita annual reports, etc. are required.

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level, evapotranspiration, or water quality data.
(499)

2. The quantities included in the permit are based on an average per capita rate of 148. By rule, the per capita rate in any given year shall not exceed 150 gpd. However, failure to maintain, on average, the per capita rate on which the permitted quantity is based could result in noncompliance with the terms of the permit. The per capita rate will be monitored via the Annual Report and the Reclaimed Water Supplier Report that are required to be submitted by April 1 of each year for the term of the permit.(67)
3. This permit shall be modified if an additional source of water is provided for public supply use from a separate entity. This includes additional Alternative Water Supply quantities and irrigation water for lawn/landscape and common areas. The Permittee shall notify the District of the additional water source and submit an application to modify the permit to acknowledge receipt.(68)
4. The annual average daily and peak month quantities for District ID Nos. 1, 2, 3, 4, 5, 6, and 7, Permittee ID Nos. MCW-1, MCW-2, HHW-1, HHW-2, WRWSA-1, WRWSA-2, and WRWSA-3 shown in the withdrawal point quantity table are estimates based on historic and/or projected distribution of pumpage, and are for water use inventory and impact analysis purposes only. The quantities listed for these individual sources are not intended to dictate the distribution of pumpage from permitted sources. The Permittee may make adjustments in pumpage distribution as necessary up to 7,181,900 gallons per day on an annual average basis and up to 9,121,000 gallons per day on a peak month basis for the individual wells, so long as adverse environmental impacts do not result and the Permittee complies with all other conditions of this Permit.(221)
5. By March 1 of each year for the preceding water year (January 1- December 31), the Permittee shall submit a Water Level Monitoring Report. Reports shall be submitted to the Water Use Permit Bureau. Any color part of the report that is scanned shall be scanned in color. The report shall focus on potential effects of drawdown to Hog Pond (Nina Lake) and Connell Lake, including atmospheric data, water level data, pumpage analysis, and aerial photographic analysis as outlined below.

Data Summary Section

The Data Summary Section shall contain all raw data required by condition of this permit from each environmental monitor site. This section shall include essential graphs, tables, and text, with little or no

data interpretation.

Interpretive Section

The Interpretive Section shall present the Permittee's analyses and interpretation of pumpage data, water levels, rainfall data, surficial and Floridan aquifer water level data, and other data collected in support of this permit as it relates to environmental conditions in the vicinity of the wellfield. This section shall also address investigations and analyses of relationships between water level fluctuations, actual wellfield pumpage, atmospheric conditions, and drainage factors relative to the environmental condition of designated lakes.

Aerial Photographic Analysis

The Permittee shall utilize natural color aerial photographs of the wellfield area to detect and document changes to the vegetation and/or the hydrology of wetlands, lakes or streams that occurred during the reporting period relative to the previous reporting period aerial photographs. Any additional photographs taken in support of the aerial photographic analysis as well as the interpretation of the photographs shall be dated and included in the report. The Permittee may utilize prints of the District's color, infra-red, aerial photographs of the pertinent year. These are available in electronic format from the District Mapping and GIS Section upon request and provision of an external hard drive. If submitted electronically, the interpreted aerial photograph shall be scanned in color. If submitted in hardcopy, the interpreted aerial photographs shall be on a scale of 1 inch = 2000 or finer.

Outstanding Data Not Previously Submitted

If there is or was previously collected hydrologic and environmental data from any site at the wellfield that was not submitted in support of the application for this permit, such data shall be included with the first report submitted.

Environmental Mitigation

The Permittee shall document whether adverse environmental impacts due to pumpage were detected during the reporting period. If such impacts were detected, the Permittee shall specify and describe when and where mitigation actions were undertaken to mitigate the impacts. A quantitative (with respect to acreage) and qualitative (with respect to wetland health and function) assessment of the success of such mitigation actions shall be included. If an action was deemed unsuccessful by either the Permittee or the District, the Permittee shall include proposed alternative actions for the situation. (287)

6. The Permittee shall submit an Annual Wellfield Report that is a comprehensive but concise assessment of the water resources of the wellfield area based on the subject areas listed below. This report shall concisely summarize the elements listed below, with emphasis on the interactions between these elements, where appropriate. Data sources shall be referenced, but no raw data shall be included in the report. Only essential text, graphs, and tables should be included in the report. Reports shall be submitted to the Water Use Permit Bureau, by January 1 of each year. Any color part of the report that is scanned shall be scanned in color. The report shall cover all activities and conditions pertaining to the Charles A. Black wellfield and service area for the preceding water year (October 1 to September 30). The specific elements of this report are listed below:

Wellfield Operation

A brief overview of wellfield operations including withdrawal point rotation within the wellfield for the previous 12 months shall include discussion of wells used most often, and wells used less often, and why their routine use was altered, future changes or modifications to the wellfield rotation plan due to the yield from the various wells, future annexation sites, potential future production well sites, etc. Any proposed production or monitor wells that were completed, wells retired and their current status, or wells converted from other uses to public supply use since the last Annual Wellfield Report will be noted.

Water Quality Monitoring

Water quality sampling collected as a condition of this permit shall be analyzed and summarized into graphs and statistical analysis for the annual reporting period and related to the historical water quality sampling results as well as to pumpage. The report shall delineate areas of concern with respect to water quality degradation, horizontal or vertical movement in the fresh water/saltwater interface, or other trends which have occurred. Changes in water quality shall be discussed.

Water Level Monitoring

Water levels collected as a condition of this permit shall be analyzed, summarized into graphs and statistical analysis for the annual reporting period, and related to pumpage as well as to historic water levels. The report should delineate any areas of concern with respect to water levels within the aquifers monitored, changes in sampling locations, number of wells included in the program, etc., or any other information which may be deemed appropriate in order to protect the resource.

Capital Improvement Program Status

A summary of completed water supply system improvements shall be provided. In addition, an update to any documented system weaknesses or anticipated system improvements shall be described.

Water Treatment Efficiency

A description of efforts to improve water treatment efficiency shall be included. This shall include good faith efforts undertaken in its infrastructure planning and implementation efforts. Opportunities during the prior year to replace water treatment-related infrastructure, including items such as change-outs to pressure vessels, piping, racks (skids), and treatment membrane elements shall be discussed.

Investigation of Complaints

A summary of the investigations of withdrawal-related complaints and mitigation activities related to the impacts shall be provided. This summary shall include:

1. Number and type of complaints,
2. Number and type of mitigation activities,
3. Number and type of complaints which did not require mitigation activity,
4. Total cost of all mitigation activity, and
5. Delineation of areas of concern with respect to legal existing use with respect to any water availability or water quality trends identified.

Wellfield Management Updates

The Permittee shall summarize the development, implementation, and events that may affect the approved wellfield management plan over the previous reporting period. If additional information became available that necessitates a change to the plan, the Permittee shall submit an application to modify the permit to effect the changes.

(524)

7. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500, F.A.C.(568)
8. Beginning January 1, 2012, the Permittee shall comply with the following requirements:
 - A. Customer billing period usage shall be placed on each utility-metered, customer's bill.
 - B. Meters shall be read and customers shall be billed no less frequently than bi-monthly.
 - C. The following information, as applicable to the customer, shall be provided at least once each calendar year and a summary of the provisions shall be provided to the District annually as described in Section D, below. The information shall be provided by postal mailings, bill inserts, online notices, on the bill or by other means. If billing units are not in gallons, a means to convert the units to gallons must be provided.
 1. To each utility-metered customer in each customer class - Information describing the rate structure and shall include any applicable:
 - a. Fixed and variable charges,
 - b. Minimum charges and the quantity of water covered by such charges,
 - c. Price block quantity thresholds and prices,
 - d. Seasonal rate information and the months to which they apply, and
 - e. Usage surcharges
 2. To each utility-metered single-family residential customer - Information that the customer can use to compare its water use relative to other single-family customers or to estimate an efficient use and that shall include one or more of the following:
 - a. The average or median single-family residential customer billing period water use calculated over the most recent three year period, or the most recent two year period if a three year period is not available to the utility. Data by billing period is preferred but not required.
 - b. A means to calculate an efficient billing period use based on the customer's characteristics, or
 - c. A means to calculate an efficient billing period use based on the service area's

characteristics.

D. Annual Report: The following information shall be submitted to the District annually by October 1 of each year of the permit term to demonstrate compliance with the requirements above. The information shall be current as of the October 1 submittal date.

1. Description of the current water rate structure (rate ordinance or tariff sheet) for potable and non-potable water.
 2. Description of the current customer billing and meter reading practices and any proposed changes to these practices (including a copy of a bill per A above).
 3. Description of the means the permittee uses to make their metered customers aware of rate structures, and how the permittee provides information their metered single-family residential customers can use to compare their water use relative to other single-family customers or estimate an efficient use (see C 1 & 2 above).
(592)
9. If the allocated quantities are exceeded, upon request by the District, the Permittee shall submit a report that includes reasons why the allocated quantities were exceeded, measures taken to attempt to meet the allocated quantities, and a plan to bring the permit into compliance. The District will evaluate information submitted by Permittees who exceed their allocated quantities to determine whether the lack of achievement is justifiable and a variance is warranted. The report is subject to approval by the District; however, justification for exceeding the allowed withdrawal quantity does not constitute a waiver of the District's authority to enforce the terms and conditions of the permit.(651)
10. The Permittee shall maintain a water conserving rate structure for the duration of the permit term. Any changes to the water conserving rate structure described in the application shall be described in detail as a component of the next Annual Report on Water Rate, Billing and Meter Reading Practices of the year following the change.(659)
11. The Permittee shall submit a "Public Supply Annual Report" to the District by April 1 of each year on their water use during the preceding calendar year using the form, "Public Supply Water Use Annual Report Form" (Form No. LEG-R.103.00 (05/14)), referred to in this condition as "the Form," and all required attachments and documentation. The Permittee shall adhere to the "Annual Report Submittal Instructions" attached to and made part of this condition in Exhibit B. The Form addresses the following components in separate sections.

Per Capita Use Rate

A per capita rate for the previous calendar year will be calculated as provided in Part A of the Form using Part C of the Form to determine Significant Use deduction that may apply. Permittees that cannot achieve a per capita rate of 150 gpd according to the time frames included in the "Instructions for Completion of the Water Use Annual Report," shall include a report on why this rate was not achieved, measures taken to comply with this requirement, and a plan to bring the permit into compliance.

Residential Use

Residential use shall be reported in the categories specified in Part B of the Form, and the methodology used to determine the number of dwelling units by type and their quantities used shall be documented in an attachment.

Non-Residential Use

Non-residential use quantities provided for use in a community but that are not directly associated with places of residence, as well as the total water losses that occur between the point of output of the treatment plant and accountable end users, shall be reported in Part B of the Form.

Water Conservation

In an attachment to the Form, the Permittee shall describe the following:

1. Description of any ongoing audit program of the water treatment plant and distribution systems to address reductions in water losses.
2. An update of the water conservation plan that describes and quantifies the effectiveness of measures currently in practice, any additional measures proposed to be implemented, the scheduled implementation dates, and an estimate of anticipated water savings for each additional measure.
3. A description of the Permittees implementation of water-efficient landscape and irrigation codes or ordinances, public information and education programs, water conservation incentive programs,

identification of which measures and programs, if any, were derived from the Conserve Florida Water Conservation Guide, and provide the projected costs of the measures and programs and the projected water savings.

Water Audit

If the current water loss rate is greater than 10% of the total distribution quantities, a water audit as described in the "Instructions for Completion of the Water Use Annual Report" shall be conducted and completed by the following July 1, with the results submitted by the following October 1. Indicate on Part A of the Form whether the water audit was done, will be done, or is not applicable.

Alternative Water Supplied Other Than Reclaimed Water

If the Permittee provides Alternative Water Supplies other than reclaimed water (e.g., stormwater not treated for potable use) to customers, the information required on Part D of the Form shall be submitted along with an attached map depicting the areas of current Alternative Water Use service and areas that are projected to be added within the next year.

Suppliers of Reclaimed Water

1. Permittees having a wastewater treatment facility with an annual average design capacity equal to or greater than 100,000 gpd:

The Permittee shall submit the "SWFWMD Annual Reclaimed Water Supplier Report" on quantities of reclaimed water that was provided to customers during the previous fiscal year (October 1 to September 30). The report shall be submitted in Excel format on the Compact Disk, Form No. LEG-R.026.00 (05/09), that will be provided annually to them by the District. A map depicting the area of reclaimed water service that includes any areas projected to be added within the next year, shall be submitted with this report.

2. Permittees that have a wastewater treatment facility with an annual average design capacity less than 100,000 gpd:

a. The Permittee has the option to submit the "SWFWMD Annual Reclaimed Water Supplier Report," Form No. LEG-R.026.00, as described in sub-part (1) above, or

b. Provide information on reclaimed water supplied to customers on Part E of the Form as described in the "Instructions for Completion of the Water Use Annual Report".

Updated Service Area Map

If there have been changes to the service area since the previous reporting period, the Permittee shall update the service area using the map that is maintained in the District's Mapping and GIS system. (660)

12. Permittees having their own wastewater treatment plant that generate at least advanced-secondary treated effluent (high-level disinfection, as described in Rule 62-600.440(5), F.A.C.) to the minimum FDEP requirements for public access reuse shall respond in a timely manner to inquiries about availability from water use permit applicants for water uses where such reclaimed water is appropriate. If reclaimed water is or will be available to that permit applicant within the next six years, the Permittees shall provide a cost estimate for connection to the applicant.(674)
13. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Water Use Permit Bureau Chief: District ID No(s). 1, 2, 3, 4, 5, 6, and 7, Permittee ID Nos. MCW-1, MCW-2, HHW-1, HHW-2, WRWSA-1, WRWSA-2, and WRWSA-3. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(719)
14. Water quality samples from the withdrawal points listed below shall be collected after pumping the withdrawal point at its normal rate for a pumping time specified below, or to a constant temperature, pH, and conductivity. The frequency of sampling per water quality parameter is listed in the table according to the withdrawal point. The recording and reporting shall begin according to the first sample date for existing wells and shall begin within 90 days of completion of any proposed wells. Samples shall be collected whether or not the well is being used unless infeasible. If sampling is infeasible, the Permittee shall indicate the reason for not sampling on the water quality data form or in the space for comments in the WUP Portal for data submissions. For sampling, analysis and submittal requirements see Exhibit B, Water Quality Sampling Instructions, attached to and made part of this permit.

Existing District ID No. 7/Permittee ID No. WRWSA-3 for Chlorides, Sulfates, and Total Dissolved Solids, after a minimum pumping time of 15 minutes, reported on a on a quarterly basis.
(752)

15. The Permittee shall continue to maintain the monitor well(s) or piezometer(s) listed below and report them to the District at the frequency listed for the interval, aquifer system, or geologic formation listed. Water levels shall be recorded relative to North American Vertical Datum 1988 and to the maximum extent possible, recorded on a regular schedule: same time each day, same day each week, same week each month as appropriate to the frequency noted. The readings shall be reported online via the WUP Portal at the District website (www.watermatters.org) or mailed in hardcopy on District-provided forms to the Water Use Permit Bureau on or before the tenth day of the following month. The frequency of recording may be modified by the Water Use Permit Bureau Chief, as necessary to ensure the protection of the resource. The Permittee shall have the elevation of the measuring point on each well listed surveyed to the specified datum, and a copy of the certified survey report for the wells listed shall be included with the first data submittal.

Existing District ID No. 10/Permittee ID No. 10, to monitor the Floridan aquifer, on a monthly basis.
(756)

40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

1. With advance notice to the Permittee, District staff with proper identification shall have permission to enter, inspect, collect samples, take measurements, observe permitted and related facilities and collect and document any information deemed necessary to determine compliance with the approved plans, specifications and conditions of this permit. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.
2. When necessary to analyze impacts to the water resource or existing users, the District shall require the Permittee to install flow metering or other measuring devices to record withdrawal quantities and submit the data to the District.
3. A District identification tag shall be prominently displayed at each withdrawal point that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, by permanently affixing the tag to the withdrawal facility.
4. The Permittee shall mitigate any adverse impact to environmental features or offsite land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Examples of adverse impacts include the following:
 - A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - B. Damage to crops and other vegetation causing financial harm to the owner; and
 - C. Damage to the habitat of endangered or threatened species.
5. The Permittee shall mitigate any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District may require the Permittee to mitigate the impacts. Adverse impacts include:
 - A. A reduction in water levels which impairs the ability of a well to produce water;
 - B. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - C. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of an aquifer or water body.
6. Permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and / or related facilities from which the permitted consumptive use is made. Where Permittee's control of the land subject to the permit was demonstrated through a lease, the Permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system / project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40D-1.6105, F.A.C. Alternatively, the Permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
7. All withdrawals authorized by this WUP shall be implemented as conditioned by this permit, including any documents submitted as part of the permit application incorporated by reference in a permit condition. This permit is subject to review and modification, enforcement action, or revocation, in whole or in part, pursuant to Section 373.136 or 373.243, F.S.
8. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
9. The Permittee shall cease or reduce surface water withdrawal as directed by the District if water levels in lakes fall below the applicable minimum water level established in Chapter 40D-8, F.A.C., or rates of flow in streams fall below the minimum levels established in Chapter 40D-8, F.A.C.

10. The Permittee shall cease or reduce withdrawal as directed by the District if water levels in aquifers fall below the minimum levels established by the Governing Board.
11. A Permittee may seek modification of any term of an unexpired permit. The Permittee is advised that section 373.239, F.S., and Rule 40D-2.331, F.A.C., are applicable to permit modifications.
12. The Permittee shall practice water conservation to increase the efficiency of transport, application, and use, as well as to decrease waste and to minimize runoff from the property. At such time as the Governing Board adopts specific conservation requirements for the Permittee's water use classification, this permit shall be subject to those requirements upon notice and after a reasonable period for compliance.
13. The District may establish special regulations for Water-Use Caution Areas. At such time as the Governing Board adopts such provisions, this permit shall be subject to them upon notice and after a reasonable period for compliance.
14. Nothing in this permit should be construed to limit the authority of the District to declare a water shortage and issue orders pursuant to chapter 373, F.S. In the event of a declared water shortage, the Permittee must adhere to the water shortage restrictions, as specified by the District. The Permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.
15. This permit is issued based on information provided by the Permittee demonstrating that the use of water is reasonable and beneficial, consistent with the public interest, and will not interfere with any existing legal use of water. If, during the term of the permit, it is determined by the District that a statement in the application and in the supporting data are found to be untrue and inaccurate, the use is not reasonable and beneficial, in the public interest, or does impact an existing legal use of water, the Governing Board shall modify this permit or shall revoke this permit following notice and hearing, pursuant to sections 373.136 or 373.243, F.S. The Permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
16. All permits are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

Exhibit B
Instructions

METERING INSTRUCTIONS

The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter reading(s) shall be reported to the Water Use Permit Bureau on or before the tenth day of the following month for monthly reporting frequencies.

For bi-annual reporting, the data shall be recorded on a monthly basis and reported on or before the tenth day of the month following the sixth month of recorded data.

The Permittee shall submit meter readings online using the Permit Information Center at www.swfwmd.state.fl.us/permits/epermitting/ or on District supplied scanning forms unless another arrangement for submission of this data has been approved by the District. Submission of such data by any other unauthorized form or mechanism may result in loss of data and subsequent delinquency notifications. Call the Water Use Permit Bureau in Tampa at (813) 985-7481 if difficulty is encountered.

The meters shall adhere to the following descriptions and shall be installed or maintained as follows:

1. The meter(s) shall be non-resettable, totalizing flow meter(s) that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring device(s) are proposed, prior to installation, approval shall be obtained in writing from the Water Use Permit Bureau Chief.
2. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.
3. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.
4. The flow meter(s) or other approved device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.
5. Meter accuracy testing requirements:
 - A. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
 - B. The meter shall be tested for accuracy on-site, as installed according to the Flow Meter Accuracy Test Instructions in this Exhibit B, every five years in the assigned month for the county, beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.
 - C. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.
 - D. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.
 - E. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.
6. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.
7. Broken or malfunctioning meter:
 - A. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
 - B. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
 - C. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than

60 consecutive days.

8. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

9. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

FLOW METER ACCURACY TEST INSTRUCTIONS

1. Accuracy Test Due Date - The Permittee is to schedule their accuracy test according to the following schedule:

A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.

B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.

C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.

D. For the Permittee's convenience, if there are multiple due-years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Water Use Permit Bureau Chief for one specific year to be assigned as the due date year for meter testing. Permittees with many meters to test may also request the tests to be grouped into one year or spread out evenly over two to three years.

E. The months for accuracy testing of meters are assigned by county. The Permittee is requested but not required to have their testing done in the month assigned to their county. This is to have sufficient District staff available for assistance.

January	Hillsborough
February	Manatee, Pasco
March	Polk (for odd numbered permits)*
April	Polk (for even numbered permits)*
May	Highlands
June	Hardee, Charlotte
July	None or Special Request
August	None or Special Request
September	Desoto, Sarasota
October	Citrus, Levy, Lake
November	Hernando, Sumter, Marion
December	Pinellas

* The permittee may request their multiple permits be tested in the same month.

2. Accuracy Test Requirements: The Permittee shall test the accuracy of flow meters on permitted withdrawal points as follows:

A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.

B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained.

C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.

D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent accuracy indicates the deviation (if any), of the meter being tested from the test meter.

3. Accuracy Test Report: The Permittees shall demonstrate that the results of the meter test(s) are accurate by submitting the following information within 30 days of the test:

A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.101.00 (5/14) for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org) under "ePermitting and Rules" for Water Use Permits.

B. A printout of data that was input into the test equipment, if the test equipment is capable of creating such a printout;

C. A statement attesting that the manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing;

D. The date of the test equipment's most recent calibration that demonstrates that it was calibrated within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.

E. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.

F. A picture of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site with a notation of distances to these items.

WATER QUALITY INSTRUCTIONS

The Permittee shall perform water quality sampling, analysis and reporting as follows:

1. The sampling method(s) from both monitor wells and surface water bodies shall be designed to collect water samples that are chemically representative of the zone of the aquifer or the depth or area of the water body.
2. Water quality samples from monitor wells shall be taken after pumping the well for the minimum time specified (if specified) or after the water reaches a constant temperature, pH, and conductivity.
3. The first submittal to the District shall include a copy of the laboratory's analytical and chain of custody procedures. If the laboratory used by the Permittee is changed, the first submittal of data analyzed at the new laboratory shall include a copy of the laboratory's analytical and chain of custody procedures.
4. Any variance in sampling and/or analytical methods shall have prior approval of the Water Use Permit Bureau Chief.
5. The Permittee's sampling procedure shall follow the handling and chain of custody procedures designated by the certified laboratory which will undertake the analysis.
6. Water quality samples shall be analyzed by a laboratory certified by the Florida Department of Health utilizing the standards and methods applicable to the parameters analyzed and to the water use pursuant to Chapter 64E-1, Florida Administrative Code, "Certification of Environmental Testing Laboratories."
7. Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association-American Water Works Association-Water Pollution Control Federation (APHA-AWWA-WPCF) or Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency (EPA).

8. Unless other reporting arrangements have been approved by the Water Use Permit Bureau Chief, reports of the analyses shall be submitted to the Water Use Permit Bureau, online at the District WUP Portal or mailed in hardcopy on or before the tenth day of the following month. The online submittal shall include a scanned upload of the original laboratory report. The hardcopy submittal shall be a copy of the laboratory's analysis form. If for some reason, a sample cannot be taken when required, the Permittee shall indicate so and give the reason in the space for comments at the WUP Portal or shall submit the reason in writing on the regular due date.
9. The parameters and frequency of sampling and analysis may be modified by the District as necessary to ensure the protection of the resource.
10. Water quality samples shall be collected based on the following timetable for the frequency listed in the special condition:

<u>Frequency</u>	<u>Timetable</u>
Weekly	Same day of each week
Quarterly	Same week of February, May, August, November
Semi-annually	Same week of May, November
Monthly	Same week of each month

ANNUAL REPORT SUBMITTAL INSTRUCTIONS

The "Public Supply Water Use Annual Report Form" (Form No. LEG-R.023.00 (01/09)), is designed to assist the Permittee with the annual report requirements, but the final authority for what must be included in the Water Use Annual Report is in this condition and in these instructions. Two identical copies of the "Public Supply Water Use Annual Report Form" and two identical copies of all required supporting documentation shall be included if submitted in hard copy. "Identical copy" in this instance means that if the original is in color, then all copies shall also be printed in color. If submitted electronically, only one submittal is required; however, any part of the document that is in color shall be scanned in color.

- Per Capita Use Rate** - A per capita rate for the previous calendar year will be progressively calculated until a rate of 150 gpd per person or less is determined whether it is the unadjusted per capita, adjusted per capita, or compliance per capita. The calculations shall be performed as shown in Part A of the Form. The Permittee shall refer to and use the definitions and instructions for all components as provided on the Form and in the Water Use Permit Applicant's Handbook Part B. Permittees that have interconnected service areas and receive an annual average quantity of 100,000 gpd or more from another permittee are to include these quantities as imported quantities. Permittees in the Southern Water Use Caution Area (SWUCA) or the Northern Tampa Bay Water Use Caution Area (NTBWUCA), as it existed prior to October 1, 2007, shall achieve a per capita of 150 gpd or less, and those in these areas that cannot achieve a compliance per capita rate of 150 gpd or less shall include a report on why this rate was not achieved, measures taken to comply with this requirement, and a plan to bring the permit into compliance. Permittees not in a Water Use Caution Area that cannot achieve a compliance per capita rate of 150 gpd or less by December 31, 2019 shall submit this same report in the Annual Report due April 1, 2020.
- Residential Use** - Residential water use consists of the indoor and outdoor water uses associated with each category of residential customer (single family units, multi-family units, and mobile homes), including irrigation uses, whether separately metered or not. The Permittee shall document the methodology used to determine the number of dwelling units by type and the quantities used. Estimates of water use based upon meter size will not be accepted. If mobile homes are included in the Permittees multi-family unit category, the information for them does not have to be separated. The information for each category shall include:
 - Number of dwelling units per category,
 - Number of domestic metered connections per category,
 - Number of metered irrigation connections,
 - Annual average quantities in gallons per day provided to each category, and
 - Percentage of the total residential water use provided apportioned to each category.
- Non-Residential Use** - Non-residential use consists of all quantities provided for use in a community not directly associated with places of residence. For each category below, the Permittee shall include annual average gpd provided and percent of total non-residential use quantities provided. For each category 1 through 6 below, the number of metered connections shall be provided. These non-residential use categories are:

- A. Industrial/commercial uses, including associated lawn and landscape irrigation use,
- B. Agricultural uses (e.g., irrigation of a nursery),
- C. Recreation/Aesthetic, for example irrigation (excluding golf courses) of Common Areas, stadiums and school yards,
- D. Golf course irrigation,
- E. Fire fighting, system testing and other accounted uses,-
- F. K-through-12 schools that do not serve any of the service area population, and
- G. Water Loss as defined as the difference between the output from the treatment plant and accounted residential water use (B above) and the listed non-residential uses in this section.

4. **Water Audit** - The water audit report that is done because water losses are greater than 10% of the total distribution quantities shall include the following items:

- A. Evaluation of:
 - 1) leakage associated with transmission and distribution mains,
 - 2) overflow and leakage from storage tanks,
 - 3) leakage near service connections,
 - 4) illegal connections,
 - 5) description and explanations for excessive distribution line flushing (greater than 1% of the treated water volume delivered to the distribution system) for potability,
 - 6) fire suppression,
 - 7) un-metered system testing,
 - 8) under-registration of meters, and
 - 9) other discrepancies between the metered amount of finished water output from the treatment plant less the metered amounts used for residential and non-residential uses specified in Parts B and C above, and
- B. A schedule for a remedial action-plan to reduce the water losses to below 10%.

5. **Alternative Water Supplied other than Reclaimed Water** - Permittees that provide Alternative Water Supplies other than reclaimed water (e.g., stormwater not treated for potable use) shall include the following on Part D of the Form:

- A. Description of the type of Alternative Water Supply provided,
- B. County where service is provided,
- C. Customer name and contact information,
- D. Customer's Water Use Permit number (if any),
- E. Customer's meter location latitude and longitude,
- F. Meter ownership information,
- G. General customer use category,
- H. Proposed and actual flows in annual average gallons per day (gpd) per customer,
- I. Customer cost per 1,000 gallons or flat rate information,
- J. Delivery mode (e.g., pressurized or non-pressurized),
- K. Interruptible Service Agreement (Y/N),
- L. Month/year service began, and
- M. Totals of monthly quantities supplied.

6. **Suppliers of Reclaimed Water** - Depending upon the treatment capacity of the Permittees wastewater treatment plant, the Permittee shall submit information on reclaimed water supplied as follows:

A. Permittees having a wastewater treatment facility with an annual average design capacity equal to or greater than 100,000 gpd shall utilize the "SWFWMD Annual Reclaimed Water Supplier Report" in Excel format on the Compact Disk, Form No. LEG-R.026.00 (05/09). The "SWFWMD Annual Reclaimed Water Supplier Report" is described in Section 3.1 of Chapter 3, under the subheading "Reclaimed Water Supplier Report" and is described in detail in the Water Use Permit Applicant's Handbook Part B.

B. Permittees that have a wastewater treatment facility with an annual average design capacity less than 100,000 gpd can either utilize the "SWFWMD Annual Reclaimed Water Supplier Report," Form No. LEG-R.026.00, as described in sub-part (1) above or provide the following information on Part E of the Form:

- 1) Bulk customer information:
 - a) Name, address, telephone number,
 - b) WUP number (if any),

- c) General use category (residential, commercial, recreational, agricultural irrigation, mining),
 - d) Month/year first served,
 - e) Line size,
 - f) Meter information, including the ownership and latitude and longitude location,
 - g) Delivery mode (pressurized, non-pressurized).
- 2) Monthly flow in gallons per bulk customer.
 - 3) Total gallons per day (gpd) provided for metered residential irrigation.
 - 4) Disposal information:
 - a) Site name and location (latitude and longitude or as a reference to the service area map),
 - b) Contact name and telephone,
 - c) Disposal method, and
 - d) Annual average gpd disposed.

Authorized Signature

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

This permit, issued under the provision of Chapter 373, Florida Statutes and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined above, and may require various activities to be performed by the Permittee as described in the permit, including the Special Conditions. The permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.

CONSENT AGENDA

August 22, 2023

General Counsel's Report: Approval of Rulemaking to Amend Rule 40D-1.1010, Florida Administrative Code, to Clarify Point of Entry into Proceedings

Rule 40D-1.1010, Florida Administrative Code (F.A.C.) sets forth requirements affecting when a request for an administrative hearing concerning District agency action may be filed. In November 2022, a Florida appellate court decided a case regarding a similar rule of another water management district. Under that decision, multiple points of entry to challenge final agency action could be created, such that the legal process could be extended indefinitely. Subsequent administrative litigation on the same issue has highlighted that the District's Rule 40D-1.1010, F.A.C., could allow multiple entry points to challenge an agency action.

The Board heard a presentation on this matter at its February 28, 2023, meeting, and approved the initiation of rulemaking to clarify the District's rule governing points of entry into administrative proceedings. Staff told the Board that upon developing the necessary rule amendments, this matter would be brought back before the Board for approval of those amendments. Upon Governing Board approval of the proposed rule amendments, District staff will proceed with the statutory rulemaking process.

Staff Recommendation:

Approve rulemaking to amend Rule 40D-1.1010, F.A.C., to delete rule language that provides additional points of entry to seek an administrative hearing concerning the same agency action.

Presenter:

Chris Tumminia, General Counsel, Office of General Counsel

40D-1.1010 Point of Entry into Proceedings.

(1) No change.

(2)(a) "Written notice" as set forth in Rule 28-106.111, F.A.C., means either receipt of actual written notice that the District has taken or intends to take final agency action, or publication of notice that the District has taken or intends to take final agency action. ~~If final agency action materially differs from a written notice of the District's intended action, persons who may be substantially affected shall have an additional 21 days, or for a notice of consolidated intent an additional 14 days, from the date of receipt or publication of notice of such action to request an administrative hearing. Such requests for an administrative hearing shall only address those aspects of the agency action which differ from the proposed agency action.~~

(b) No change.

(3) through (5) No change.

Rulemaking Authority 120.54(5), 373.044, 373.113 FS. Law Implemented 120.54(5), 120.60, 253.115, 373.079(4)(a), 373.083(5), 373.216, 373.219, 373.308, 373.309, 373.323, 373.413, 373.4136, 373.414, 373.416, 373.418, 373.421, 373.426, 373.427 FS. History—New 7-2-98, Amended 11-2-08, 11-2-09, 3-22-12, 6-29-14, ____.

CONSENT AGENDA

August 22, 2023

Executive Director's Report: Approve Calendar for Fiscal Year 2024 Meeting Dates

Staff Recommendation:

Approve Fiscal Year 2024 meeting dates as presented.

Presenter:

Brian J. Armstrong, P.G., Executive Director

**Southwest Florida Water Management District Schedule of Meetings
Fiscal Year 2024**

Governing Board Meeting

October 24, 2023 – 9:00 a.m.
November 14, 2023 – 9:00 a.m.
December 12, 2023 – 9:00 a.m.
January 23, 2024 – 9:00 a.m.
February 27, 2024 – 9:00 a.m.
March 26, 2024 – 9:00 a.m.
April 23, 2024 – 9:00 a.m.
May 21, 2024 – 9:00 a.m.
June 25, 2024 – 9:00 a.m.
July 23, 2024 – 9:00 a.m.
August 27, 2024 – 9:00 a.m.
September 24, 2024 – 3:00 p.m.

Governing Board Workshop

November 14, 2023 – 10:30 a.m.

Governing Board Budget Hearing – 5:01 p.m.

2024 – September 10 & 24

Agricultural & Green Industry Advisory Committee – 10:00 a.m.

2023 – December 5
2024 – March 12, June 11, September 10

Environmental Advisory Committee – 10:00 a.m.

2023 – October 10
2024 – January 9, April 9, July 9

Industrial Advisory Committee – 10:00 a.m.

2023 – November 7
2024 – February 13, May 7, August 6

Public Supply Advisory Committee – 1:00 p.m.

2023 – November 7
2024 – February 13, May 7, August 6

Springs Coast Management Committee – 1:30 p.m.

2023 – October 25, December 6
2024 – January 10, February 21, May 22, July 10

Springs Coast Steering Committee – 2:00 p.m.

2023 – November 8
2024 – January 24, March 6, July 24

Meeting Locations

Brooksville Office – 2379 Broad St., Brooksville, FL 34604
Tampa Office – 7601 US Highway 301 North, Tampa, FL 33637

CONSENT AGENDA

August 22, 2023

Executive Director's Report: Approve Governing Board Minutes – July 25, 2023

Staff Recommendation:

Approve minutes as presented.

Presenter:

Brian J. Armstrong, P.G., Executive Director



**GOVERNING BOARD MEETING
TUESDAY, JULY 25, 2023 – 9:00 AM
7601 US 301 NORTH, TAMPA, FL 33637
(813) 985-7481**

MINUTES

Board Members Present

Ed Armstrong, Chair
Michelle Williamson, Vice Chair
John Mitten, Secretary
Jack Bispham, Treasurer
Joel Schleicher, Member
Kelly Rice, Member
Ashley Bell Barnett, Member*
John Hall, Member
James Holton, Member*
Robert Stern, Member

*Attended via Electronic Media

Board Members Absent

Dustin Rowland, Member

Staff Members

Brian J. Armstrong, Executive Director
Amanda Rice, Assistant Executive Director
Chris Tumminia, General Counsel
Brian Werthmiller, Inspector General
Jennette Seachrist, Division Director
Michelle Hopkins, Division Director
Brian Starford, Division Director
Michael Molligan, Division Director
Brandon Baldwin, Division Director

Board Administrative Support

Virginia Singer, Board & Executive Services Manager
Lori Manuel, Lead Administrative Coordinator

1. **Convene Public Meeting**

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 9:00 a.m., July 25, 2023, at the Tampa Office, 7601 U.S. Highway 301 North, Tampa, Florida 33637.

This meeting was available for live viewing through Internet streaming. An attendance roster is archived in the District's permanent records. Approved minutes from meetings can be found on the District's website at WaterMatters.org.

1.1 **Call to Order**

Chair Ed Armstrong called the meeting to order. He noted that the Board meeting was being recorded for broadcast on government access channels, and public input would be provided in person. Chair Armstrong stated that anyone wishing to address the Governing Board concerning any item listed on the agenda or any item that does not appear on the agenda should complete and submit a "Request to Speak" card. Chair Armstrong stated that comments would be limited to three minutes per speaker, and when appropriate, exceptions to the three-minute limit may be granted by the Chair. He also requested that several individuals wishing to speak on the same topic designate a spokesperson. Chair Armstrong introduced each member of the Governing Board and staff present at the dais (this served as roll call). A quorum was confirmed.

1.2 Invocation and Pledge of Allegiance

Board Member Joel Schleicher offered the invocation and led the Pledge of Allegiance.

1.3 Employee Recognition

Chair Armstrong recognized employees who have reached at least 20 years of service. Mr. Michael Bench was recognized.

1.4 Additions/Deletions to Agenda

Mr. Brian Armstrong, Executive Director, stated there were no additions or deletions to the agenda.

Board Member Schleicher requested the following items be moved for discussion:

Resource Management Committee

2.2 FARMS – Bethel Farms, LLLP – Phase 5 (H814), DeSoto County

2.3 FARMS – Midway Farms, LLC (H815), Polk County

There was good cause to approve the amended agenda as allowed by Section 120.525, Florida Statutes.

1.5 Public Input for Issues Not Listed on the Published Agenda

Mr. David Ballard Geddis spoke regarding intertidal waterways in Tampa Bay.

Consent Agenda

Finance/Outreach & Planning Committee

2.1 Independent Auditing Services Contract

Staff recommended the Board:

1. Exercise the renewal option within the current contract and approve the first amendment to the agreement engaging JMCO to perform the fiscal year 2022-23 auditing services; and
2. Authorize the Executive Director or designee to execute the first amendment to the current contract with JMCO to perform the fiscal year 2022-23 auditing services.

Resource Management Committee

2.2 FARMS – Bethel Farms, LLLP – Phase 5 (H814), DeSoto County

Staff recommended the Board:

1. Approve the Bethel Farms, LLLP – Phase 5 project for a not to exceed project reimbursement of \$296,023 with \$296,023 provided by the Governing Board;
2. Authorize the transfer of \$296,023 from fund 010 H017 Governing Board FARMS Fund to the H814 Bethel Farms, LLLP – Phase 5 project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

2.3 FARMS – Midway Farms, LLC (H815), Polk County

Staff recommended the Board:

1. Approve the Midway Farms, LLC project for a not to exceed project reimbursement of \$234,019 with \$234,019 provided by the Governing Board;
2. Authorize the transfer of \$234,019 from fund 010 H017 Governing Board FARMS Fund to the H815 Midway Farms, LLC project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

2.4 FARMS – Marshall Tree Farm, Inc. (H816), Levy County

Staff recommended the Board:

1. Approve the Marshall Tree Farm, Inc. project for a not-to-exceed project reimbursement of \$31,707 provided by the Governing Board;

2. Authorize the transfer of \$31,707 from fund 010 H017 Governing Board FARMS Fund to the H816 Marshall Tree Farm, Inc. project fund;
3. Authorize the Division Director to sign the agreement.

General Counsel's Report

2.5 Authorization to Issue Administrative Complaint and Order – Permit Condition Violations – Tampa Oaks Senior Living, LLC – Environmental Resource Permit No. 43042559.000 – CT No. 398974– Hillsborough County

Staff recommended the Board:

1. Authorize District staff to issue an Administrative Complaint and Order to Tampa Oaks Senior Living, LLC, to obtain compliance, recover an administrative fine/civil penalty, and recover any District costs and fees, if appropriate.
2. Authorize District staff to obtain compliance with the terms of the Administrative Complaint and Order in Circuit Court, if necessary.

2.6 Approve Governing Board Minutes – June 27, 2023

Staff recommended the Board approve the minutes as presented.

A motion was made and seconded to approve the Consent Agenda. The motion carried unanimously. (Audio – 00:11:46:00)

Finance/Outreach & Planning Committee

Treasurer Jack Bispham called the committee to order.

3.1 Consent Item(s) Moved to Discussion - None

3.2 Investment Strategy Quarterly Update

Mr. John Grady, Public Trust Advisors, presented an overview of the District's portfolio strategy for the last quarter (April 1, 2023 through June 30, 2023). He presented information regarding Gross Domestic Product, inflation, Federal funds rate expectations and implied rates, jobs growth, the housing market, and interest rates. Mr. Grady presented historical data regarding Local Government Investment Pools and annual average return index comparisons. He addressed Federal funds rate hike expectations. Mr. Grady responded to questions.

Staff recommended the Board accept and place on file the District's Quarterly Investment Reports for the quarter ended June 30, 2023.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 01:04:00)

3.3 Fiscal Year (FY) 2024 Budget Development

A Request to Speak was received for this item.

Mr. David Ballard Geddis spoke in opposition of a tax levy from non-ad valorem assessments.

Mr. Brandon Baldwin, Business and IT Services Division Director, provided an overview of the Fiscal Year (FY) 2024 budget development calendar. He presented metrics for expenditure goals and outcomes; proposed millage rates and millage rate history; changes to revenues by source; changes to expenditures by category; and changes to expenditures by programs for FY2023 and FY2024. Mr. Baldwin stated the FY2024 budget meets all Governing Board metrics.

Mr. Baldwin outlined the changes to the proposed budget since the June Governing Board. He stated the total FY2024 budget is \$224.8 million. The proposed ad valorem totals \$126

million, which is a decrease of \$47,941 since presented in June. To offset increase in existing property values, the proposed rollback-millage rate is 0.2043 mill. This represents a savings of approximately \$13.9 million for taxpayers.

Mr. Baldwin stated other changes include \$5.2 million in state appropriations which includes approximately \$4 million in state appropriations for alternative water supply projects. He explained the actual amounts appropriated by the legislature will be confirmed in September. Mr. Baldwin explained a state grant of \$1.2 million was awarded for the District control structure S-160 to reduce flooding risks. The use of \$1.152 million from reserves will be used to offset reductions in budget.

Staff recommended the Board:

1. Approve Resolution No. 23-05, Adoption of Proposed Millage Rate for Fiscal Year 2024.
2. Approve the budget changes presented, adjusted for any modifications made by the Governing Board on July 25, and authorize staff to submit the Tentative Budget Submission for FY2024.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 01:16:16)

3.4 Budget Transfer Report

This item was for information only. No action was required.

3.5 Office of Inspector General April 1, 2023 to June 30, 2023 Quarterly Update

This item was for information only. No action was required.

Resource Management Committee

Vice Chair Michelle Williamson called the committee to order.

4.1 Consent Item(s) Moved to Discussion

2.2 FARMS – Bethel Farms, LLLP – Phase 5 (H814), DeSoto County

Ms. Carole Estes, FARMS Manager, presented an overview of the project which included a map outlining all phases of the project, benefits and costs associated.

Board Member Schleicher stated that he is not opposed to the FARMS program as it was originally developed. He expressed his opposition to the FARMS reimbursement of greater than 50 percent. Board Member Schleicher also expressed concerns regarding the continual requesting of reimbursement from the same project owners for different projects.

Board Member Ashley Bell Barnett asked if consideration can be given to limit the number of times an applicant can apply for reimbursement from the FARMS program. Ms. Jennette Seachrist responded that consideration can be given but cautioned that it would potentially limit the groundwater reduction benefits in the priority areas. Mr. Armstrong explained that FARMS does not fund anything required by permit. The program incentivizes the use of conservation and alternative water supply best management practices. Discussion ensued.

Staff recommended the Board:

1. Approve the Bethel Farms, LLLP – Phase 5 project for a not-to-exceed project reimbursement of \$296,023 with \$296,023 provided by the Governing Board;
2. Authorize the transfer of \$296,023 from fund 010 H017 Governing Board FARMS Fund to the H814 Bethel Farms, LLLP – Phase 5 project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

A motion was made and seconded to approve staff's recommendation. The motion passed with nine in favor and one opposed. (Audio – 01:42:33)

2.3 FARMS – Midway Farms, LLC (H815), Polk County

No presentation was requested for this item.

Staff recommended the Board:

1. Approve the Midway Farms, LLC project for a not-to-exceed project reimbursement of \$234,019 with \$234,019 provided by the Governing Board;
2. Authorize the transfer of \$234,019 from fund 010 H017 Governing Board FARMS Fund to the H815 Midway Farms, LLC project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

A motion was made and seconded to approve staff's recommendation. The motion passed with nine in favor and one opposed. (Audio – 01:17:21)

4.2 Draft Tampa Bay Surface Water Improvement and Management (SWIM) Plan (W020)

Mr. Randy Smith, Natural Systems and Restoration Bureau Chief, presented a review of the SWIM plan development and approval process, background information on development of SWIM plans, Tampa Bay SWIM plan information, a summary of issues and drivers and an overview of water quality and natural systems goals. He presented results for seagrass mapping from 1988 to present and discussed the decline in seagrasses. Mr. Smith outlined goals that have been established for water quality and natural systems. He responded to questions.

Staff recommended the Board authorize staff to submit the draft Tampa Bay SWIM Plan to the agencies and appropriate local governments in accordance with Section 373.453, F.S.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 02:10:34)

Operations, Lands & Resource Monitoring Committee

Board Member John Hall called the committee to order.

5.1 Consent Item(s) Moved to Discussion – None

5.2 Purchase and Sale Agreement – Jordan Ranch/Two-Mile Prairie Project, SWF Parcel No. 19-707-109

Mr. Mike Singer, Real Estate Services Manager, provided a summary of the Governing Board acquisition policy. He provided an overview of Jordan Ranch and stated it meets all four of the District's Areas of Responsibilities and connects to the Two-Mile Prairie project that the District already owns. He stated the Florida Forest Service has agreed to manage the property.

Board Member Schleicher expressed concerns regarding the expenditure of funds as related to the acquisition of property.

Staff recommended the Board:

- Accept the appraisals;
- Approve the Purchase and Sale Agreement and authorize the Executive Director or designee to sign on the behalf of the District;
- Designate SWF Parcel No. 19-707-109 as having been acquired for conservation purposes;
- Authorize staff to make minor changes or corrections to conform documents or correct errors; any substantive changes will be subject to Governing Board review and approval;

- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms; and
- Approval to encumber and roll the funds for payment in the following year, in the event the closing does not occur before the end of the current fiscal year.

A motion was made and seconded to approve staff's recommendation. The motion passed with nine in favor and one opposed. (Audio – 02:20:18)

Regulation Committee

Board Member Robert Stern called the committee to order.

6.1 Consent Item(s) Moved to Discussion - None

6.2 Denials Referred to the Governing Board

None were presented.

General Counsel's Report

7.1 Consent Item(s) Moved to Discussion - None

Committee/Liaison Reports

8.1 Agricultural and Green Industry Advisory Committee

A written summary of the June 13 meeting was provided.

Executive Director's Report

9.1 Executive Director's Report

Mr. Brian Armstrong, Executive Director, thanked staff for their efforts and the Board for their guidance related to the development of the FY2024 budget. He also expressed his appreciation to the Governor and the Legislature.

Vice Chair Michelle Williamson commended staff for their presentations at the Florida Environmental Permitting Summer School.

Chair's Report

10.1 Chair's Report

Chair Armstrong stated the next meeting is scheduled for Tuesday, August 22 at 9:00 a.m., in the Brooksville office.

10.2 Employee Milestones

A written summary was provided.

Adjournment

The meeting adjourned at 11:25 a.m.

DRAFT

Governing Board Meeting
August 22, 2023

3. FINANCE/OUTREACH & PLANNING COMMITTEE

3.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion 114

3.2 **Submit & File:** Information Item: Budget Transfer Report 115

FINANCE/OUTREACH AND PLANNING COMMITTEE

August 22, 2023

Discussion: Information Item: Consent Item(s) Moved to Discussion

Staff Recommendation:

This item is for the Board's information only, and no action is required

Presenters:

Michael Molligan, Division Director, Employee, Outreach and General Services

Brandon Baldwin, Division Director, Business and IT Services

FINANCE/OUTREACH AND PLANNING COMMITTEE

August 22, 2023

Submit & File: Information Item: Budget Transfer Report

Purpose

Provide the Budget Transfer Report covering all budget transfers made during the month of July 2023.

Background

In accordance with Board Policy, *Budget Authority Transfer of Funds*, all transfers approved by the Executive Director and Finance Bureau Chief under delegated authority are presented to the Finance/Outreach & Planning Committee of the Governing Board as a Submit and File Report at the next regular scheduled meeting. The exhibit for this item reflects all such transfers executed during the month of July 2023.

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Melisa J. Lowe, Bureau Chief, Finance

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Budget Transfer Report
July 2023

Item No.	--- TRANSFERRED FROM --- Bureau / Expenditure Category	--- TRANSFERRED TO --- Bureau / Expenditure Category	Reason For Transfer	Transfer Amount
<u>Change from Original Budget Intent</u>				
1	General Services Capital Field Equipment Fund	General Services Capital Field Equipment Fund	Transfer of funds originally budgeted for planned expenditures under the Capital Field Equipment Fund (CFEF). The replacement of a trailer-mounted boom lift that is critical for the ability of Structure Operations staff to conduct daily operations was planned for FY2024. Unanticipated failure and repairs that would exceed its value require the lift to be replaced sooner than originally planned. The lift was originally purchased in 2008.	\$ 34,700.00
Total Change from Original Budget Intent				<u>\$ 34,700.00</u>
Total Amount Transferred				<u>\$ 34,700.00</u>

This report identifies transfers made during the month that did not require advance Governing Board approval. These transfers have been approved by either the Executive Director, or designee, or the Finance Bureau Chief consistent with Budget Authority Transfer of Funds Board Policy, and are presented to the Governing Board as a Submit and File Report. This Board Policy limits transfers made for a purpose other than the original budget intent to \$75,000. However, transfers made for accounting reallocation purposes consistent with original budget intent are not limited.

**Governing Board Meeting
August 22, 2023**

4. RESOURCE MANAGEMENT COMMITTEE

4.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion 117

4.2 **Discussion:** Information Item: Facilitating Agricultural Resource Management
Systems Program 20th Anniversary..... 118

4.3 **Discussion:** Action Item: Peace River Regional Reservoir No. 3 Project –
Third-Party Review (Q272)..... 119

4.4 **Submit & File:** Information Item: Minimum Flows and Minimum Water Levels
Priority List and Schedule Update 122

4.5 **Submit & File:** Information Item: Lower Hillsborough River Recovery Strategy
Implementation – Annual Update..... 133

RESOURCE MANAGEMENT COMMITTEE

August 22, 2023

Discussion: Information Item: Consent Item(s) Moved to Discussion

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Jennette M. Seachrist, P.E., Division Director, Resource Management

RESOURCE MANAGEMENT COMMITTEE

August 22, 2023

Discussion: Information Item: Facilitating Agricultural Resource Management Systems Program 20th Anniversary

Purpose

To provide the Board with an update on the accomplishments of the District's Facilitating Agricultural Resource Management Systems (FARMS) Program and to discuss ongoing as well as future efforts.

Background/History

In 2001, a stakeholder group of 18 state and local governments as well as agricultural interests, commodity groups, and other associations was formed in the southern region of the District to address secondary drinking water standard impairment of the Shell Creek reservoir for total dissolved solids, chloride, and specific conductance. A Shell Creek and Prairie Creek Watershed Management Plan was developed to provide the Florida Department of Environmental Protection (FDEP) and the US Environmental Protection Agency (EPA) reasonable assurance that the impairment would be addressed. The FARMS Programs was identified as a management action to reduce the use of high conductivity groundwater in the Shell and Prairie Creek watersheds. In FY2003, the District implemented the FARMS Program to encourage the use of surface water as an alternative water source to provide growers with a higher quality water source for their crops and limit the runoff of high conductivity water.

In December 2003 the Governing Board approved expanding the program to the entire Southern Water Use Caution Area (SWUCA). Eventually, the program was expanded District-wide to address additional resource concerns, such as reducing groundwater use for cold protection in the Dover/Plant City Water Use Caution Area (DPCWUCA) and reducing nutrient loading.

Over the last 20 years the District's Governing Board has approved 245 FARMS projects, which have reduced groundwater use by 31.8 million gallons a day or 11.5 billion gallons a year. The total cost for the FARMS projects is \$88.5 million dollars, with the District reimbursing \$51.3 million. The average cost per thousand gallons saved is \$2.43. Additionally, FARMS projects have reduced nitrogen loading by an estimated 5,100 pounds per year.

Staff will present an overview of the District's FARMS Program and focus on significant accomplishments during the past 20 years.

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Carole Estes, P.G., FARMS Program Manager, Water Resources

RESOURCE MANAGEMENT COMMITTEE**August 22, 2023****Discussion: Action Item: Peace River Regional Reservoir No. 3 Project – Third-Party Review (Q272)***Purpose*

The purpose of this item is to present the results of the third-party review (TPR) for the Peace River Manasota Regional Water Supply Authority's (Authority) Peace River Reservoir No. 3 (PR3) Project and to request Governing Board approval to amend the Cooperative Funding Agreement to move forward with final design and construction at a total cost of \$358,250,000 with the District funding of \$115,700,000.

Background/History

The Authority and the Southwest Florida Water Management District (District) entered into a Cooperative Funding Agreement in 2022 for the PR3 project. The project consists of the preliminary design phase and TPR for a third off-stream raw water reservoir at the Peace River Water Treatment Facility in DeSoto County; a new river intake pump station sited on the west side of the existing Peace River intake, a new reservoir pump station, and pipelines that will connect the river intake, reservoirs, service spillways, and the water treatment facility. The initial conceptual project cost was estimated at \$231,400,000. The District's Governing Board approved fiscal year (FY) 2022 cooperative funding for this project for the TPR and preliminary design with total cost of \$7,250,000 and District's share at 50 percent, or \$3,625,000. The Authority later received a Resilient Florida Program grant from the Florida Department of Environmental Protection that has covered preliminary design expenses. The District has only paid for the TPR, to date. The District's remaining encumbered FY2022 funds may be applied to future design and construction pending Governing Board approval of the TPR. The Authority submitted a FY2024 cooperative funding request in October 2022, with an increased total cost estimate of \$551,655,000.

The Authority provided the preliminary design package for the District's TPR in April 2023 with a revised project cost estimate of \$358,250,000. The Authority identified numerous cost savings through value engineering workshops conducted during the preliminary design. Major savings were achieved by reducing the reservoir crest elevation by two feet; removing a generator, bridge crane, and trash racks from the River Intake Pump Station; removing a few miles of 34-inch gravity piping between the reservoirs and treatment facility; and reducing the asphalt used for access roads along the reservoirs and pipeline routes. The TPR found the opinion of probable construction costs utilized assumptions that were within the expected accuracy for the design level and type of project. Unit costs for concrete appeared lower than typical for utility construction, but may vary depending on placement method. The project schedule had overlapping work durations for separate design elements, with the reservoir construction starting first and running longest at 3.5 years. The Authority anticipates using a design-bid procurement for the reservoir construction and using a construction manager-at-risk for the pump stations and piping. The schedule appeared reasonable but could vary depending on each contractor's methods.

Benefits/Costs

The TPR found the preliminary design to be appropriate in its assumptions and methods, and the cost estimates and development schedules are reasonable for the level of design. The Authority plans to continue with final design and construction of the project and has requested additional cooperative

funding in FY2024. In April 2023, the Governing Board tentatively approved cooperative funding, pending staff recommendation and Board approval after the TPR, with the District's funding set at the initial Board-approved project share amount of \$115,700,000. The proposed total project cost is \$358,250,000, which is greater than the initial board approved project cost of \$231,400,000 and significantly reduced from a prior conceptual cost of \$551,655,000. The total cost includes the completed preliminary design and TPR and does not include any mitigation credits or land costs. The Authority has also received an additional \$24,750,000 in state and federal funding to date.

The revised FY2024 evaluation form is attached as an exhibit to this recap. Governing Board authorization is needed to proceed with the project and approve modification of the Cooperative Funding Agreement to include final design, construction tasks, and budget refinement.

Staff Recommendation:

Authorize continuation of the project and approve modification of the Cooperative Funding Agreement to include a total project cost of \$358,250,000 with the District's share to remain \$115,700,000 for the Peace River Regional Reservoir No. 3 Project (Q272).

Presenter:

Jay Hoecker, PMP, Bureau Chief, Water Resources

Project No. Q272		AWS - PRMRWSA Peace River Regional Reservoir No. 3		
PRMRWSA		FY2024		
Risk Level:	Type 2	Multi-Year Contract: Yes, Year 3 of 7		
Description				
Description:	Third-party review (TPR), design, permitting, and construction of the Peace River Reservoir No. 3 (PR3) project including a 9 billion-gallon, off-stream raw water storage reservoir, new river intake pump station, new reservoir pump station, and new conveyance pipelines to transport water from the new pumping station to the reservoir and treatment facility. The PR3 project will couple with a future treatment facility expansion project to meet regional demands with alternative water sources in the SWUCA. FY2022 funding was approved for preliminary design and TPR. The District required a TPR, as this project has a conceptual cost greater than \$5 million. FY2024 funding is requested to complete design and construction.			
Measurable Benefit:	The contractual measurable benefit will be the construction of a 9 billion-gallon reservoir and associated infrastructure that will expand storage capacity needed to meet regional demands with AWS sources through 2042. Construction will be done in accordance with permitted plans.			
Costs:	Total project cost: \$358,250,000 (design, permitting, TPR, and construction), initial board-approved project amount \$231,400,000. Authority: \$217,800,000. District: \$115,700,000 with \$3,625,000 budgeted in previous years, \$15,057,867 requested in FY2024, and \$97,017,133 anticipated to be requested in future years. Legislative Appropriation: \$10,000,000. FDEP: \$14,750,000.			
Evaluation				
Application Quality:	All information identified in the CFI Guidelines was provided at the time of application.			
Project Benefit:	Substantial resource benefit expected from 9 billion gallons of off-stream storage to meet regional water supply demands while reducing stress on the Upper Floridan aquifer, lakes, and wetlands.			
Cost Effectiveness:	The cost effectiveness, based on staff evaluation and third-party review for the reservoir, river intake pump station, reservoir pump station, and conveyance piping, is within the expected range for the design level and type of project.			
Past Performance:	Good, based upon an assessment of the schedule and budget for the 6 ongoing projects.			
Complementary Efforts:	Applicant has complementary efforts that promotes water conservation via education/outreach with the public and member governments.			
Project Readiness:	Project is ongoing and on schedule.			
Strategic Goals				
Strategic Goals:	<p>Strategic Initiative - Alternative Water Supplies: Increase development of alternative sources of water to ensure groundwater and surface water sustainability.</p> <p>Southern Region Priority: Implement Southern Water Use Caution Area (SWUCA) Recovery Strategy.</p>			
Overall Ranking and Recommendation				
AWS	The preliminary design and TPR are complete. The TPR found the preliminary design to be appropriate and the cost estimates to be reasonable for the level of design. Based on the TPR results, District staff recommend funding \$115,700,000, approximately 33% of the total project cost. This project will assist in meeting regional water supply demands and implementation of SWUCA Recovery Strategy.			
Funding				
Funding Source	Prior	FY2024	Future	Total
District	\$3,625,000	\$15,057,867	\$97,017,133	\$115,700,000
PRMRWSA	\$3,625,000	\$59,442,133	\$154,732,867	\$217,800,000
Legislative Appropriation	\$0	\$10,000,000	\$0	\$10,000,000
FDEP	\$14,750,000	\$0	\$0	\$14,750,000
Total	\$22,000,000	\$84,500,000	\$251,750,000	\$358,250,000

RESOURCE MANAGEMENT COMMITTEE**August 22, 2023****Submit & File: Information Item: Minimum Flows and Minimum Water Levels Priority List and Schedule Update***Purpose*

This submit and file report addresses the initial step for the statutorily required update of the District's priority list and schedule (priority list) for the establishment of minimum flows and minimum water levels (MFLs). Following review of public input on the updated draft priority list included in this report, and any necessary revisions, the priority list will be presented to the Governing Board in October 2023 for final review and approval prior to submittal to the Florida Department of Environmental Protection (DEP). Upon final approval, the draft priority list will replace the current 2022 priority list.

Background/History

Pursuant to Sections 373.036(7) and 373.042(3), Florida Statutes, the District is required to annually update and submit its minimum flows and minimum water levels priority list to the Florida DEP by November 15th, for approval, and include the approved priority list in the District's Consolidated Annual Report by March 1st.

Attached is a draft "2023 Southwest Florida Water Management District Priority List and Schedule for the Establishment of Minimum Flows, Minimum Water Levels and Reservations" that staff will preliminarily review with DEP and public stakeholders. As indicated in the draft priority list, the District has established 203 MFLs, including MFLs for 126 lakes, 34 wetlands, 24 river segments, 10 springs or spring groups, 7 Upper Floridan aquifer (UFA) wells in the Northern Tampa Bay Water Use Caution Area (NTBWUCA), the UFA in the Most Impacted Area of the Southern Water Use Caution Area (SWUCA) and in UFA at a site in the Dover/Plant City Water Use Caution Area. In addition, 128 minimum flow or level reevaluations have been completed to confirm or support the revision or repeal of established minimum flows or minimum water levels. The District has also established 2 reservations; one for water from Morris Bridge Sink to support MFLs recovery for the lower Hillsborough River and another for water stored in Lake Hancock and released to Lower Saddle Creek to support MFLs recovery in the upper Peace River.

Like the current priority list, the draft priority list addresses all relevant statutory directives and guidance concerning minimum flow, minimum water level, and water reservation prioritization included in Rules 62-40.473, and 62-40.474 within the State Water Resource Implementation Rule (Chapter 62-40, Florida administrative Code (F.A.C.)), and in Rule 62-41.304 within the Regulation of the Consumptive Use of Water Rule (Chapter 62-41, F.A.C.) of the DEP that address the Central Florida Water Initiative (CFWI) Area. Formatting requirements for the priority list from the DEP Office of Water Policy are also addressed.

Scheduling of water bodies through 2026 on the draft priority list addresses the three-year minimum requirement specified in the Water Resource Implementation Rule. The draft priority list also includes water bodies for which MFLs establishment is expected to be completed during the remainder of this year, i.e., in 2023.

Prioritized water bodies that may be affected by withdrawals occurring in other water management districts, i.e., are potentially subject to cross-boundary impacts, including those specifically associated with withdrawals from within the CFWI area, are identified on the draft priority list to support coordination of regulatory activities among the districts and DEP. Development of minimum flow or water levels by the DEP for any of these water bodies is not, however, currently considered necessary or appropriate.

Past Year Rule Adoption Updates

No rulemaking for MFLs or reservation establishment or reevaluation has been completed since the last priority list update. During the past year, however, rulemaking to update and clarify District rules associated with minimum wetland level establishment was completed.

Scheduling for Priority Water Bodies

Twenty-three water bodies are scheduled for MFLs or reservation development or reevaluation through 2026 on the draft priority list.

Eight of these water bodies continue to be scheduled in accordance with the current priority list. Minimum flow development for Charlie Creek, Horse Creek, and the upper and lower segment of the Little Manatee River remain scheduled for completion in 2023. Similarly, the planned reevaluation of minimum flows established for three segments of the upper Peace River and the reevaluation of the reservation established for Lake Hancock/Lower Saddle Creek continue to be scheduled for completion in 2025.

Ten water bodies on the current priority list have been rescheduled on the draft priority list. Minimum level reevaluations for lakes Tulane and Verona (Highlands County) have been rescheduled from 2022 to 2023 based on time that was needed for development and review of lake-level methods and criteria. The reevaluation of minimum levels for North Lake Wales was rescheduled from 2022 to 2025 for similar reasons and also based on recent compliance status of the lake, as well as to allow staff to focus immediate efforts on additional priority lakes in Highlands County. Minimum levels reevaluations for lakes Aurora and Eva (Polk County) were also rescheduled from 2023 to 2025 and the reevaluation of Eagle Lake was scheduled from 2024 to 2025 for these same reasons. Development of minimum flows for three segments of the upper Withlacoochee River was rescheduled from 2024 to 2025 based on delayed acquisition of topographic data necessary for hydrologic model development. Development of minimum flow for the lower segment of the Withlacoochee River has been rescheduled from 2024 to 2026 to allow for acquisition of critical environmental data necessary for hydrological modeling of the estuarine portion of the river.

Five water bodies identified for minimum levels reevaluation on the current priority list are not included on the draft priority list. Specifically, Lake Easy (Polk County) scheduled for 2023, lakes Jackson and Little Jackson (Highlands County) scheduled for 2024, and lakes McLeod and Wailes (Polk County) scheduled for 2024 were deleted. These changes were made based on recent compliance with the respective minimum levels established for each lake, and the need to prioritize other lake reevaluations to support the 2025 assessment planned for the Southern Water Use Caution Area (SWUCA) Recovery Strategy.

Six water bodies have been added to the draft priority list. The reevaluation of minimum levels established for lakes Angelo, Denton and Letta (Highlands County) is scheduled for 2024 as is the reevaluation of minimum levels established for Lake Bonnie (Polk County) in 2025—all in support of the SWUCA Recovery assessment. Reevaluation of the Saltwater Intrusion Minimum Aquifer Level established for the Most Impacted Area of the SWUCA is now scheduled for 2026 in anticipation of completion of new modeling tools for that assessment. Finally, the reevaluation of the minimum flow established for the Gum Slough Spring Run/Group (Sumter County) is scheduled for completion in 2026, based on a reevaluation date specified when the minimum flow was originally established.

Outreach and Follow-Up Activities

Staff presented the draft priority list to the Environmental Advisory Committee on July 11, 2023 and has scheduled presentation of the draft priority list to the Public Supply Advisory Committee on August 8, 2023. No changes to the draft priority list were provided during the Environmental Advisory Committee meeting. Because this recap was prepared prior to the Public Supply Advisory Committee meeting, input that may have been provided by members of that committee is not noted here. Any comments provided during the Public Supply Advisory Committee meeting will be considered by staff for finalization of the priority list and as necessary, summarized in the meeting minutes and the committee liaison report to the Governing Board.

Following the August 2023 Governing Board meeting staff will post the draft priority list on the District web site. A public workshop will be facilitated by staff on August 23, 2023, to solicit additional stakeholder input on the priority list update process. Staff will also co-facilitate a public workshop with South Florida Water Management District and St. Johns River Water Management District staff on September 1, 2023, for discussion of water bodies in the Central Florida Water Initiative area that are included on each district's priority list and schedule.

Based on consideration of stakeholder input and any additional analyses, staff will amend the draft priority list, as necessary and return to the Governing Board in October to request approval of the priority list to be submitted to DEP by November 15, 2023. Upon approval by DEP, the priority list will be incorporated into the 2024 Consolidated Annual Report that will be presented to the Board for consideration and approval in January and February 2024.

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Doug Leeper, MFLs Program Lead, Natural Systems & Restoration

2023 Southwest Florida Water Management District Priority List and Schedule for the Establishment of Minimum Flows, Minimum Water Levels and Reservations

Overview

Pursuant to Sections 373.036(7) and 373.042(3), Florida Statutes (F.S.), the Southwest Florida Water Management District is required to annually update its priority list and schedule for the establishment of minimum flows and minimum water levels, submit the updated list and schedule to the Florida Department of Environmental Protection (DEP) by November 15th for approval, and include the approved list and schedule in the District's Consolidated Annual Report by March 1st. Minimum flows and minimum water levels are rules adopted by the state water management districts or DEP that define the limit at which further withdrawals would be significantly harmful to the water resources or ecology of the area. In addition to prioritized minimum flows and minimum water levels, the priority list and schedule must include reservations proposed for establishment. Reservations are rules that reserve water from use by permit applications, as necessary for the protection of fish and wildlife or public health and safety.

The District prepared this 2023 priority list and schedule to address all relevant statutory directives, and guidance concerning minimum flow, minimum water level and water reservation prioritization included in Rules 62-40.473, and 62-40.474 within the State Water Resource Implementation Rule (Chapter 62-40, Florida Administrative Code (F.A.C.) and in Rule 62-41-304 within the Regulation of the Consumptive Use of Water Rule (Chapter 62-41, F.A.C.) of the DEP that address the Central Florida Water Initiative Area defined in Section 373.0465(2)(a), F.S.

Established Minimum Flows, Minimum Water Levels and Reservations

As of FY2023, District rules include minimum flows or minimum water levels for 203 water bodies (Chapter 40D-8, F.A.C.) and reservations for 2 water bodies (Chapter 40D-2, F.A.C.). As listed below, minimum flows or water levels are established for 126 lakes, 34 wetlands, 24 freshwater and estuarine river segments, 10 springs or spring groups (including all first magnitude springs and all second magnitude springs within the District that occur within state or federal lands purchased for conservation purposes), 7 Upper Floridan aquifer (UFA) sites in the northern Tampa Bay area, an UFA site in the Dover/Plant City area, and the UFA in the Most Impacted Area of the Southern Water Use Caution Area. In addition, 128 minimum flow or level reevaluations have been completed to confirm or support the revision or repeal of established minimum flows or minimum water levels. As also listed below, reservations have been established for Lake Hancock/Lower Saddle Creek and Morris Bridge Sink to support minimum flow recovery in 2 rivers.

Water Bodies with Adopted and Effective Minimum Flow and Minimum Water Level Rules, Including Those That Have Been Reevaluated

- Alafia River (upper segment)
- Alafia River (lower segment)/Lithia-Buckhorn Spring Group
- Anclote River (lower segment)

- Anclote River (upper segment)
- Braden River (upper segment)
- Chassahowitzka River/Chassahowitzka Spring Group (an Outstanding Florida Spring) and Blind Spring (reevaluated)
- Citrus County Lakes – Ft. Cooper, Tsala Apopka – Floral City, Inverness, and Hernando Pools
- Crystal River/Kings Bay Spring Group (an Outstanding Florida Spring)
- Crystal Springs
- Dona Bay/Shakett Creek System
- Dover/Plant City Water Use Caution Area Minimum Aquifer Level
- Gum Slough Spring Run/Group
- Hernando County Lakes – Hunters (reevaluated), Lindsey (reevaluated), Mountain (reevaluated), Neff (reevaluated), Spring, Tooke, Weekiwachee Prairie, Whitehurst
- Highland County Lakes – Angelo, Anoka, Damon, Denton, Jackson (reevaluated), Little Lake Jackson (reevaluated), June-in-Winter, Letta (reevaluated), Lotela (reevaluated), Placid, Tulane, Verona
- Hillsborough County Lakes – Alice (reevaluated), Allen (reevaluated twice), Barbara (reevaluated), Bird (reevaluated twice), Brant (reevaluated twice), Calm (reevaluated), Carroll, Charles (reevaluated), Church (reevaluated), Crenshaw, Crescent, Crystal (reevaluated twice), Cypress (reevaluated), Dan (reevaluated), Deer (reevaluated), Dosson (reevaluated twice), Echo (reevaluated), Ellen (reevaluated), Fairy [Maurine] (reevaluated), Garden, Halfmoon (reevaluated), Hanna (reevaluated), Harvey (reevaluated twice), Helen (reevaluated), Hobbs (reevaluated twice), Hooker, Horse (reevaluated), Jackson (reevaluated), Juanita (reevaluated twice), Keene, Kell, Little Moon (reevaluated), Merrywater (reevaluated twice), Mound, Platt, Pretty, Rainbow (reevaluated), Raleigh, Reinheimer, Rogers, Round (reevaluated), Saddleback (reevaluated twice), Sapphire (reevaluated twice), Starvation, Stemper (reevaluated), Strawberry (reevaluated), Sunset (reevaluated twice), Sunshine (reevaluated twice), Taylor (reevaluated), Virginia (reevaluated twice), Wimauma (reevaluated)
- Hillsborough County Wetlands – Cypress Bridge 32 (reevaluated), Cone Ranch 1 (reevaluated), Cone Ranch 2 (reevaluated), Cone Ranch 3 (reevaluated), Cone Ranch 4 (reevaluated), Cone Ranch 5 (reevaluated), Cone Ranch 6 (reevaluated), Eldridge Wilde 11 (NW-44) (reevaluated), Morris Bridge Clay Gully Cypress (MBR-88) (reevaluated), Morris Bridge Entry Dome (MBR-35) (reevaluated), Morris Bridge Unnamed (MBR-16) (reevaluated), Morris Bridge X-4 (MBR-89) (reevaluated)
- Hillsborough River (lower segment) (reevaluated)
- Hillsborough River (upper segment)
- Homosassa River/Homosassa Spring Group (an Outstanding Florida Spring) (reevaluated)
- Levy County Lake – Marion (reevaluated)
- Marion County Lakes – Bonable, Little Bonable, Tiger
- Myakka River (lower segment)
- Myakka River (upper segment)
- Northern Tampa Bay – 7 Wells – Upper Floridan aquifer/Saltwater Intrusion
- Pasco County Lakes – Bell, Big Fish (reevaluated), Bird, Buddy (reevaluated), Camp (reevaluated), Clear (reevaluated), Crews, Green, Hancock (reevaluated), Lola, Jessamine, King, King [East], Linda, Middle, Moon (reevaluated), Padgett (reevaluated), Parker aka Ann, Pasadena (reevaluated), Pierce (reevaluated), Unnamed #22 aka Loyce
- Pasco County Wetlands – Cross Bar Q-1 (reevaluated), Cross Bar T-3 (reevaluated), Cypress Bridge 4 (reevaluated), Cypress Bridge 16 (reevaluated), Cypress Bridge 25 (reevaluated), Cypress Creek W-56 (G) (reevaluated), Cypress Creek W-11 (reevaluated), Cypress Creek W-12 (reevaluated), Cypress Creek W-17 (reevaluated), North Pasco 3 (reevaluated), North

Pasco 21 (reevaluated), South Pasco 2 (NW-49) (reevaluated), South Pasco 6 (NW-50) (reevaluated), South Pasco South Cypress (reevaluated), Starkey Central (reevaluated), Starkey Eastern (S-73) (reevaluated), Starkey M (S-69) (reevaluated), Starkey N (reevaluated), Starkey S-75 (reevaluated), Starkey S-99, Starkey Z (reevaluated)

- Peace River (lower segment) (reevaluated twice)
- Peace River (middle segment)
- Peace River (three upper segments – "low" minimum flows)
- Pinellas County Wetland – Eldridge Wilde 5
- Pithlachascotee River (lower segment)
- Pithlachascotee River (upper segment)
- Polk County Lakes – Annie, Aurora, Bonnie, Clinch (reevaluated), Crooked (reevaluated), Crystal, Dinner, Eagle (reevaluated), Easy, Eva, Hancock, Lee, Lowery, Mabel, McLeod (reevaluated), North Lake Wales, Parker (reevaluated), Starr (reevaluated), Venus, Wailes (reevaluated)
- Rainbow River/Rainbow Spring Group (an Outstanding Florida Spring)
- Shell Creek (lower segment)
- Sulphur Springs
- Sumter County Lakes – Big Gant, Black, Deaton, Miona, Okahumpka, Panasoffkee
- Southern Water Use Caution Area – Upper Floridan aquifer
- Tampa Bypass Canal
- Weeki Wachee River/Weeki Wachee Spring Group (an Outstanding Florida Spring)

Water Bodies with Adopted and Effective Reservation Rules

- Lake Hancock/Lower Saddle Creek (water reserved to contribute to achieving minimum flows adopted for the three upper segments of the Peace River for the protection of fish and wildlife)
- Morris Bridge Sink (water reserved to contribute to achieving or maintaining minimum flows adopted for the lower segment of the Hillsborough River for the protection of fish and wildlife)

Prioritized Water Bodies for Establishment or Reevaluation of Minimum Flows and Minimum Water Levels

Minimum flows and minimum water levels proposed for establishment or reevaluation through 2026 are listed by water body name in tabular form below. The single reservation prioritized for reevaluation during this period is also listed below.

System name is provided for each water body to distinguish waterbodies that may be part of a larger system. All currently prioritized waterbodies are, however, sufficiently distinct so the waterbody name and system name are the same. Water body type, i.e., lake, river, river-estuary, spring, or aquifer is identified along with water body location information. Spring magnitude, based on flow rate is provided for the single prioritized spring system.

District intent regarding completion of voluntary, independent, scientific peer review is also identified for each water body. Voluntary scientific peer review is proposed for minimum flows development or reevaluation for all prioritized river segments and the single prioritized minimum aquifer level reevaluation based on the expected level of complexity of these minimum flows and levels, and the anticipated degree of public concern regarding their development. None of the prioritized lake minimum levels are expected to be subjected to voluntary scientific peer review, based on anticipated use of previously peer-reviewed criteria for their development.

Prioritized water bodies that may be affected by withdrawals occurring in other water management districts, i.e., are potentially subject to cross-boundary impacts, including those specifically associated with withdrawals from within the Central Florida Water Initiative area, are identified to support coordination of regulatory activities among the districts and DEP. Development of minimum flow or water levels by the DEP for any of these water bodies is not, however, currently considered necessary or appropriate.

The status of rulemaking for each prioritized water body is also listed.

Minimum Flows and Minimum Water Levels to be Adopted in 2023.

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^a	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent Water Management District?	Latitude	Longitude	Rulemaking Status ^b
Reevaluation (first)	Tulane, Lake	Tulane, Lake	Lake	Highlands	No	Yes ^c	27.5860	-81.5036	N/A
Reevaluation (first)	Verona, Lake	Verona, Lake	Lake	Highlands	No	Yes ^c	27.5978	-81.4969	N/A
New	Charlie Creek	Charlie Creek	River	Hardee, Polk	Yes	No	27.3747	-81.7967	N/A
New	Horse Creek	Horse Creek	River	Hardee, DeSoto	Yes	No	27.1992	-81.9886	N/A
New	Little Manatee River (lower segment)	Little Manatee River (lower segment)	River-Estuary	Hillsborough	Yes	No	27.6708	-82.3528	N/A
New	Little Manatee River (upper segment)	Little Manatee River (upper segment)	River	Hillsborough, Manatee	Yes	No	27.6708	-82.3528	N/A

Minimum Flows and Minimum Water Levels to be Adopted in 2024.

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^a	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent Water Management District?	Latitude	Longitude	Rulemaking Status ^b
Reevaluation (first)	Angelo, Lake	Angelo, Lake	Lake	Highlands	No	Yes ^c	27.5861	-81.4665	N/A
Reevaluation (first)	Denton, Lake	Denton, Lake	Lake	Highlands	No	Yes ^c	27.5563	-81.4893	N/A
Reevaluation (second)	Letta, Lake	Letta, Lake	Lake	Highlands	No	Yes ^c	27.5603	-81.4618	N/A

Minimum Flows and Minimum Water Levels to be Adopted in 2025.

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^a	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent Water Management District?	Latitude	Longitude	Rulemaking Status ^b
Reevaluation (first)	Aurora, Lake	Aurora, Lake	Lake	Polk	No	Yes ^c	27.8791	-81.4655	N/A
Reevaluation (first)	Bonnie, Lake	Bonnie, Lake	Lake	Polk	No	Yes ^c	27.9118	-81.557	N/A
Reevaluation (second)	Eagle Lake	Eagle Lake	Lake	Polk	No	No	27.9867	-81.7665	N/A
Reevaluation (first)	Eva, Lake	Eva, Lake	Lake	Polk	No	Yes ^c	28.0952	-81.6281	N/A
Reevaluation (first)	North Lake Wales	North Lake Wales	Lake	Polk	No	Yes ^c	27.9096	-81.5805	N/A
Reevaluation (first)	Peace River (upper segment, U.S. Geological Survey Zolfo Springs gage to U.S. Geological Survey Ft. Meade gage)	Peace River (upper segment, U.S. Geological Survey Zolfo Springs gage to U.S. Geological Survey Ft. Meade gage)	River	Hardee, Polk	Yes	No	27.5042	-81.8011	N/A
Reevaluation (first)	Peace River (upper segment, U.S. Geological Survey Ft. Meade gage to U.S. Geological Survey Bartow gage)	Peace River (upper segment, U.S. Geological Survey Ft. Meade gage to U.S. Geological Survey Bartow gage)	River	Polk	Yes	No	27.7511	-81.7822	N/A
Reevaluation (first)	Peace River (upper segment, upstream of U.S. Geological Survey Bartow gage)	Peace River (upper segment, upstream of U.S. Geological Survey Bartow gage)	River	Polk	Yes	No	27.9019	-81.8175	N/A

New	Withlacoochee River (upper segment, U.S. Geological Survey Holder gage to U.S. Geological Survey Wysong gage)	Withlacoochee River (upper segment, U.S. Geological Survey Holder gage to U.S. Geological Survey Wysong gage)	River	Citrus, Marion, Sumter	Yes	Yes	28.9886	-82.3497	N/A
New	Withlacoochee River (upper segment, U.S. Geological Survey Wysong gage to U.S. Geological Survey Croom gage)	Withlacoochee River (upper segment, U.S. Geological Survey Wysong gage to U.S. Geological Survey Croom gage)	River	Citrus, Sumter, Hernando	Yes	No	28.8231	-82.1833	N/A
New	Withlacoochee River (upper segment, upstream of U.S. Geological Survey Croom gage)	Withlacoochee River (upper segment, upstream of U.S. Geological Survey Croom gage)	River	Hernando, Sumter, Pasco, Lake, Polk	Yes	No	28.5925	-82.2222	N/A

Minimum Flows and Minimum Water Levels to be Adopted in 2026.

New or Re-Evaluation	Waterbody Name or Compliance Point	System Name ^a	Waterbody Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent Water Management District?	Latitude	Longitude	Rulemaking Status ^b
Reevaluation	Gum Slough Spring Group	Gum Slough Spring Group	Spring (2 nd magnitude)	Sumter	Yes	Yes	28.9511	-82.2500	N/A
New	Withlacoochee River (lower segment)	Withlacoochee River (lower segment)	River-Estuary	Citrus, Levy	Yes	Yes	29.0208	-82.6381	N/A
Reevaluation	Southern Water Use Caution Area Saltwater Intrusion Minimum Aquifer Level (SWIMAL)	Southern Water Use Caution Area Saltwater Intrusion Minimum Aquifer Level (SWIMAL)	Aquifer	Hillsborough, Manatee, Sarasota	Yes	No	27.5603	-82.4013	N/A

Reservations Priority List.

Waterbody Name	Waterbody Type	County(s)	Proposed Year	Rulemaking Status ^c
Hancock, Lake/Lower Saddle Creek (reevaluation)	Lake, River	Polk	2025	N/A

- ^a System name identifies larger system that the water body is associated with for minimum flows or minimum water levels rule development; otherwise, system name is same as waterbody name or compliance point.
- ^b Last rulemaking action taken: Notice of Rule Development published; Notice of Proposed Rule published; Rule challenge pending; Rule adopted, Ratification not required; Rule adopted, Awaiting ratification; Rule adopted, Ratified. N/A indicates formal rulemaking has not been initiated.
- ^c Potential cross-boundary withdrawal impacts from adjacent water management district associated with the Central Florida Water Initiative area.

RESOURCE MANAGEMENT COMMITTEE

August 22, 2023

Submit & File: Information Item: Lower Hillsborough River Recovery Strategy Implementation – Annual Update

Please see attachment.

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Danielle Rogers, PWS, PMP, Environmental Project Manager, Natural Systems & Restoration

Resource Management Committee
August 22, 2023

Submit and File Report

Lower Hillsborough River Recovery Strategy Implementation – Annual Update

Purpose

To provide an annual update to the Governing Board regarding implementation of projects outlined in the Hillsborough River Recovery Strategy that are needed to recover minimum flows adopted for the Lower Hillsborough River (LHR).

Background/History

As required by Section 373.0421 of the Florida Statutes, if the actual flow of a water course is below an adopted minimum flow or is projected to fall below a minimum flow over the next 20 years, a recovery or prevention strategy is developed as part of the minimum flows establishment process. At its August 2007 meeting, the Governing Board approved rule amendments that incorporated revised minimum flows and a revised recovery strategy for the LHR into Rules 40D-8.041 and 40D-80.073, Florida Administrative Code (F.A.C.), respectively, and these rule amendments became effective on November 25, 2007. The Board also authorized a Joint Funding Agreement with the City of Tampa for implementation of recovery projects that was finalized in October 2007 and incorporated into the recovery strategy rule.

The currently adopted minimum flows for the LHR are 20 cubic feet per second (cfs) freshwater equivalent flow from July 1 through March 31, and 24 cfs freshwater equivalent flow from April 1 through June 30 at the base of the Hillsborough River Dam, as adjusted based on a proportionate amount that flow when flow at the U.S. Geological Survey (USGS) Hillsborough River gauge near Zephyrhills, Florida is below 58 cfs. For purposes of the minimum flows rule and its implementation, freshwater equivalent means water that has a salinity concentration of 0.0 ppt for modeling purposes.

The minimum flows for the LHR are based on extending a low salinity habitat with salinity range less than 5 ppt from the dam toward Sulphur Springs. The goals of the minimum flows are to effectively supply a total of 20 or 24 cfs of freshwater to the base of the Hillsborough River Dam during the two seasonal periods identified in the rule. However, when water from Sulphur Springs is used with other sources for river recovery, combined-source flows of 20 or 24 cfs do not extend the target salinity zone as far downstream as would occur with delivery of 20 or 24 cfs of freshwater to the base of the dam. This is because the portion of source-water diverted from Sulphur Springs is brackish (specific conductance $\geq 5,000 \mu\text{S}/\text{cm}$; ~ 3 ppt) (Scharping et al., 2018). Based on hydrodynamic modeling used to evaluate flow-related salinity conditions and establish minimum flows for the LHR, it was determined that a freshwater equivalent factor needed to be incorporated into the minimum flows. Analyses completed at the time of rule development indicated an additional 3 cfs added to the mixed-source recovery flows of 20 or 24 cfs yielded seasonal minimum flow rates of 23 and 27 cfs that produced a target salinity zone similar to that associated with the required 20 and 24 cfs freshwater equivalent flows (SWFWMD, 2006).

The LHR recovery strategy outlines six potential projects and a timeline for their implementation. Four projects are identified for joint funding by the District and the City of Tampa (City) and two are to be implemented by the District. Implementation of specific projects is subject to applicable diagnostic/feasibility studies and contingent on obtaining any required permits. Projects to be jointly funded by the District and the City include the:

- 1) Sulphur Springs Project (Lower Weir Modifications and Sulphur Springs Pool Upper Weir and Pump Station Modifications);
- 2) Blue Sink Analysis and Project;
- 3) Transmission Pipeline Evaluation and Project; and the
- 4) Investigation of Storage or Additional Supply Options.

Projects to be implemented by the District:

- 5) Tampa Bypass Canal (TBC) and Hillsborough River Reservoir Diversions; and the
- 6) Morris Bridge Sink Project.

The LHR recovery strategy specifies District initiation of the TBC and Hillsborough River Reservoir diversion projects and continued operation of pumping facilities on the TBC lower pool for diversion of water to the TBC middle pool at District Structure S-162. The strategy also specifies that the City would assume operation of pumping facilities on the TBC middle pool at District Structure S-161 for diversion of water to the reservoir, and at the Hillsborough River Dam for transfer of water to the lower river. District initiation and implementation of the Morris Bridge Sink project, which is to include diversion of water from the sink to the TBC and subsequent transfer of the diverted water through the reservoir to the LHR are also identified in the strategy. Similarly, continued District implementation of diversions of water from the sink to the TBC and the City's responsibility for diversion of the water from the TBC through the reservoir to the LHR are specified. Ultimately, the strategy requires the City to have met the established minimum flows for the LHR by October 1, 2017.

The recovery strategy requires that in 2013, and for each five-year period through 2023, the District shall evaluate the strategy regarding its effects on the hydrology, dissolved oxygen, salinity, temperature, pH, and biological characteristics of the LHR that have been achieved from minimum flows implementation. The first and second five-year recovery strategy assessment reports provided to the Governing Board in March 2015 and May 2020, respectively, documented improvements in salinity and other water quality and ecological conditions in the river below the dam that have resulted from minimum flows implementation, i.e., use of recovery source water when flow over the Hillsborough River Dam was insufficient to meet minimum flow requirements.

The recovery strategy also requires annual reporting to the Governing Board on progress in the implementation of the strategy. This current annual update to the Governing Board continues the series of comparable reporting efforts that first began in 2007.

Discussion

Progress on the six projects specified in the LHR recovery strategy can be summarized as follows.

- 1) Sulphur Springs Project Lower Weir Modifications — The City and District entered into a cooperative agreement in October 2008 to perform modifications to the lower weir on Sulphur Springs Run. This Lower Weir project, which was completed in October 2011, involved installation of an operable weir at the mouth of the spring run to: prevent incursions of higher-salinity water from the river during low-flow periods; allow for access to the run by manatees and other organisms during higher-flow periods when incursions of saline water are less of a concern; and enhance management flexibility for the City regarding use of spring water to meet minimum flow requirements for the LHR and Sulphur Springs Run. Data collection in the spring run has confirmed that the project effectively reduces salinity incursions from the river and allows greater flexibility regarding use of Sulphur Springs for meeting minimum flow requirements of the spring run and the LHR.

Sulphur Springs Pool Upper Weir and Pump Station Modifications — The project, which was completed in March 2012, involved: modification of the pump station at Sulphur Springs to increase reliability of and efficiently provide for variable pumping rates; replacement or modification of the Sulphur Springs upper weir and gates that control flow between Sulphur Springs Pool and Sulphur Springs Run; installation of provisions to control Sulphur Springs Pool pumping rates based on the water temperature and salinity of adjacent monitoring stations; and modification and/or replacement of the Sulphur Springs pump station intake to allow for the range of anticipated water levels in Sulphur Springs Pool.

The modified Sulphur Springs facilities are currently operational and have proven to be effective for providing variable rates of flow to both the spring run and the LHR.

- 2) Blue Sink Analysis and Project — The City completed pipeline and pump station design for the Blue Sink Project, issued plans and specifications for the two project elements in March 2015, executed an agreement for construction management and a well mitigation program for the project in June 2015, and issued notices to proceed with pump station and pipeline construction in July and August 2015, respectively. Construction and construction restoration for the Blue Sink pipeline were completed in April and May 2016, respectively. The City began operation of the Blue Sink pumping facility in November 2017. The facility was first used for minimum flow implementation in March 2018 and continues to be used as needed.
- 3) Transmission Pipeline Evaluation and Project — As part of the LHR recovery strategy, the construction of a pipeline from the TBC middle pool at Structure S-161 to the base of the Hillsborough River Dam was considered to address potential water savings associated with use of a pipeline versus use of the reservoir for conveyance of water to be used for augmenting LHR flows. The District and City facilitated a peer review of this potential project in 2008 and findings of the review panel (Davis et al., 2008) were submitted to the District and City in September 2008. The panel concluded the only water loss to the system is through evaporation of the increased volume of water pumped for augmentation and that this loss is minor. The panel also noted “the projected water saving by transporting the augmentation water in a pipeline rather than through the reservoir is relatively small.” Based on the review, the City (Weber, 2023) recently informed the District that they determined pipeline construction cost out-weighed any potential water savings and the need for additional analysis regarding its feasibility, adding that the pipeline was, therefore, not constructed.

Since completion of the 2008 peer review, the District has not considered the Transmission Pipeline project to be a viable project for recovery of the LHR (e.g., SWFWMD 2008). In their recent letter to the District (Weber, 2023), the City indicated the projected water savings that were anticipated from the constructed pipeline project (up to 2.75 cfs) would be provided to the LHR for minimum flow compliance.

- 4) Investigation of Storage or Additional Supply Options — Consistent with the recovery strategy, the City and the District entered into a joint funding agreement in July 2010 to investigate other storage and supply options to meet recovery plan objectives for the LHR. The first components of the project, which involved review of the status of other recovery projects and identification of the need for additional storage or supply projects to meet the LHR minimum flow requirements, were completed in April 2011 (MHW Americas, Inc., 2011) and indicate that the identified sources of water in the recovery strategy may be sufficient for achieving minimum flow requirements in the LHR. A project completion report (Weber, 2018) submitted to the District by the City in October 2018 and their recent communication with District

regarding the Transmission Pipeline Project (Weber, 2023) further indicate that the City is positioned and committed to implementing and investigating projects that will ensure the LHR minimum flows are met.

- 5) Tampa Bypass Canal and Hillsborough Reservoir Diversions — To implement minimum flows in the LHR as soon as practical, the current recovery strategy required the District, by January 1, 2008, to divert up to 7.1 mgd (equivalently 11 cfs) of water from the middle pool of the TBC to the Hillsborough River Reservoir at Structure S-161 and then deliver seventy-five percent of this water to the LHR at the base of the Hillsborough River Dam. Using temporary pumping facilities, water has been supplied from the TBC to the LHR as needed since December 31, 2007. A consumptive water use permit (Permit No. 20020575.000) for these diversions was issued to the District by the Florida Department of Environmental Protection (DEP) on December 17, 2015.

Transfer of the District temporary pumping facilities to the City at the S-161 structure and at the dam occurred in late November 2017. Water Use Permit No. 20020802.000 for augmentation of the reservoir with water from the TBC, was issued to the City by the District on April 23, 2019, and the consumptive use permit previously issued by DEP to the District for these diversions was cancelled. An agreement between the City and District for the Lower Hillsborough River Dam Control Gate Facilities (Project N492) to replace temporary pumping facilities at the dam was finalized in October 2017. Construction and operational tests for the gate were completed on July 20, 2018, and the City began using it for minimum flow augmentation on April 1, 2019.

Since then, necessary diversions from the TBC middle pool to the reservoir for delivery to the LHR for minimum flow needs have been conducted by the City in accordance with the recovery strategy.

- 6) Morris Bridge Sink Project - The LHR recovery strategy specifies that by October 1, 2012, or earlier, and upon completion of the project, provided that any permit that may be required is approved, the District will divert up to 3.9 mgd (6 cfs) of water on any given day from Morris Bridge Sink to the TBC for the City to transfer to the reservoir and deliver to the base of the Hillsborough River Dam to help achieve minimum flows in the LHR.

On January 15, 2016, the DEP issued Consumptive Water Use Permit No. 20020574.000 to the District for withdrawals from Morris Bridge Sink. In February 2016, the District initiated a project for consultant services addressing design of a pump station at Morris Bridge Sink for diversion of water from the sink to the upper pool of the TBC, a pipeline, and a second pump station at District Structure S-159 for diversion of water from the upper to the middle pool of the TBC. Project design and permitting have been completed. If necessary, the District could utilize portable pumps and piping to commence withdrawals of Morris Bridge Sink .

The projects described in this annual report are intended to provide a sufficient flow of freshwater and low-salinity water below the Hillsborough River Dam to restore low-salinity habitat within the LHR and achieve an oligohaline zone (salinity < 5 ppt) from the dam towards Sulphur Spring. Figure 1 displays the number of no flow days (i.e., when flow at dam is less than 1 cfs) per year between 1996 to 2022. On average, water did not flow over the dam for 149 days each year (range: 9 to 315 days). In 2022, no flow occurred on 78 days. Without this flow, salinity below the dam is relatively high and no low salinity habitat exists for much of the year. Implementation of recovery strategy projects has helped mitigate this condition and address minimum flow requirements for the LHR.

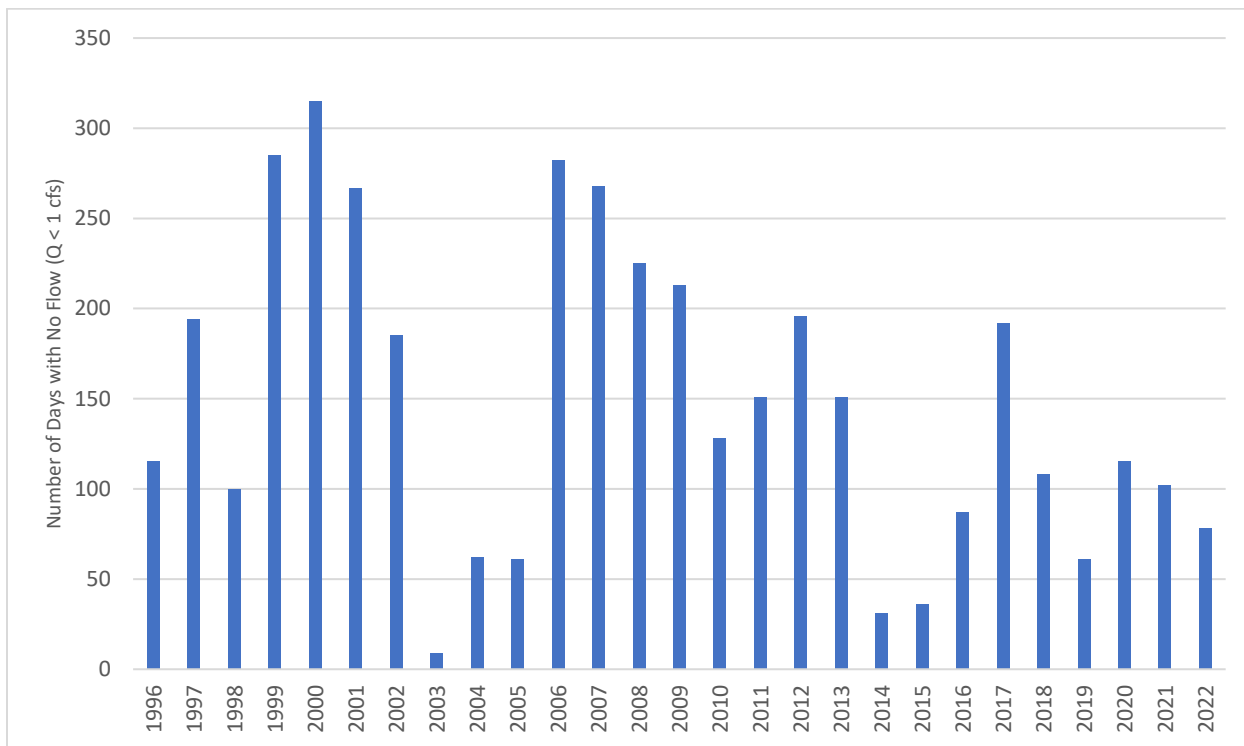


Figure 1. Number of no-flow (i.e., flows < 1 cfs) days at the U.S. Geological Survey Hillsborough River near Tampa, FL gage at the Hillsborough River Dam from 1996 through 2022.

Improvement in river salinities through implementation of recovery projects is evident based examination of salinity data collected in the vicinity of Rowlett Park, which is located adjacent to and immediately downstream of the Hillsborough River Dam. Figure 2 contrasts salinity in near surface water at this site from 1/1/1997 to 6/30/2023. During the early portion of this record, Period 1 (1997—2001), no water was delivered to the base of the dam to meet the minimum flow that had been established for the river in 2000. In Period 2 (2002—2007), up to 10 cfs of low salinity water from Sulphur Springs could be diverted to the base of the dam in accordance with the then existent recovery strategy. During Period 3 (2008—2011), which followed revision of the LHR minimum flows and adoption of the current recovery strategy, up to 10 cfs of low salinity water from Sulphur Springs and 8 cfs of freshwater from the TBC for diversion to the base of the dam was used for minimum flow implementation, for a combined total of up to 18 cfs. In Period 4 (2012—2017), up to 18 cfs of low salinity water from Sulphur Spring and 8 cfs of freshwater from TBC, for a combined total of up to 26 cfs were used for river recovery. Most recently, during Period 5 (2018—2023), up to 18 cfs of low salinity water from Sulphur Springs, 8 cfs of freshwater from TBC, and 3 cfs of freshwater from Blue Sink, for a combined total available flow of up to 29 cfs was used to augment flows. Figure 2 clearly demonstrates the benefits of supplying 10 cfs in Period 2 (approximately 50% of the currently adopted minimum flow), 18 cfs in Period 4 (approximately 75 percent of minimum flow), and full minimum flow implementation in Period 5 as compared to conditions that existed during Period 1 in the absence of an established minimum flow and flow augmentation.

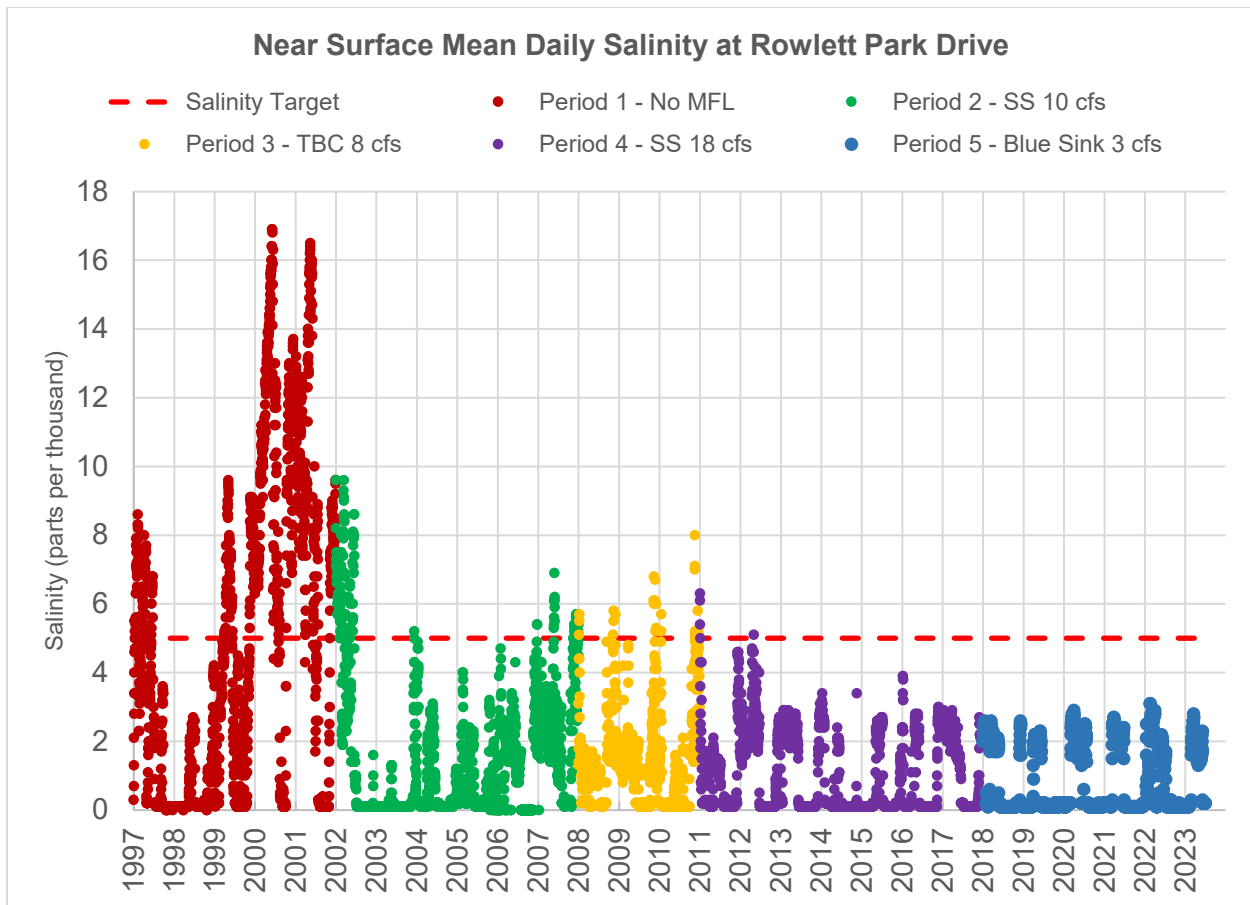


Figure 2. Near surface mean daily salinity in the Lower Hillsborough River at the U.S. Geological Survey Rowlett Park Drive near Tampa, FL gage for five periods: Period 1, no minimum flows implemented; Period 2, up to 10 cfs flow available to be supplied from Sulphur Springs; Period 3, up to 10 cfs from Sulphur Springs and 8 cfs available from the Tampa Bypass Canal (TBC); Period 4, up to 18 cfs Sulphur Springs flow and 8 cfs flow from the TBC; Period 5, up to 18 cfs Sulphur Springs flow, 8 cfs from the TBC, 3 cfs from Blue Sink.

Minimum flow implementation was required for 104 nonconsecutive days in 2022. Minimum flow implementation for the year was first required on January 14, 2022, when flows over the dam fell below the seasonal minimum flow freshwater target of 23 cfs. The City initiated minimum flow implementation by diverting water to the base of the dam from Sulphur Springs, and later Blue Sink and the TBC. There were 6 different periods of nonconsecutive minimum flow implementation in 2022. Natural flow over the dam met the seasonally adjusted minimum flow freshwater target of 23 cfs beginning July 8, 2022.

Minimum flow implementation was required for 98 consecutive days in the first half of 2023 (January 1, 2023 – June 30, 2023). During this period, minimum flow implementation was first required February 25, 2023, when flows over the dam fell below the seasonal minimum flow freshwater target of 23 cfs. The City initiated minimum flow implementation by diverting water to the base of the dam from Sulphur Springs and Blue Sink, and later from the TBC. Minimum flow implementation was required consecutively until June 19, 2023, when natural flow over the dam met the seasonal adjusted minimum flow freshwater target of 23 cfs. The City consistently applied the additional 3 cfs freshwater equivalent flow during the operation of minimum flow

implementation in 2023, achieving the minimum flow for LHR all days in 2023 through June 30, 2023.

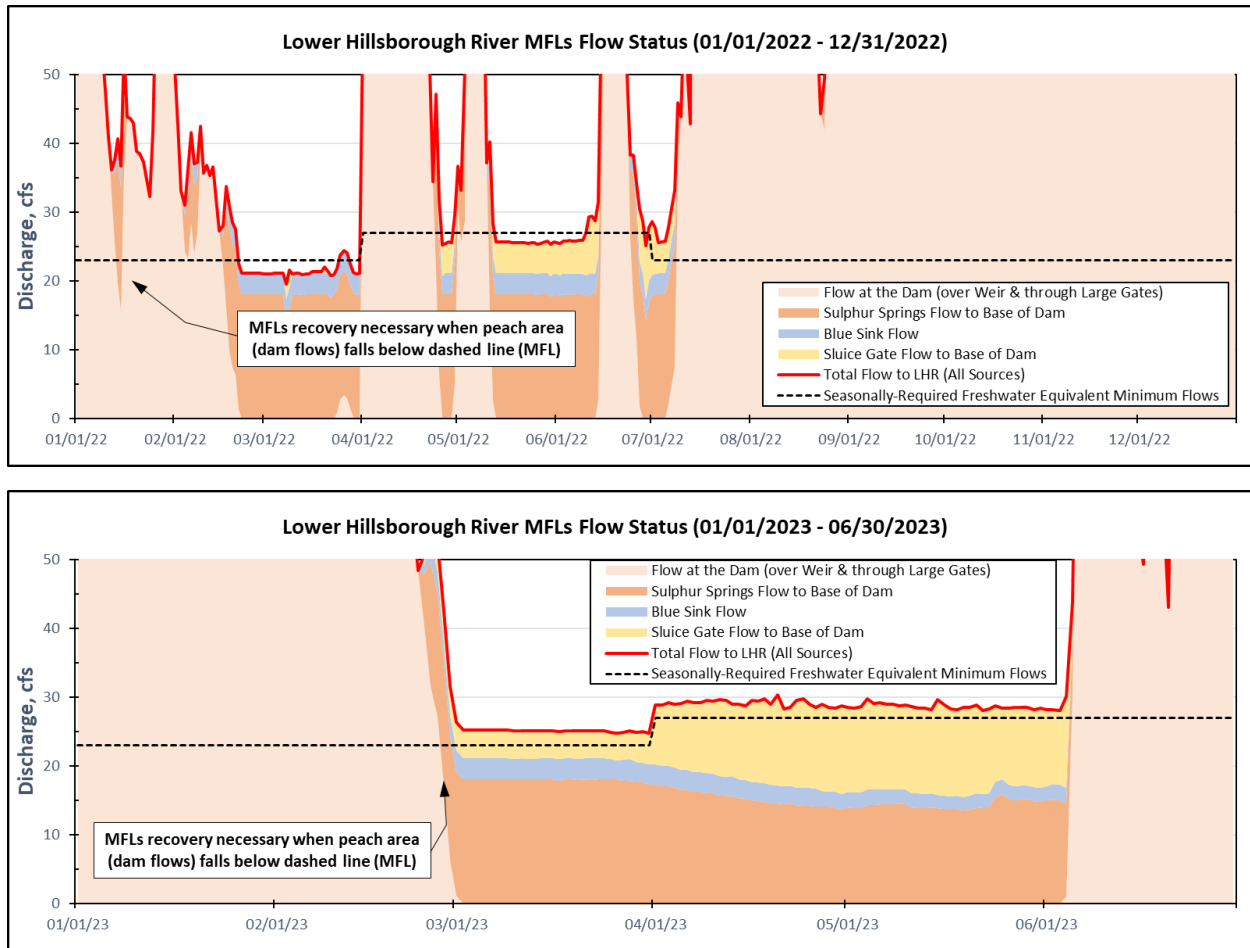


Figure 3. Minimum flows implementation for the Lower Hillsborough River in 2022 (upper panel) and from January 1, 2023, through June 30, 2023 (lower panel). Seasonally-required minimum flows with freshwater equivalents are depicted as the dashed black line. Minimum flows implementation was required when flow over the Hillsborough River Dam was insufficient to meet minimum flow requirements and included diversions to the base of the Hillsborough River Dam from Sulphur Springs and Blue Sink, and water that is released from the reservoir (sluice gate flow) after being diverted to the reservoir from the Tampa Bypass Canal. Note: information shown in the lower panel of this figure includes some provisional data.

Per recommendations included in the second five-year recovery assessment report, the District initiated bi-annual (twice a year) biological sampling in the LHR, including sampling of zooplankton, nekton, and benthic macroinvertebrates. Sampling methods and frequency were later adjusted to address stakeholder comments and target dry season sampling. Six sampling events have been completed since May 2020.

Water quality data collection has continued in 2023. A monitoring station was installed in 2020 to collect continuous specific conductance, dissolved oxygen, pH, turbidity, temperature, and depth data upstream of the confluence of the Sulphur Springs Run and the LHR. This data will enhance the characterization and understanding of salinity conditions in the target zone associated with the LHR minimum flows, i.e., the area between the base of the dam and Sulphur Springs. The District is also collecting monthly vertical profile water quality data (pH, specific conductance, salinity, water temperature, and dissolved oxygen) at 16 sites within the LHR, and obtaining samples from one site for additional laboratory-based water quality analyses monthly during periods of minimum flow implementation.

Hydrodynamic model construction continued in 2023. The model will incorporate additional bathymetric data collected in 2021 and additional flow and water quality data. The updated model will improve low salinity habitat simulations in the LHR and provide information about low salinity habitats in the Sulphur Spring Run. In addition, District staff conducted periodic algal coverage monitoring in Sulphur Springs from 2021-2023. Monitoring data was also collected at Morris Bridge Sink from 2019- 2023 to support the consumptive water use permit issued for potential use of the sink as a recovery source for the river.

The District has held four stakeholder meetings since 2020 to review the status of the LHR minimum flows and recovery strategy and discuss planned and ongoing data collection and analysis efforts to support the third five-year recovery strategy assessment. An agreement with a consultant is under development to support completion of a draft report on the third five-year assessment in 2024.

In summary, all activities and projects proposed in the adopted LHR recovery strategy are either underway, completed, or have been deemed not viable or actionable. Important components of the strategy are currently in operation or available, including facilities or plans for the use of Sulphur Springs, Blue Sink, the TBC and Morris Bridge Sink as recovery flow sources, and results from recent years suggest that the desired goal of creating low-salinity habitat below the Hillsborough River Dam can be sustained through minimum flows implementation.

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- Weber, C. 2018. Technical memorandum to Eric DeHaven, P.G., Southwest Florida Water Management District, dated October 30, 2018. Subject: Summary report on the Investigation of Additional Water Supply Options (H400). City of Tampa Water Department. Tampa, Florida.
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Governing Board Meeting
August 22, 2023

5. OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

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OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

August 22, 2023

Discussion: Information Item: Consent Item(s) Moved to Discussion

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Brian S. Starford, P.G., Division Director, Operations, Lands and Resource Monitoring

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

August 22, 2023

Discussion: Information Item: Hydrologic Conditions Report

- July is the second month of the 4-month rainy season (June through September). Rainfall was scattered, regionally and locally variable, and mainly associated with sea breeze/convective thunderstorm activity.
- **Rainfall:** Provisional (Jul. 1-31) rainfall totals were within the normal range in the northern counties, while they were significantly below normal in the central and southern counties. The Districtwide 12-month cumulative rainfall total decreased and ended the month at a deficit of 0.43 inches below the long-term historical average. The rainfall deficit is greatest in the northern counties at 5.33 inches below the mean.
- **Streamflow:** Monthly streamflow increased at six of twelve monitoring stations, while flow decreased at five stations. The Manatee River near Myakka Head station remains out-of-service due to channel maintenance work. Seven stations reported normal flow, while four stations reported below-normal flow. Regional streamflow, based on three index rivers, ended the month below normal in the northern and southern regions, while within the normal range in the central region.
- **Groundwater:** The regional aquifer level percentiles decreased in all three regions of the District. Regional levels ended the month within the normal range in all three regions.
- **Lake Levels:** Regional levels declined in the North and Polk Uplands regions, while they increased in the Tampa Bay and Lake Wales Ridge regions. Regional levels ended the month below normal in the North and Tampa Bay regions, normal in the Polk Uplands region and borderline normal to below normal in the Lake Wales Ridge region.
- **Overall:** Regional hydrologic indicator responses during July were mixed (i.e., some increases and decreases) due to the regional and spatial variability of the rainfall. The National Oceanic and Atmospheric Administration predicts equal chances for normal, above-normal or below-normal rainfall through October 2023. The tropics, while currently minimally active, could bring additional rainfall during the remainder of the tropical storm season.

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Tamera McBride, Hydrologic Data Manager, Data Collection

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

August 22, 2023

Discussion: Information Item: Overview of Land Management Plan Updates

Purpose

To provide an overview of the process utilized by the Land Resources Bureau's Land Management Section to update the District's Land Management Plans (Plans). The discussion will include the standards and processes used to update Plans, the Plan template that is being used for Plan updates, a status update on the timeline for updating all Plans the District is responsible for, and showcase staff efforts and coordination across multiple District bureaus to update the Plans.

Background/History

The District has a Governing Board Policy titled Land Use and Management (Policy) that directs that lands acquired for, or designated for, conservation purposes have management plans that link the uses and management strategies to the protection of key water resources and natural systems attributes for which they were acquired, when they are of a sufficient size to make such a plan practical. Additionally, the District has an Executive Director Procedure titled Land Use and Management Planning (Procedure) that supports the Policy and also directs that lands acquired for, or designated for, conservation purposes have a comprehensive management strategy set forth when it is practical and necessary. Accordingly, the District is responsible for seventeen (17) Land Management Plans for conservation lands it owns. The Policy and the Procedure both direct that Plans be reviewed at a minimum every ten (10) years, at which time the Land Resources Bureau will recommend whether to retain or revise the existing Plan.

This year, the Land Management Section completed updates of four (4) Land Management Plans: Conner Preserve, Flatford Swamp Preserve, Flying Eagle Preserve, and Prairie Shell Creek Preserve. These plans were provided to the Governing Board members under separate cover prior to the August Governing Board meeting and will be brought back to the Governing Board for consideration and approval on the September Governing Board meeting consent agenda. Public comments were solicited via a public workshop held on July 20, 2023, as well as online via the District's website for a two (2) week period. No comments were received.

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Chris Reed, Manager, Land Management

OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE**August 22, 2023****Discussion: Action Item: Surplus Lands 2023 Biennial Assessment***Purpose*

To request Governing Board approval of a surplus designation of certain District lands identified as no longer needed for conservation purposes as well as removal of the surplus designation on certain parcels previously designated as surplus. Such approval must be by two-thirds majority vote. Staff recommends that three hundred twelve (312) parcels totaling approximately 233 acres be designated surplus by the Governing Board and disposed of accordingly, and three (3) parcels totaling 14.08 acres that were previously declared surplus in 2013 have that surplus designation removed. Exhibit 1 includes a summary of the assessment process, details for each parcel recommended for surplus, Subject Matter Expert evaluation forms for each parcel recommended for surplus, maps of each parcel, and staff recommendations as to specific sale terms.

Background

Governing Board Policy regarding the Sale, Exchange, or Conveyance of Interest in Land by the District states that the Governing Board will review the District's landholdings on a biennial basis to identify lands appropriate to surplus. To date, staff have undertaken six (6) assessments of District landholdings either independently, as directed by the Florida Legislature, or most recently, pursuant to Governing Board Policy. The first assessment was conducted in 2011, and to date the Governing Board has declared approximately 5,000 acres as surplus.

In addition to landholdings being assessed for potential surplus on a biennial basis, assessments as to surplus opportunities are also conducted during the acquisition process. If an acquisition includes land that does not meet conservation or other needs of the District, staff will recommend it be declared surplus at the time of acquisition. In general, staff work to ensure that the District's landholdings are limited to lands that significantly meet at least two (2) of the District's four (4) Areas of Responsibility (AORs): water supply, water quality, flood protection, and natural systems.

Accordingly, in November 2022, staff began the scheduled biennial review of all District fee landholdings to identify lands that no longer meet the original acquisition purposes or do not provide substantive water resource benefits. Per Florida Statutes and District Policy, use of the proceeds from the sale of surplus lands is restricted to certain purposes, such as purchasing lands or interests in land for flood control, water storage, water management, conservation, protection of water resources, aquifer recharge, water resource and water supply development, and preservation of wetlands, streams, and lakes, or payment of debt service on revenue bonds or notes issued under Section 373.584, Florida Statutes.

Assessment Process

In order to identify District fee landholdings that could potentially be declared surplus, Land Resources staff follow a specific internal process designed to thoroughly review existing landholdings. First, an assessment is conducted using an environmentally sensitive lands tool for an initial review of how existing landholdings relate to the District's four (4) AORs. Landholdings are then further evaluated to determine if they should be sold and protected with a less-than-fee interest such as a conservation easement.

Candidate parcels identified through the above-referenced review are then reviewed by District Subject Matter Experts (SMEs) across different bureaus. These SMEs perform a detailed evaluation to determine certain criteria, including but not limited to whether candidate parcels provide substantial water resource benefits (water supply, water quality, natural systems or flood protection), are a cultural resource, are a conservation corridor, provide significant recreational opportunities, and if they are marketable. Candidate parcels and the SME reviews of each candidate parcel are then presented to the District's Environmental Advisory Committee at their regular quarterly public meeting for input.

The process set forth above along with the candidate parcels are also posted to the District's website to inform the public and receive questions, comments and/or concerns. In order to further include the public in the evaluation process, a public workshop is held, and any public comments received either through the online posting or at the workshop are then presented to the Governing Board along with the parcels under consideration for a surplus declaration.

Land Resources staff have concluded the above process and determined that three hundred twelve (312) candidate parcels are appropriate for a surplus declaration as set forth in Exhibit 1. Any public commentary as to the candidate parcels is provided in Exhibit 1 as well.

Additionally, staff reached out to our cooperators that have partnered with the District to acquire conservation lands and requested their input as to potential parcels that could be surplus on properties owned by the District where the partner contributed to the acquisition.

Finally, Land Resources staff are requesting that three (3) parcels which were previously declared surplus have the surplus designation removed due to lack of marketability, pre-existing agreements, or lack of ownership interest. The Tampa Bypass Canal (TBC) - 8 is approximately 1.35 acres and encumbered by two easements to the Florida Department of Transportation and Tampa Electric Company. The TBC-12 is a 12.04-acre parcel that is under a 30-year agreement with Hillsborough County for a community park and a recent title search determined that TBC-17, a 0.34-acre parcel is not owned by the District. Consequently, staff recommend removal of the surplus designation. Exhibit 1 includes a summary of the issues and maps depicting the parcels.

Benefits/Costs

Periodic evaluation of the District's fee landholdings for potential surplus opportunities is fiscally responsible and provides a method for funding additional land purchases that better meet the District's mission and AORs.

Staff Recommendation:

- Accept the District's 2023 Surplus Lands Biennial Assessment conducted in accordance with Governing Board Policy.
- Approve, by a two-thirds majority vote, the surplus of properties identified through the assessment process that are no longer needed for conservation purposes. Such properties are identified in Exhibit 1 and may continue to be protected through deed restriction and sold for the highest price obtainable.
- Approve removal of the declaration of surplus for TBC-8, TBC-12, and TBC-17.

Presenter:

Ellen Morrison, Bureau Chief, Land Resources

August 22, 2023

Surplus Lands

2023 BIENNIAL ASSESSMENT

Southwest Florida
Water Management District

The logo for Southwest Florida Water Management District features a stylized, wavy line representing water, positioned below the text.

Surplus Lands 2023 Biennial Assessment Summary

In 2011, at the direction of the Governing Board, the District began a regular assessment of its landholdings to determine surplus opportunities. In 2015, the Governing Board amended the Sale, Exchange, or Conveyance of Interest in Lands by the District Policy to require this assessment occur on a biennial basis. Through the last four surplus lands assessments, the Governing Board has declared approximately 5,000 acres for surplus or transfer/exchange to another governmental entity.

District staff have conducted a coarse review of properties that do not provide significant benefit to the District's areas of responsibility, were determined to be a management inefficiency, or no longer required for a project. Those parcels identified were provided to the District's Subject Matter Experts (SMEs). The SMEs performed a detailed evaluation to thoroughly evaluate whether the parcels provided substantial water resource benefits, were a cultural resource, were a conservation corridor, provided significant recreational opportunities, and if they were marketable.

The identified parcels, maps, SME forms, and proposed sale conditions were then presented to the District's Environmental Advisory Committee (EAC) on July 11th, and the parcels were made available for public comment via the District's Land for Sale webpage. The public has had an opportunity to comment on the potential surplus parcels at the EAC meeting, on the webpage, and during a public meeting on June 28th. To date two public comments have been received.

2023 Surplus Lands Biennial Assessment Results

Parcels Recommended for Surplus Declaration			
Surplus ID	Property	Acreage	Recommended Conditions
AH-8	Annutteliga Hammock (117 parcels)	90.84	Deed restriction on all parcels of "No septic system or other device for the sanitary disposal of waste shall be installed on the Property."
AH-9	Annutteliga Hammock (190 parcels)	122.01	Deed restriction on all parcels of "No septic system or other device for the sanitary disposal of waste shall be installed on the Property."
GSE-8	Green Swamp East	5.00	None
GSE-9	Green Swamp East	1.03	Deed restriction on the parcel of "No septic system or other device for the sanitary disposal of waste shall be installed on the Property."
TBC-3	Tampa Bypass Canal	1.23	Request approval to subdivide parcel if in the best interest of the District.
TBC-11	Tampa Bypass Canal	2.15	Request approval to subdivide parcel if in the best interest of the District.
TBE-3	Tampa Bay Estuarine Ecosystem	11.06	Retain ingress/egress easement.
Total		233.32	

The following documents provides details of the parcels currently being recommended for surplus.

Annutteliga Hammock AH-8



2023 Potential Surplus Parcel Review

PARCEL INFORMATION			
SWF Surplus Parcel ID:	AH-8	SWF Parent Parcel(s):	Multiple Parcels
Acres:	90.84	Funding Source(s):	WMLTF, P2000, FF, and Ad Valorem
County:	Hernando	Date(s) Acquired:	Multiple 1998 - 2010

PLEASE ONLY ANSWER THOSE AREAS RELATED TO YOUR SPECIFIC AREA OF EXPERTISE. FOR WATER SUPPLY, FLOOD PROTECTON, WATER QUALITY AND NATURAL SYSTEMS PUT YOUR ANSWER IN A FORM AS IF YOU WERE ANSWERING THESE QUESTIONS: “IF THE DISTRICT WERE OFFERED TO PURCHASE THIS PARCEL AND YOU WERE GIVING A PROFESSIONAL OPINION TO THE GOVERNING BOARD RELATED TO YOUR AREA OF EXPERTISE REGARDING THE PURCHASE OF THIS PARCEL, WHAT WOULD IT BE?” “WOULD YOU RECOMMEND THAT THE PARCEL BE PURCHASED TO SUPPORT THAT OPINION?”

Water Supply	The subject parcels are located within an area of relatively high recharge to the Upper Floridan aquifer, the primary source of water supply within the District’s Northern Planning Region. However, the total acreage and discontinuous nature of the parcels provide limited benefits for recharge or water supply development purposes, therefore acquisition would not be recommended.
Flood Protection	Would not recommend purchase of these parcels for flood protection. Only 0.4% of parcel (0.33 acres) is within the high-risk flood zone as defined by FEMA. Very minimal flood protection benefit exists on these parcels.
Water Quality	Prevents nitrate pollution associated with septic tanks and fertilizer within the Chassahowitzka Springs Protection Area; Deed restriction of no septic system or other devise for sanitary disposal of waste would prevent increased nitrate pollution from septic tanks minimizing impact if surplused. However, pollution from fertilizers and runoff from impervious surfaces could increase if surplused. The purchase of this parcel would be supported to prevent increased nutrient pollution to the springshed from septic tanks.
Natural Systems	The immediate area has been recognized for its connectivity value of core conservation lands and supports sandhill communities recognized by the state as an imperiled community type. There is tremendous ecological value of the parcels under consideration but the ability to manage parcel by parcel is not practical for the District to continue. If the District were offered to purchase this parcel, I would not recommend the purchase from a management efficiency perspective. In addition to declaring restrictions to septic and fertilizer use, we may want to include guidance as to what is acceptable property maintenance and what may be deemed a violation of the conservation easement to prevent significant degradation to the natural systems value in this important corridor connection.
Describe any of the parcel’s current management issues	These are disjunct parcels that are difficult to manage, maintain security and apply prescribe fire.
Describe any of the parcel’s current access issues and/or issues created if the parcel is surplused	There are no access issues, and the potential surplus of these parcels will not create issues.
Describe the parcel’s significance to linkage of conservation corridors	The collection of parcels all exists within Priority 1 or the highest level of priority within the Florida Ecological and Greenways Network, as well as the Florida Wildlife Corridor. This particular area is an important conservation corridor between the coastal Chassahowitzka River swamps and the large conservation lands to the east, such as the Citrus Tract of the Withlacoochee State Forest. This is also one of the last remaining areas of intact habitat that is undeveloped and connects the interior of the Wildlife Corridor to the nature coast and on up into the Big Bend and Panhandle.

Identify any current agreements that would be impacted if this parcel were surplus	There are no agreements associated with these parcels.
Describe the parcel's significance to cultural resources	The Florida Department of State, Division of Historic Resources was contacted to determine if significant cultural resources are documented on these parcels. It was found that there are NO known culturally significant sites on these parcels.
Identify any data collection sites on the parcel, or any issues that would be created if surplus	There are no data collection sites or planned data collection sites on these parcels.
Describe the parcel's marketability if surplus	There has been a steady interest from the adjacent landowners to purchase lots already declared surplus despite the deed restriction of no septic system or other device for sanitary disposal of waste. Saleable subject to conditions to protect recharge and reduce density.
Identify the parcel's current zoning & Future Land Use designation	Hernando County identifies the Future Land Use Designation as Residential / Rural / Conservation.

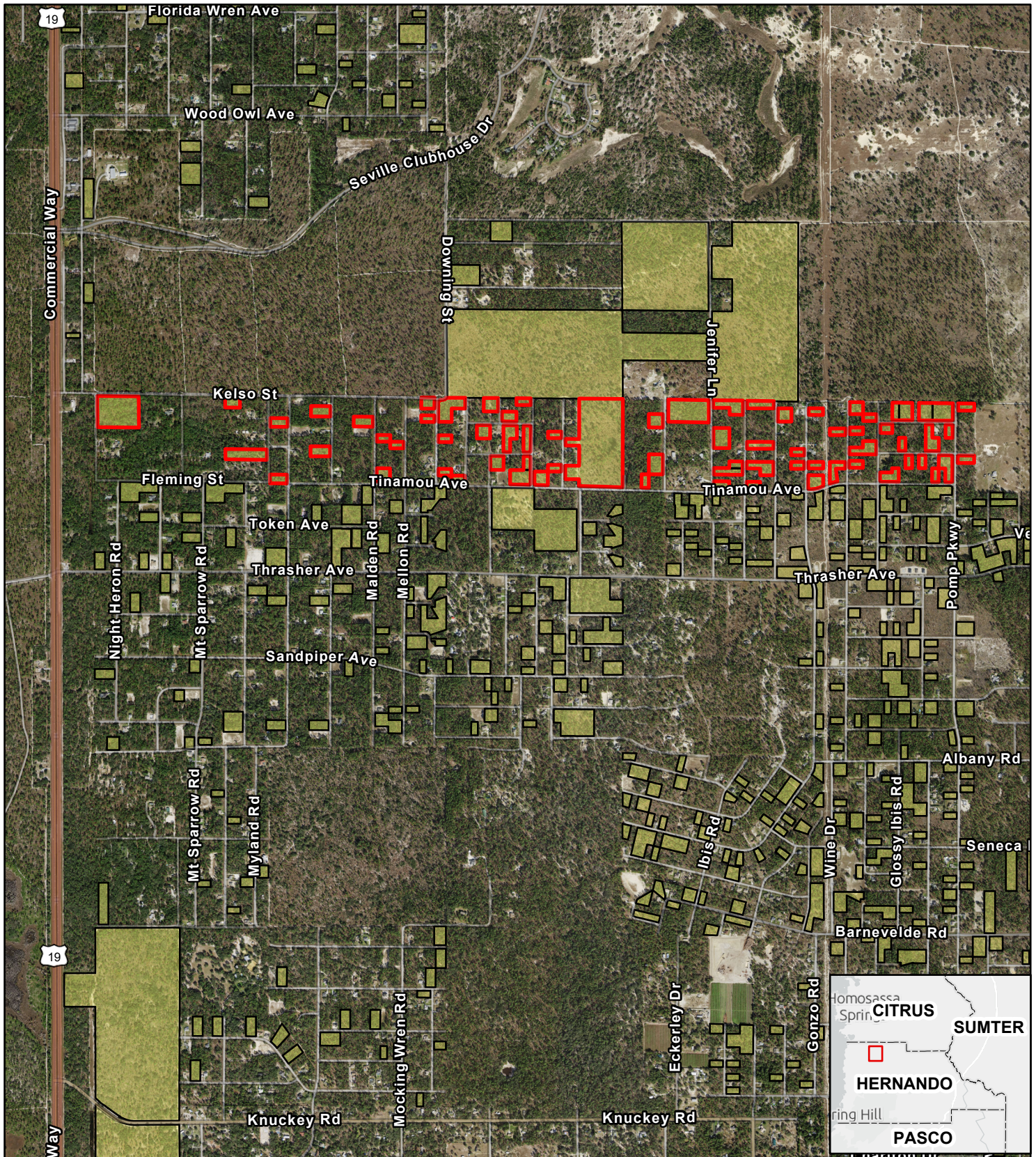
THE QUESTIONS BELOW WILL BE ANSWERED BY THE SURPLUS CORE TEAM

Is it recommended to present the parcel to the Governing Board for surplus?	Yes
If parcel recommended for surplus, list conditions such as retaining conservation or access easements; list any conditions specific to this parcel	Staff recommends all parcels be sold with a deed restriction that states "No septic system or other device for the sanitary disposal of waste shall be installed on the Property."

THE BLOCKS BELOW WILL BE FILLED IN BEFORE PRESENTATION TO THE GOVERNING BOARD

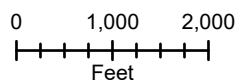
Environmental Advisory Committee comments from July 11, 2023, meeting	The EAC provided one comment and asked one question related to TBC-3, TBC-11, AH-8, and AH-9.
Public comments	One member of the public was concerned about additional septic systems in the area. Parcels are being recommended with a deed restriction of no septic system.

Annutteliga Hammock (Surplus ID AH-8)



Southwest Florida Water Management District, FDEP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, FDEP, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS

- Potential Surplus Parcels (Surplus ID AH-8)
- District Owned Lands Fee Simple



Southwest Florida
Water Management District

Annutteliga Hammock AH-9



2023 Potential Surplus Parcel Review

PARCEL INFORMATION			
SWF Surplus Parcel ID:	AH-9	SWF Parent Parcel(s):	Multiple Parcels
Acres:	122.01	Funding Source(s):	WMLTF, P2000, FF
County:	Hernando	Date(s) Acquired:	Multiple 1998 - 2010

PLEASE ONLY ANSWER THOSE AREAS RELATED TO YOUR SPECIFIC AREA OF EXPERTISE. FOR WATER SUPPLY, FLOOD PROTECTION, WATER QUALITY AND NATURAL SYSTEMS PUT YOUR ANSWER IN A FORM AS IF YOU WERE ANSWERING THESE QUESTIONS: "IF THE DISTRICT WERE OFFERED TO PURCHASE THIS PARCEL AND YOU WERE GIVING A PROFESSIONAL OPINION TO THE GOVERNING BOARD RELATED TO YOUR AREA OF EXPERTISE REGARDING THE PURCHASE OF THIS PARCEL, WHAT WOULD IT BE?" "WOULD YOU RECOMMEND THAT THE PARCEL BE PURCHASED TO SUPPORT THAT OPINION?"

Water Supply	The subject parcels are located within an area of relatively high recharge to the Upper Floridan aquifer, the primary source of water supply within the District's Northern Planning Region. However, the total acreage and discontinuous nature of the parcels provide limited benefits for recharge or water supply development purposes, therefore acquisition would not be recommended.
Flood Protection	Would not recommend purchase of these parcels for flood protection. Only 0.36% of parcel (0.44 acres) is within the high-risk flood zone as defined by FEMA. Very minimal flood protection benefit exists on these parcels.
Water Quality	Prevents nitrate pollution associated with septic tanks and fertilizer within the Chassahowitzka Springs Protection Area; Deed restriction of no septic system or other device for sanitary disposal of waste would prevent increased nitrate pollution from septic tanks minimizing impact if surplus. However, pollution from fertilizers and runoff from impervious surfaces could increase if surplus. The purchase of this parcel would be supported to prevent increased nutrient pollution to the springshed from septic tanks.
Natural Systems	The immediate area has been recognized for its connectivity value of core conservation lands and supports sandhill communities recognized by the state as an imperiled community type. There is tremendous ecological value of the parcels under consideration but the ability to manage parcel by parcel is not practical for the District to continue. If the District were offered to purchase this parcel, I would not recommend the purchase from a management efficiency perspective. In addition to declaring restrictions to septic and fertilizer use, we may want to include guidance as to what is acceptable property maintenance and what may be deemed a violation of the conservation easement to prevent significant degradation to the natural systems value in this important corridor connection.
Describe any of the parcel's current management issues	These are disjunct parcels that are difficult to manage, maintain security and apply prescribe fire.
Describe any of the parcel's current access issues and/or issues created if the parcel is surplus	There are no access issues, and the potential surplus of these parcels will not create issues.
Describe the parcel's significance to linkage of conservation corridors	The collection of parcels all exists within Priority 1 or the highest level of priority within the Florida Ecological and Greenways Network, as well as the Florida Wildlife Corridor. This particular area is an important conservation corridor between the coastal Chassahowitzka River swamps and the large conservation lands to the east, such as the Citrus Tract of the Withlacoochee State Forest. This is also one of the last remaining areas of intact habitat that is undeveloped and connects the interior of the Wildlife Corridor to the nature coast and on up into the Big Bend and Panhandle.

Identify any current agreements that would be impacted if this parcel were surplused	There are no agreements associated with these parcels.
Describe the parcel's significance to cultural resources	The Florida Department of State, Division of Historic Resources was contacted to determine if significant cultural resources are documented on these parcels. It was found that the lots to the east of the powerline and to the west of the Suncoast Parkway intersect with the "Bubba Noris" site (HE00250) which contains lithic scatter (aboriginal). The Florida Master Site File form for this site states that "The sparse artifact assemblage suggests that this site has limited research potential. This site does not possess the qualities of significance as defined by the National Register of Historic Places criteria for evaluation." The form also states that "preservation of the site is NOT recommended".
Identify any data collection sites on the parcel, or any issues that would be created if surplused	There are no data collection sites or planned data collection sites on these parcels.
Describe the parcel's marketability if surplused	There has been a steady interest from the adjacent landowners to purchase lots already declared surplus despite the deed restriction of no septic system or other device for sanitary disposal of waste. Saleable subject to conditions to protect recharge and reduce density.
Identify the parcel's current zoning & Future Land Use designation	Hernando County identifies the Future Land Use Designation as Residential / Rural / Conservation

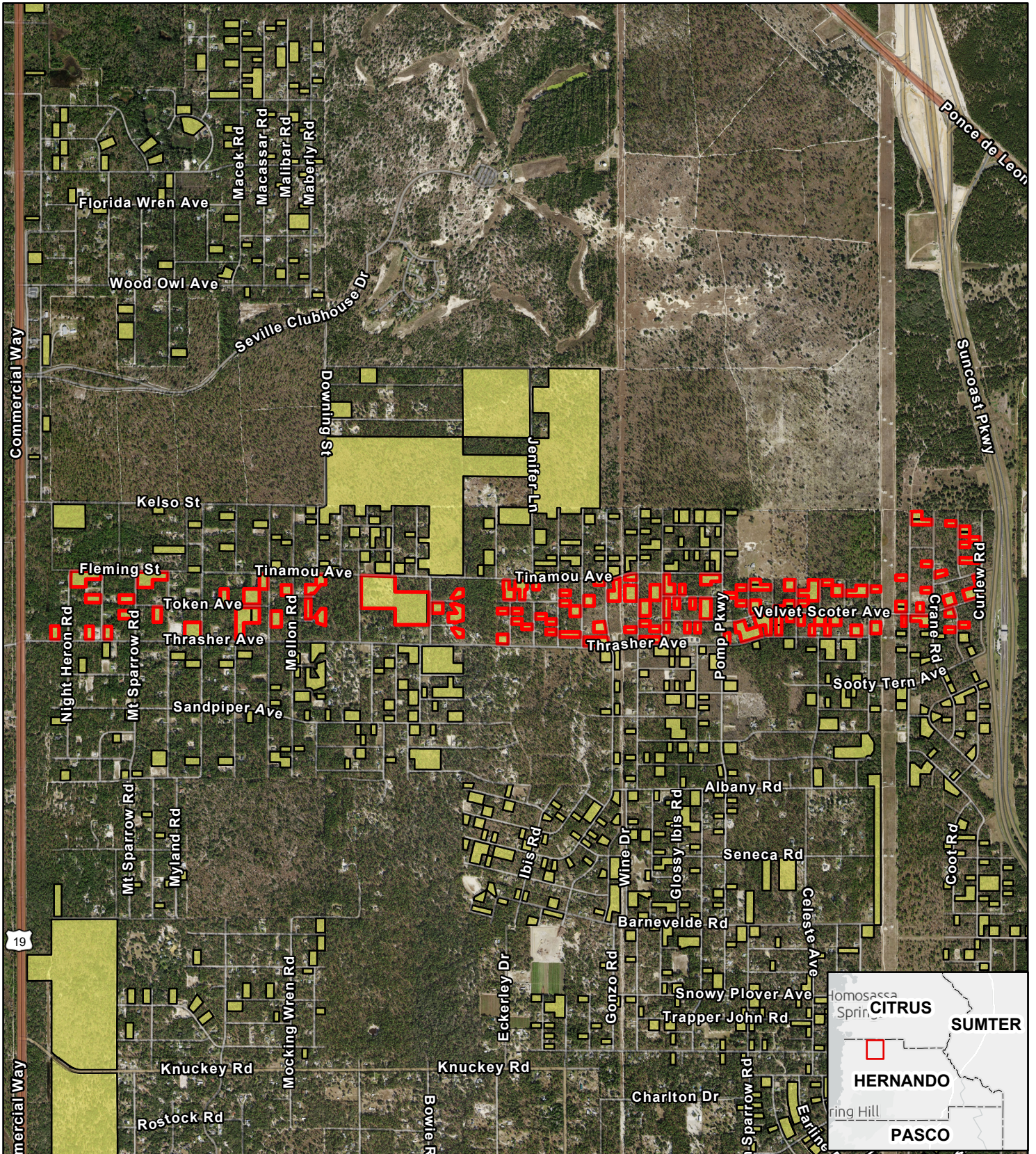
THE QUESTIONS BELOW WILL BE ANSWERED BY THE SURPLUS CORE TEAM

Is it recommended to present the parcel to the Governing Board for surplus?	Yes
If parcel recommended for surplus, list conditions such as retaining conservation or access easements; list any conditions specific to this parcel	Staff recommends all parcels be sold with a deed restriction that states "No septic system or other device for the sanitary disposal of waste shall be installed on the Property."

THE BLOCKS BELOW WILL BE FILLED IN BEFORE PRESENTATION TO THE GOVERNING BOARD

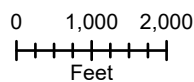
Environmental Advisory Committee comments from July 11, 2023, meeting	The EAC provided one comment and asked one question related to TBC-3, TBC-11, AH-8, and AH-9.
Public comments	One member of the public was concerned about additional septic systems in the area. Parcels are being recommended with a deed restriction of no septic system.

Annutteliga Hammock (Surplus ID AH-9)



Southwest Florida Water Management District, FDEP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, FDEP, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS

- District Owned Lands Fee Simple
- Potential Surplus Parcels (Surplus ID AH-9)



Southwest Florida
Water Management District

2023 Potential Surplus Parcel Review

PARCEL INFORMATION			
SWF Surplus Parcel ID:	GSE-8	SWF Parent Parcel(s):	10-200-133, and 10-200- 138
Acres:	5.00	Funding Source(s):	Ad Valorem
County:	Polk	Date(s) Acquired:	11/25/1975 and 8/12/1976

PLEASE ONLY ANSWER THOSE AREAS RELATED TO YOUR SPECIFIC AREA OF EXPERTISE. FOR WATER SUPPLY, FLOOD PROTECTON, WATER QUALITY AND NATURAL SYSTEMS PUT YOUR ANSWER IN A FORM AS IF YOU WERE ANSWERING THESE QUESTIONS: “IF THE DISTRICT WERE OFFERED TO PURCHASE THIS PARCEL AND YOU WERE GIVING A PROFESSIONAL OPINION TO THE GOVERNING BOARD RELATED TO YOUR AREA OF EXPERTISE REGARDING THE PURCHASE OF THIS PARCEL, WHAT WOULD IT BE?” “WOULD YOU RECOMMEND THAT THE PARCEL BE PURCHASED TO SUPPORT THAT OPINION?”

Water Supply	The subject parcel is located within the Green Swamp, an area of significant recharge for the Upper Floridan aquifer. However, acquisition would not be recommended given that the small size of the parcel provides limited benefits for recharge or potential water supply development.
Flood Protection	Majority of parcel is within the 100-yr flood zone and connects to larger wetlands on District lands to the west. Floodplain areas from the south also drain through parcel which ultimately flow into the Withlacoochee River. Keeping parcel in its natural state is important to the overall preservation of this critical area of state concern. Would recommend purchase of this parcel for its hydrological importance.
Water Quality	Parcel prevents increased nitrate and phosphorus pollution associated with fertilizers and agriculture. Pollution from fertilizers, agriculture, and runoff from impervious surfaces could increase if surplused. There could be a small water quality benefit that could be realized through the purchase of this parcel.
Natural Systems	The subject parcels are on the southeastern periphery of the core Green Swamp East tract. These parcels due to their proximity to Rock Ridge Road and surrounding privately owned lands including inholdings have inherent management challenges that are not consistent with the District’s Land Management approach. The ability to maintain a level of protection along the periphery through a conservation easement providing a buffer to more intensive land uses would be supported from a natural systems perspective.
Describe any of the parcel’s current management issues	This is a disjunct parcel that is difficult to manage, maintain security and apply prescribe fire.
Describe any of the parcel’s current access issues and/or issues created if the parcel is surplused	The potential surplus of these parcels will not create issues.
Describe the parcel’s significance to linkage of conservation corridors	The parcels are in the Florida Wildlife Corridor and are identified as a Priority 2 in the FL Ecological Greenways Network. The parcels alone do not provide significant connectivity, except to build upon the adjacent conservation lands owned by the District in Green Swamp.
Identify any current agreements that would be impacted if this parcel were surplused	An ingress/egress easement to George and Sarah Hancock over parcel 24-25-17-000000-023020 bisects the parcel to the east.
Describe the parcel’s significance to cultural resources	The Florida Department of State, Division of Historic Resources was contacted to determine if significant cultural resources are documented on this parcel. It was found that there are NO known culturally significant sites on this parcel.

Identify any data collection sites on the parcel, or any issues that would be created if surplused	DCB has no need for the parcel.
Describe the parcel's marketability if surplused	Parcels as depicted would not be buildable due to minimum lot size requirement. Value will be dependent on access from Rock Ridge Road.
Identify the parcel's current zoning & Future Land Use designation	Per Polk County (County) future Land Use is Core X, must meet lot size, access, and road frontage requirements, must be at least 20 acres to be buildable. As this is in the ACSC the County require the least density possible.

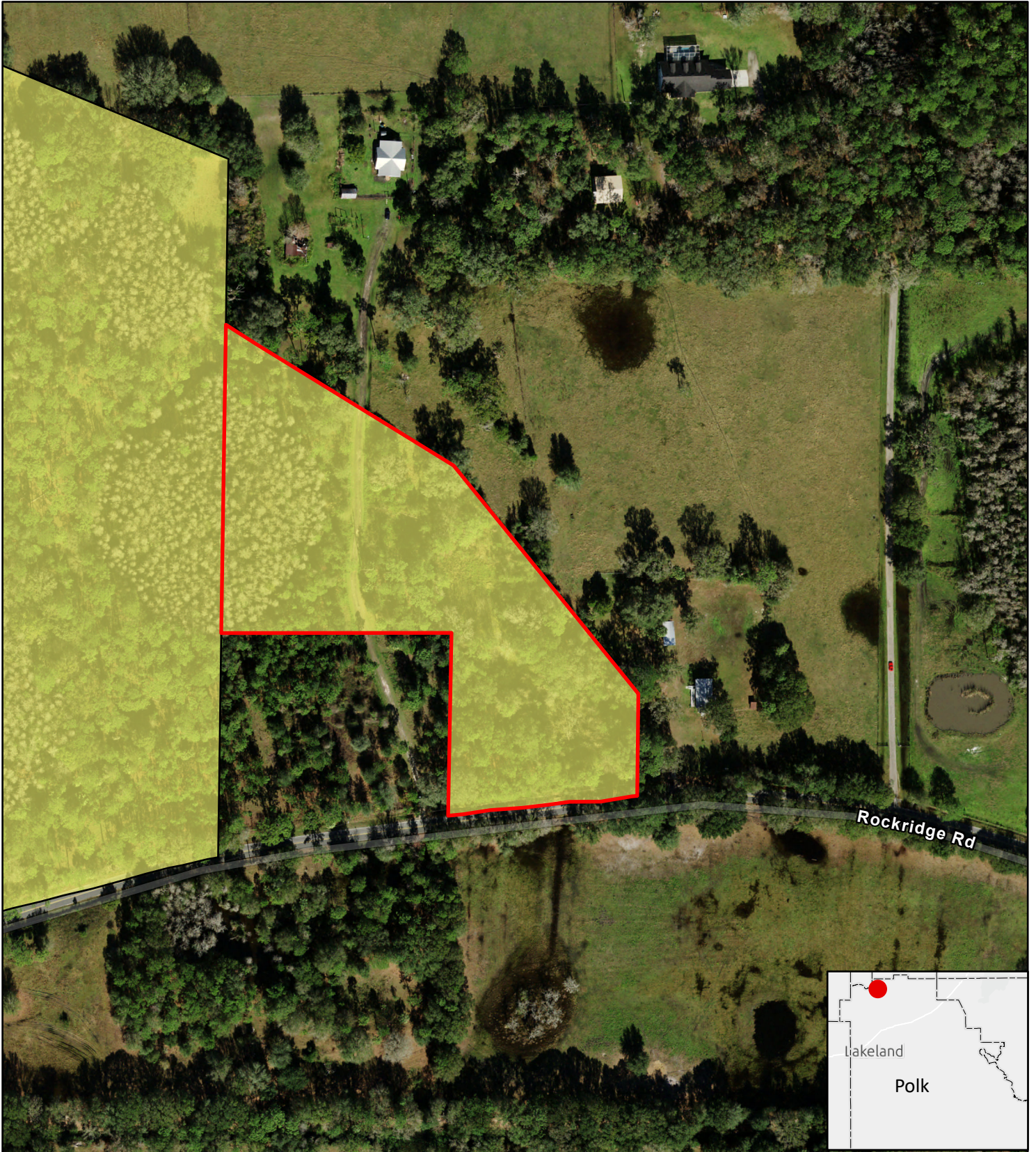
THE QUESTIONS BELOW WILL BE ANSWERED BY THE SURPLUS CORE TEAM

Is it recommended to present the parcel to the Governing Board for surplus?	Yes
If parcel recommended for surplus, list conditions such as retaining conservation or access easements; list any conditions specific to this parcel	None



THE BLOCKS BELOW WILL BE FILLED IN BEFORE PRESENTATION TO THE GOVERNING BOARD

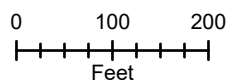
Environmental Advisory Committee comments from July 11, 2023 meeting	The EAC provided one comment and asked one question related to TBC-3, TBC-11, AH-8, and AH-9.
Public comments	One member of the public was concerned about additional septic systems in the area. Parcels are being recommended with a deed restriction of no septic system.

Green Swamp East (Surplus ID GSE-8)



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-  District Owned Lands Fee Simple
-  Potential Surplus Parcels (Surplus ID GSE-8)



Green Swamp East GSE-9

2023 Potential Surplus Parcel Review

PARCEL INFORMATION			
SWF Surplus Parcel ID:	GSE-9	SWF Parent Parcel(s):	10-200-1165
Acres:	1.03	Funding Source(s):	Donation
County:	Polk	Date(s) Acquired:	1/29/1998

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Water Supply	The subject parcel is located within the Green Swamp, an area of significant recharge for the Upper Floridan aquifer. However, acquisition would not be recommended given the small size of the parcel provides limited benefits for recharge or potential for water supply development.
Flood Protection	Parcel exists within the Green Swamp Area of Critical State Concern. Overall, this region should be preserved for its importance with flood protection and its impact on four river basins that originate from this region. Specifically, this 1-acre parcel provides little flood protection benefit on its own. Only 2.2% of the parcel (0.02 acres) is within the high-risk flood zone as defined by FEMA. Would not recommend purchase of this parcel by itself unless it was included in a much larger piece of land in the same vicinity.
Water Quality	Parcel prevents increased nitrate and phosphorus pollution associated with fertilizers and agriculture. Pollution from fertilizers, agriculture, and runoff from impervious surfaces could increase if surplused. There could be a small water quality benefit that could be realized through the purchase of this parcel.
Natural Systems	<p>Though the immediate area and collection of core conservation lands provides a significant corridor of natural systems to preserve the biological diversity of the state of Florida, this parcel is negligible to the overall value of the corridor. If the District were offered to purchase this parcel, I would not recommend the purchase from a natural systems perspective.</p> <p>This parcel contributes to one of four District areas of responsibility, Water Quality. This parcel also creates a management inefficiency.</p>
Describe any of the parcel's current management issues	This is a disjunct parcel that is difficult to manage, maintain security and apply prescribe fire.
Describe any of the parcel's current access issues and/or issues created if the parcel is surplused	The potential surplus of these parcels will not create issues.
Describe the parcel's significance to linkage of conservation corridors	This parcel occurs within Priority 2 of the Florida Ecological and Greenways Network and the Florida Wildlife Corridor. This area of the Green Swamp is prioritized as having significant value in connecting the Corridor from the Lake Wales Ridge to the Withlacoochee River basin and points to the northwest. Although the area does have priority, this small 1-acre parcel does not necessarily contribute significantly to linking corridors in its isolated state. It is also disjunct from

	any other nearby conservation lands, but it is near some other privately owned land under protection from the Green Swamp Land Protection Authority Agreements.
Identify any current agreements that would be impacted if this parcel were surplus	There are no agreements associated with this parcel.
Describe the parcel's significance to cultural resources	The Florida Department of State, Division of Historic Resources was contacted to determine if significant cultural resources are documented on this parcel. It was found that there are NO known culturally significant sites on this parcel.
Identify any data collection sites on the parcel, or any issues that would be created if surplus	There are no data collection sites or planned data collection sites on these parcels.
Describe the parcel's marketability if surplus	Limited marketability due to access issues.
Identify the parcel's current zoning & Future Land Use designation	Current is Vacant State - Vac Land or Misc. Improvements of Some Value. Polk County confirmed the Future Land Use as Residential / Agricultural / Rural X

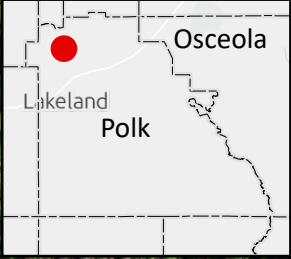
THE QUESTIONS BELOW WILL BE ANSWERED BY THE SURPLUS CORE TEAM

Is it recommended to present the parcel to the Governing Board for surplus?	Yes
If parcel recommended for surplus, list conditions such as retaining conservation or access easements; list any conditions specific to this parcel	Staff recommends the parcel be sold with a deed restriction that states "No septic system or other devices for sanitary disposal of waste shall be installed on the Property."



THE BLOCKS BELOW WILL BE FILLED IN BEFORE PRESENTATION TO THE GOVERNING BOARD

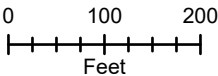
Environmental Advisory Committee comments from July 11, 2023, meeting	The EAC provided one comment and asked one question related to TBC-3, TBC-11, AH-8, and AH-9.
Public comments	One member of the public was concerned about additional septic systems in the area. Parcels are being recommended with a deed restriction of no septic system.

Green Swamp East (Surplus ID GSE-9)



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-  District Owned Lands Fee Simple
-  Potential Surplus Parcels (Surplus ID GSE-9)



Tampa Bypass Canal – TBC-3



2023 Potential Surplus Parcel Review

PARCEL INFORMATION			
SWF Surplus Parcel ID:	TBC-3	SWF Parent Parcel(s):	13-001-217, 13-001-128 through 133
Acres:	1.23	Funding Source(s):	TBD
County:	Hillsborough	Date(s) Acquired:	1966 through 1968

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Water Supply	The subject parcel is a narrow strip of land on the lower reaches of the Tampa Bypass Canal. Acquisition would not be recommended, as benefits for water supply purposes are limited given the size, location, and configuration of the parcel.
Flood Protection	Entire parcel is located within the coastal 100-yr floodplain (storm surge). Would not support purchasing this stand-alone parcel unless it was included in a much larger portion of the Tampa Bypass Canal. By itself, it does not provide substantial flood protection. Would suggest that the portion of the TBC berm that is included in the parcel remains intact for erosion control purposes for the canal.
Water Quality	Parcel prevents increased nitrate and phosphorus pollution associated with fertilizers and agriculture to Tampa Bay. Pollution from fertilizers and runoff from impervious surfaces could increase if surplused. There could be a small water quality benefit that could be realized through the purchase of this parcel.
Natural Systems	I would not support purchasing this parcel from a natural systems perspective.
Describe any of the parcel’s current management issues	There are no land management activities that occur on this parcel.
Describe any of the parcel’s current access issues and/or issues created if the parcel is surplused	The potential surplus of this parcels will not create issues.
Describe the parcel’s significance to linkage of conservation corridors	N/A
Identify any current agreements that would be impacted if this parcel were surplused	There are no agreements associated with this parcel.
Describe the parcel’s significance to cultural resources	TBD
Identify any data collection sites on the parcel, or any issues that would be created if surplused	DCB has no need for the parcel.
Describe the parcel’s marketability if surplused	Due to the size of this parcel, it would not be developable.

Identify the parcel's current zoning & Future Land Use designation	Current zoning is O100 SINGLE FAMILY R. The Hillsborough Property Appraiser's website has the ownership of this parcel incorrectly labeled. Future Land Use is also residential.
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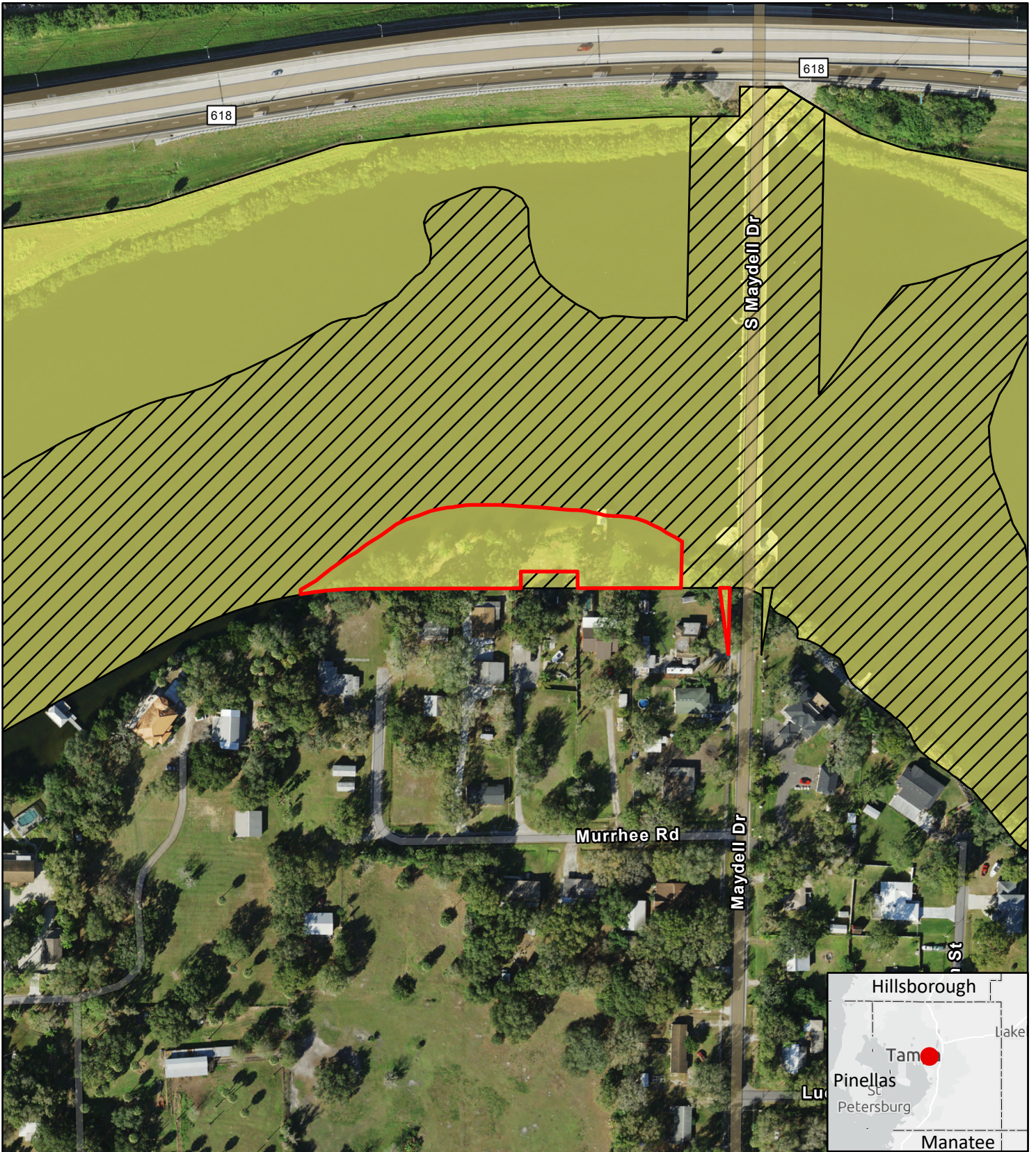
THE QUESTIONS BELOW WILL BE ANSWERED BY THE SURPLUS CORE TEAM

Is it recommended to present the parcel to the Governing Board for surplus?	Yes
If parcel recommended for surplus, list conditions such as retaining conservation or access easements; list any conditions specific to this parcel	Staff request approval to subdivide the parcel if it is in the best interest of the District.

THE BLOCKS BELOW WILL BE FILLED IN BEFORE PRESENTATION TO THE GOVERNING BOARD

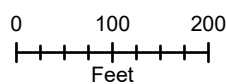
Environmental Advisory Committee comments from July 11, 2023 meeting	The EAC provided one comment and asked one question related to TBC-3, TBC-11, AH-8, and AH-9.
Public comments	One member of the public was concerned about additional septic systems in the area. Parcels are being recommended with a deed restriction of no septic system.

Tampa Bypass Canal (Surplus ID TBC-3)



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- Potential Surplus Parcels (Surplus ID TBC-3)
- District Owned Lands Fee Simple
- District Owned Lands Less-than-fee Simple



2023 Potential Surplus Parcel Review

PARCEL INFORMATION			
SWF Surplus Parcel ID:	TBC-11	SWF Parent Parcel(s):	13-001-167, 13-001-168, 13-001-171, 13-001-216
Acres:	2.15	Funding Source(s):	TBD
County:	Hillsborough	Date(s) Acquired:	1968 and 1970

PLEASE ONLY ANSWER THOSE AREAS RELATED TO YOUR SPECIFIC AREA OF EXPERTISE. FOR WATER SUPPLY, FLOOD PROTECTION, WATER QUALITY AND NATURAL SYSTEMS PUT YOUR ANSWER IN A FORM AS IF YOU WERE ANSWERING THESE QUESTIONS: “IF THE DISTRICT WERE OFFERED TO PURCHASE THIS PARCEL AND YOU WERE GIVING A PROFESSIONAL OPINION TO THE GOVERNING BOARD RELATED TO YOUR AREA OF EXPERTISE REGARDING THE PURCHASE OF THIS PARCEL, WHAT WOULD IT BE?” “WOULD YOU RECOMMEND THAT THE PARCEL BE PURCHASED TO SUPPORT THAT OPINION?”

Water Supply	The subject parcel is a narrow strip of land on the lower reaches of the Tampa Bypass Canal. Acquisition would not be recommended, as benefits for water supply purposes are limited given the size, location, and configuration of the parcel.
Flood Protection	Entire parcel is within the coastal 100-yr flood zone (storm surge). The only flood protection benefit is to ensure the berm stays intact for erosion control purposes for the flood control canal. Would not recommend purchasing parcel unless it was included in a larger portion of the berm and canal.
Water Quality	Parcel prevents increased nitrate and phosphorus pollution associated with fertilizers and agriculture to Tampa Bay. Pollution from fertilizers and runoff from impervious surfaces could increase if surplused. There could be a small water quality benefit that could be realized through the purchase of this parcel.
Natural Systems	I would not support purchasing this parcel from a natural systems perspective.
Describe any of the parcel’s current management issues	There are no land management activities that occur on this parcel.
Describe any of the parcel’s current access issues and/or issues created if the parcel is surplused	The potential surplus of this parcels will not create issues.
Describe the parcel’s significance to linkage of conservation corridors	N/A
Identify any current agreements that would be impacted if this parcel were surplused	There are no agreements associated with this parcel.
Describe the parcel’s significance to cultural resources	TBD
Identify any data collection sites on the parcel, or any issues that would be created if surplused	DCB has no need for the parcel.

Describe the parcel's marketability if surplused	This parcel does not have legal access but could be marketable.
Identify the parcel's current zoning & Future Land Use designation	Current 9510 Government Water, Zone is Industrial General. Future Land Use is IG – Industrial General.

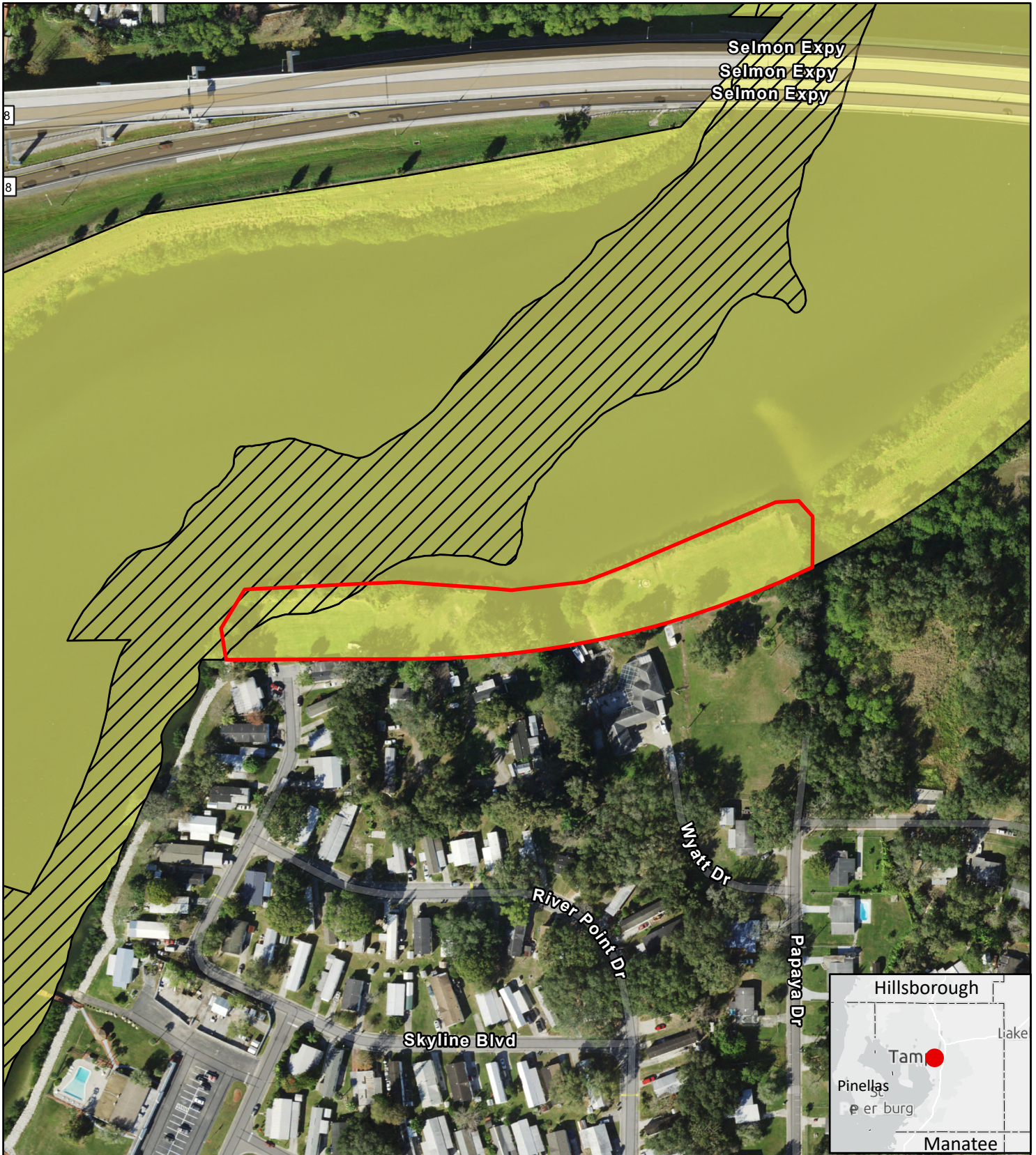
THE QUESTIONS BELOW WILL BE ANSWERED BY THE SURPLUS CORE TEAM

Is it recommended to present the parcel to the Governing Board for surplus?	Yes
If parcel recommended for surplus, list conditions such as retaining conservation or access easements; list any conditions specific to this parcel	Staff requests approval to subdivide the parcel if it is in the best interest of the District..

THE BLOCKS BELOW WILL BE FILLED IN BEFORE PRESENTATION TO THE GOVERNING BOARD

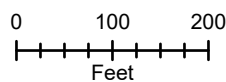
Environmental Advisory Committee comments from July 11, 2023 meeting	The EAC provided one comment and asked one question related to TBC-3, TBC-11, AH-8, and AH-9.
Public comments	One member of the public was concerned about additional septic systems in the area. Parcels are being recommended with a deed restriction of no septic system.

Tampa Bypass Canal (Surplus ID TBC-11)



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- Potential Surplus Parcels (Surplus ID TBC-11)
- District Owned Lands Fee Simple
- District Owned Lands Less-than-fee Simple



Tampa Bay Estuarine Ecosystem – Rock Ponds -TBE-3

2023 Potential Surplus Parcel Review

PARCEL INFORMATION			
SWF Surplus Parcel ID:	TBE-3	SWF Parent Parcel(s):	11-728-110
Acres:	11	Funding Source(s):	Florida Forever
County:	Hillsborough	Date(s) Acquired:	12/11/2003

PLEASE ONLY ANSWER THOSE AREAS RELATED TO YOUR SPECIFIC AREA OF EXPERTISE. FOR WATER SUPPLY, FLOOD PROTECTON, WATER QUALITY AND NATURAL SYSTEMS PUT YOUR ANSWER IN A FORM AS IF YOU WERE ANSWERING THESE QUESTIONS: “IF THE DISTRICT WERE OFFERED TO PURCHASE THIS PARCEL AND YOU WERE GIVING A PROFESSIONAL OPINION TO THE GOVERNING BOARD RELATED TO YOUR AREA OF EXPERTISE REGARDING THE PURCHASE OF THIS PARCEL, WHAT WOULD IT BE?” “WOULD YOU RECOMMEND THAT THE PARCEL BE PURCHASED TO SUPPORT THAT OPINION?”

Water Supply	The subject parcel is located within the Most Impacted Area of the Southern Water Use Caution Area, a region with limitations on development of new supplies from groundwater sources. Given the relatively small parcel size and limited potential for water supply or water resource development projects at this location, acquisition would not be recommended.
Flood Protection	Entire parcel is outside of the 100-yr floodplain and provides little benefit for flood protection. Would not recommend purchase of this parcel for flood protection purposes.
Water Quality	This parcel is part of a restoration project completed by SWIM. Parcel prevents increased nitrate and phosphorus pollution associated with fertilizers to Tampa Bay, which has numeric nutrient criteria for both nutrients. Pollution from fertilizers and runoff from impervious surfaces could increase if surplused, which could be discharged to this SWIM Priority Waterbody. The purchase of this parcel would be supported to preserve the District’s restoration efforts on this parcel.
Natural Systems	If this parcel was on the open market, the value to the District would be the investment that has occurred to the property including removal of exotics as well as the planting of natives. The District has made this investment and the acres restored are part of the District’s restoration accomplishments as well as that reported to Tampa Bay Estuary Program. In the event the decision is to surplus the access easement has significant value.
Describe any of the parcel’s current management issues	Current management activities include vegetation maintenance.
Describe any of the parcel’s current access issues and/or issues created if the parcel is surplused	This parcel is used to access the central portion of the Rock Ponds project especially during the rainy season, when the main access may be inaccessible. An ingress/egress easement would be retained to continue access.
Describe the parcel’s significance to linkage of conservation corridors	This parcel does not connect to any other conservation lands. It is within the FEGN as a priority 5.
Identify any current agreements that would be impacted if this parcel were surplused	There are no agreements on this parcel. We would retain an access easement if sold.
Describe the parcel’s significance to cultural resources	TBD

Identify any data collection sites on the parcel, or any issues that would be created if surplused	DCB has no need for the parcel.
Describe the parcel's marketability if surplused	Could be marketable with a change in land use designation to light industrial.
Identify the parcel's current zoning & Future Land Use designation	Current and future land use is Natural Preservation.

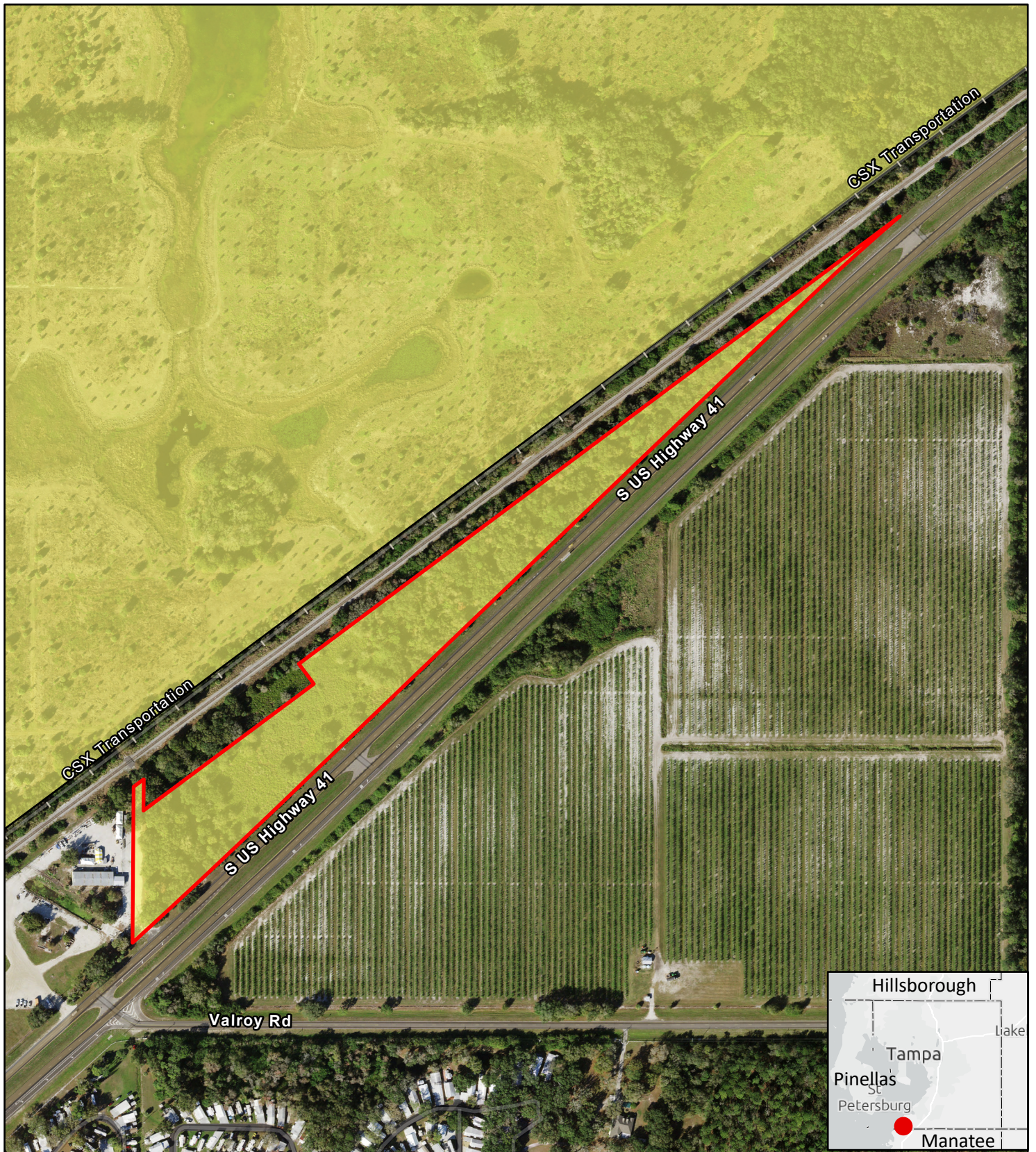
THE QUESTIONS BELOW WILL BE ANSWERED BY THE SURPLUS CORE TEAM

Is it recommended to present the parcel to the Governing Board for surplus?	Yes
If parcel recommended for surplus, list conditions such as retaining conservation or access easements; list any conditions specific to this parcel	Staff recommends retaining an ingress/egress easement.

THE BLOCKS BELOW WILL BE FILLED IN BEFORE PRESENTATION TO THE GOVERNING BOARD

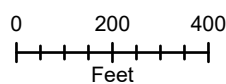
Environmental Advisory Committee comments from July 11, 2023 meeting	The EAC provided one comment and asked one question related to TBC-3, TBC-11, AH-8, and AH-9.
Public comments	One member of the public was concerned about additional septic systems in the area. Parcels are being recommended with a deed restriction of no septic system.

Tampa Bay Estuarine Ecosystem (Surplus ID TBE-3)



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- Potential Surplus Parcels (Surplus ID TBE-3)
- District Owned Lands Fee Simple



2023 Surplus Lands Biennial Assessment Results continued

Parcels Recommended for Removal of Surplus Declaration			
Surplus ID	Property	Acreage	Recommended Conditions
TBC-8	Tampa Bypass Canal	1.34	Remove surplus designation.
TBC-12	Tampa Bypass Canal	12.40	Remove surplus designation.
TBC-17	Tampa Bypass Canal	0.34	Remove surplus designation.
Total		14.08	

The following information provides details of the parcels currently being recommended for removal of the surplus declaration.

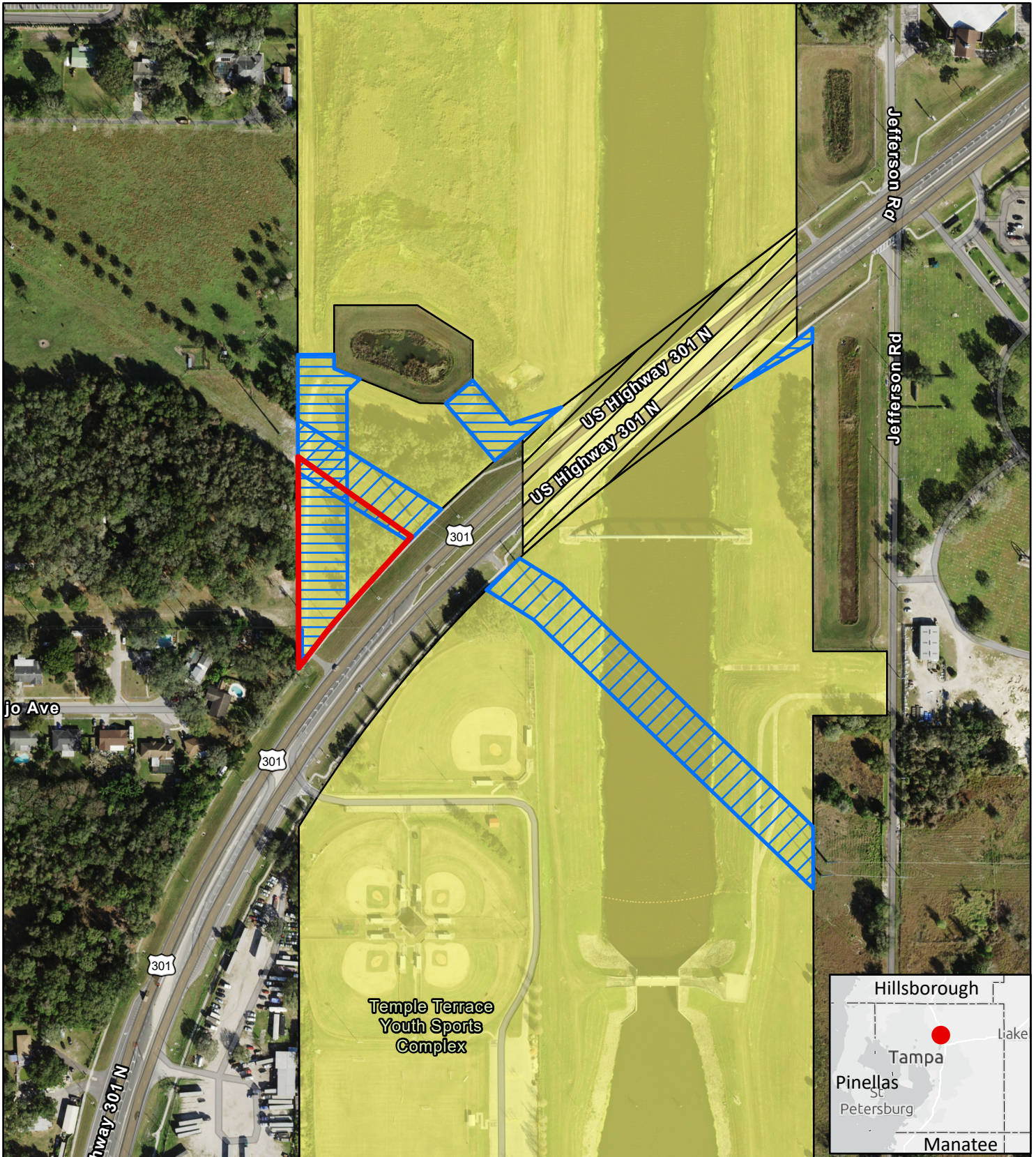
The Tampa Bypass Canal (TBC) surplus parcel, TBC-8 is a 1.34-acre parcel that was declared surplus on May 21, 2013. Upon further review it has been determined that easements encumber the majority of the surplus parcels. A non-exclusive utility easement to the Tampa Electric Company (TECO) for the construction, operation, and maintenance of a 230-kilovolt overhead transmission line designed to run from Polk County to Hillsborough County, runs along the entire northern portion and encumbers approximately 0.16 acres of the parcel. Approximately, 0.9 acres is encumbered by an access and drainage easement to Florida Department of Transportation.

The TBC-12 surplus parcel is a 12.40-acre parcel that was declared surplus on May 21, 2013. With a staff recommendation to the then surplus sub-committee that states, “Currently a neighborhood park under agreement with Hillsborough County (County), surplus if County can no longer maintain the park.” The property is encumbered by a 30-year lease between the District and the County, and the park is being maintained as a neighborhood park with a paved parking area, a basketball court, and a playground.






The TBC-17 surplus parcel is a 0.34-acre parcel that was declared surplus on May 21, 2013. With a staff recommendation that stated, “Needs title verification prior to surplus.” Staff recently requested a title search of the parcel, and it was determined that the District was granted a temporary construction easment that has since expired.

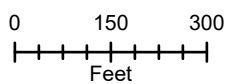
The following maps depict the parcels currently being recommended for removal of the surplus declaration.

Tampa Bypass Canal (Surplus ID TBC-8)



Southwest Florida Water Management District, Esri Community Maps Contributors, University of South Florida, City of Tampa, FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, University of South Florida, City of Tampa, FDEP, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS

-  Surplus ID TBC-8
-  District Owned Lands Fee Simple
-  District Owned Lands Less-than-fee Simple
-  TECO Easement
-  FDOT Easement



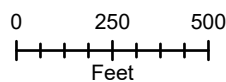
Southwest Florida
Water Management District

Tampa Bypass Canal (Surplus ID TBC-12)

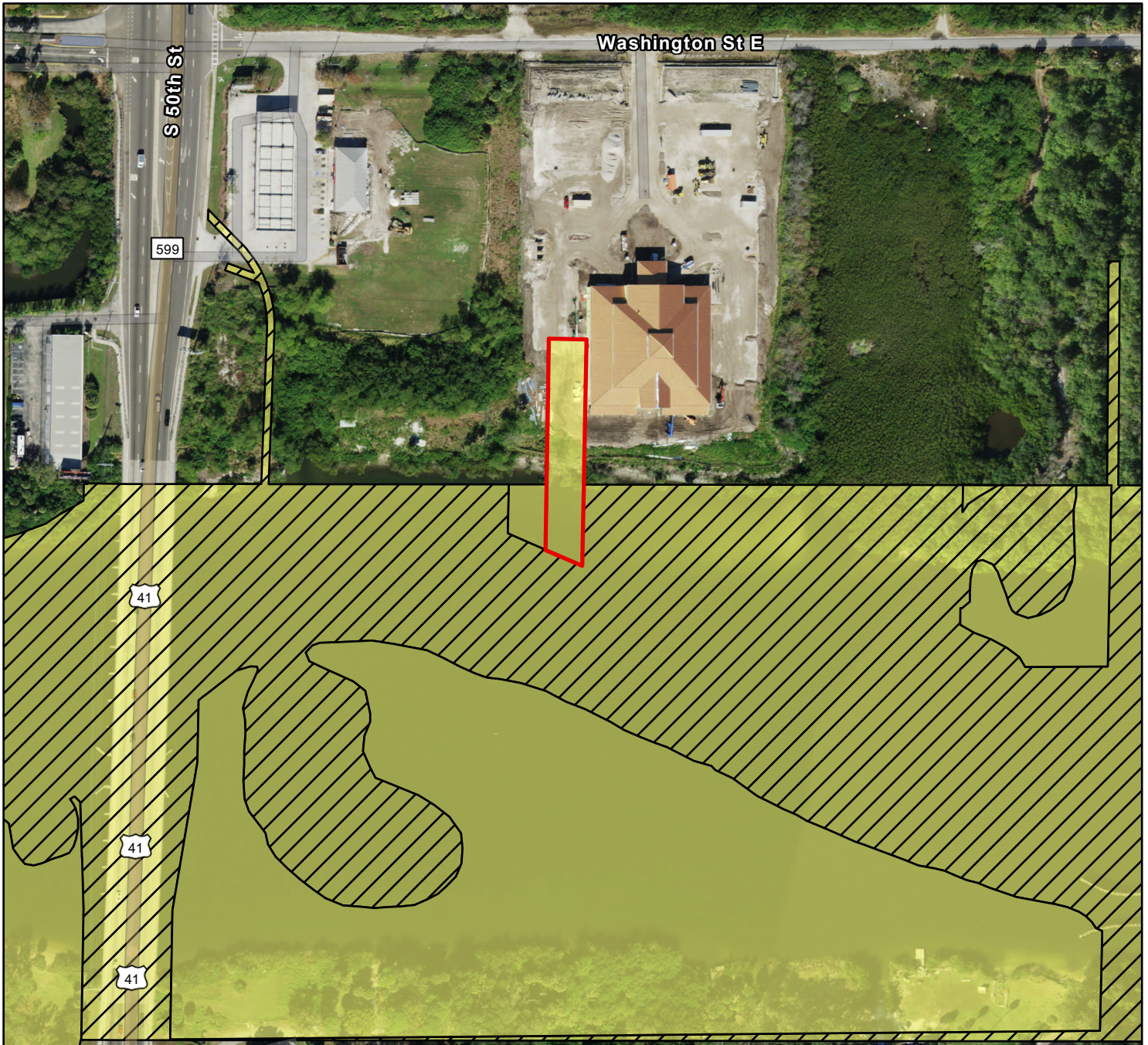


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- Surplus ID TBC-12
- District Owned Lands Fee Simple
- District Owned Lands Less-than-fee Simple

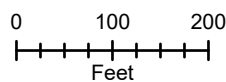


Tampa Bypass Canal (Surplus ID TBC-17)



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- Surplus ID TBC-17
- District Owned Lands Fee Simple
- District Owned Lands Less-than-fee Simple



OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

August 22, 2023

Submit & File: Information Item: Summary of Fiscal Year 2023 Interagency Land Management Reviews

Purpose

Communicate to the Governing Board the results of Land Management Reviews (Reviews) conducted this fiscal year on the Halpata Preserve, Potts Preserve, and Edward Chance Reserve.

Background/History

Section 373.591, Florida Statutes, requires water management districts to establish land management review teams to conduct periodic management reviews to determine whether conservation, preservation, and recreation lands titled in the water management district's name are being managed for the purposes for which they were acquired and in accordance with land management objectives.

Land Resources staff conducted the Reviews during the month of April 2023. The Reviews are intended to invite peer contribution regarding implementation and consistency of management activities with respect to the District's Land Management Plan for the tract. The Reviews included stakeholders from local and state agencies as well as non-governmental conservation organizations, university, and private industry. Participants included representatives from Florida Forest Service, Florida Fish and Wildlife Conservation Commission, Department of Environmental Protection – Division of Recreation and Parks, Department of Environmental Protection – Division of Greenways and Trails, Southwest Florida Water Management District, University of Florida – Institute of Food and Agriculture Services, Manatee County Environmental Lands, Conservation Foundation of the Gulf Coast, Mosaic, and Audubon Society of Florida. The Reviews consisted of introductions and an overview of the properties followed by field tours of each property which included discussions of significant accomplishments, milestones achieved on each tract, management objectives, and management challenges. The Reviews concluded with a question-and-answer session along with a written evaluation form filled out by each participant. The evaluations specifically assessed Hydrological Management, Fire Management, Restoration and Natural Systems Maintenance, Forest Management, Imperiled Species Management, Invasive and Exotic Species Management, Infrastructure and Maintenance, Land Acquisition, Land Use and Recreation, Archaeological and Cultural Resources, and Security. The participants found the District's Land Management activities to be in compliance with the respective Land Management Plan for each assessment criteria on the three properties being reviewed. The Land Management Review Reports are provided as Exhibits A-C attached hereto.

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Chris Reed, Manager, Land Management

Exhibit A
**Halpata Tastanaki Preserve
Land Management Review Report**

Land Management staff held a Land Management Review (Review) as required per Ch. 373, F.S. on April 6, 2023 to assure that the Halpata Tastanaki Preserve (Preserve) is being managed by the District as specified in the Land Management Plan (Plan) for the Preserve. The Review team ranked the District's management activities based on the goals and objectives outlined in the Plan. The Review team consisted of governmental and non-governmental organizations, a private landowner was also invited, but unable to attend due to a last-minute conflict. The reviewers and the organizations that they represent are outlined below. The results of the review are also provided in this report.

Review Team organization and representing participants.	
Department of Environmental Protection – Greenway and Trails	Laurie Dolan
Florida Fish and Wildlife Conservation Commission	Tiffany Mobley
Florida Forest Service	Mike Edwards
Florida Forest Service	Vincent Morris and Jon Hoch
Audubon of Florida	Audrey DeRose- Wilson
Southwest Florida Water Management District – Engineering and Watershed Management	Mark Fulkerson

Exhibit A
**Halpata Tasthanaki Preserve
 Land Management Review Report**

RESOURCE PROTECTION AND MANAGEMENT						
Hydrologic Management						
Overall Hydrologic Conditions Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - Continue to observe and assess water resources within the Preserve to ensure desired hydrologic function and develop restoration projects, as necessary.				5		1
Objective 2 - Continue monitoring water quality and wetland conditions through the data collection network and periodic wetland assessments.				5		
Objective 3 - Protect water resources during management activities by continued implementation of Silvicultural and Agricultural Best Management Practices.				5		
Comments	<ul style="list-style-type: none"> • Obvious that water is a priority and managed according to plan. • 2009 River Road Hydrologic Wetlands Restoration Project. • Possible site of Withlacoochee River storage reservoir and treatment plant. • One participant did not evaluate Objectives 2 and 3. 					
Fire Management						
Overall Fire Management Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - Develop and implement an annual burn plan and apply prescribed fire according to the District's Fire Management Guidelines.				5		1
Objective 2 - Conduct majority of prescribed burns during the growing season to support development of native fire-dependent species and habitat function.				3		1
Objective 3 - Update and maintain a condition class database to track management activities on specific management units.				6		
Objective 4 - Maintain perimeter firelines on an annual basis and establish strategic internal management lines supporting the seasonal needs of prescribed fire program.				6		
Comments	<ul style="list-style-type: none"> • Property seems well maintained with frequent fire. Fire intensity is within a normal range to meet natural community goals. • Some units look like they could benefit from an increase frequency and/or change in seasonality. • Burning being conducted thoughtfully. • Two participants did not evaluate Objective 2. 					

Exhibit A
**Halpata Tasthanaki Preserve
 Land Management Review Report**

Restoration and Natural Systems Maintenance						
Overall Restoration / Natural Systems Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - Assess habitat conditions and develop restoration strategy to recover historic natural communities on previously altered sites targeting imperiled natural communities.				1		5
Objective 2 - Utilize information obtained from historic imagery, FNAI Natural Communities Mapping, and on-site investigations to implement site specific restoration projects that support the District's restoration goals.				3		3
Natural Systems Maintenance						
Overall Restoration / Natural Systems Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - Continue to maintain existing habitat enhancement projects over the long-term to achieve desired future conditions outlined in the FNAI Natural Community Guide.				4		2
Objective 2 - Evaluate and develop habitat enhancement projects to improve habitat function.				5		1
Objective 3 - Implement habitat management projects that support the improvement and development of native plant and animal communities, including imperiled species.				4		2
Comments	<ul style="list-style-type: none"> Two DOT mitigation projects (1998 & 2009) completed. Sandhill and scrub restoration enhancements (2000 - 2004) completed. FNAI information should probably be updated. Appears that some units receive too much attention. Halpata is a unique situation with historic scrub jay management that sometimes conflicts with the natural community. Doing an admirable job of balancing endangered species management with natural community restoration. 					

Exhibit A
**Halpata Tastanaki Preserve
Land Management Review Report**

Forest Management						
Overall Forest Management Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - <i>Manage the forest resources in accordance with the District's 10-Year Timber Management Plan and conduct timber harvests as scheduled.</i>				4		1
Objective 2 - <i>Evaluate and develop forest management projects to support specific restoration and enhancement objectives developed for the Preserve.</i>				5		
Objective 3 - <i>Conduct annual inspections of forest resources for indication of disease, insect infestations, or damage from fire to promote forest health and sustainability.</i>				5		
Comments	<ul style="list-style-type: none"> Plantations appear well managed. Slash pine plantations look well maintained and they have a forest management plan that includes their desired future condition for these sites. Timber sales were completed (2010, 2014 and 2017) and more planned for 2022, 2023 and 2025. One participant had to leave early and did not answer this section. 					
Imperiled Species Management						
Overall Imperiled Species Management Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - <i>Implement land management strategies and techniques that support development of habitat required for known imperiled species.</i>				4		2
Objective 2 - <i>In cooperation with other agencies and partners, implement survey and monitoring protocol where feasible for imperiled species and identify strategies for their recovery.</i>				6		
Objective 3 - <i>Work with other state agencies, conservation organizations, and landowners to maintain habitat connectivity.</i>				6		
Comments	<ul style="list-style-type: none"> Jay watch program for scrub jays – coordinate with Audubon. Joined jay watch in 2012. Gopher Tortoise 2018-2019 survey by FNAI 1.1 GT/hectare. Rare plant species – plan work with outside organizations for individual plant surveys and maintain incidental listed species sightings. Florida scrub jay management on the site is ongoing. There are many challenges for jay management due to the inherited landscapes. I believe they are using a balance of protecting the jays while managing the natural communities that may or may not be true scrub. Management of scrub habitat, especially mechanical treatment, would be most beneficial to the imperiled Florida Scrub-Jay if it occurred outside of the breeding season and before acorns are cached, when it's crucial that family groups are not displaced. It's also recommended that management occur in a mosaic on the landscape so that family groups can continue to use a portion of the territory. This is especially critical when management during the breeding season or after the winter's supply of acorns have been cached is unavoidable. Keep up the good work. Keep up the good work with scrub jays. 					

Exhibit A
**Halpata Tastanaki Preserve
 Land Management Review Report**

Invasive Exotic Species Management						
Overall Exotic Species Management Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - Implement the District's Invasive Plant Management Plan for the Preserve.				6		
Objective 2 - Employ an EDRR methodology on new infestations identified in the Invasive Plant Management Plan.				5		
Objective 3 - Implement the feral hog control plan and manage the feral hog population on the Preserve.				5		1
Comments	<ul style="list-style-type: none"> Hunting trap program for feral hogs 2009 – 2019 almost 900 hogs controlled. Actively identify and eradicate invasive plants like Old World Climbing Fern and feral hogs. The hog control program is the best I've seen. Dedicated staff for the eradication shows the importance the District places on managing an ever increasing problem for all land managers. Invasive program excellent. Minimal species observed. hog trapping top notch. One participant did not evaluate Objective 2. 					
Infrastructure and Maintenance						
Overall Imperiled Species Management Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - Annually inspect and maintain roads and trails according to their designated maintenance schedule.				5		
Objective 2 - Monitor and maintain culverts, bridges and low water crossings to prevent adverse impacts on hydrology.				5		
Objective 3 - Periodically inspect boundary fencing and gates to assure adequate protection of District resources and repair as needed.				5		
Comments	<ul style="list-style-type: none"> Roads were good. Limiting public access has allowed the maintenance of quality roads. Field Operations staff support land management by keeping roads maintained and other features (culverts, fences, etc.) in good shape. 34 miles of improved roads. Eighteen miles of firelines. Two designated public access points and no camping. One participant had to leave early and did not answer this section. 					

Exhibit A
**Halpata Tasthanaki Preserve
Land Management Review Report**

Administration						
Land Acquisition						
Overall Land Acquisition Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - Consider acquisition of inholding parcels to complete boundary and improve management.				4		1
Objective 2 - Evaluate opportunities to acquire fee interest in parcels within the District's optimal boundary and Florida Forever work plan.				3		2
Objective 3 - Pursue acquisition of less-than-fee interests through strategic conversation easements that complement the District's existing network of fee interests and less-than-fee acquisitions.				2	2	1
Comments	<ul style="list-style-type: none"> One inholding on north boundary Identify for optimal boundary acquisition. One participant had to leave early and did not answer this section. 					
Land Use and Recreation						
Land Use						
Overall Land Use Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - Routinely review agreements, easements, and leases and update as necessary.				5		
Objective 2 - Review special requests and issue SUAs for uses that are consistent with the District policies.				5		
Objective 3 - Maintain cooperative relationships with state, local, and other governmental entities as well as with stakeholders.				5		
Recreation						
Overall Recreation Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 – Maintain appropriate public access and quality compatible recreational opportunities.				5		
Objective 2 – Evaluate requests for additional compatible public access and recreational opportunities.				5		
Comments	<ul style="list-style-type: none"> One participant had to leave early and did not answer this section. 					

Exhibit A
**Halpata Tastanaki Preserve
 Land Management Review Report**

Archaeological and Cultural Resources						
Overall Archaeological and Cultural Resources Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 – Coordinate and follow the Division of Historical Resources’ recommendations for protection on known sites. Continue to monitor, protect, and preserve as necessary any identified sites.				5		
Objective 2 – Take precautions to protect these sites from potential impacts resulting from management or maintenance activities.				5		
Objective 3 – Maintain qualified staff as an Archaeological Site Monitor.				5		
Comments	<ul style="list-style-type: none"> Limiting vehicular access appears to benefit the preservation of archeological sites. SWFWMD has worked with FWC law enforcement to monitor/stop looters down by the Withlacoochee River. One participant had to leave early and did not answer this section. 					
Security						
Overall Security Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 – Identify, document, and address security issues, including encroachments and unauthorized access.				5		
Objective 2 - Maintain and inspect boundary fences, boundary lines, and gates to deter encroachment and unauthorized access. Post and maintain rule and boundary signage.				5		
Objective 3 - Maintain and as needed update law enforcement agreement with FWC or other agencies as appropriate.				5		
Comments	<ul style="list-style-type: none"> Site appears secure. One participant had to leave early and did not answer this section. 					

Overall Management					
			Yes	No	In Progress
Objective 1 – Is the property being managed in accordance with the management plan?			5		1
Objective 2 – Is the property being managed for the conservation purposes (water quality, flood protection, water supply, and natural systems protection and enhancement) for which it was acquired.			5		1
Comments	<ul style="list-style-type: none"> Property appears well maintained with plan thought out taking multiple use into consideration. District staff are doing an excellent job of managing this property. I learned different techniques for restoration (especially ground cover restoration). 				

Exhibit B
**Potts Preserve
Land Management Review Report**

Land Management staff held a Land Management Review (Review) as required per Ch. 373, F.S. on April 7, 2023 to assure that the Potts Preserve (Preserve) is being managed by the District as specified in the Land Management Plan (Plan) for the Preserve. The Review team ranked the District's management activities based on the goals and objectives outlined in the Plan. The Review team consisted of governmental and non-governmental organizations, a private landowner was also invited, but unable to attend . The reviewers and the organizations that they represent are outlined below. The results of the review are also provided in this report.

Review Team organization and representing participants.	
Department of Environmental Protection – Park Service	Chris Raby
Florida Fish and Wildlife Conservation Commission	Chad Hotlen
Florida Fish and Wildlife Conservation Commission	Tiffany Mobley
Florida Forest Service	Vincent Morris and Jon Hoch
Audubon	Jacqui Sulek
Southwest Florida Water Management District – Engineering and Watershed Management	Mark Fulkerson

Exhibit B
Potts Preserve
Land Management Review Report

RESOURCE PROTECTION AND MANAGEMENT						
Hydrologic Management						
Overall Hydrologic Conditions Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - Continue to observe and assess water resources within the Preserve to ensure desired hydrologic function and develop restoration projects, as necessary.				6		
Objective 2 - Continue monitoring water quality and wetland conditions through the data collection network and periodic wetland assessments.				5		0/1
Objective 3 - Protect water resources during management activities by continued implementation of Silvicultural and Agricultural Best Management Practices.				5	0/1	
Comments	<ul style="list-style-type: none"> • Doing a great job! • I didn't realize all of the different things that go into regulating the hydrology. • Staff was very knowledgeable in water resources. 					
Fire Management						
Overall Fire Management Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - Develop and implement an annual burn plan and apply prescribed fire according to the District's Fire Management Guidelines.				4		2
Objective 2 - Conduct majority of prescribed burns during the growing season to support development of native fire-dependent species and habitat function.				4		1
Objective 3 - Update and maintain a condition class database to track management activities on specific management units.				6		
Objective 4 - Maintain perimeter firelines on an annual basis and establish strategic internal management lines supporting the seasonal needs of prescribed fire program.				6		
Comments	<ul style="list-style-type: none"> • I would like to see more fire in the north end if possible. • Keep up the great work. There is always burning going on in some unit. Vegetation looks great and native plants are returning. • Fire management here is amazing. One of the few places to burn large sawgrass prairie basin marshes. Nearly everyplace we visited had evidence of recent burns. • Really impressed with the prescribed burning on this property. Marshes, wetlands, and uplands look great with the fire management efforts. Great job. 					

Exhibit B
Potts Preserve
Land Management Review Report

Restoration and Natural Systems Maintenance						
Overall Restoration / Natural Systems Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - Assess habitat conditions and develop restoration strategy to recover historic natural communities on previously altered sites targeting imperiled natural communities.				5	1	
Objective 2 - Utilize information obtained from historic imagery, FNAI Natural Communities Mapping, and on-site investigations to implement site specific restoration projects that support the District's restoration goals.				4	1	1
Natural Systems Maintenance						
Overall Restoration / Natural Systems Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - Continue to maintain existing habitat enhancement projects over the long-term to achieve desired future conditions outlined in the FNAI Natural Community Guide.				5		1
Objective 2 - Evaluate and develop habitat enhancement projects to improve habitat function.				5		1
Objective 3 - Implement habitat management projects that support the improvement and development of native plant and animal communities, including imperiled species.				6		
Comments	<ul style="list-style-type: none"> • Really looks like the burning is restoring the property to its natural state. • Some percentage of the large pasture areas could use pines at some point in the future. Low density stocking could assist with burning. • Scrub habitat for jay watch. • If funding was available, work on turning pastures into GCR's. • Scrub areas look great as evident by the presence of scrub jays. Other areas close by like Half Moon they are no longer using the scrub. Keep up the great work. 					

Exhibit B
Potts Preserve
Land Management Review Report

Forest Management						
Overall Forest Management Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - Manage the forest resources in accordance with the District's 10-Year Timber Management Plan and conduct timber harvests as scheduled.				5		1
Objective 2 - Evaluate and develop forest management projects to support specific restoration and enhancement objectives developed for the Preserve.				6		
Objective 3 - Conduct annual inspections of forest resources for indication of disease, insect infestations, or damage from fire to promote forest health and sustainability.				5		
Comments	<ul style="list-style-type: none"> No future plans were discussed for replanting. The forests look healthy to me and not over-crowded. Scrub management about the only tree management witnessed and it should continue. Great fire regime. Not a lot of pine killed by burns. Forest looks healthy. 					
Imperiled Species Management						
Overall Imperiled Species Management Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - Implement land management strategies and techniques that support development of habitat required for known imperiled species.				5		1
Objective 2 - In cooperation with other agencies and partners, implement survey and monitoring protocol where feasible for imperiled species and identify strategies for their recovery.				5		1
Objective 3 - Work with other state agencies, conservation organizations, and landowners to maintain habitat connectivity.				6		
Comments	<ul style="list-style-type: none"> Good management attempts to keep scrub in shape for FL Scrub Jay is important. Population (two families) is barely hanging on. Keep up the great work with other agencies to help monitor imperiled species. Jay watch, etc. Good job on scrub jay habitat. Sounds like there is a difficult neighbor to the north that prevents meeting goals in the northeast corner. Keep reaching out to them, maybe eventually they will work with you. 					

Exhibit B
Potts Preserve
Land Management Review Report

Invasive Exotic Species Management						
Overall Exotic Species Management Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - Implement the District's Invasive Plant Management Plan for the Preserve.				6		
Objective 2 - Employ an EDRR methodology on new infestations identified in the Invasive Plant Management Plan.				6		
Objective 3 - Implement the feral hog control plan and manage the feral hog population on the Preserve.				6		
Comments	<ul style="list-style-type: none"> Very little exotic plants seen while on the tour. Great hog control practices are being done. Observed very few invasives. Very few hogs on the property and not a lot of hog rooting. I never observe many exotic plants on the property. Minimal exotic plants. 					
Infrastructure and Maintenance						
Overall Imperiled Species Management Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - Annually inspect and maintain roads and trails according to their designated maintenance schedule.				6		
Objective 2 - Monitor and maintain culverts, bridges and low water crossings to prevent adverse impacts on hydrology.				6		
Objective 3 - Periodically inspect boundary fencing and gates to assure adequate protection of District resources and repair as needed.				6		
Comments	<ul style="list-style-type: none"> Roads are in good condition. Low water crossings looked good. Great job on roads and any broken fences are repaired quickly. 					

Exhibit B
Potts Preserve
Land Management Review Report

Administration						
Land Acquisition						
Overall Land Acquisition Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - Consider acquisition of inholding parcels to complete boundary and improve management.				4	1	1
Objective 2 - Evaluate opportunities to acquire fee interest in parcels within the District's optimal boundary and Florida Forever work plan.				6		
Objective 3 - Pursue acquisition of less-than-fee interests through strategic conversation easements that complement the District's existing network of fee interests and less-than-fee acquisitions.				4	1	1
Comments	<ul style="list-style-type: none"> If you are having a problem with homeless in the camping area, you may want to start charging a small fee for camping. No new acquisitions planned in the future, so doesn't really apply. 					
Land Use and Recreation						
Land Use						
Overall Land Use Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 - Routinely review agreements, easements, and leases and update as necessary.				6		
Objective 2 - Review special requests and issue SUAs for uses that are consistent with the District policies.				6		
Objective 3 - Maintain cooperative relationships with state, local, and other governmental entities as well as with stakeholders.				6		
Recreation						
Overall Recreation Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 – Maintain appropriate public access and quality compatible recreational opportunities.				5		1
Objective 2 – Evaluate requests for additional compatible public access and recreational opportunities.				5		1
Comments	<ul style="list-style-type: none"> Recreation areas clean and appropriate for area. District is doing a great job balancing different user groups. Hard to accomplish. 					

Exhibit B
Potts Preserve
Land Management Review Report

Archaeological and Cultural Resources						
Overall Archaeological and Cultural Resources Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 – Coordinate and follow the Division of Historical Resources’ recommendations for protection on known sites. Continue to monitor, protect, and preserve as necessary any identified sites.				6		
Objective 2 – Take precautions to protect these sites from potential impacts resulting from management or maintenance activities.				5		1
Objective 3 – Maintain qualified staff as an Archaeological Site Monitor.				6		
Comments		Great job monitoring cultural and historical resources.				
Security						
Overall Security Met	1 (Low)	2	3	4	5 (High)	
*Numeric grades were not given.	N/A	N/A	N/A	N/A	N/A	
				Yes	No	In Progress
Objective 1 – Identify, document, and address security issues, including encroachments and unauthorized access.				3		3
Objective 2 - Maintain and inspect boundary fences, boundary lines, and gates to deter encroachment and unauthorized access. Post and maintain rule and boundary signage.				4		2
Objective 3 - Maintain and as needed update law enforcement agreement with FWC or other agencies as appropriate.				6		
Comments		<ul style="list-style-type: none"> • Love the fact that FWC law enforcement is living on the property. • Challenges on Potts with poaching and cultural resources. • Security at Potts is good and hard to maintain sometimes. • Keep up the great work. • Has onsite officer to help with violations. • Airboats are obviously an issue but would require legislation to repair. 				

Overall Management					
			Yes	No	In Progress
Objective 1 – Is the property being managed in accordance with the management plan?			6		
Objective 2 – Is the property being managed for the conservation purposes (water quality, flood protection, water supply, and natural systems protection and enhancement) for which it was acquired.			6		
Comments		<ul style="list-style-type: none"> • Felicia does a great job managing the property. For not being at the property long, she has hit the ground running. • Felicia is doing a great job on this property. Prescribed burning is impressive and the property looks great. • Potts appears to be well managed. Keep up the good work. 			

Exhibit C
**Edward W. Chance Reserve
Land Management Review Report**

Land Management staff held an Interagency Land Management Review (Review), as required per Ch. 373, F.S. on April 27, 2023 to assure that the Edward W. Chance Reserve (Reserve) is being managed by the District as specified in the Land Management Plan (Plan) for the Reserve. The Review team ranked the District’s management activities based on the goals and objectives outlined in the Plan. The Review team consisted of governmental and non-governmental organizations, a private landowner was also invited, but unable to attend due to a conflict. The reviewers and the organizations that they represent are outlined below. The results of the review are also provided in this report.

Review Team organization and representing participants.	
Department of Environmental Protection – Division of Rec. and Parks	Tracy Muzyczka
Florida Forest Service	Eric Strickland
Florida Fish and Wildlife Conservation Commission	Cason Pope
University of Florida - IFAS	Joao Vendramini
Manatee County – Manatee County Environmental Lands	Mike Elswick
Conservation Foundation of the Gulf Coast	Lee Amos
Mosaic – Ecology Section	Raoul Boughton
Southwest Florida Water Management District - SWIM	Will VanGelder

Exhibit C
**Edward W. Chance Reserve
 Land Management Review Report**

RESOURCE PROTECTION AND MANAGEMENT						
Hydrologic Management						
Overall Hydrologic Conditions Met	1 (Low)	2	3	4	5 (High)	
				6	2	
				Yes	No	In Progress
Objective 1 - Continue to observe and assess water resources within the Preserve to ensure desired hydrologic function and develop restoration projects, as necessary.				7		1
Objective 2 - Continue monitoring water quality and wetland conditions through the data collection network and periodic wetland assessments.				7		
Objective 3 - Protect water resources during management activities by continued implementation of Silvicultural and Agricultural Best Management Practices.				3		5
Comments	<ul style="list-style-type: none"> • If timber harvest continues, BMP s should be identified and observed to preserve ground cover species where possible. • Water quality seems to be monitored by a different section than the management group. It seems that the management plan has many actions to preserve water quality, but the information was not shared during the tour. • Old World Climbing Fern needs to be treated at some point. • Erosion at Gilley Creek is tough to manage, but noticeable. Opportunities may exist to increase buffer or exclude cattle near the Gilley, near the Oak Knoll entrance. Also, some of the fire trails are pretty close to Gilley between points 2 and 3. May be an opportunity to move fire line and increase width. • May be opportunity to plug ditches and rehydrate existing wetlands on Gilley. Expand all the hydrological restoration work that happened in the NE section of the property. 					

Exhibit C
**Edward W. Chance Reserve
 Land Management Review Report**

Fire Management						
Overall Fire Management Met	1 (Low)	2	3	4	5 (High)	
			1	3	4	
				Yes	No	In Progress
Objective 1 - Develop and implement an annual burn plan and apply prescribed fire according to the District's Fire Management Guidelines.				6		2
Objective 2 - Conduct majority of prescribed burns during the growing season to support development of native fire-dependent species and habitat function.				4		4
Objective 3 - Update and maintain a condition class database to track management activities on specific management units.				5	1	2
Objective 4 - Maintain perimeter firelines on an annual basis and establish strategic internal management lines supporting the seasonal needs of prescribed fire program.				8		
Comments	<ul style="list-style-type: none"> • Nice work! Longleaf implementation team from Lake Wales Ridge area might be a future source for seed trees where needed. • Very impressed with burn acreage accomplishments. • Establish measurable fire objectives. This will help address critical reviews to justify what you are doing. Fire is great and you are doing excellent. Keep it up. • The fire management program is outstanding. • Intervals can be reduced for flatwoods. Consider combining management zones in some areas to reduce the number of burn days needed to complete annual burn goals. Calculate mean fire return in intervals in GIS as a measure. • Very impressed with the skills, knowledge, work ethic and dedication of land management staff. The burn units look excellent, and the program seems to be accomplishing their goals. • Both sites show extensive long time since fire legacy of hammock oaks and oak encroachment from the riparian areas. The upland scrubs probably need a chainsaw crew or mechanical management to allow initial fires to go through these habitats. This may also be a legacy of not being able to burn on very dry/high wind conditions. • It is obvious that fire return interval is not being maintained at Gilley. Gilley still in good condition and two fire return events within proper season and interval will go a long way to improve. Coker, as discussed, has far fewer inherent issues and is in great shape. Resource challenges are real. 					

Exhibit C
Edward W. Chance Reserve
Land Management Review Report

Restoration and Natural Systems Maintenance					
Overall Restoration / Natural Systems Met	1 (Low)	2	3	4	5 (High)
			1	5	1
				Yes	No
				In Progress	
Objective 1 - Assess habitat conditions and develop restoration strategy to recover historic natural communities on previously altered sites targeting imperiled natural communities.			1		7
Objective 2 - Utilize information obtained from historic imagery, FNAI Natural Communities Mapping, and on-site investigations to implement site specific restoration projects that support the District's restoration goals.			7		1
Natural Systems Maintenance					
				Yes	No
				In Progress	
Objective 1 - Continue to maintain existing habitat enhancement projects over the long-term to achieve desired future conditions outlined in the FNAI Natural Community Guide.			5		3
Objective 2 - Evaluate and develop habitat enhancement projects to improve habitat function.			4		4
Objective 3 - Implement habitat management projects that support the improvement and development of native plant and animal communities, including imperiled species.			5		3
Comments	<ul style="list-style-type: none"> • Rare plant species should be identified and monitored for impact from management activities. For example – scrub edge is a potential location of many listed and endemic species, areas of high recruitment should be avoided by vehicles where possible. • Suggest additional investments in canopy reduction/oak/pine reduction in scrub units. The flatwoods are in excellent condition. Scrub is in good to fair condition and minimal additional investment would yield high impact for several listed species. At Coker Prairie, we were not able to tour the riparian and swamp areas, but I am sure they are in rough shape. This is a challenge for all of us. Suggest at a minimum incorporating EDRR/surveys to catch new invaders. Flights for known problem like climbing fern seem less valuable to me. Perhaps aerial images would suffice for climbing fern. But on the ground surveys or low altitude drones would be necessary for species like aquatic soda apple. • Doing a great job with fire, and it looks like many habitats are responding well. Burn scrub after manipulation with chainsaw or mechanical and try to remove woods that are running along ecotones if not needed, so as to burn across one habitat into another. Keep up the good work of burning into the riparian zones. • Biggest challenge identified during the day is the former pine plantation stands at Gilley. Good approach proposed, may be one of the few times expanding the cattle lease into this area would be an option to consider. Expanding scrub habitat definitely supported and there may be grant options to this approach. 				

Exhibit C
Edward W. Chance Reserve
Land Management Review Report

Forest Management						
Overall Forest Management Met	1 (Low)	2	3	4	5 (High)	
*Two did not rank.			1	3	2	
				Yes	No	In Progress
Objective 1 - <i>Manage the forest resources in accordance with the District's 10-Year Timber Management Plan and conduct timber harvests as scheduled.</i>				3	2	1
Objective 2 - <i>Evaluate and develop forest management projects to support specific restoration and enhancement objectives developed for the Preserve.</i>				4		2
Objective 3 - <i>Conduct annual inspections of forest resources for indication of disease, insect infestations, or damage from fire to promote forest health and sustainability.</i>				4		2
Comments	<ul style="list-style-type: none"> Great effort in establishing pine plantation even though it was not a successful endeavor. Don't give up, more research and try again. Evaluate those measurable objectives after the burns so you know how you are doing, and can show the public what you are doing. Consider low-density canopy tree replacement. These tracts are not managed for timber, and no such management is recommended or warranted. Planting longleaf saplings for ecosystem health would be beneficial, but this market does not support timber. Also, there is an opportunity to plant low-density pine in pasture land for wildlife, again no timber market, but there is a market to sell carbon credits. Can't comment on this, not sure what is being done. The silviculture that was shown had failed years before. Timber management for revenue generation is not a viable option on these properties. Appreciate the discussion and intent to increase the presence of pine in a means influenced by historic occurrence. 					
Imperiled Species Management						
Overall Imperiled Species Management Met	1 (Low)	2	3	4	5 (High)	
			1	4	3	
				Yes	No	In Progress
Objective 1 - <i>Implement land management strategies and techniques that support development of habitat required for known imperiled species.</i>				7		1
Objective 2 - <i>In cooperation with other agencies and partners, implement survey and monitoring protocol where feasible for imperiled species and identify strategies for their recovery.</i>				5		3
Objective 3 - <i>Work with other state agencies, conservation organizations, and landowners to maintain habitat connectivity.</i>				7		1
Comments	<ul style="list-style-type: none"> Consider making additional small investments, \$10,000 - \$50,000 annually to improve scrub jay habitat parameters. Suggested to invest in additional scrub management with minimal cost and high impact. Suggested to leverage the M4-scrub jay population working group to improve outcomes. Resources may be available for additional monitoring and canopy reduction. There are a lot of resources available to assist with Florida scrub jays, both people and money. The District Land Management program actively seeks and engages cooperators and experts in the field of natural systems management. Unfortunately, meeting the highest priorities leaves little time to promote and seek out extensive collaboration. 					

Exhibit C
**Edward W. Chance Reserve
 Land Management Review Report**

Invasive Exotic Species Management					
Overall Exotic Species Management Met	1 (Low)	2	3	4	5 (High)
			1	4	3
				Yes	No
				In Progress	
Objective 1 - <i>Implement the District's Invasive Plant Management Plan for the Preserve.</i>				7	1
Objective 2 - <i>Employ an EDRR methodology on new infestations identified in the Invasive Plant Management Plan.</i>				6	1
Objective 3 - <i>Implement the feral hog control plan and manage the feral hog population on the Preserve.</i>				7	1
Comments	<ul style="list-style-type: none"> Great job! Basin treatment upstream working south (or downstream) across properties is a great strategy for limiting spread. Great job with thinking outside of the box with hog management. Treatment unit in planted longleaf pine needs better access to efficiently treat. Make sure your contractors are treating the whole unit and not just the roads. Untreated Lygodium on south end is concerning and should be addressed. There is a clear commitment and action in place to suppress invasive species. Land Manager needs to build knowledge of local weed concerns. Uplands look great in terms of weed infestation levels. Invasive plants seem well managed in the uplands, but less managed in the wetlands, which is understandable given financial resources and the difficulty of wetland access. Suggested to increase EDRR in wetlands. Feral hog program appears to be on track and should continue investments in whole sounder trapping. Monitoring metrics might help for some of these activities. How well is the hog program actually doing. Can you state a drop in population or is it just cutting the grass. Gilley is a much bigger issue with hogs than Coker. Gilley has obvious issues with exotic plants and hogs. The District conducts an aggressive approach but exotics are winning. Appreciate that there are internal conversations of increasing the number and types of tools to manage and maintain exotic regulations. 				
Infrastructure and Maintenance					
Overall Imperiled Species Management Met	1 (Low)	2	3	4	5 (High)
				2	6
				Yes	No
				In Progress	
Objective 1 - <i>Annually inspect and maintain roads and trails according to their designated maintenance schedule.</i>				7	1
Objective 2 - <i>Monitor and maintain culverts, bridges and low water crossings to prevent adverse impacts on hydrology.</i>				6	2
Objective 3 - <i>Periodically inspect boundary fencing and gates to assure adequate protection of District resources and repair as needed.</i>				7	1
Comments	<ul style="list-style-type: none"> Erosion issues, continue to seek solutions. The overall infrastructure covered during the tour was well maintained. Did not observe any deficiencies. Maintaining infrastructure is constantly in progress and at times is stressed by strong storm events. Property infrastructure was in great shape but it is a constant challenge. 				

Exhibit C
**Edward W. Chance Reserve
Land Management Review Report**

Administration						
Land Acquisition						
Overall Land Acquisition Met	1 (Low)	2	3	4	5 (High)	
*Three did not rank				4	1	
				Yes	No	In Progress
Objective 1 - Consider acquisition of inholding parcels to complete boundary and improve management.				7		
Objective 2 - Evaluate opportunities to acquire fee interest in parcels within the District's optimal boundary and Florida Forever work plan.				5		2
Objective 3 - Pursue acquisition of less-than-fee interests through strategic conversation easements that complement the District's existing network of fee interests and less-than-fee acquisitions.				6		1
Comments	<ul style="list-style-type: none"> Good job identifying properties and making attempt to obtain even though not always successful due to budget. Was touched on briefly during the tour but did not get enough information to be able to answer the questions. Doing excellent work in this area. Requested data related to acquisition targets and may provide additional comments. Overall SWFWMD is a key partner for land conservation and valued by partner agencies and the wider communities. Additional investments are suggested in eastern Manatee County and Western Hardee to make connections between Myakka, Duette and the Central Florida/Florida Wildlife Corridor. This is important for agriculture, heritage, economy, water and environment. Discussions of these activities high quality, I expect this is being successful. District is in a perpetual process of evaluating acquisition/surplus. This is just a part of the overall program. 					

Exhibit C
**Edward W. Chance Reserve
Land Management Review Report**

Land Use and Recreation						
Land Use						
Overall Land Use Met	1 (Low)	2	3	4	5 (High)	
			3	2	3	
				Yes	No	In Progress
Objective 1 - Routinely review agreements, easements, and leases and update as necessary.				8		
Objective 2 - Review special requests and issue SUAs for uses that are consistent with the District policies.				7		1
Objective 3 - Maintain cooperative relationships with state, local, and other governmental entities as well as with stakeholders.				6		2
Recreation						
				Yes	No	In Progress
Objective 1 – Maintain appropriate public access and quality compatible recreational opportunities.				7		1
Objective 2 – Evaluate requests for additional compatible public access and recreational opportunities.				6		2
Comments	<ul style="list-style-type: none"> Good job of recognizing publics needs and creating available trail types. It would be nice to provide more access to these nice properties. Gilley Creek is big but it does not get full appreciation from the public with limited access. Did not receive much information regarding the administrative section of land use permits, etc. but it was evident the use of the land for public recreation. Limited public use infrastructure. The District appears to be on track with this category. Well aware of vetting appropriate recreation offerings and navigation of the many requests made to the District for new and unique opportunities. Find the current opportunities are balanced with properties resources. 					
Archaeological and Cultural Resources						
Overall Archaeological and Cultural Resources Met	1 (Low)	2	3	4	5 (High)	
*Two did not rank.			1	2	3	
				Yes	No	In Progress
Objective 1 – Coordinate and follow the Division of Historical Resources’ recommendations for protection on known sites. Continue to monitor, protect, and preserve as necessary any identified sites.				6		1
Objective 2 – Take precautions to protect these sites from potential impacts resulting from management or maintenance activities.				6		1
Objective 3 – Maintain qualified staff as an Archaeological Site Monitor.				7		1
Comments	<ul style="list-style-type: none"> No known sites, great job keeping staff trained. Not much archeological or cultural opportunity, but good to know to have personnel to monitor what is there. The fact that the agency has a department (or whatever is the correct nomenclature) is commendable and a sign of the commitment with archeological resources. This does not appear to be applicable at this property, but staff are well versed and capable in this area. If resources are found, they can address them. Though there are few documented historical features, the District takes these occurrences into consideration. 					

Exhibit C
**Edward W. Chance Reserve
Land Management Review Report**

Security						
Overall Security Met	1 (Low)	2	3	4	5 (High)	
				1	5	
				Yes	No	In Progress
Objective 1 – Identify, document, and address security issues, including encroachments and unauthorized access.				8		
Objective 2 - Maintain and inspect boundary fences, boundary lines, and gates to deter encroachment and unauthorized access. Post and maintain rule and boundary signage.				7		1
Objective 3 - Maintain and as needed update law enforcement agreement with FWC or other agencies as appropriate.				8		
Comments	<ul style="list-style-type: none"> • The limited public access does provide for more security. • The collaboration with FWC and law enforcement seems to be strong and assures the security of the properties. • Saw no signs of property abuse or site security concerns. • Appreciate the District’s agreement with FWC and having an employee specifically assigned to security. 					
Land Management Plan						
Overall Management Plan Met	1 (Low)	2	3	4	5 (High)	
			1	2	5	
				Yes	No	In Progress
Objective 1 – Does the current land management plan adequately meet the management needs of the Reserve?				6		1
Comments	<ul style="list-style-type: none"> • See comments on imperiled species. • Plan does a great job of covering goals and management strategies. • Staff verbally presented a (written and by email) management plan that seems to be adequate to achieve the goals of the program. • Needs more quantifiable/meaningful metrics for prescribed fire and IMP. • Staff appear to be doing an excellent job and outcomes may not be improved significantly by investing in more management planning. If anything, staff may invest in simple documents and working papers (i.e., Annual Work Plans) that are quicker to write and have better cost benefit. • Only comment is for imperiled species, more habitat management work would be done for the Florida scrub-jay. This is important to do as neighbors as we are actively managing to recover the species and the District is an important partner in that effort. Possibly need some more effort in specific monitoring of habitat and invasive species management. • Management plan addresses a wide range of considerations in the management of conservation lands. 					

Exhibit C
**Edward W. Chance Reserve
Land Management Review Report**

Overall Management						
Overall Management Met	1 (Low)	2	3	4	5 (High)	
*One did not rank				2	5	
				Yes	No	In Progress
Objective 1 – <i>Is the property being managed in accordance with the management plan?</i>				7		1
Objective 2 – <i>Is the property being managed for the conservation purposes (water quality, flood protection, water supply, and natural systems protection and enhancement) for which it was acquired?</i>				8		
Comments	<ul style="list-style-type: none"> • Great tour, great work. Keep planting trees. Work with Florida Forest Service if needed. • Keep up the burning, it looks great! The farm field restoration might be better to just treat exotics and apply fire with mechanical treatment and let it naturally recover. It won't be perfect but it will function and be easier to manage in the long term. • Suggest incorporating scrub management objectives in annual work plans. Overall, the District land management conservation program is a great success. The District should continue their investments. Future generations will thank them. • Land Management has remained focused on the District's areas of responsibilities (AOR's) and has justified the management of conservation lands for the benefit of the AOR's. Has done a great job of managing the large land holdings with limited resources. Keep up the great work and look forward to continuing the great coordination. • District lands covered in this review are being managed better than most comparable public and private land management entities. Excellent progress has been made since time of acquisitions of properties. Good site security, fire management and upland invasive plant management are in place. Opportunities for improvement include wetland IPM and listed species management on the margins. Keep up the good work. • The area leased for cattle grazing is a bahia grass pasture that has been mowed to suppress weed pressure. The goal of the property is not to increase forage and beef cattle production; thus I think the management practices are aligned with the goals of the program, which is preservation of water quantity and quality. If there will be a good time to increase forage and cattle production, a different set of grazing management practices would be advised. 					

Governing Board Meeting

August 22, 2023

6. REGULATION COMMITTEE

6.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion.....201

6.2 **Discussion:** Action Item: Denials Referred to the Governing Board.....202

REGULATION COMMITTEE

August 22, 2023

Discussion: Information Item: Consent Item(s) Moved to Discussion

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Michelle Hopkins, P.E., Division Director, Regulation

REGULATION COMMITTEE

August 22, 2023

Discussion: Action Item: Denials Referred to the Governing Board

District Rule 40D-1.6051, Florida Administrative Code, provides that if District staff intends to deny a permit application, the applicant will be advised of the opportunity to request referral to the Governing Board for final action. Under these circumstances, if an applicant or petitioner requests their application or petition be referred to the Governing Board for final action, that application or petition will appear under this agenda item for consideration. As these items will be presented at the request of an outside party, specific information may not be available until just prior to the Governing Board meeting.

Staff Recommendation:

If any denials are requested to be referred to the Governing Board, these will be presented at the meeting.

Presenter:

Michelle Hopkins, P.E., Division Director, Regulation

Governing Board Meeting
August 22, 2023

7. GENERAL COUNSEL'S REPORT

7.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion.....203

GENERAL COUNSEL'S REPORT

August 22, 2023

Discussion: Information Item: Consent Item(s) Moved to Discussion

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Chris Tumminia, General Counsel, Office of General Counsel

COMMITTEE/LIAISON REPORTS

August 22, 2023

Discussion: Information Item: Environmental Advisory Committee

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

John Mitten, Board Member

EXECUTIVE DIRECTOR'S REPORT

August 22, 2023

Discussion: Information Item: Executive Director's Report

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Brian J. Armstrong, P.G., Executive Director

CHAIR'S REPORT

August 22, 2023

Discussion: Information Item: Chair's Report

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Ed Armstrong, Chair

CHAIR'S REPORT

August 22, 2023

Discussion: Information Item: Employee Milestones

Staff Recommendation:

This item is for the Board's information only, and no action is required.

Presenter:

Ed Armstrong, Chair

Years of Service	Seniority Date	Preferred Full Name	Position Title	Office Location	Bureau	Anniversary Year	Next Milestone
5	08/06/2018	Spencer Jordan	Hydrologist	Tampa	Water Use Permit	2023	08/06/2023
5	08/20/2018	David Francona	Staff Engineer	Tampa	Environmental Resource Permit	2023	08/20/2023
5	08/20/2018	Elizabeth Fernandez	Deputy General Counsel	Tampa	Office of General Counsel	2023	08/20/2023
5	08/20/2018	Krista Walker	Compliance Inspector 3	Sarasota	Regulatory Support	2023	08/20/2023
10	08/19/2013	Chad Hughes	Senior Land Use Specialist	Brooksville	Land Resources	2023	08/19/2023
15	08/18/2008	Hannah Kuzlo	Technology Services Manager	Tampa	Information Technology	2023	08/18/2023
15	08/18/2008	Jamie Hurst	Senior Heavy Equipment Operator	Bartow	Operations	2023	08/18/2023
20	08/18/2003	John Diez	Survey Technician 2	Brooksville	Data Collection	2023	08/18/2023