

Governing Board Meeting

Agenda and Meeting Information

October 24, 2023

9:00 a.m.

7601 US-301 • Tampa, Florida
(813) 985-7481 • 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

An Equal
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

OCTOBER 24, 2023
9:00 AM

7601 US 301 North, Tampa, FL 33637
(813) 985-7481

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 Invocation and Pledge of Allegiance
- 1.3 Employee Recognition
- 1.4 Additions/Deletions to Agenda
- 1.5 Public Input for Issues Not Listed on the Published Agenda

2. CONSENT AGENDA

- 2.1 **Finance/Outreach and Planning Committee:** Knowledge Management: Promotion of District Programs and Objectives Governing Board Policy
- 2.2 **Finance/Outreach and Planning Committee:** Office of Inspector General Performance Measures
- 2.3 **Resource Management Committee:** Minimum Flows and Minimum Water Levels Priority List and Schedule Update
- 2.4 **Resource Management Committee:** Final Tampa Bay Surface Water Improvement and Management (SWIM) Plan (W020)
- 2.5 **Resource Management Committee:** FARMS – Wauchula Fresh, LLC (H820), Hardee County
- 2.6 **Operations, Lands and Resource Monitoring Committee:** Lake Panasoffkee Cattle Lease – SWF Parcel No. 19-528-162X
- 2.7 **Operations, Lands and Resource Monitoring Committee:** Donation of Utility Easement to TECO – Harney Canal, SWF Parcel No. 13-136-154X
- 2.8 **Operations, Lands and Resource Monitoring Committee:** Halpata Yellow Timber Harvest Agreement
- 2.9 **Regulation Committee:** Water Use Permit No. 20 021121.000, Tampa Bay Water / South Hillsborough County Production Well (Hillsborough County)
- 2.10 **Regulation Committee:** Water Use Permit No. 20 002332.009, Town of Lake Hamilton / Town of Lake Hamilton (Polk County)
- 2.11 **Executive Director's Report:** Approve Fiscal Year 2024 Final Budget Hearing Minutes
- 2.12 **Executive Director's Report:** Approve Governing Board Minutes – September 26, 2023

3. FINANCE/OUTREACH AND PLANNING COMMITTEE

- 3.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion
- 3.2 **Discussion:** Action Item: Investment Strategy Quarterly Update
- 3.3 **Discussion:** Action Item: Knowledge Management: Industrial, Commercial & Institutional Advisory Committee Policy
- 3.4 **Discussion:** Action Item: Development of Preliminary Budget for Fiscal Year 2025

- 3.5 **Submit & File:** Information Item: Budget Transfer Report
- 3.6 **Submit & File:** Information Item: Office of Inspector General Quarterly Update – July 1, 2023 to September 30, 2023

4. RESOURCE MANAGEMENT COMMITTEE

- 4.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion
- 4.2 **Discussion:** Action Item: Peace River Manasota Regional Water Supply Authority - Regional Integrated Loop System Phase 3C Project – Third-Party Review (Q313)

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

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
- 7.2 **Discussion:** Action Item: Affirm Governing Board Committee Actions

8. COMMITTEE/LIAISON REPORTS

- 8.1 **Discussion:** Information Item: Agricultural and Green Industry Advisory Committee

9. EXECUTIVE DIRECTOR'S REPORT

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

10. CHAIR'S REPORT

- 10.1 **Discussion:** Action Item: 2023 Employee Evaluation and 2024 Performance Goals for the Executive Director and Inspector General
- 10.2 **Discussion:** Information Item: Chair's Report
- 10.3 **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 2024

Governing Board Meeting

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

Governing Board Workshop

November 14, 2023 – 9:30 a.m., Tampa Office

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

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

Governing Board Meeting

October 24, 2023

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CONVENE PUBLIC MEETING

October 24, 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

October 24, 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

October 24, 2023

Employee Recognition

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

Presenter:

Ed Armstrong, Chair

CONVENE PUBLIC MEETING

October 24, 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

October 24, 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

October 24, 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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2.9	Regulation Committee: Water Use Permit No. 20 021121.000, Tampa Bay Water / South Hillsborough County Production Well (Hillsborough County).....	66
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2.11	Executive Director's Report: Approve Fiscal Year 2024 Final Budget Hearing Minutes	97
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CONSENT AGENDA

October 24, 2023

Finance/Outreach and Planning Committee: Knowledge Management: Promotion of District Programs and Objectives Governing Board Policy

Purpose

Request approval of the revised Promotion of District Programs and Objectives Governing Board Policy.

Background/History

Chapter 373.103(5) of the Florida Statutes grants authority to, "Expend, at the discretion of the governing board, for purposes of promotion, advertisement, and improvement of the program and objectives of the District, a yearly sum not to exceed 0.25 percent of the moneys collected by taxation within the District."

As discussed at the September 2023 Governing Board meeting, staff performed a review of the Promotion of District Programs and Objectives Governing Board Policy and deemed it necessary to update. The following are modifications made to the existing policy:

1. Deleted references to Basins.
2. Made minor language changes for clarification, such as adding the word "promotional" in front of workshops, as workshops can be considered promotional or nonpromotional.
3. Reorganized activities into paragraphs with similar categorical purposes for clarification and to facilitate proper treatment, such as moving "official dedication ceremonies" from paragraph 2 to paragraph 1 and shifting "service pins or plaques" from paragraph 4 to paragraph 2.
4. Removed costs associated with Governing Board Meetings since the meetings are statutorily required. Note, promotional items such as plaques and awards presented at the board meetings will still be tracked as promotional.
5. Added items associated with:
 - o the purchase of token giveaway items branded with the District's logo;
 - o purchase of paid announcements in multiple venues if it is desired to attract public attention or awareness of the District's program and objectives; and
 - o cost to secure and maintain a presence on selected social media platforms.

Benefits

Updating existing Governing Board Policies increases efficiencies and ensures organizational alignment.

Staff Recommendation:

Approve the Promotion of District Programs and Objectives Governing Board Policy as revised.

Presenter:

Melisa Lowe, Bureau Chief, Finance Bureau

GOVERNING BOARD POLICY

Southwest Florida Water Management District

Title: Promotion of District Programs and Objectives

Document Owner: Finance Bureau Chief

Approved By: Chair

Effective Date: 10/24/2023

Supersedes: 01/01/1993

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PURPOSE

To authorize and provide guidelines on the expenditure of funds for the specific purposes of promotion, advertisement, and improvement of District programs and objectives.

SCOPE

This Policy shall apply to all personnel with the authority to expend District funds.

AUTHORITY

Chapter 373.103(5), Florida Statutes

The Statutory Authority promulgates the powers vested in the Governing Board and states, "Expend, at the discretion of the governing board, for purposes of promotion, advertisement, and improvement of the program and objectives of the district, a yearly sum not to exceed 0.25 percent of the moneys collected by taxation within the district."

DEFINITIONS

N/A

STANDARDS

N/A

GOVERNING BOARD POLICY

Title: Promotion of District Programs and Objectives

Effective Date: 10/24/2023

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POLICY

In accordance with the limits established by Statute and Governing Board Policy, Procurement, and the above cited statutory reference, District funds may be budgeted and expended for the following activities or purposes:

- 1) Governing Board, official dedication ceremonies, promotional workshops, and conferences called for the purposes of discussing matters related to the District, with authorized expenditures being for meeting facilities, meals and refreshments for Board, staff, invited participants and press, and other incidental expenditures associated with the occasion; provided that Board, staff and invited participants shall waive entitlement for meal reimbursement authorized per Executive Director Procedure, Travel, when meals are furnished.
- 2) Service appreciation plaques for Governing Board members upon completion of or during term of appointment, and for other selected persons as approved by the Board for special service; tokens of appreciation for employees, Governing Board members, or members of the general public, such as service pins or plaques, for special service or public recognition.
- 3) Purchase of token giveaway items branded with the District's logo and other information (e.g., rain gauges, pencils, etc.) distributed to the public to increase their awareness of the District's programs and objectives.
- 4) Purchase of paid public service advertisements in print, radio, broadcast, billboards, or electronic media, designed to attract public attention or awareness of the District's programs and objectives. This does not include statutorily required legal noticing.
- 5) Cost to secure and maintain a presence on selected social media platforms through public service advertisements and boosted posts.

DISTRIBUTION

This Policy will be stored in the designated Governing Board Policy Repository.

REFERENCES

Chapter 373.103(5), Florida Statutes
Governing Board Policy, Procurement
Governing Board Policy, Travel
Executive Director Procedure, Procurement
Executive Director Procedure, Travel

REVIEW PERIOD

This Policy will be reviewed every 3 years.

GOVERNING BOARD POLICY

Title: Promotion of District Programs and Objectives

Effective Date: 10/24/2023

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DOCUMENT DETAILS

Document Name	Promotion of District Programs and Objectives
Formerly Known As	N/A
Document Type	Policy
Author(s)	Finance Bureau Chief
Reviewing Stakeholder(s)	OGC staff, Finance staff
Document Owner Name	Melisa Lowe
Document Owner Title	Finance Bureau Chief
Review Period (in days)	1095
Span of Control	Governing Board
Supersedes Date	01/01/1993
Effective Date	10/24/2023

APPROVAL

E.D. Armstrong, III
Chair

Date

EXHIBIT

CONSENT AGENDA

October 24, 2023

Finance/Outreach and Planning Committee: Office of Inspector General Performance Measures

Background and Purpose

In accordance with the OIG Charter Governing Board Policy, the OIG shall have performance measures defined by the Finance/Outreach & Planning Committee and approved by the Governing Board. After Governing Board approval, these will be the performance measures which the OIG will report on at least a semi-annual basis.

Staff Recommendation:

Staff recommends the Board approve the OIG performance measures.

Presenter:

Brian Werthmiller, Inspector General, Office of Inspector General

Office of Inspector General FYE 9/30/2024 Performance Measures

Performance Measures – Non-Routine	Goal
Complete statutorily required 6-month status report for any corrective actions as identified by the Auditor General.	Submit to the Board 6 months from the Auditor General report date.
Monitor and report to the Board as required by policy the District’s response to Auditor General recommendations not corrected by the 6-month update.	Submit to the Board by September 2024.
Complete one audit as determined by the 2024 audit plan.	Submit to the Board by September 2024.
Appropriate time allocated to efforts resulting in reporting to the Board.	65% of chargeable hours.
Performance Measures – Routine	Goal
Risk Assessment and audit plan.	Submit to the Board by January 2024.
Inspector General FY 2024 Annual Report.	Submit to the Board by September 2024.
Updates to the Finance/Outreach & Planning Committee including IG performance measures.	Submit to the Board by the month following each quarter-end.

CONSENT AGENDA

October 24, 2023

Resource Management Committee: Minimum Flows and Minimum Water Levels Priority List and Schedule Update

Purpose

To request approval of the District's 2023 priority list and schedule for the establishment of minimum flows, minimum water levels and reservations (i.e., priority list) prior to submission to the Florida Department of Environmental Protection (DEP).

Background/History

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

Staff presented a draft 2023 priority list to the District's Environmental Advisory Committee on July 11, 2023, and the Public Supply Advisory Committee on August 8, 2023. No changes to the draft priority list were suggested during these committee meetings.

Staff subsequently presented the draft priority list to the Governing Board as a Submit & File Report item at the August 22, 2023, Board meeting. The draft priority list was posted to the District website and staff informed the DEP and other water management districts of its availability.

A public meeting for soliciting comment on the draft priority list was held on August 23, 2023 via the internet using Microsoft Teams. A total of 19 individuals, including several District staff members, participated in the meeting. No specific comments or recommendations concerning changes to the draft priority list were provided during the public meeting.

On August 24, 2023, District staff met with DEP, South Florida Water Management District (SFWMD) and St. Johns River Water Management District (SJRWMD) staff to discuss each district's draft priority list, with an emphasis on prioritized water bodies in the Central Florida Water Initiative (CFWI) area. No changes to the District's draft priority list or those of the SFWMD and SJRWMD were identified during the meeting.

On September 1, 2023, District staff and staff from the SFWMD and SJRWMD facilitated a public meeting to solicit input on each district's draft priority list generally, and to specifically solicit input on prioritization of water bodies in the CFWI area. The meeting was held virtually on the internet using Zoom software. A total of 65 individuals, including 21 members of the three district staffs, participated in the meeting. No additions, deletions or schedule changes were identified for water bodies on the District's priority list or those of the other two districts.

Following the public meetings, District staff received a suggestion to consider minimum levels establishment for Crescent Lake in Polk County. Based on evaluation of groundwater level trends in the lake vicinity, which are relatively stable or increasing, staff did not identify a need for prioritization of minimum flows development for Crescent Lake at this time.

Although no changes to the water bodies or schedule included in the draft 2023 priority list presented to the Board in August 2023 have been made, the draft list has been updated to correct a single typographic error associated with an included rule citation.

Follow-Up Activities

In accordance with the annual requirement in the Florida Statutes, the District's 2023 priority list approved by the Governing Board will be submitted to DEP by November 15, 2023. At the request of DEP, the priority list information will also be submitted to DEP in spreadsheet format to facilitate tracking of minimum flows, minimum levels, and reservation establishment.

Following DEP approval, the 2023 priority list will be incorporated into the District's 2024 Consolidated Annual Report that will be presented to the Board for consideration and approval in January and February 2024, respectively.

Benefits

The 2023 priority list includes water bodies for which the District anticipates establishment, i.e., adoption of minimum flows or minimum water levels and reservations by 2026. Once adopted, minimum flows and levels and reservations are used to support regional water supply planning and District regulatory programs.

Staff Recommendation:

Approve the District's Minimum Flows and Minimum Water Levels 2023 Priority List and Schedule for submission to DEP for review and approval as required by Chapter 373, F.S.

Presenter:

Doug Leeper, MFLs Program Lead, Natural Systems & Restoration Bureau

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.

CONSENT AGENDA

October 24, 2023

Resource Management Committee: Final Tampa Bay Surface Water Improvement and Management (SWIM) Plan (W020)

Purpose

The purpose of this item is to request approval of the Tampa Bay SWIM Plan in accordance with Section 373.453, Florida Statutes (F.S.).

Background/History

In 1987, the Florida Legislature established the Surface Water Improvement and Management (SWIM) Act in response to the increasing occurrence of surface waterbodies that either were determined to be degraded or were trending towards degradation. The Act requires the five water management districts to maintain and update a priority list of water bodies of regional or statewide significance within their boundaries and develop plans and programs for the improvement of those water bodies. Tampa Bay was identified in the Legislation as a priority waterbody and in 1988 the Governing Board approved the first Tampa Bay SWIM Plan.

In 1991, the U.S. Environmental Protection Agency designated Tampa Bay as an Estuary of National Significance and created the Tampa Bay Estuary Program (TBEP), a local, state and federal partnership including the District. Following completion of the first Comprehensive Conservation Management Plan (CCMP), in 1996, the partners signed an Interlocal Agreement pledging to achieve the goals of the CCMP. The District updated the Tampa Bay SWIM Plan to serve as a companion document to the CCMP and identified SWIM-specific management actions, projects and initiatives to meet habitat restoration and water quality improvement goals.

This SWIM Plan update considered several documents to develop the goals, management actions, and projects, including the 2017 TBEP CCMP, the 2022 TBEP Reasonable Assurance Plan and the 2020 Habitat Master Plan. This update was coordinated with technical stakeholders and the TBEP Technical Advisory Committee (TAC), presented to the District's Environmental Advisory Committee (EAC), a public workshop and the District's Governing Board meeting on July 25, 2023, fulfilling the public input requirements of Section 373.453(3).

At its meeting on July 25, 2023, the Governing Board authorized staff to submit the final draft Tampa Bay SWIM Plan to the Florida Department of Environmental Protection (FDEP), Florida Department of Agriculture and Consumer Services (FDACS), Florida Fish and Wildlife Conservation Commission (FFWCC) and appropriate local governments for their official review and comment, according to Section 373.453(3). Several comments were received, and minor changes were incorporated as appropriate into the final Tampa Bay SWIM Plan. The final Tampa Bay SWIM Plan can be viewed at <https://www.swfwmd.state.fl.us/projects/swim/tampa-bay>

Staff Recommendation:

Approve the Tampa Bay SWIM Plan in accordance with Section 373.453, F.S.

Presenter:

Vivianna Bendixson, SWIM Manager, Natural Systems & Restoration Bureau

CONSENT AGENDA

October 24, 2023

Resource Management Committee: FARMS – Wauchula Fresh, LLC (H820), Hardee County

Purpose

To request approval for a Facilitating Agricultural Resource Management Systems (FARMS) project with Wauchula Fresh, LLC and approval to reimburse FARMS eligible costs up to a not-to-exceed limit of \$541,701 (68% percent of total project costs). The District funding is requested from the Governing Board FARMS Fund. Total project costs are estimated at \$800,319.

Project Proposal

The District received a project proposal from Wauchula Fresh, LLC for their property totaling 8.1 acres of nursery for herbs and specialty crops located in the City of Wauchula in central Hardee County, within the Southern Water Use Caution Area. The crop will be grown inside an existing building with a rack system for the plants to facilitate continual crop rotation. This allows the company to grow a crop equivalent to 258 acres of similar plants in an outdoor setting. This project will involve a water recirculation system, and automation of the irrigation pump station to offset permitted Upper Floridan aquifer groundwater used for irrigation. The Water Use Permit (WUP) authorizes annual average groundwater withdrawals of 257,400 gallons per day (gpd). FARMS project components consist of a main drain to direct tailwater into a tank where the water will be filtered, treated for pathogens and mixed with nutrients to optimize water reuse. Equipment will include manifolds, pumps, sterilization, storage, treatment, as well as automation of the supply pump valves and nutrient dosing equipment.

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 approximately 45 percent, or 115,000 gpd for daily irrigation, and reduce nitrogen applications by 148 pounds per year. Based on the estimated groundwater offset, reduction of nitrogen application, and proposed six-year contract term, the cost per thousand gallons of water saved is \$3.51, and the cost per pound of nitrogen reduced per year is \$38.87. These values are within the guidelines for the generally accepted average cost savings per thousand gallons for the implementation of alternative water supplies, improved irrigation techniques and nutrient reduction BMPs for nursery operations. Reimbursement will be from the Governing Board FARMS Fund. Upon approval of the project presented at this meeting, the Governing Board will have \$3,458,299 remaining in its FARMS Program budget.

Staff Recommendation:

1. Approve the Wauchula Fresh, LLC project for a not-to-exceed project reimbursement of \$541,701 provided by the Governing Board;
2. Authorize the transfer of \$541,701 from fund 010 H017 Governing Board FARMS Fund to the H820 Wauchula Fresh, LLC project fund;
3. Authorize the Assistant Executive Director to sign the agreement.

Presenter:








Matt Vinzant, FARMS Project Manager, Water Resources Bureau

Location Map

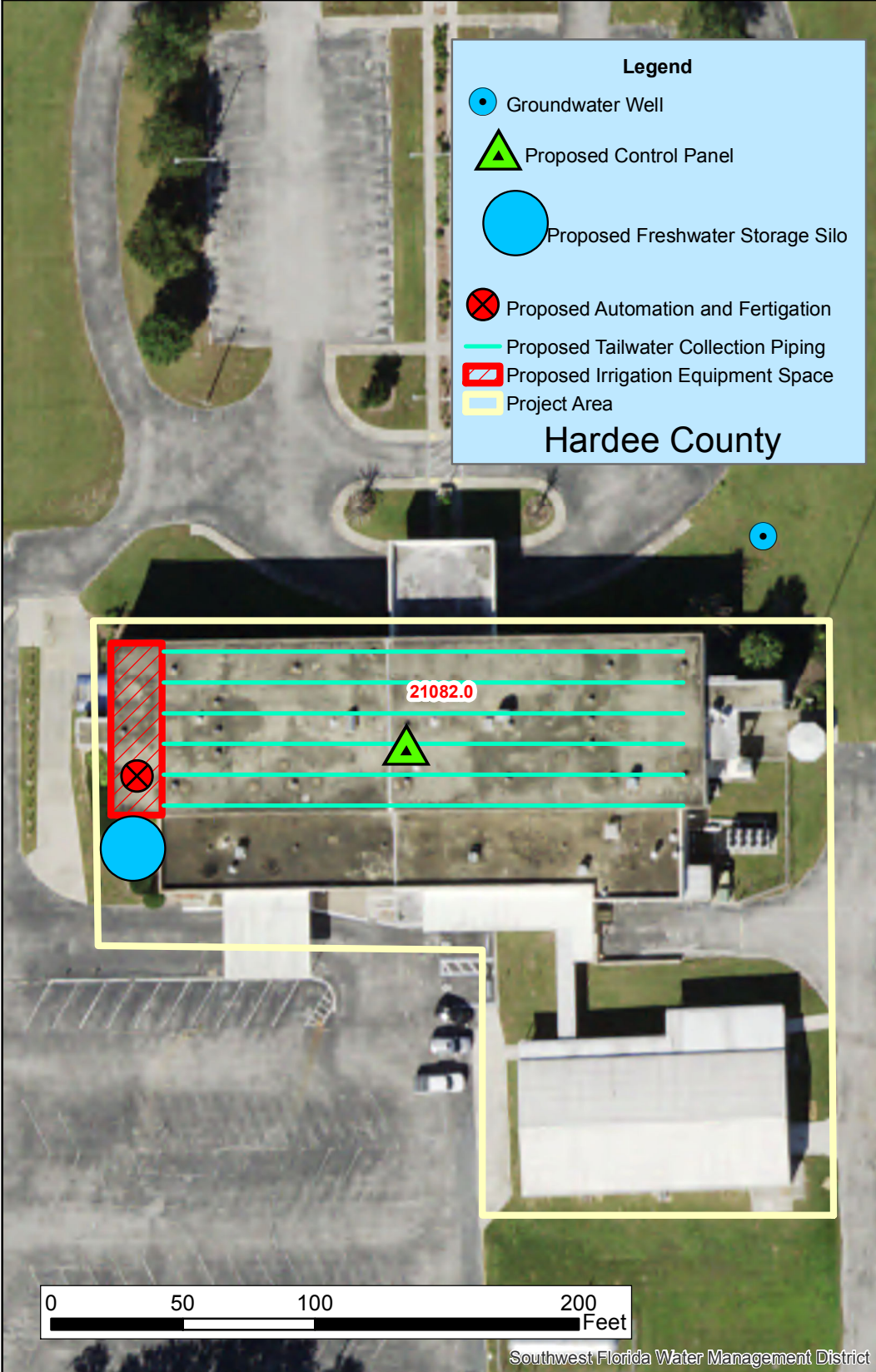
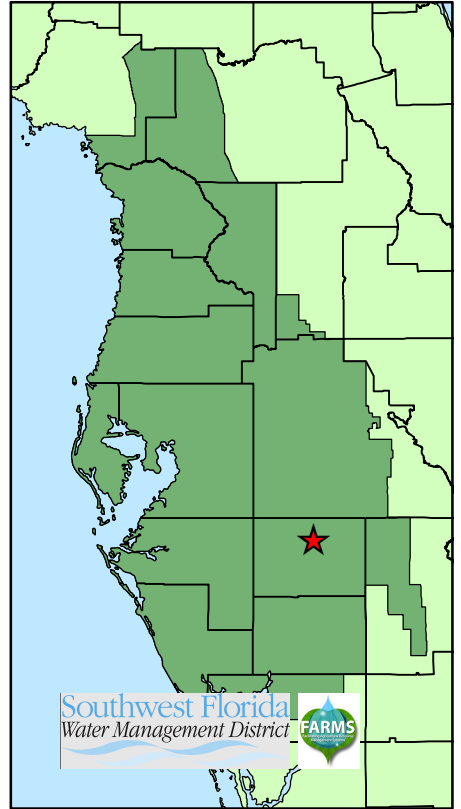
FARMS Project H820

Wauchula Fresh, LLC

Legend

-  Groundwater Well
-  Proposed Control Panel
-  Proposed Freshwater Storage Silo
-  Proposed Automation and Fertigation
-  Proposed Tailwater Collection Piping
-  Proposed Irrigation Equipment Space
-  Project Area

Hardee County



CONSENT AGENDA

October 24, 2023

Operations, Lands and Resource Monitoring Committee: Lake Panasoffkee Cattle Lease – SWF Parcel No. 19-528-162X

Purpose

Request Governing Board approval to award the Request for Offers 23-01 (RFO) for the Lake Panasoffkee Cattle Lease, which covers approximately 479 acres in north-central Sumter County in the vicinity of State Road 44 (Property) to Brian Bailey (Lessee) and execute the resulting Cattle Grazing Lease Agreement (Lease), a copy of which is attached hereto as Exhibit A, on behalf of the District.

Background/History

On August 6, 2023, the District advertised the RFO regarding the Property. The Property is comprised of 479± acres. The Property was previously leased as a cow-calf operation, but the District and the previous lessee mutually agreed to not exercise the option of an additional five-year term. A general location map is included as Exhibit A to the Lease. The Property is being leased for cattle grazing (cow-calf) and haying purposes only.

The maximum stocking rate for the Property is 75 Animal Units (an Animal Unit is one bull or one cow with or without one un-weaned calf). The Lessee may stock any number of Animal Units on the Property at or below the maximum without adjustment to the annual rent payment.

On August 25, 2023, a voluntary site visit was held with 18 participants attending and signing the voluntary sign-in sheet. On September 5, 2023, eight responses were received for the RFO, with the highest offer being submitted by the Lessee in the amount of \$60.12 per acre, for an annual lease amount of \$28,797.48. The Solicitation Recap Report is attached as Exhibit B.

Benefits/Costs

The Lease will provide the District with income in the amount of \$28,797.48 annually, while also requiring the Lessee to perform certain land management functions. The term of the Lease is five years, with an option for the District to renew for an additional term of five years. The Lessee is responsible for maintaining invasive plant species and will ensure that there is less than five percent (5%) coverage of tropical soda apple during the duration of the Lease, fertilizing and otherwise maintaining the pasture areas, maintaining fencing, and otherwise managing certain aspects of the Property. The Lease contains an indemnification clause by Lessee in favor of the District and requires the Lessee to pay any ad valorem taxes assessed on the Property during the duration of the Lease. This is a low-risk agreement. The District has the right to terminate the Agreement at any time for any material breach thereof.

Deliverables/Accountability

In accordance with the Agreement deliverables, Lessee will be responsible for fencing and exotic species control. Periodic inspections by staff will be performed ensuring the aforesaid responsibilities are being performed. Payment and proof of insurance coverage will be provided by Lessee.

Staff Recommendation:

Approve the award of the Lake Panasoffkee Cattle Lease to Brian Bailey and execute the lease on behalf of the District.

Presenter:

Chris Reed, Manager, Land Resources Bureau

Lake Panasoffkee Cattle Lease Agreement with Brian Bailey
SWF Parcel No. 19-528-162X
Chad Hughes, Senior Land Use Specialist
BKV-6-OPS

CATTLE GRAZING LEASE AGREEMENT

THIS LEASE, made this _____ day of _____, 202_, by and between the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, having an address of 2379 Broad Street, Brooksville, Florida 34604-6899, hereinafter called the "LESSOR", and Brian Bailey, having an address of 11225 South Noelle Terrace, Homosassa, Florida, 34446, hereinafter called the "LESSEE."

WITNESSETH:

The LESSOR, for and in consideration of the rents, covenants and agreements hereinafter contained, does hereby lease to the LESSEE, all that certain property located in Sumter County Florida, hereinafter referred to as the "PROPERTY", depicted in Exhibit "A", and described in Exhibit "B" attached hereto, subject to the following terms and conditions:

1. **RENT:** The LESSEE agrees to pay the LESSOR an annual rental amount of Twenty-eight thousand seven hundred and ninety-seven dollars and forty-eight cents (\$28,797.48) for 479 acres per year, or at the rate of \$60.12 per acre per year. The first payment is due upon execution of this Lease and subsequent payments will be due annually on the anniversary of the execution date of this Lease (Anniversary Date).
2. **TERM:** This Lease will be for a term of five (5) years commencing on the date of execution of this Lease, unless otherwise renewed by the LESSOR pursuant to the terms and conditions set forth in Paragraph 20. If this Lease is renewed, then the term will commence on the date of execution by the LESSOR.
3. **USE:** The LESSEE may use the PROPERTY for cattle grazing and haying purposes only.
4. **STOCKING RATE:** An Animal Unit is one (1) bull or one (1) cow with or without one (1) un-weaned calf. The maximum Stocking Rate for the PROPERTY is 75 Animal Units. The LESSEE may stock any number of Animal Units at or below the maximum stocking rate stated without an adjustment to the annual rent payment. Upon written request from the LESSEE, the stocking rate may be increased upon a favorable evaluation and written approval by the LESSOR. The LESSOR reserves the right to inspect the condition of the PROPERTY at any time during this Lease and adjust the Stocking Rate due to the PROPERTY being overgrazed based on this inspection and/or forage production analysis. The amount of rent due will be increased or decreased by an amount equal to the percentage change in the number of Animal Units approved by the LESSOR. The change in the Stocking Rate will be effective on the next date rent is due to the LESSOR following the LESSOR'S approval of the increase.
5. **ASSIGNMENT:** The LESSEE may not assign this Lease, or any interest herein, without the prior written approval of the LESSOR. Neither this Lease nor any interest of the LESSEE herein is assignable or transferable in proceedings by or against the LESSEE in execution, bankruptcy, or insolvency, or in any other manner by operation of law. Any assignment or change of control made either in whole or in part without the prior written approval of the LESSOR shall be void and without legal effect. Any purported assignment or change of control in violation of this Paragraph will constitute a material breach of this Lease for which the LESSOR may immediately terminate this Lease.

6. SUBLEASES: The LESSEE will not sublease the PROPERTY, unless the LESSEE obtains prior written approval of the terms and conditions of the sublease from the LESSOR. Any sublease not approved in writing by the LESSOR will be void and without legal effect. Any purported sublease in violation of this Paragraph will constitute a material breach of this Lease for which the LESSOR may immediately terminate this Lease. The LESSOR'S approval of a particular sublease does not constitute a waiver of the right to withhold approval of subsequent subleases.

7. FENCING AND IMPROVEMENTS:

- (a) Unless another type of fencing is approved by the District, new fences will be constructed consisting of four (4) strands of barbed wire, attached to pressure treated or iron fence posts. Post spacing will not exceed twenty (20) feet. All fences remain the property of the LESSOR.
- (b) The LESSEE will maintain all fences and gates in good condition during the term of this Lease. In the event an existing fence on the PROPERTY is damaged or inadequate, the LESSEE shall repair or replace it within fourteen (14) days. Fences that must be repaired or replaced will be constructed in compliance with the criteria established in paragraph 7(a).
- (c) The LESSEE must obtain prior written approval from the LESSOR before constructing any additional interior fences upon the PROPERTY. The LESSEE will maintain in good repair, any existing improvements upon the PROPERTY, e.g. troughs, sheds, and other structures, or any improvements that may be placed upon the PROPERTY during the term of this Lease. The LESSEE may not make improvements to the PROPERTY without the prior written approval of the LESSOR. All permanent improvements will remain the property of the LESSOR, e.g. well(s) for cattle watering purposes.
- (d) The LESSEE must use portable cattle pens or construct pens. The LESSEE is solely responsible for expenses incurred in the use or construction of cattle pens.
- (e) The LESSEE will be responsible for establishing a dependable water source on the PROPERTY if needed by the LESSEE. The LESSEE must obtain all necessary permits and authorizations prior to establishing any water source on the PROPERTY. The LESSEE is solely responsible for expenses incurred for establishing water sources.
- (f) Licensee will repair any and all damage to the License Area, caused by the Licensee, within 30-days after notice by Licensor and should the License Area not be repaired this Agreement will be suspended until such time that repairs are made to the satisfaction of the Licensor.

8. IDENTIFICATION: All cattle must bear identification, e.g., ear tags, tattoos, brands, etc., readily traceable to the LESSEE before their release on the PROPERTY.

9. HUNTING: With the exception of the activities allowed pursuant to paragraph 11 (c), hunting on the leased property is prohibited.

10. PUBLIC USE: The LESSOR reserves the right to use the PROPERTY, in whole or part, for activities, including but not limited to passive recreation.

11. GENERAL OPERATION AND MANAGEMENT: The LESSEE will take appropriate measures to prevent overgrazing, pasture degradation and other environmental impacts to the PROPERTY. Such measures will include but are not limited to the following:

- (a) The LESSEE will conduct all activities in accordance with all applicable rules and regulations. The LESSEE further agrees, when practicable, to conduct all activities in accordance with the most recent Water Quality Best Management Practices (BMPs), including the Nutrient Application Record form, established by the Florida Department of Agriculture and Consumer Services, Office of Agricultural Water Policy (FDACS-OAWP). The FDACS-QAWP Water Quality/Quantity Best Management Practices Manual is available from The FDACS-OWAP at:

https://www.fdacs.gov/ezs3download/download/25408/516287/Bmp_FloridaCowCalf2008.pdf

or:

FDACS-OAWP
1203 Governor's Sq. Blvd.
Suite 200
Tallahassee. FL 32301

Prior to conducting activities on the PROPERTY, the LESSEE will demonstrate its intent to implement practicable BMPs by signing the following FDACS-QAWP Notice of Intent to Implement Water Quality BMPs for Florida Cow/Calf Operations form, found within the FDACS-QAWP Water Quality/Quantity Best Management Practices Manual, and submitting them to FDACS-OAWP, with copies to the LESSOR.

- (b) The LESSOR is required to manage invasive plant species on the PROPERTY consistent with Florida Statutes. The LESSEE shall not impede the LESSOR'S efforts to control invasive species on the PROPERTY. The LESSEE shall be solely responsible for maintaining effective control of tropical soda apple (TSA) using the Best Management Practices described in the University of Florida, Institute of Food and Agricultural Sciences Publication Number SS-AGR-77, and updates thereto at:

<http://edis.ifas.ufl.edu/uw097>

The LESSOR will ensure that there is less than five percent (5%) coverage of TSA on the PROPERTY at the time this Lease is executed. The LESSOR and the LESSEE will conduct an inspection of the PROPERTY following execution of this Lease, to document that TSA is under satisfactory control. The LESSEE'S failure to maintain acceptable control of TSA will constitute a material breach of this Lease for which the LESSOR may either immediately terminate this Lease or treat the

PROPERTY. If the LESSOR chooses to treat the PROPERTY, the LESSEE is solely responsible for the cost of such treatment by the LESSOR and agrees to reimburse the LESSOR the full amount of the cost upon the LESSOR'S written request. The LESSEE'S failure to reimburse the LESSOR within five (5) days of receipt of LESSOR'S written request will constitute a material breach of this Lease for which the LESSOR may immediately terminate this Lease. If the LESSEE uses fertilizer, hay, seed or other planting materials on the PROPERTY that originated off-site, the LESSEE must make every practicable effort to ensure that such materials are free of invasive plant seeds and other propagules before using.

- (c) The LESSEE shall trap or shoot feral hogs on the PROPERTY and maintain a record of all feral hog control activities conducted by the LESSEE. All hogs trapped on the PROPERTY must be euthanized in a humane manner and may not be relocated or released. The LESSEE will submit the record of all feral hog control activities to the LESSOR by October 1 of each year of this lease.

12. PASTURE CONDITIONS: The LESSEE will take appropriate measures to prevent overgrazing and pasture degradation that include, but are not limited to the following:

- (a) The maintenance of existing improved pastures by rotating, fertilizing, mowing, discing, dragging, and removing invasive plant species.
- (b) Fertilizing and liming the improved pastures when practicable, in accordance with the recommendations of the Natural Resource Conservation Service (NRCS).
- (c) The indirect rotation of cattle through the strategic placement and periodic movement of feed troughs, mineral blocks, water troughs, and molasses tanks. The LESSEE must use a rotational grazing system that will prevent overgrazing of any one pasture.
- (d) To ensure that the quality of the improved pasture is maintained or enhanced, the LESSEE agrees to mow, disc, or drag the pastures at least once a year, or more frequently if required.

13. HAYING: Haying is allowed on the PROPERTY. The LESSEE will conduct haying activities in a manner that will not damage or strip the pasture(s) of desirable grasses. During haying operations, the LESSEE will maintain a two-inch stubble height. If the LESSEE purchases hay, seed or other planting materials off-site, the LESSEE agrees to make every practicable effort to ensure that such materials are free of invasive plant species.

14. QUARANTINE: The LESSEE must quarantine all cattle for seven (7) days prior to releasing them on the PROPERTY. The LESSEE must ensure that all cattle are free of exotic seed prior to releasing them on the PROPERTY.

15. WORKS OF THE DISTRICT: The LESSOR reserves the right to enter upon the PROPERTY, at such times and places as the LESSOR may deem necessary, for the purposes of inspecting the PROPERTY, or constructing roads, canals or ditches, infrastructure and amenities related to public recreation, or other projects, and for any matter pertaining to water management or land management activities.

16. SALE OF PROPERTY: If the LESSOR sells the PROPERTY during the term of this Lease, the LESSOR, in its sole discretion, may either assign this Lease in whole to the new owner without the LESSEE'S consent, or terminate this Lease upon six (6) months prior written notice to the LESSEE.

17. PERSONNEL AND VEHICLES: Only personnel and vehicles utilized or authorized by the LESSEE for use in its cattle grazing and haying operations are allowed on the PROPERTY.

18. PROTECTION: The LESSEE will regularly inspect the PROPERTY to detect and prevent wildfires, trespasses and vandalism on the PROPERTY. Additionally, the LESSEE will regularly inspect the PROPERTY for downed or damaged fence, open gates and cattle that may have strayed from the PROPERTY. The LESSEE must immediately notify the appropriate governmental agencies and the LESSOR upon the discovery of any wildfire, trespass, or vandalism. The LESSEE is responsible for repairing damaged fences and taking appropriate measures to immediately return stray cattle to the PROPERTY.

19. INDEMNIFICATION: The LESSEE agrees to indemnify and hold harmless the LESSOR and all the LESSOR'S agents, employees and officers from and against all liabilities, claims, damages, expenses or actions, either at law or in equity, including attorneys' fees and costs and attorneys' fees and costs on appeal, caused or incurred, in whole or in part, as a result of any act or omission by the LESSEE, its agents, employees, subcontractors, assigns, heirs or anyone for whose acts or omissions any of these persons or entities may be liable during the LESSEE'S use of the PROPERTY and performance under this Lease. This Paragraph will survive the expiration or termination of this Lease. Nothing contained herein will constitute a waiver of Lessor's sovereign immunity under Section 768.28, F.S., or to extend the limits of liability or recovery under Section 768.28, F.S. This provision will survive the termination of this Agreement.

20. LESSOR'S OPTION TO RENEW:

- (a) The LESSOR, at its sole discretion, may offer to renew this Lease for one additional five-year term under such terms and conditions as may be established by the LESSOR. The LESSOR will notify the LESSEE if it intends to offer to renew this Lease in accordance with this Paragraph prior to soliciting offers on the PROPERTY. If the LESSOR does not notify the LESSEE of its intent to offer to renew this Lease, then this Lease will expire at the end of the term.
- (b) Approximately six (6) months prior to the expiration of this Lease, the LESSOR may request competitive offers on the PROPERTY. If the LESSOR requests offers under this subparagraph, this Lease may be renewed for one additional five (5) year term under such terms and conditions as may be established by the LESSOR, if the LESSEE meets the following conditions:
 - The LESSEE submits a responsive offer;
 - If the LESSEE'S offer is not the highest offer received, the LESSEE agrees to exceed the highest offer received during the offer process by five percent (5%);
 - The LESSEE has successfully performed under this Lease;
 - The LESSEE agrees to any modifications to the lease terms and conditions as determined by the LESSOR;
 - The LESSEE accepts the renewal terms and conditions within ten (10) business days from receipt of the LESSOR'S offer to renew by delivering notice of the

Page 5 of 11

LESSEE'S acceptance to the LESSOR by hand delivery or certified mail. If by certified mail, date of delivery shall be the date the notice is placed in mail.

- The LESSEE'S failure to deliver written acceptance of the LESSOR'S offer to renew within the time specified will be deemed a rejection of the terms by the LESSEE.

Upon receipt of the LESSEE'S timely written acceptance of the LESSOR'S offer to renew, the LESSOR and the LESSEE will execute a written amendment to this Lease to record the renewal and conditions thereto, if any.

21. INSURANCE: The LESSEE must maintain during the full term of this Lease, and at its sole expense, insurance in the following kinds and amounts or limits with a company or companies authorized to do business in the State of Florida. This Lease will not be effective until the LESSOR has received an acceptable certificate of insurance showing evidence of such coverage. Certificates of insurance must reference this Lease.

- (a) Liability insurance on forms no more restrictive than the latest edition of the Commercial General Liability Policy (GC 00 01) of the Insurance Services Office without restrictive endorsements, or equivalent, with the following minimum limits and coverage:

Minimum Limits \$1,000,000 per occurrence

- (b) Vehicle liability insurance, including owner, non-owned and hired autos with the following minimum limits and coverage:

Bodily Injury Liability Per Person \$100,000
Bodily Injury Liability Per Occurrence \$300,000
Property Damage Liability \$100,000

-or-

Combined Single Limit \$500,000

- (c) The LESSOR and its employees, agents, and officers must be named as additional insured on the general liability policy to the extent of the LESSOR'S interests arising from this Lease.
- (d) The LESSEE must obtain certificates of insurance from any subcontractor otherwise the LESSEE must provide evidence satisfactory to the LESSOR that coverage is afforded to the subcontractor by the LESSEE'S insurance policies.
- (e) The LESSEE must notify the LESSOR in writing of the cancellation or material change to any insurance coverage required by this Paragraph. Such notification must be provided to the LESSOR within five (5) business days of the LESSEE'S notice of such cancellation or change from its insurance carrier.

22. TAXES: If any ad valorem taxes, intangible property taxes, personal property taxes, or other liens or taxes of any kind are assessed or levied lawfully on the PROPERTY, based on the LESSEE'S use of the PROPERTY during the term of this Lease, the LESSEE agrees to pay all such taxes, assessments or liens, within thirty (30) days after receiving written notice from the LESSOR. In the event the LESSEE fails to pay all such taxes assessed or levied on the

PROPERTY within thirty (30) days after receiving written notice, the LESSOR may, at its sole option, pay such taxes, liens, or assessments, subject to immediate reimbursement thereof together with any interest, calculated at the maximum rate allowed by law, and any administrative costs incurred by the LESSOR. Failure of the LESSEE to pay any taxes or assessments pursuant to this paragraph will constitute a material breach of this Lease for which the LESSOR may immediately terminate this Lease.

23. **MATERIAL BREACH:** Each of the following events will constitute a material breach of this Lease by the LESSEE for which the LESSOR may immediately terminate this Lease:

- (a) If the LESSEE transfers this Lease or any of its rights or obligations under this Lease to any other person or entity, except as may be specifically authorized by the terms of this Lease.
- (b) If the LESSEE vacates or abandons the PROPERTY.
- (c) If the LESSEE fails to obtain and carry the required amount of general liability or vehicle insurance or if such insurance should lapse during the term of this Lease.
- (d) If the LESSEE fails to pay the rent.
- (e) If the LESSEE fails to pay any ad valorem taxes, intangible property taxes, personal property taxes, or other liens or taxes of any kind which are assessed or levied lawfully on the PROPERTY within thirty (30) days after receiving written notice.
- (f) If the LESSEE fails to reimburse the LESSOR for costs associated with the LESSOR'S treatment of the PROPERTY for TSA pursuant to subparagraph 11. (b).
- (g) If the LESSEE is in noncompliance with any other condition of this Lease and LESSEE fails to remedy such non-compliance within five (5) days after actual notice by the LESSOR, or within ten (10) days of written notice mailed to the LESSEE at the address stated in the introductory paragraph of this Lease.

24. **UTILITIES:** The LESSEE agrees to pay all deposits and monthly charges for all utility services supplied to the PROPERTY for the benefit of the LESSEE and all costs to repair, replace, clean and maintain connections and service to the PROPERTY.

25. **WAIVER:** Waiver by the LESSOR of any breach of any term, covenant or condition herein contained will not be deemed to be a future waiver of such term, covenant, or condition, or of any subsequent breach of the same or any other term, covenant, or condition contained herein.

26. **TERMINATION:** Upon the expiration or termination of this Lease, the LESSEE will vacate the PROPERTY and leave the PROPERTY in the same condition as when the LESSEE took possession.

27. **NOTICES:** All notices which might be given to the LESSOR or the LESSEE under this Lease will be in writing and by certified mail, to the respective addresses as stated in the introductory Paragraph of this Lease, unless specifically provided otherwise herein.

28. **MODIFICATION:** This Lease may not be amended except by a formal written amendment signed by the parties. IN WITNESS WHEREOF, the parties hereto have executed this Lease on the day and year first above written.

29. **VENUE:** This Agreement will be construed in accordance with the laws of the State of Florida and venue of any legal proceedings will be in Sumter County, Florida if the action is commenced in state court. If any action is commenced in federal court, then venue shall be in the United States District Court for the Middle District of Florida.

30. **COUNTERPARTS AND AUTHORITY TO SIGN:** In accordance with the Electronic Signature Act of 1996, electronic signatures, including facsimile transmissions, may be used and shall have the same force and effect as a written signature. Each person signing this Agreement warrants that he or she is duly authorized to do so and to bind the respective party to the Agreement.

[Signature page follows]

**Southwest Florida Water Management District,
LESSOR**

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

Attest: _____
John Mitten, Secretary

LESSEE

Attest: _____

By: _____

(Print Name of Witness)

(Print Name of LESSEE)

Attest: _____

By: _____

(Print Name of Witness)

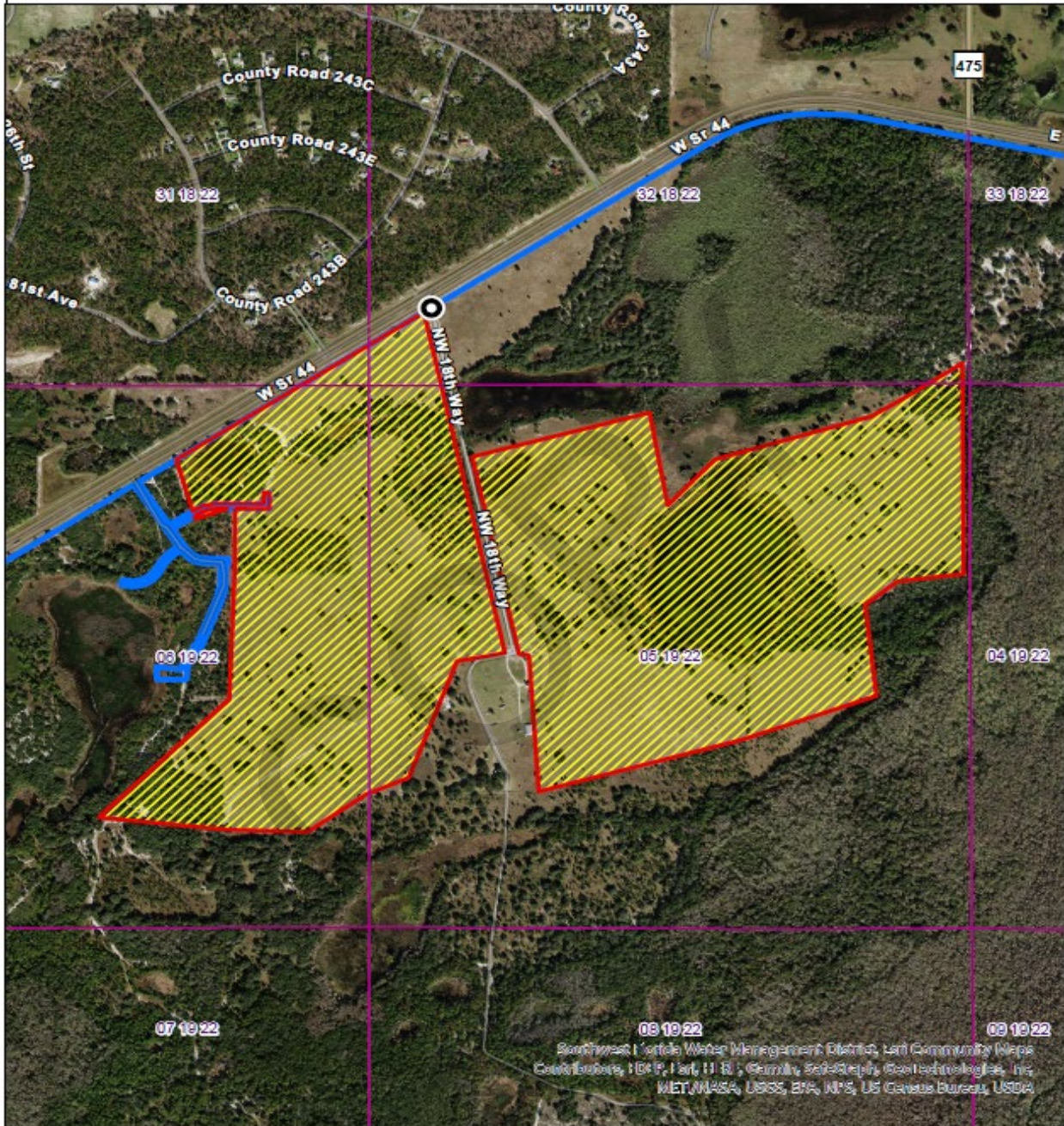
(Print Name of LESSEE)

EXHIBIT A

Page 8 of 11

GENERAL LOCATION MAP

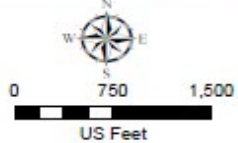
Lake Panasoffkee Cattle Lease
 SWF Parcel No. 19-528-162X
 Sumter County, Florida



Southwest Florida
 Water Management District

WaterMatters.org • 1-800-423-1476

- Access Gate
- Cattle Lease Area
- District Owned Lands Fee Simple
- Section/Township/Range
- Lease Area



**EXHIBIT B
LEGAL DESCRIPTION**

Description Parcel 19-528-162X

Those portions of SECTIONS 5 and 6, TOWNSHIP 19 SOUTH, RANGE 22 EAST and SECTIONS 31 and 32, TOWNSHIP 18 SOUTH, RANGE 22 EAST, Sumter County, Florida, described as follows:

Parcel No.1

Commence at the Northwest corner of aforementioned Section 5 and run thence North 89°54'14" East along the North boundary of said Section 5, a distance of 623.76 feet for a Point of Beginning;

Thence South 12°12'23" East, a distance of 2670.22 feet;

Thence South 79°27'59" West, a distance of 432.90 feet;

Thence South 20°43'43" West, a distance of 1215.20 feet;

Thence South 66°49'09" West, a distance of 409.25 feet;

Thence South 54°47'05" West, a distance of 638.47 feet;

Thence North 88°10'07" West, a distance of 722.09 feet;

Thence North 83°57'01" West, a distance of 1134.25 feet;

Thence North 45°05'23" East, a distance of 1632.54 feet;

Thence North 02°12'25" East, a distance of 1269.30 feet;

Thence North 00°23 '40" East, a distance of 613.97 feet;

Thence South 70°29'04" West, a distance of 375.16 feet;

Thence North 16°23'38" West, a distance of 606.36 feet to an intersection with the Southeasterly right-of-way line of State Road No. 44 as recorded in Official Records Book 982, Page 632 of the Public Records of Sumter County, Florida;

Thence North 56°51 '46" East along said Southeasterly right-of-way line, a distance of 2626.59 feet; Thence South 12°12'23" East, a distance of 731.45 feet to the Point of Beginning.

Parcel No.1 contains 223.18 acres, more or less.

EXHIBIT B (Cont.)

Page **10** of **11**

Lake Panasoffkee Cattle Lease Agreement with Brian Bailey
SWF Parcel No. 19-528-162X

LEGAL DESCRIPTION

Parcel 2

Commence at the Northwest corner of aforementioned Section 5 and run thence North 89°54'14"East along the North boundary of said Section 5, a distance of 623.76 feet;

Thence South 12°12'23" East, a distance of 743.63 feet;

Thence North 74°28'52" East, a distance of 120.20 feet for a Point of Beginning;

Thence continue North 74°43'03" East, a distance of 1633.30 feet;

Thence South 09°59'39" East, a distance of 918.48 feet;

Thence North 43°10'40" East, a distance of 614.49 feet;

Thence North 73°12'28" East, a distance of 1445.00 feet;

Thence North 58°37'47" East, a distance of 327.00 feet;

Thence North 56°42'19" East, a distance of 636.64 feet;

Thence South 00°20'01" East, a distance of 2054.31 feet;

Thence South 82°56'00" West, a distance of 593.98 feet;

Thence South 51°38'32" West, a distance of 365.32 feet;

Thence South 06°30'16" East, a distance of 894.65 feet;

Thence South 70°14'33" West, a distance of 1268.20 feet

Thence South 74°18'01" West, a distance of 1872.35 feet

Thence North 03°44'30" West, a distance of 1333.70 feet

Thence North 83°10'14" West, a distance of 88.50 feet

Thence North 12°12'23" West, a distance of 1970.23 feet to the Point of Beginning.

Parcel No. 2 contains 256.20 acres, more or less.

Parcel 19-528-162X contains a total of 479.38 acres, more or less.

Approved for use by the Survey Section 08/01/2023, W.O. 23-141.

**Exhibit B
RFO 23-01 Lake Panasoffkee Cattle Lease
SWF Parcel No. 19-528-162X**

Offer Responses, Opening 2:01 p.m. on Tuesday, September 5, 2023

Respondant	Offer Amount Per Acre	Total Offer Amount
Sarah & Cody Hensley	\$26.01	\$12,458.79
George Kelly	\$0.00	\$0.00
B Bar T Cattle	\$41.78	\$20,012.62
H2 Cattle LLC	\$42.38	\$20,300.02
RHN Wagyu LLC	\$37.00	\$17,723.00
Brian Bailey	\$60.12	\$28,797.48
H&M Cattle Co. & Investments LLC	\$51.60	\$24,716.40
Mac Pulitzer DBA Labelle Ranch, Inc.	\$27.40	\$13,124.60

District Staff Present: Chris Reed, Mike Singer, Amy Poxson & Chad Hughes

CONSENT AGENDA

October 24, 2023

Operations, Lands and Resource Monitoring Committee: Donation of Utility Easement to TECO – Harney Canal, SWF Parcel No. 13-136-154X

Purpose

Recommend the Governing Board authorize the donation of a Utility Easement (Easement) to Tampa Electric Company (TECO) for the installation of underground lines, cables, data transmission and communication facilities, supporting structures, and appurtenances necessary to ensure electricity supply to the operation facility for structure S-161 located on District Parcel SWF Parcel No. 13-136-123 at the Harney Canal. A general location map, site map and the Easement are included as Exhibits 1, 2 and 3 respectively.

Background/History

In 1972 the District became the local sponsor for the Tampa Bypass Canal (TBC) and Harney Canal, which were constructed by the United States Army Corps of Engineers (USACE). The TBC and Harney Canal are used to route excess water around the cities of Temple Terrace and Tampa to help prevent flooding.

TECO, along with many other power companies in Florida, partnered with the State to construct underground powerlines statewide to reduce power outages in severe weather events via a program known as the Storm Protection Program. The Easement is necessary for removal of the existing overhead powerlines and to construct new underground service, which includes a switch gear for connections. The existing connection currently services the structure operations facility for District water control structure S-161. It is essential for public safety that the facility continues to receive a reliable power source.

There is an existing easement for the current overhead facilities that will be vacated upon installation of the underground facilities pursuant to the terms of the existing easement.

The construction of underground facilities within the Easement is contingent upon TECO receiving USACE approval, and the Easement will not be released to TECO until such approval is received.

Benefits/Costs

Installation of the new equipment will create management efficiencies for TECO and the District. The new equipment is necessary for the operation and maintenance of the facility. There is no cost to the District other than staff time to process the donation of the Easement.

Deliverables

TECO must obtain approval from USACE for the installation of underground facilities within the Easement.

Staff Recommendation:

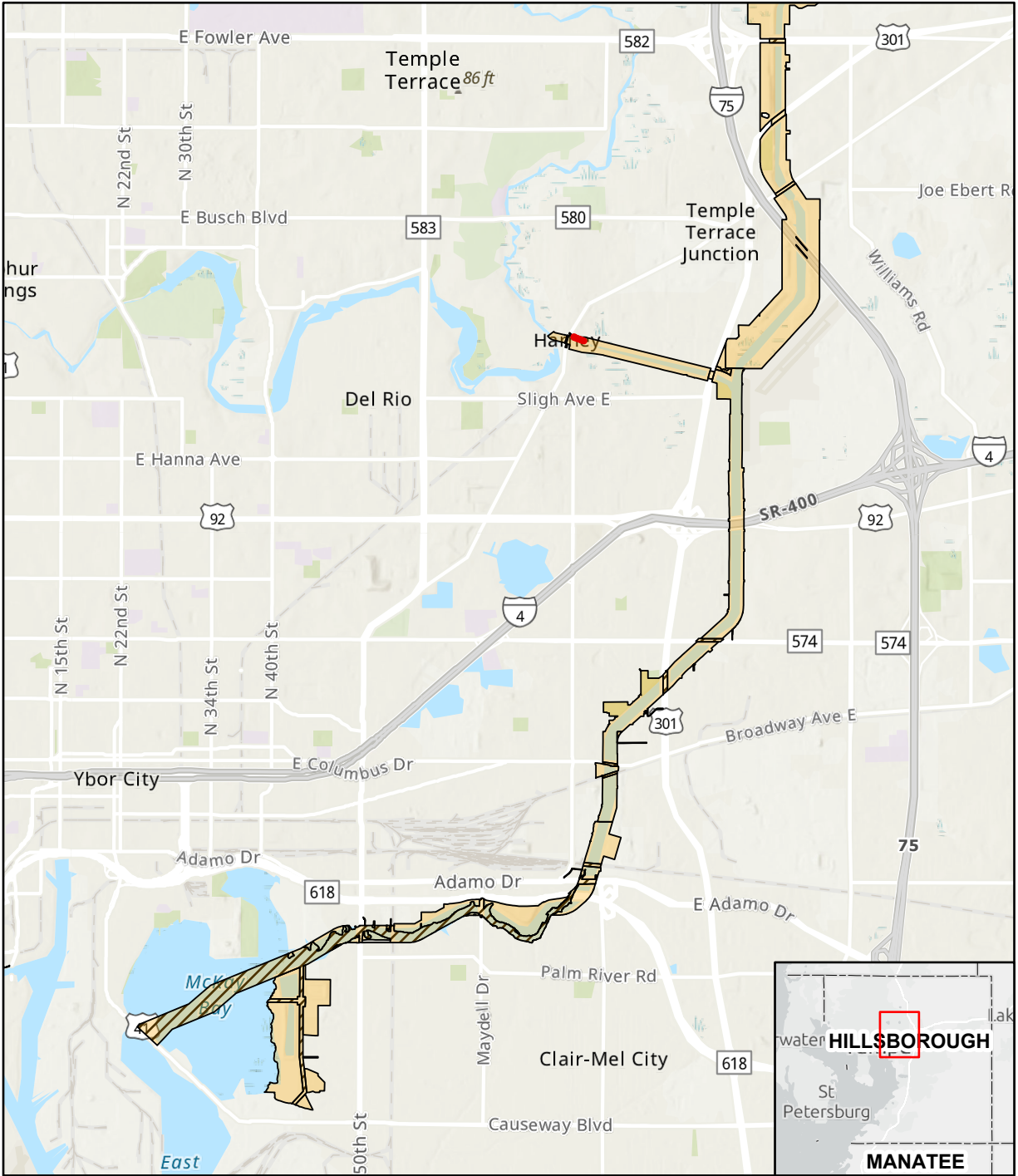
- Approve the Easement and authorize the Chair and Secretary to execute on behalf of the District subject to release to TECO after USACE approval; and

- 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 Bureau

Exhibit 1
Donation of Utility Easement to TECO
Harney Canal, SWF Parcel No. 13-136-154X
Location Map



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

- District Owned Lands Fee Simple
- District Owned Easements
- Proposed Utility Easement

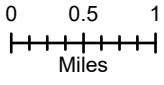




Exhibit 2
Donation of Utility Easement to TECO
Harney Canal, SWF Parcel No. 13-136-154X
Site Map



State of Florida, Maxar, 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

-  Proposed Utility Easement
-  District Owned Lands Fee Simple

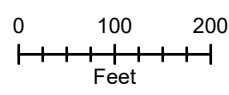


Exhibit 3

SEC. 26 TWP. 28 S. RGE. 19 E.
FOLIO/PARCEL ID NO. 038257-0000
W.O. NO. 2405074

PREPARED BY
AND RETURN TO:

Katie Hudson
Bowman Consulting
5404 Cypress Center Drive, Building 1-Suite 140
Tampa, FL 33609

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, a public corporation of the State of Florida whose address is 2379 Broad Street Brooksville, FL 34604 ("Grantor"), in consideration of One Dollar and other valuable considerations paid to Grantor by TAMPA ELECTRIC COMPANY, a Florida corporation, P.O. Box 111, Tampa, Florida 33601 ("Company"), receipt whereof is hereby acknowledged, has given and granted unto the Company, its successors and assigns, a perpetual easement over and the right to enter upon the land in Hillsborough County, Florida, described as follows:

See Exhibit "A" attached hereto and by reference made a part hereof ("Easement parcel")

together with the right of ingress and egress to and from the same, and all rights therein and all privileges thereon which are or may be necessary or convenient for the full use and enjoyment of such easement, which is for the purposes of placing, constructing, operating, maintaining, repairing, replacing on and removing from said land, installations described as follows:

Aboveground and underground lines of wires, cables, data transmission and communication facilities, supporting structures, and necessary appurtenances ("Facilities").

The aforesaid rights and privileges granted shall include the right and privilege to trim or remove any and all trees or shrubs upon said land, and the Company shall also have the right and privilege to trim or remove any and all trees or shrubs upon the Grantor's lands adjacent to said land, wherever the Company may deem it necessary or desirable to do so for the protection of said installations.

The Grantor may use said land for any purpose which will not interfere or conflict in any manner with the use of the same by the Company for the purposes enumerated above and which will not endanger any person or property, except that in no event shall any improvement or structure be installed or constructed thereon, grade changed, or water impounded thereon.

With respect to underground Facilities, Grantor acknowledges that under the "Underground Facility Damage Prevention and Safety Act" (Ch. 556 Fla. Stat.), that Grantor is obligated to notify "Sunshine State One-Call of Florida, Inc." of its intent to engage in excavation or demolition prior to commencing any work, and Grantor may be held responsible for costs and expenses incurred due to damage of Company's Facilities in the event Grantor fails to so notify.

The Company agrees, at the sole expense of Grantor, to relocate its Facilities, over, under and upon subject parcel upon the request of Grantor, and the vacated portion of this easement being released and conveyed back to Grantor and the site of the relocated Facilities being conveyed and included in this easement grant as though it had been included ab initio.

The terms "Grantor" and "Company" herein employed shall be construed to include the words "heirs, executors, administrators and assigns" and "successors and assigns" of the respective parties hereto, wherever the context so admits or requires. This Grant of Easement constitutes the entire agreement and understanding between the parties with respect to the subject matter hereof. This Grant of Easement may not be changed, altered or modified except by an instrument in writing signed by the party against whom enforcement of such change would be sought. This Grant of Easement shall be binding upon the parties hereto and their respective successors and assigns.

Grantor warrants to Company that it is duly formed, validly existing and in good standing under the laws of its state of formation, and Grantor has all requisite right, power, and authority to enter into this Easement, Grantor owns the Easement Parcel, and no consent of any other person is required to render this Easement a valid and binding instrument.

IN WITNESS WHEREOF, the Grantor has executed this Grant of Easement this ___ day of _____, 20__.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF WITNESSES TO EXECUTION BY

GRANTOR:
SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT,
a public corporation of the State of Florida

Signature

Print or Type Name

By: _____

E.D. ARMSTRONG III, CHAIR

Signature

Print or Type Name

ATTEST:

By: _____

JOHN MITTEN, SECRETARY

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this ___ day of _____, 20__ by E.D. ARMSTRONG III, as CHAIR of SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, a public corporation of the State of Florida, on behalf of said corporation by means of physical presence or online notarization who is personally known to me or has produced _____ as identification.

Witness my hand and official seal the date aforesaid.

Notary Public, State of _____ at Large

Notary: Print or Type Name

My Commission Expires:

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20__ by JOHN MITTEN, as SECRETARY of SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, a public corporation of the State of Florida, on behalf of said corporation by means of physical presence or online notarization who is personally known to me or has produced _____ as identification. Witness my hand and official seal the date aforesaid.

Notary Public, State of _____ at Large

Notary: Print or Type Name

My Commission Expires:

COPY

**SKETCH AND DESCRIPTION
THIS IS NOT A SURVEY**

Exhibit A to Easement

LEGAL DESCRIPTION:

A 15.00' WIDE STRIP OF LAND LYING IN THE EAST HALF OF SECTION 26, TOWNSHIP 28 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY FLORIDA, MORE PARTICULARY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 26 AND RUNNING THENCE SOUTH 01°14'57" WEST ALONG THE EAST LINE OF SECTION 26 TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 26 AS RECORDED IN THE PLAT OF OAK FOREST 2 IN PLAT BOOK 73, PAGE 3 OF THE HILLSBOROUGH COUNTY OFFICIAL RECORDS; THENCE NORTH 89°54'46" WEST ALONG SAID LINE 865.00 FEET; THENCE SOUTH 00°02'18" EAST 104.89 FEET TO THE POINT OF BEGINNING OF THE 15.00' WIDE UTILITY EASEMENT, LYING 7.50' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

NORTH 70°45'10" WEST 488.67 FEET MORE OR LESS TO THE WEST LINE OF PARCEL 0382560000, SAID LINE BEING THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26 TO THE POINT OF ENDING OF THIS DESCRIPTION.

CONTAINING 7326.4 SQ. FT. OR 0.17 ACRES, MORE OR LESS

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE "STANDARDS OF PRACTICE" FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

MAX R. GEORGE, PSM
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NO. LS 7343

DATE OF SIGNATURE

NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL OR ELECTRONIC SIGNATURE BY THE SIGNING PROFESSIONAL SURVEYOR AND MAPPER.

SURVEYOR'S NOTES:

1. PRINTED VERSIONS OF THIS DOCUMENT ARE NOT VALID AND THE SIGNATURE MUST BE VERIFIED ON ALL ELECTRONIC COPIES.
2. OTHER MATTERS OF RECORD AFFECTING LANDS SHOWN HEREON MAY BE FOUND IN THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.
3. NO FIELD WORK WAS PERFORMED.

ADDRESS:

74 HARNEY ROAD, TAMPA, FLORIDA

Bowman

Bowman Phone: (813) 473-4858
5404 Cypress Center Drive,
Building 1-Suite 140, Tampa, FL 33609 www.bowman.com

© Bowman

Professional Surveyors and Mappers, Certificate NO. LB-8030

EXHIBIT "A" - EASEMENT

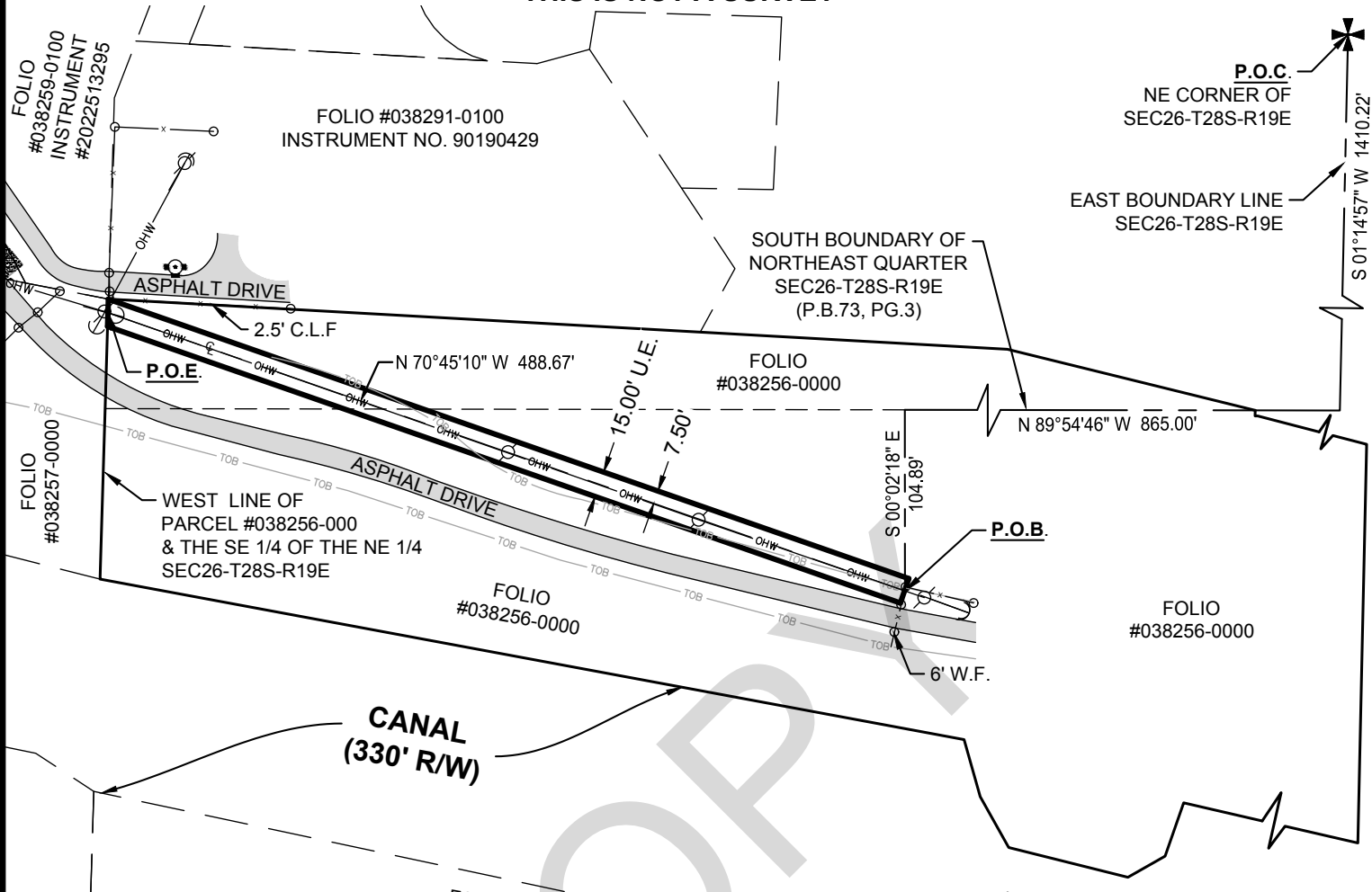


HILLSBOROUGH COUNTY

FLORIDA

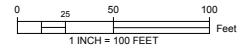
PROJECT NO. 170005-01-002	EXISTING EASEMENTS: N/A	DATE: Aug. 8, 2023
WR NO. 2405074	SCALE: N/A	SHEET: 1 OF 2

**SKETCH AND DESCRIPTION
THIS IS NOT A SURVEY**



LEGEND

- | | |
|--|--------------------------|
| D.B. = DEED BOOK | — X — = FENCE |
| LB = LICENSED BUSINESS | — OHW — = OVERHEAD WIRE |
| LS = LICENSED SURVEYOR | — TOB — = TOP OF BANK |
| LTD. = LIMITED | ⊙ = FIRE HYDRANT |
| NO. = NUMBER | ⊙ = GUY ANCHOR |
| O.R.B. = OFFICIAL RECORDS BOOK | ⊙ = WOOD POWER POLE |
| P.B. = PLAT BOOK | ⊕ = FOUND SECTION CORNER |
| PG. = PAGE | |
| R/W = RIGHT-OF-WAY | |
| U.E. = UTILITY EASEMENT | |
| P.O.B. = POINT OF BEGINNING | |
| P.O.C. = POINT OF COMMENCEMENT | |
| P.O.E. = POINT OF END | |
| C.L.F. = CHAINLINK FENCE | |
| H.W.F. = HOGWIRE FENCE | |
| W.F. = WOOD FENCE | |
| SEC#-T#S-R#E = SECTION, TOWNSHIP & RANGE | |
| SE = SOUTHEAST | |
| NE = NORTHEAST | |
| FCM = FOUND CONCRETE MONUMENT | |
| FIRC = FOUND IRON ROD AND CAP | |
| = EASEMENT | |



THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1" = 100'

ADDRESS:

74 HARNEY ROAD, TAMPA, FLORIDA

Bowman

Bowman Phone: (813) 473-4858
5404 Cypress Center Drive,
Building 1-Suite 140, Tampa, FL 33609 www.bowman.com

© Bowman

Professional Surveyors and Mappers, Certificate NO. LB-8030

EXHIBIT "A" - EASEMENT



HILLSBOROUGH COUNTY

FLORIDA

PROJECT NO. 170005-01-002	EXISTING EASEMENTS: N/A	DATE: Aug. 8, 2023
WR NO. 2405074	SCALE: 1" = 100'	SHEET: 2 OF 2

CONSENT AGENDA

October 24, 2023

Operations, Lands and Resource Monitoring Committee: Halpata Yellow Timber Harvest Agreement

Purpose

The purpose of this item is to request Governing Board approval and execution of the Halpata Yellow Timber Harvest Agreement (Agreement) on the Halpata Tastanaki Preserve in Marion County. This Agreement, attached as Exhibit A, is the result of the District's Request for Offer (RFO) to purchase Renewable Resources on District Conservation Lands. As a result of the RFO process, Bodaca Timber Inc. was the successful high offer, and this Agreement is the contract to perform a timber harvest of 275 acres of the Halpata Yellow stand. It is estimated that this timber sale will generate approximately \$385,000 in revenue.

Background/History

The District has a Governing Board Policy (Policy) titled Land Use and Management that directs that District Conservation Lands are managed to ensure the conservation purposes for which the lands were acquired are protected through the maintenance and restoration of natural systems, including the sale of renewable resources, such as timber harvests. As a result, the Land Management section administers the District's Timber Management Program, which conducts timber harvests outlined in the Land Resource Bureau's Timber Management Plan, for which the Halpata Yellow stand is scheduled for harvest. The District's Signature Authority under Matters Related to Lands requires the Governing Board to execute the sale of renewable resources greater than \$250,000.

The District utilizes timber harvests to achieve specific land management objectives outlined in the Land Management Plans for each property. Through the Timber Management Program, the District is able to implement sustainable forest management practices, while also generating revenue to offset land management costs, provide habitat restoration, maintain forest health, and support local economies.

Staff Recommendation:

Approve and execute the Halpata Yellow Timber Harvest Agreement 2024LMREV001.

Presenter:

Chris Reed, Manager, Land Resources Bureau

Exhibit A

AGREEMENT NO. 2024LMREV001

AGREEMENT
BETWEEN THE
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
AND
BODACA TIMBER INC.
FOR
HALPATA YELLOW TIMBER HARVEST

THIS AGREEMENT (AGREEMENT) is made and entered into by and between the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, a public corporation of the State of Florida, having an address of 2379 Broad Street, Brooksville, Florida 34604-6899, (DISTRICT), and Bodaca Timber Inc., a Florida corporation, having an address 5810 Cherry Lane Lakeland, FL 33810, (CONTRACTOR).

WITNESSETH:

WHEREAS, the DISTRICT is the owner of certain real property known as the Halpata Tastanaki Preserve (PROPERTY); and

WHEREAS, the DISTRICT desires to sell, and the CONTRACTOR desires to purchase, harvest, and remove, pine timber located on the PROPERTY (PROJECT); and

WHEREAS, the CONTRACTOR represents that it possesses the requisite skills, knowledge, expertise, and resources to harvest and remove pine timber from the PROPERTY; and

WHEREAS, the DISTRICT and the CONTRACTOR have agreed on the type of activities to be performed by the CONTRACTOR and the amount and method of compensation to be paid by the CONTRACTOR to the DISTRICT for the pine timber.

NOW, THEREFORE, the DISTRICT and the CONTRACTOR, in consideration of the mutual terms, covenants and conditions set forth herein, agree as follows:

1. INDEPENDENT CONTRACTOR. The CONTRACTOR shall perform as an Independent Contractor and not as an employee, representative, or agent of the DISTRICT.
2. PROJECT MANAGER AND NOTICES. Each party hereby designates the employee set forth below as its respective Project Manager. Project Managers shall assist with PROJECT coordination and shall be each party's prime contact person. Notices and reports shall be sent to the attention of each party's Project Manager by U.S. mail, postage paid, by nationally recognized overnight courier, or personally to the parties' addresses as set forth in the introductory paragraph of this Agreement. Notice is effective upon receipt.

Project Manager for the DISTRICT: Allen Milligan
Project Manager for the CONTRACTOR: David Cauley

Any changes to the above representatives or addresses must be provided to the other party in writing.

3. SCOPE OF WORK. Upon receipt of a written Notice to Proceed from the DISTRICT, the CONTRACTOR agrees to purchase, harvest, and remove pine timber from the PROPERTY in accordance with the Scope of Work attached hereto as Exhibit "A". The CONTRACTOR must furnish all equipment and manpower required and necessary to complete the work. Any changes to the Scope of Work attached hereto and incorporated herein as Exhibit "A" must be mutually agreed upon and memorialized in a written amendment to this Agreement prior to being performed by the CONTRACTOR.

4. PAYMENT. The CONTRACTOR shall:

4.1 Pay the DISTRICT thirty-one dollars and sixteen cents (\$31.16) for every ton of pine timber removed and eight dollars (\$8.00) for every ton of topwood removed. Payment documentation must include load summaries showing the number of loads removed, the number of tons in each load removed, the date of removal, and destination of the load. Payments and payment documentation shall be submitted weekly by the CONTRACTOR to the DISTRICT at the following address:

Cashier/Accounting
Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34604-6899

4.2 If the CONTRACTOR fails to substantially comply with this Agreement by cutting, burning, or otherwise injuring any timber not designated for removal by the DISTRICT in accordance with the Scope of Work attached as Exhibit "A", the CONTRACTOR shall pay as liquidated damages to the DISTRICT an amount equal to twenty dollars (\$20.00) for each pulpwood and chip-n-saw sized tree and thirty five dollars (\$35.00) for each saw timber sized tree. The parties intend that the liquidated damages constitute compensation, and not a penalty. The parties acknowledge and agree that the liquidated damages are a reasonable estimate of the anticipated or actual harm that might arise from CONTRACTOR'S failure to perform its obligations under this Agreement. CONTRACTOR'S payment of the liquidated damages is CONTRACTOR'S sole liability and entire obligation, and the DISTRICT'S exclusive remedy, for damaging any timber on the PROPERTY not designated for removal. The CONTRACTOR shall make any payment under this Subparagraph to the DISTRICT within fifteen (15) days from receipt of the DISTRICT'S written demand for payment.

5. TERM. This Agreement shall be effective upon execution and shall remain in effect for eighteen (18) months, or upon satisfactory completion of the PROJECT, whichever occurs first, unless amended in writing by the parties or unless terminated, pursuant to Paragraph 10 or 11 below.

6. PROJECT RECORDS AND DOCUMENTS. The CONTRACTOR, upon request, shall permit the DISTRICT to examine or audit all PROJECT-related records and documents during or following completion of the PROJECT at no cost to the DISTRICT. The CONTRACTOR shall pay the DISTRICT any additional payments determined to be owed to the DISTRICT under this Agreement, by an audit, within fifteen (15) business days from

receipt of written notice from the DISTRICT. The CONTRACTOR shall maintain all such records and documents for at least three (3) years following the expiration or termination of this Agreement. If an audit is undertaken by the DISTRICT, all required records shall be maintained until the audit has been completed and all questions arising from it are resolved. Each party shall allow public access to PROJECT documents and materials made or received by either party in accordance with the Public Records Act, Chapter 119, F.S. This provision shall survive the termination or expiration of this Agreement.

6.1 Each party shall allow public access to PROJECT documents and materials made or received by either party in accordance with the Public Records Act, Chapter 119, F.S. To the extent required by Section 119.0701, F.S., the CONTRACTOR shall (1) keep and maintain public records required by the DISTRICT to perform the service; (2) upon request from the DISTRICT'S custodian of public records, provide the DISTRICT with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided by law; (3) ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the term of this Agreement and following completion of the Agreement if the CONTRACTOR does not transfer the records to the DISTRICT; and (4) upon completion of this Agreement, transfer, at no cost to the DISTRICT, all public records in possession of the CONTRACTOR or keep and maintain public records required by the DISTRICT to perform the service. If the CONTRACTOR transfers all public records to the DISTRICT upon completion of this Agreement, the CONTRACTOR shall destroy any duplicate public records that are exempt or confidential and exempt from public records requirements. If the CONTRACTOR keeps and maintains public records upon completion of this Agreement, the CONTRACTOR shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the DISTRICT, upon request from the DISTRICT'S custodian of public records, in a format that is compatible with the information technology systems of the DISTRICT.

6.2 **If the CONTRACTOR has questions regarding the application of Chapter 119, Florida Statutes, to the CONTRACTOR'S duty to provide public records relating to this Agreement, contact the custodian of public records by telephone at 352-796-7211, extension 4825, by email at peggy.meinhardt@watermatters.org, or at the following mailing address:**

**Peggy Meinhardt, Records Manager
Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34604-6899**

Any changes to the above contact information will be provided to the CONTRACTOR in writing.

7. OWNERSHIP. The DISTRICT shall retain ownership to all timber on the Property until such timber is removed in accordance with the Scope of Work attached hereto as Exhibit "A". Upon termination or expiration of this Agreement, the DISTRICT shall retain ownership of all timber not removed from DISTRICT property.

8. **INDEMNIFICATION.** The CONTRACTOR agrees to defend, indemnify, and hold harmless the DISTRICT and all DISTRICT agents, employees, and officers from and against all liabilities, claims, damages, expenses or actions, either at law or in equity, including attorneys' fees and costs and attorneys' fees and costs on appeal, caused or incurred, in whole or in part, as a result of any act or omission by the CONTRACTOR, its agents, employees, subcontractors, assigns, heirs, or anyone for whose acts or omissions any of these persons or entities may be liable during the CONTRACTOR'S performance under this Agreement. The CONTRACTOR indemnify the DISTRICT for all costs and expenses incurred by the DISTRICT in connection with its investigation of the number of trees damaged, restoration work and removal of trees, and replanting, as performed by employees or contractors of the DISTRICT; iii) indemnify the DISTRICT for all costs and expenses incurred by the DISTRICT related to fire suppression and fire damage to other DISTRICT property; and iv) indemnify the DISTRICT for any other damages or costs incurred by the DISTRICT. This provision shall survive the expiration or termination of this Agreement.

9. **INSURANCE REQUIREMENT.** The CONTRACTOR must maintain during the entire term of this Agreement, insurance in the following kinds and amounts or limits with a company or companies authorized to do business in the State of Florida and shall not commence work under this Agreement until the DISTRICT has received an acceptable certificate of insurance showing evidence of such coverage. Certificates of insurance must reference the DISTRICT Agreement Number and Project Manager.

9.1 Liability insurance on forms no more restrictive than the latest edition of the Commercial General Liability policy (CG 00 01) of the Insurance Services Office without restrictive endorsements, or equivalent, with the following minimum limit and coverage:

\$1,000,000 per occurrence / \$2,000,000 aggregate.

9.2 Vehicle liability insurance, including owned, non-owned and hired autos with the following minimum limits and coverage:

Bodily Injury Liability per Person	\$ 100,000
Bodily Injury Liability per Occurrence	\$ 300,000
Property Damage Liability	\$ 100,000
or	
Combined Single Limit	\$ 500,000

If the CONTRACTOR does not carry vehicle liability insurance in the company name, the CONTRACTOR must request an exclusion and provide proof of vehicle liability insurance for any subcontractor performing work on the PROJECT.

9.3 The DISTRICT and its employees, agents, and officers must be named as additional insureds on the general liability policy to the extent of the DISTRICT'S interests arising from this Agreement.

9.4 The CONTRACTOR must carry workers' compensation insurance in accordance with Chapter 440, F.S. If the CONTRACTOR does not carry workers' compensation

coverage, the CONTRACTOR must submit to the DISTRICT both an affidavit stating that the CONTRACTOR meets the requirements of an independent contractor as stated in Chapter 440, F.S. and a certificate of exemption from workers' compensation coverage.

- 9.5 The CONTRACTOR must notify the DISTRICT in writing of the cancellation or material change to any insurance coverage required by this Agreement. Such notification must be provided to the DISTRICT within five (5) business days of the CONTRACTOR'S notice of such cancellation or change from its insurance carrier.
- 9.6 The CONTRACTOR must obtain certificates of insurance from any subcontractor otherwise the CONTRACTOR must provide evidence satisfactory to the DISTRICT that coverage is afforded to the subcontractor by the CONTRACTOR'S insurance policies.
10. TERMINATION WITHOUT CAUSE. This Agreement may be terminated by the DISTRICT without cause upon ten (10) days written notice to the CONTRACTOR. Termination is effective upon the tenth (10th) day as counted from the date of the written notice. In the event of termination under this paragraph, the CONTRACTOR shall be liable for any funds due to the DISTRICT up to the date of termination. In the case the Agreement is terminated under this paragraph or Paragraph 11, Default, the CONTRACTOR shall promptly remove any part or all of its equipment and supplies from the project site within two (2) business days. If the CONTRACTOR fails to do so, the DISTRICT shall have the right to remove such equipment and supplies and the CONTRACTOR shall indemnify the DISTRICT for such costs. This provision shall survive the expiration or termination of this Agreement.
11. DEFAULT. Either party may terminate this Agreement upon the other party's failure to comply with any term or condition of this Agreement, as long as the terminating party is not in default of any term or condition of this Agreement at the time of termination. To effect termination, the terminating party shall provide the defaulting party with a written "Notice of Termination" stating its intent to terminate and describing all terms and conditions with which the defaulting party has failed to comply. If the defaulting party has not remedied its default within thirty (30) days after receiving the Notice of Termination, this Agreement shall automatically terminate. If a default cannot reasonably be cured in thirty (30) days, then the thirty (30) days may be extended at the non-defaulting party's discretion if the defaulting party is pursuing a cure of the default with reasonable diligence. In addition, the initiation, either by the CONTRACTOR or against the CONTRACTOR, of proceedings in bankruptcy, or other proceedings for relief under any law for the relief of debtors, or the CONTRACTOR becoming insolvent, admitting in writing its inability to pay its debts as they mature or making an assignment for the benefit of creditors shall constitute a default by the CONTRACTOR entitling the DISTRICT to terminate this Agreement as set forth above. The parties agree that this Agreement is an executory contract. If, after termination by the DISTRICT, it is determined that the CONTRACTOR was not in default, or that the default was excusable, the rights and obligations of the parties shall be the same as if the termination had been issued for the convenience of the DISTRICT.
- 11.1 In the event this Agreement is terminated by the DISTRICT due to the CONTRACTOR'S default as set forth above, the CONTRACTOR shall be responsible to pay for the DISTRICT'S costs in finding a new contractor, and the

difference between the CONTRACTOR'S unit price and the price of the DISTRICT'S new contractor, through the original one (1) year term of this Agreement. The CONTRACTOR shall make the above-referenced payments to the DISTRICT within fifteen (15) business days from receipt of written notice by the DISTRICT requesting such payment.

11.2 In addition to any other remedies set forth above, the DISTRICT may avail itself of any and all remedies available under Florida law due to CONTRACTOR'S failure to comply with any term or condition of this Agreement. The DISTRICT'S waiver of any of the CONTRACTOR'S obligations shall not be construed as the DISTRICT'S waiver of any other obligations of the CONTRACTOR.

11.3 The rights and remedies set forth in this Paragraph 11, shall survive the expiration or termination of this Agreement.

12. RELEASE OF INFORMATION. The CONTRACTOR agrees not to initiate any oral or written media interviews or issue press releases on or about the PROJECT without providing advance notice or copies to the DISTRICT'S Project Manager and Public Affairs Bureau Chief no later than three (3) business days prior to the interview or press release.
13. ASSIGNMENT. The CONTRACTOR may not assign any of its rights or delegate any of its obligations under this Agreement without the prior written consent of the DISTRICT. If the CONTRACTOR assigns its rights or delegates its obligations under this Agreement without the DISTRICT'S prior written consent, the DISTRICT is entitled to terminate this Agreement. If the DISTRICT terminates this Agreement, the termination is effective as of the date of the assignment or delegation. Any termination is without prejudice to the DISTRICT'S claim for damages.
14. LAW COMPLIANCE. The CONTRACTOR shall abide by and assist the DISTRICT in satisfying all applicable federal, state, and local laws, rules, regulations, and guidelines, related to performance under this Agreement. The CONTRACTOR shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, handicap, disability, marital status, or national origin. CONTRACTOR shall also comply with all Occupational Safety and Health Administration (OSHA) and Department of Transportation (DOT) safety rules pertaining to timber harvesting and transportation.
15. VENUE AND APPLICABLE LAW. All aspects of this Agreement are subject to and governed by Florida laws, including without limitation, Section 768.28. F.S. and any provisions contained in this Agreement in conflict therewith shall be void and of no effect. Any dispute arising from or related to this Agreement will be resolved in a court of competent jurisdiction in the state of Florida and venue for such proceedings, if in state court, shall be exclusively in Hillsborough County, Florida, and if in federal court, shall be exclusively in the Middle District of Florida, Tampa Division. This paragraph shall survive the expiration or termination of this Agreement.
16. ATTORNEY FEES. Should either party employ an attorney or attorneys to enforce any of the provisions of this Agreement, or to protect its interest in any matter arising under this Agreement, or to recover damages for the breach of this Agreement, the party prevailing is entitled to receive from the other party all reasonable costs, charges and expenses, including attorneys' fees, expert witness fees, fees and costs on appeal, and the cost of paraprofessionals working under the supervision of an attorney, expended or incurred in

connection therewith, whether resolved by out-of-court settlement, arbitration, pre-trial settlement, trial or appellate proceedings, to the extent permitted under Section 768.28, F.S. This provision does not constitute a waiver of the DISTRICT'S sovereign immunity or extend the DISTRICT'S liability beyond the limits established in Section 768.28, F.S. This provision shall survive the termination or expiration of this Agreement.

17. SUBCONTRACTORS. Nothing in this Agreement will be construed to create or be implied to create any relationship between the DISTRICT and any subcontractor of the CONTRACTOR. The CONTRACTOR shall be solely liable for all payments due to its subcontractors. The CONTRACTOR agrees to defend, indemnify, and hold harmless the DISTRICT, and all DISTRICT agents, employees and officers from and against all liabilities, claims, damages, expenses or actions, either at law or in equity, arising from a claim against the DISTRICT by a subcontractor of the CONTRACTOR. This provision shall survive the termination or expiration of this Agreement.
18. DISADVANTAGED BUSINESS ENTERPRISES. The DISTRICT expects the CONTRACTOR to make good faith efforts to ensure that disadvantaged business enterprises, which are qualified under either federal or state law, have the maximum practicable opportunity to participate in contracting opportunities under this Agreement.
19. THIRD PARTY BENEFICIARIES. Nothing in this Agreement shall be construed to benefit any person or entity not a party to this Agreement.
20. PUBLIC ENTITY CRIMES. Pursuant to Subsections 287.133(2) and (3), F.S., a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two, for a period of 36 months following the date of being placed on the convicted vendor list. By signing this Agreement, the CONTRACTOR warrants that it is not currently on a suspended vendor list and that it has not been placed on a convicted vendor list in the past 36 months. The CONTRACTOR further agrees to notify the DISTRICT if placement on either of these lists occurs.
21. STOP WORK ORDER. The DISTRICT reserves the right to issue a Stop Work Order to the CONTRACTOR with instructions that all performance under this Agreement shall immediately cease and desist. Such Stop Work Order shall continue in full force and effect until rescinded in writing by the DISTRICT.
22. ENTIRE AGREEMENT. This Agreement and any exhibits thereto constitute the entire agreement between the parties and, unless otherwise provided herein, may be amended only in writing, signed by all parties to this Agreement.
23. COUNTERPARTS AND AUTHORITY TO SIGN. In accordance with the Electronic Signature Act of 1996, electronic signatures, including facsimile transmissions, may be used and shall have the same force and effect as a written signature. Each person signing this Agreement warrants that he or she is duly authorized to do so and to bind the respective party to the Agreement.

EXHIBIT "A"
SCOPE OF WORK

PROJECT DESCRIPTION

The CONTRACTOR shall purchase, cut, and remove pine timber outlined below from within the defined project boundary. All leave trees are marked with blue paint. In areas that may not be marked, operator select harvest will be utilized. In areas that are not marked, operator selection will be conducted to remove approximately 50% of the standing volume by removing poor form, suppressed or weak trees, while maintaining approximately 50 ft²/acre basal area of dominant and co-dominant leave trees. The stand is located on the Halpata Tastanaki Preserve in Marion County, Florida.

The DISTRICT agrees to comply with the following:

1. Designate the boundaries of the areas to be harvested and provide the CONTRACTOR access to the subject areas set forth in Attachment 1 and Attachment 2, attached hereto and made part hereof by reference.
2. Direct the order of the areas to be harvested.
3. The DISTRICT reserves the right to relocate the CONTRACTOR in the event of conflicting land uses.

The CONTRACTOR agrees to comply with the following requirements:

1. Coordinate starting dates and locations to accommodate other land uses as directed by the DISTRICT.
2. Use only main roads for access and keep all equipment and personnel within PROJECT boundaries.
3. Leave the stumps of trees cut no higher than six (6) inches above the ground except as otherwise authorized by the DISTRICT.
4. Do not leave any residual slash within two (2) feet of living trees. Keep all tops and debris inside the cutting unit boundaries. All trees cut which become lodged in other trees will be freed and removed the same day such lodging occurs.
5. Do not cut or otherwise injure any tree not designated by the DISTRICT. The CONTRACTOR shall be responsible for any violation of this provision as provided in Paragraph 4.2 of the Agreement.
6. Exercise due care and comply with industry standards against starting and spreading fires while performing work under this Agreement. The CONTRACTOR shall be responsible for any violation of this provision as provided in Paragraph 4.2 of the Agreement.

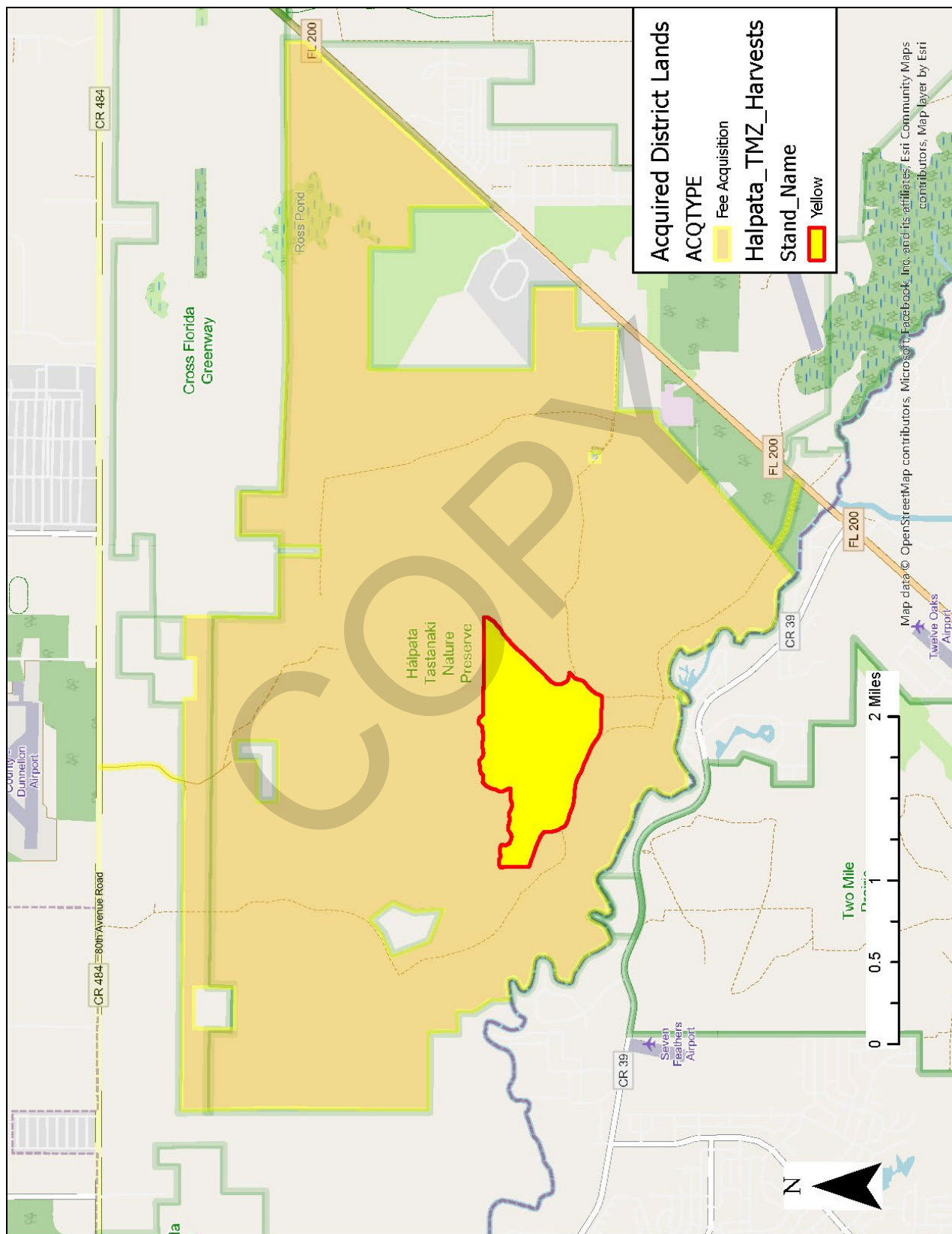
7. Protect from damage all gates, culverts, fences, and ditches on or adjacent to the land. Any property damage caused by the CONTRACTOR or its agents shall be repaired by the CONTRACTOR at its expense. Determination of necessary repairs to be completed shall be at the DISTRICT'S sole discretion.
8. At all times keep firebreaks, roads, and trails free of brush, debris, and equipment. The CONTRACTOR shall be responsible for keeping roads traversable at all times. Repair and restore promptly to its original condition, at the CONTRACTOR'S expense, any firebreaks, roads, or trails used by the CONTRACTOR in connection with this Agreement that are damaged beyond ordinary wear and tear by the CONTRACTOR or its agents which shall be determined by the DISTRICT in its sole discretion. The CONTRACTOR must exercise safe practices at all times for the protection of all persons and property.
9. Weigh all timber at mill or yard and be responsible for the DISTRICT'S load ticket system for all loads removed. Track the weight of pine timber harvested and removed and provide a written account with the weekly settlement payments in accordance with Paragraph 4 of this Agreement. The DISTRICT may install photo, video, or other recording devices at or near the PROJECT site.
10. In compliance with Florida's Silvicultural Best Management Practices for timber harvesting, take extra care and precautions in avoiding all wetlands and under no circumstances violate wetland areas with equipment.
11. To prevent the spread of invasive exotic weeds, clean all equipment prior to entering District property and again upon completion of the PROJECT at a site approved by the DISTRICT.
12. Obtain all required permits and approvals prior to commencing any work.

PERFORMANCE SCHEDULE

275 acres of a marked stand harvested within eighteen (18) months beginning the effective date of Agreement.

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ATTACHMENT 1
LOCATION MAP



CONSENT AGENDA

October 24, 2023

Regulation Committee: Water Use Permit No. 20 021121.000, Tampa Bay Water / South Hillsborough County Production Well (Hillsborough County)

This is a new water use permit for public supply use. The authorized annual average quantity is 2,300,000 gallons per day (gpd). The authorized quantities will be used to meet a portion of the South-Central Hillsborough County public supply demand. This permit is located within the Most Impacted Area (MIA) of the Southern Water Use Caution Area (SWUCA) in Hillsborough County. The new quantities are authorized through a Net Benefit associated with the Florida Department of Environmental Protection approved South Hillsborough Aquifer Recharge Project (SHARP) which offsets the impact through the ongoing annual average injection of 5,000,000 gpd of reclaimed water into the Upper Floridan aquifer. The demand is based on calculations submitted by the Permittee for the Tampa Bay Water Member Governments.

Special conditions include those that require the Permittee to record and report monthly meter readings from all withdrawal points, perform meter accuracy tests every five years and submit meter accuracy test reports, record and report water quality data on a quarterly basis, submit the wellfield annual report, investigate well complaints, record and report the quantities being injected into the Upper Floridan aquifer via the SHARP wells on a semi-annual basis, and adhere to 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 Bureau

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 021121.000**

PERMIT ISSUE DATE: **October 24, 2023**

EXPIRATION DATE: **October 24, 2023**

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: New

GRANTED TO: Tampa Bay Water/ Attn: Cathleen Beaudoin Jonas
2575 Enterprise Rd
Clearwater, FL 33763

PROJECT NAME: South Hillsborough County Production Well

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	2,300,000 gpd

ABSTRACT:

This is a new water use permit for public supply use. The authorized annual average quantity is 2,300,000 gallons per day (gpd). The authorized quantities will be used to meet a portion of the South-Central Hillsborough County public supply demand. This permit is located within the Most Impacted Area (MIA) of the Southern Water Use Caution Area (SWUCA) in Hillsborough County. The new quantities are authorized through a Net Benefit associated with the Florida Department of Environmental Protection approved South Hillsborough Aquifer Recharge Project (SHARP) which offsets the impact through the ongoing annual average injection of 5,000,000 gpd of reclaimed water into the Upper Floridan aquifer. The demand is based on calculations submitted by the Permittee for the Tampa Bay Water Member Governments.

Special conditions include those that require the Permittee to record and report monthly meter readings from all withdrawal points, perform meter accuracy tests every five years and submit meter accuracy test reports, record and report water quality data on a quarterly basis, submit the wellfield annual report, investigate well complaints, record and report the quantities being injected into the Upper Floridan aquifer via the SHARP wells on a semi-annual basis, and adhere to the SWUCA Recovery Strategy.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>
Public Supply	2,300,000

USE TYPE

Regional Public Supply System

PUBLIC SUPPLY:

Population Served:

Per Capita Rate:

WITHDRAWAL POINT QUANTITY TABLE

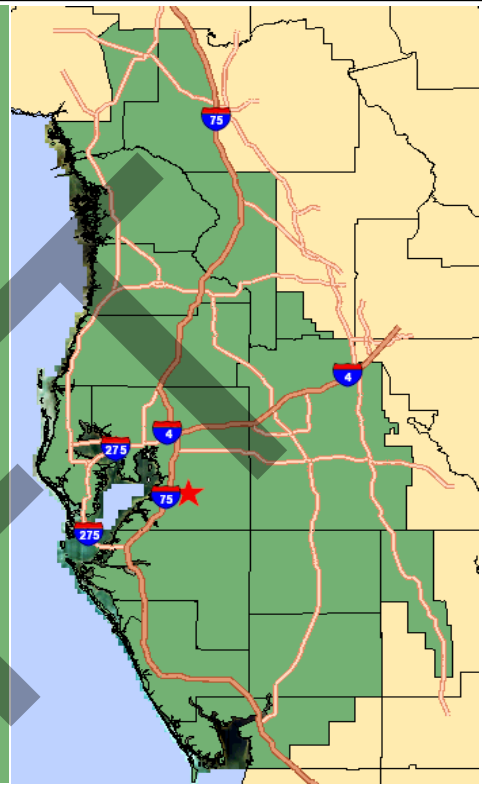
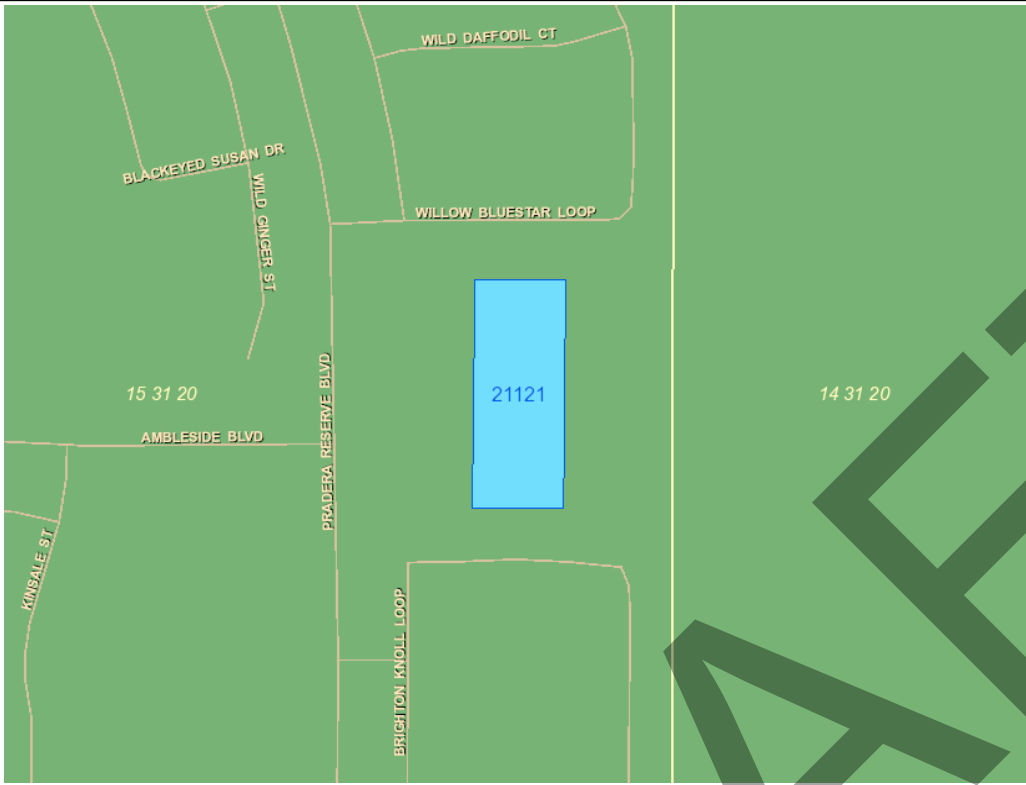
Water use from these withdrawal points are restricted to the quantities given below :

<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>
SH-1 / 1	16	1,000 / 400	Public Supply	2,300,000	N/A



WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
1	27° 46' 56.26"/82° 17' 12.56"


Location Map
Tampa Bay Water/ Attn: Cathleen Beaudoin Jonas
WUP No. 20 021121.000



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 15th 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 District reserves the right to set chloride, sulfate, or TDS concentration limits on any monitoring wells in the future, based on data collected and after a sufficient data base has been established to determine limits. These limits shall be required after discussions with the Permittee. At such time as the concentration in any water sample reaches or exceeds the designated concentration limits, the Permittee shall take appropriate action to reduce concentrations to below those set for the particular well. If the District determines that long-term upward trends or other significant water quality changes are occurring, the District may reconsider the quantities permitted.(276)
3. 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.(449)
4. 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 July 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 wellfield and service area for the preceding water year. The specific elements of this report are listed below:

Hydrologic Analyses

Statistical trend analysis, such as double-mass curve analysis, multiple linear regression, time series analysis, and factor analysis shall be performed for the annual reporting period and the period of record to analyze the interactions of rainfall and pumpage on changes in the potentiometric surface within and adjacent to the wellfield, water quality, water levels, wetlands, or stream flow. A brief summary of any recommended changes to the monitoring requirements shall be provided noting that some changes may necessitate a modification of the permit.

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 specifically in the Upper Floridan aquifers 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.

Chloride Concentration Guidance, Action, and Trigger Levels

The Permittee shall record baseline data for chlorides as a means to find initial levels before pumpage occurs and shall include this data with the first submitted annual report. Once a baseline has been set, the Permittee shall summarize compliance with and events related to chloride concentration guidance and trigger levels for the Upper Floridan aquifer monitoring wells. If the chloride trigger levels were exceeded during the previous reporting period, a description of the mitigation or remediation wellfield management procedures that were implemented to reduce the chloride levels shall be provided as well as the results of each mitigation or remediation procedure implemented.

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.

Water Resources Summary

The Permittee shall submit an annual water resources summary including but not limited to: hydrologic data, water quality data, groundwater production data, SHARP recharge data, atmospheric (rainfall) data, and well mitigation data in accordance with Tampa Bay Water's Well Mitigation Policy.

(524)

5. 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)
6. The Permittee shall comply with their authorized quantities. If the authorized quantities are exceeded, upon request by the District, the Permittee shall submit a report that includes reasons why the authorized quantities were exceeded, measures taken to attempt to meet the authorized quantities, and a plan to bring the permit into compliance. The District will evaluate information submitted by Permittees who exceed their authorized 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)

7. 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)
8. 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. 1, Permittee ID No. SH-1. 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)
9. Water quality samples from monitor sites listed below shall be collected as described in the wellfield management plan documents submitted on April 7, 2023, in support of the permit application for the water use and analyzed for the parameter(s) indicated at the frequency specified below. For analysis and submittal requirements see Exhibit B, Water Quality Sampling Instructions, attached to and made part of this permit.

Existing District ID No. 3/Permittee ID No. MW-300, for chlorides, sulfates, total dissolved solids, and specific conductance, on a quarterly basis.(751)

10. 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 below. The recording and reporting shall begin according to the first sample date for existing wells and shall begin within 90 days of pumping of any 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. 1/Permittee ID No. SH-1 for chlorides, sulfates, total dissolved solids, specific conductance, and total organic carbon, after a minimum pumping time of 15 minutes, on a quarterly basis.
(752)

11. Upon permit issuance, for the following existing monitor wells, the Permittee shall record water levels to the North American Vertical Datum 1988 (NAVD88) and report them to the District at the frequency listed for the interval, aquifer system, or geologic formation listed. The monitor wells shall be surveyed by a surveyor licensed in the State of Florida and referenced to NAVD88, and a certified survey indicating the datum reference shall be submitted with the first water level data report. To the maximum extent possible, water levels shall be 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 Permit Information Center at the District website, (www.watermatters.org/permits/epermitting/), or mailed in hardcopy on District-provided forms to the address given in this permit for mailing data and reports on or before the 15th 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.

District ID No. 2, Permittee ID No. MW-SA, to monitor the Surficial aquifer: on a bi-weekly basis (every 2 weeks) and reported the following month.

District ID No. 3/ Permittee ID No. MW-300, to monitor the Upper Floridan aquifer: on a bi-weekly basis (every 2 weeks) and reported the following month.(755)

12. The total quantities authorized by this permit are supported in part by numerical simulation of aquifer recharge at the various Upper Floridan aquifer South Hillsborough Aquifer Recharge Project injection wells for a total of 5,000,000 gpd on an annual average basis. The Permittee shall cease or reduce withdrawals on an annual average basis when the mitigation activity that provided for the authorized increase is determined by the District to not provide the anticipated benefit, or if the mechanism or

activity by which that benefit was provided is no longer in effect. The quantities that are injected shall be summarized in a annual report dated to coincide with the submittal of the overall permit annual report (July 1, beginning in 2025 for WY24) to the District as continued justification for the authorized quantities per the submitted groundwater modeling analysis.
(990)

13. The Permittee shall submit semi-annually the total quantity injected into the Upper Floridan aquifer through the Hillsborough County South Hillsborough Aquifer Recharge injection site wells. This data shall be reported as District Identification (DID) No. 4, Permittee ID South Hillsborough Aquifer Recharge.(991)

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.

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:

Frequency

- Weekly
- Quarterly
- Semi-annually
- Monthly

Timetable

- Same day of each week
- Same week of **February, May, August, November**
- Same week of **May, November**
- Same week of each month

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

October 24, 2023

Regulation Committee: Water Use Permit No. 20 002332.009, Town of Lake Hamilton / Town of Lake Hamilton (Polk County)

This is a renewal with modification of an existing water use permit for public supply use. The authorized quantities are based on the 2025 demand and a 5-year average of 147 gallons per day per capita (gpcd). The quantities have changed from those previously permitted to reflect an increase in population from 2,554 to 4,165. This permit authorizes an annual average quantity increase from 380,500 gallons per day (gpd) to 613,000 gpd, and a peak month quantity increase from 598,800 gpd to 762,600 gpd. The increase is supported by impact offsets associated with the annual average retirement of 496,200 gpd through land use transitions. There is no change in Use Type from the prior revision. This permit authorizes, as stated in a special condition, Upper Floridan Aquifer (UFA) withdrawals up to the 2028 demand of 1,006,800 gpd annual average and 1,252,400 peak month. The 2028 demand is based on a population of 6,841. The Town of Lake Hamilton is located within the Central Florida Water Initiative (CFWI) and the Southern Water Use Caution Area (SWUCA).

Special Conditions include those that require the Permittee to report monthly meter readings, to perform meter accuracy checks every five years, to adhere to well construction specifications, to provide a Well Completion Report and results of specific capacity testing, to cap wells not in use, to modify the permit upon receipt of AWS, to comply with rate structure, per capita, and customer billing requirements, and to submit the Public Supply Annual Report by April 1 each year.

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

Staff Recommendation:

Approve the proposed permit attached as an exhibit.

Presenter:

April D. Breton, Water Use Permit Evaluation and Compliance Manager, Water Use Permit Bureau

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 002332.009**

PERMIT ISSUE DATE: **October 24, 2023**

EXPIRATION DATE: **October 24, 2028**

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: Town of Lake Hamilton/Atth: Steven Hunnicutt
 P.O. Box 126
 Lake Hamilton, FL 33637

PROJECT NAME: Town of Lake Hamilton
WATER USE CAUTION AREA(S): SOUTHERN WATER USE CAUTION AREA
COUNTY: Polk

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)	
ANNUAL AVERAGE	613,000 gpd
PEAK MONTH ¹	762,600 gpd

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

ABSTRACT:

This is a renewal with modification of an existing water use permit for public supply use. The authorized quantities are based on the 2025 demand and a 5-year average gross and compliance per capita use rate of 147 and 134 gallons per day per capita (gpcd), respectively. The quantities have changed from those previously permitted to reflect an increase in population from 2,554 to 4,165. This permit authorizes an annual average quantity increase from 380,500 gallons per day (gpd) to 613,000 gpd, and a peak month quantity increase from 598,800 gpd to 762,600 gpd. The increase is supported by impact offsets associated with the annual average retirement of 496,200 gpd through land use transitions. There is no change in Use Type from the prior revision. This permit authorizes, as stated in a special condition, Upper Floridan Aquifer (UFA) withdrawals up to the 2028 demand of 1,006,800 gpd annual average and 1,252,400 peak month. The 2028 demand is based on a population of 6,841. The Town of Lake Hamilton is located within the Central Florida Water Initiative (CFWI) and the Southern Water Use Caution Area (SWUCA).

Special Conditions include those that require the Permittee to report monthly meter readings, to perform meter accuracy checks every five years, to adhere to well construction specifications, to provide a Well Completion Report and results of specific capacity testing, to cap wells not in use, to modify the permit upon receipt of AWS, to comply with rate structure, per capita, and customer billing requirements, and to submit the Public Supply Annual Report by April 1 each year.

WATER USE TABLE (in gpd)

<u>USE</u>	<u>ANNUAL AVERAGE</u>	<u>PEAK MONTH</u>
Public Supply	613,000	762,600

USE TYPE

Public Supply

PUBLIC SUPPLY:

Population Served: 4,165
 Per Capita Rate: 147 gpd/person

WITHDRAWAL POINT QUANTITY TABLE

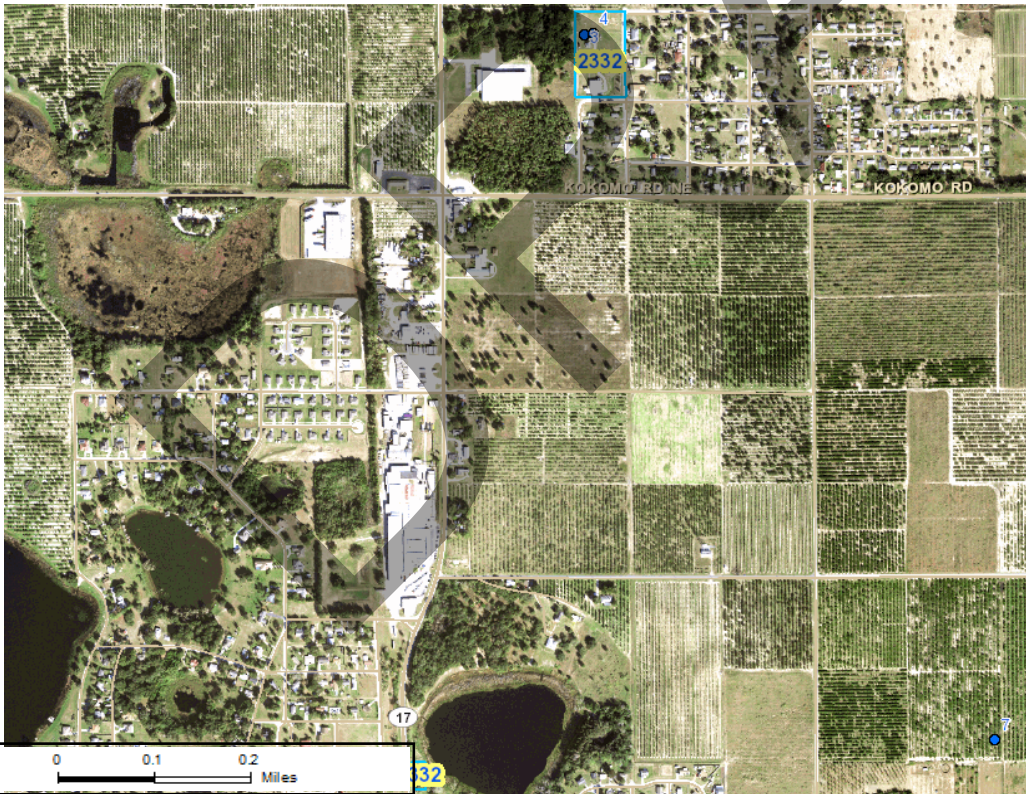
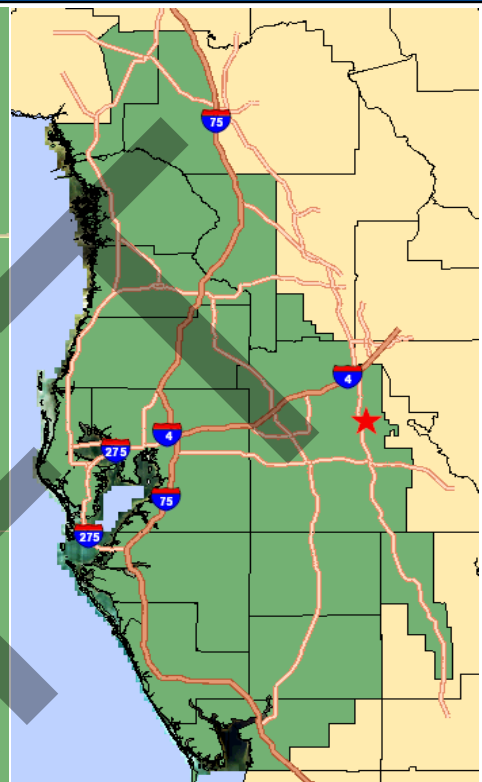
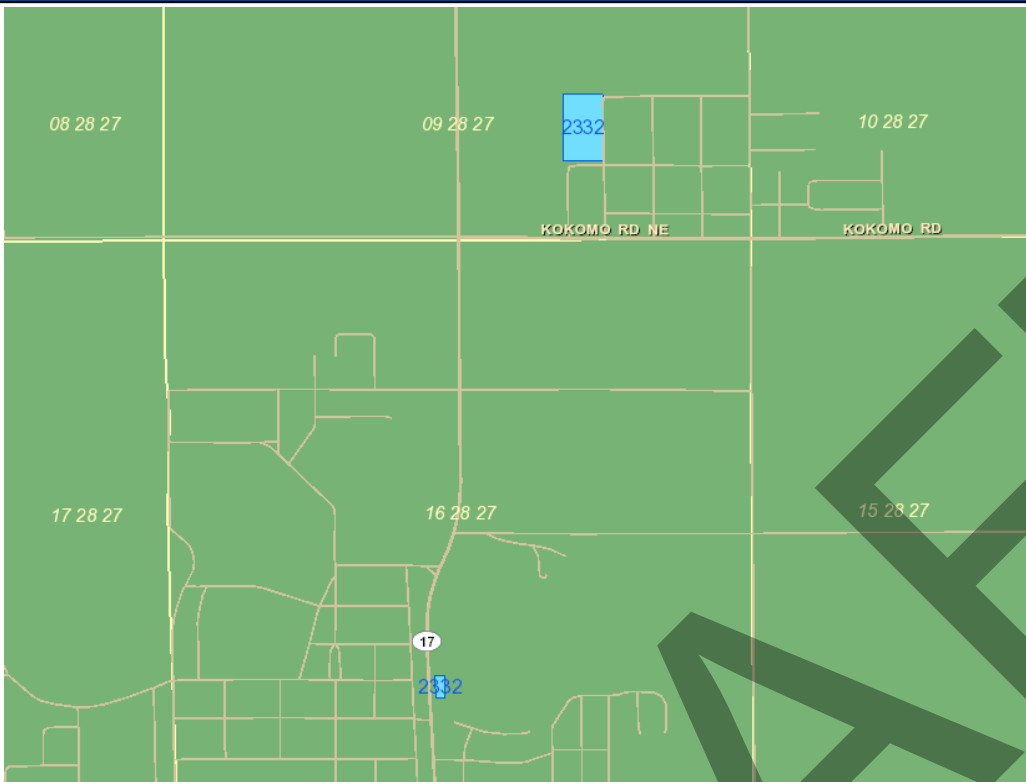
Water use from these withdrawal points are restricted to the quantities given below :

<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>
3 / 3	12	680 / 297	Public Supply	153,300	190,700
4 / 4	12	800 / 300	Public Supply	153,000	190,300
7 / 7	4	595 / 231	Public Supply	300	400
8 / 8	12	800 / 200	Public Supply	153,200	190,600
9 / 9	12	800 / 200	Public Supply	153,200	190,600

WITHDRAWAL POINT LOCATION TABLE

<u>DISTRICT I.D. NO.</u>	<u>LATITUDE/LONGITUDE</u>
3	28° 03' 30.53"/81° 37' 00.11"
4	28° 03' 30.63"/81° 36' 59.43"
7	28° 02' 40.99"/81° 36' 27.51"
8	28° 03' 20.82"/81° 35' 06.84"
9	28° 03' 20.88"/81° 35' 07.76"

Location Map
Town of Lake Hamilton/Atth: Steven Hunnicutt
WUP No. 20 002332.009



Legend

- DIDs
- WUP Boundary
- Natural Color Imagery

POLK 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 147. 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 permittee shall develop and maintain an Annual Conservation Goal Implementation Plan (ACGIP) pursuant to section 2.7 of the CFWI Supplemental Applicant's Handbook for Consumptive Use Permitting. The ACGIP shall outline conservation goals for no less than 5 years. Agricultural permittees implementing BMPs in lieu of an ACGIP must maintain documentation supporting the enrollment and implementation of selected BMPs. The permittee shall submit the ACGIP upon request by the District, during a 10-year compliance report, and with an application for permit renewal or modification except for a public water supply permittee with an annual average daily quantity of 100,000 gpd or greater and whose commercial use equals or exceeds 30 percent of its total water use, shall report its progress toward achieving the conservation goals within the ACGIP annually.(92)
5. The average day and peak monthly quantities for District ID Nos. 3, 4, 8 and 9, Permittee ID Nos. 3, 4, 8 and 9, shown in the production withdrawal 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 so long as adverse environmental impacts do not result and the Permittee complies with all other conditions of this Permit. The total annual average daily withdrawal and the total peak month daily withdrawal are limited to 306,300 gpd and 381,000 gpd, respectively for DIDs 3 and 4. The total annual

average daily withdrawal and the total peak month daily withdrawal are limited to 306,400 gpd and 381,200 gpd, respectively for DIDs 8 and 9.

Special Condition #19 authorizes Upper Floridan Aquifer (UFA) withdrawals up to the 2028 demand of 1,006,800 gpd annual average and 1,252,400 peak month. The total annual average daily withdrawal and the total peak month daily withdrawal are limited to 503,100 gpd and 625,800 gpd, respectively for DIDs 3 and 4. The total annual average daily withdrawal and the total peak month daily withdrawal are limited to 503,400 gpd and 626,200 gpd, respectively for DIDs 8 and 9.

(221)

6. 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. 8, Permittee ID No. 8, having a surface diameter of 12 inches, with a minimum casing depth of 200 feet, drilled to an estimated total depth of 800 feet.

District ID No. 9, Permittee ID No. 9, having a surface diameter of 12 inches, with a minimum casing depth of 200 feet, drilled to an estimated total depth of 800 feet.

(240)

7. 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)
8. 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.(449)
9. 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)
10. 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)
11. 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)

12. 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)
13. 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)
14. 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)

15. 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)
16. The following proposed withdrawal facilities shall be metered within 90 days of completion of construction of the facilities: District ID Nos. 8 and 9, Permittee ID Nos. 8 and 9. 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)
17. 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. 3 and 4, Permittee ID Nos. 3 and 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.(719)

18. Within 90 days of permit issuance the Permittee shall submit a summarized report listing the status of the water use permits that were utilized for impact offsets. The permits listed below are to be cancelled and were used to offset impacts from groundwater pumping:

Water Use Permit Nos.

20003988.004
 20003989.006
 20004120.006
 20004885.005
 20006758.004
 20008404.003
 20009299.004
 20009540.004
 20009975.004
 20012468.002
 20012702.003
 20012798.003
 (990)

19. This permit authorizes Upper Floridan Aquifer (UFA) withdrawals up to the 2028 demand of 1,006,800 gpd annual average and 1,252,400 peak month as outlined in the withdrawals table below. The 2028 demand is based on a population of 6,481.

Well	Annual Average (gpd)	Peak Month (gpd)
DID 3	251,700	313,100
DID 4	251,400	312,700
DID 7	300	400
DID 8	251,700	313,100
DID 9	251,700	313,100

20. By July 1, 2024, the permittee shall submit to the district a plan that identifies conservation or water supply project(s) that will be developed and implemented to achieve the per capita goal of either a gross per capita daily water use rate of no greater than 115 gpd or a functional per capita daily water use rate of no greater than 100 gpd when calculating the Gross Per Capita method set forth above by December 31, 2043, as calculated using the method provided for in section 2.7.2 of the Central Florida Water Initiative Applicants Handbook. The plan should outline how the permittee will:

a) By December 31, 2033, the permittee shall achieve a per capita rate not greater than the midpoint between the five-year average Alternative Per Capita Water Use Rate calculated as of 2023 and their per capita goal.

b) By December 31, 2043, the permittee shall achieve an Alternative Per Capita Water Use Rate that is not greater than their per capita goal.
 (993)

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.

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.

1. **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.

2. **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:

- A. Number of dwelling units per category,
- B. Number of domestic metered connections per category,
- C. Number of metered irrigation connections,
- D. Annual average quantities in gallons per day provided to each category, and
- E. Percentage of the total residential water use provided apportioned to each category.

3. **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.

DRAFT

CONSENT AGENDA

October 24, 2023

Executive Director's Report: Approve Fiscal Year 2024 Final Budget Hearing Minutes

Staff Recommendation:

Approve minutes as presented.

Presenter:

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

MINUTES

PUBLIC HEARING FOR THE Final FISCAL YEAR 2024 MILLAGE RATE AND ANNUAL SERVICE BUDGET

GOVERNING BOARD SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

TAMPA, FLORIDA

SEPTEMBER 26, 2023

The Governing Board of the Southwest Florida Water Management District met at 5:01 p.m. on September 26, 2023, at the Tampa Office. The following persons were in attendance:

Board Members Present

Ed Armstrong, Chair
Michelle Williamson, Vice Chair*
Jack Bispham, Treasurer
Kelly Rice, Member*
Ashley Bell Barnett, Member*
John Hall, Member
James Holton, Member*
Dustin Rowland, Member
Robert Stern, Member*
Nancy H. Watkins, Member

*Attended via electronic media

Board Members Absent

John Mitten, Secretary
Joel Schleicher, Member

Staff Members

Brian J. Armstrong, Executive Director
Amanda Rice, Assistant Executive Director
Chris Tumminia, General Counsel
Brian Werthmiller, Inspector General
Michael Molligan, Division Director
Jennette Seachrist, Division Director
Michelle Hopkins, Division Director
Brian Starford, Division Director
Brandon Baldwin, Division Director
Melisa Lowe, Bureau Chief
Andrea Shamblin, Manager

Board Administrative Support

Virginia Singer, Manager
Lori Manuel, Administrative Coordinator

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. Call to Order, Roll Call, and Approval of Tentative Fiscal Year 2024 Annual Service Budget Public Hearing Minutes

Chair Ed Armstrong called the meeting to order. Board Member John Hall led the invocation and the Pledge of Allegiance.

Chair Armstrong provided information to members of the public wishing to address the Governing Board concerning any item listed on the agenda or any item that does not appear on the agenda. 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 issue/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.

Chair Armstrong requested a motion to approve the minutes from the September 12, 2023, Tentative Fiscal Year (FY) 2024 Millage Rate and Annual Service Budget Public Hearing.

A motion was made and seconded. The motion carried unanimously. (Audio –00:04:21)

2. Opening Comments

Chair Armstrong stated the purpose of this final Truth in Millage (TRIM) public hearing was to provide an opportunity for the public to speak and ask questions prior to the Governing Board's adoption of a final millage rate and budget for FY2024.

3. Budget Overview

Chair Armstrong stated the FY2024 budget totaled \$224.8 million compared to \$211.7 million for the fiscal year 2023 adopted budget; and continues a significant level of capital investment in our region to ensure the District's core mission is achieved. Those investments will continue to protect our water resources, incentivize the economy, and create jobs. The budget included \$126 million in ad valorem property tax revenue based on reducing the millage rate to the rolled-back rate of 0.2043 mill. This millage rate is 9.6 percent lower than the current fiscal year millage rate of 0.2260 mill. The rolled-back rate is the rate that would give the District the same amount of revenue as the current year plus taxes on any new construction. This will be the 12th consecutive year the Governing Board has voted to roll-back the millage rate to lessen the tax burden for Florida property owners. Chair Armstrong extended gratitude to Governor DeSantis, the Florida Legislature, and the Florida Department of Environmental Protection for state appropriations.

4. Public Announcement of the Name of the Taxing Authority, Rolled-Back Rate, Percentage of Increase Above Rolled-Back Rate, and Millage Rate to be Levied for Fiscal Year 2024

Mr. Baldwin, Business and Information Technology Services Director presented the required public announcement of the name of the taxing authority, the rolled-back rate, the percentage of increase above the rolled-back rate, and the millage rate to be levied for FY2024 and read into the record as required for the District.

TAXING AUTHORITY	ROLLED-BACK RATE	PERCENTAGE OF INCREASE OVER ROLLED-BACK RATE	Final MILLAGE RATE
Southwest Florida Water Management District	0.2043 mill	0.0%	0.2043 mill

5. Reconciliation of Tentative to Final Fiscal Year 2024 Budget

Mr. Baldwin stated there were no changes to the budget since the tentative budget was adopted at the first public hearing on September 12.

6. Public Comments

a. Letters/Resolutions Received

Chair Armstrong stated that responses to the letters received regarding the tentative millage rate and budget, and letters and resolutions received regarding the final millage rate and budget since the first public hearing, if any, have been compiled into Appendix "C" of the public hearing materials and are hereby incorporated by reference into the public record of this meeting. Copies of this Appendix are available upon request at the District's Brooksville Office, 2379 Broad Street, Brooksville, Florida.

b. Persons Wishing to Address the Board

Mr. David Ballard Geddis, Jr., spoke in opposition of taxation authority.

7. Adopt Final Fiscal Year 2024 Millage Rate

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
RESOLUTION NO. 23-08
ADOPTION OF FINAL MILLAGE RATE FOR FISCAL YEAR 2024**

This resolution is made a part of these minutes as if set forth in full, but for convenience, is filed in the permanent resolution files of the District.

A motion was made to adopt Resolution No 23-08, Adoption of Final Millage Rate and Certification of Levy to the County Property Appraisers for Fiscal Year 2024, of 0.2043 mill, which was seconded. The motion carried unanimously. (Audio –00:13:39)

8. Adopt Final Fiscal Year 2024 Budget

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
RESOLUTION NO. 23-09
ADOPTION OF FINAL TENTATIVE BUDGET FOR FISCAL YEAR 2024**

This resolution is made a part of these minutes as if set forth in full but, for convenience, is filed in the permanent resolution files of the District.

A motion was made to adopt Resolution No. 23-09, Adoption of the Final Budget for Fiscal Year 2024, in the amount of \$224,800,464 which was seconded. The motion carried unanimously. (Audio – 00:14:29)

9. Introduce all Materials as Composite Exhibit

Chair Armstrong stated the record will reflect all materials presented today are part of the permanent record of the public hearing.

10. Adjournment

Chair Armstrong adjourned the meeting at 5:17 p.m.

CONSENT AGENDA

October 24, 2023

Executive Director's Report: Approve Governing Board Minutes – September 26, 2023

Staff Recommendation:

Approve minutes as presented.

Presenter:

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



**GOVERNING BOARD MEETING
TUESDAY, SEPTEMBER 26, 2023 – 3:00 PM
7601 US 301 NORTH, TAMPA, FL 33637
(813) 985-7481**

MINUTES

Board Members Present

Ed Armstrong, Chair
Michelle Williamson, Vice Chair*
Jack Bispham, Treasurer
Joel Schleicher, Member*
Kelly Rice, Member*
Ashley Bell Barnett, Member
John Hall, Member
James Holton, Member*
Dustin Rowland, Member
Robert Stern, Member
Nancy H. Watkins, Member

*Attended via electronic media

Board Members Absent

John Mitten, Secretary

Staff Members

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

Board Administrative Support

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

1. Convene Public Hearing

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 3:00 p.m., September 26, 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 Ashley Bell Barnett offered the invocation and led the Pledge of Allegiance.

1.3 Employee Recognition

None were presented.

1.4 Additions/Deletions to Agenda

Mr. Brian Armstrong, Executive Director, stated there were additions or deletions to the agenda.

Board Member Joel Schleicher asked that the following items be moved to Discussion:

Finance/Outreach & Planning Committee

2.1 Board Encumbrance of the Capital Field Equipment Fund

Resource Management Committee

2.4 Arcadia Stormwater Evaluation and Feasibility Study – Scope Change (Q217)

2.5 FARMS – Spanish Trails Farming & Land Company, LLC - Phase 3 (H819), DeSoto 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

Chair Armstrong recognized a Request to Speak card from Mr. Mitch Allen, who declined to speak.

Mr. David Ballard Geddis spoke against water jurisdiction.

Consent Agenda

Finance/Outreach & Planning Committee

2.1 Board Encumbrance of the Capital Field Equipment Fund

~~Staff recommended the Governing Board approve the encumbrance of \$1,010,796 in FY2023 fund balance within the Capital Field Equipment Fund to carry forward into FY2024 for planned expenditures as approved through the budgetary process.~~

Resource Management Committee

2.2 City of Haines City Lake Eva and Lake Henry Restoration (N926) – Third-Party Review of 30 Percent Design

Staff recommended the Board authorize project conclusion after the TPR task and approve a not-to-exceed District funding amount of \$210,000.

2.3 Hillsborough County - Town “N” Country/Hillsborough Avenue Regional Drainage Improvements (N975) – Third-Party Review of 30 Percent Design

Staff recommended the Board authorize project conclusion after the TPR task and approve a not-to-exceed District funding amount of \$300,000.

2.4 Arcadia Stormwater Evaluation and Feasibility Study – Scope Change (Q217)

~~Staff recommended the Board approve of the scope revision to perform a feasibility study within Basin H (Baker Street Ditch) instead of Basin E (Jordan Branch) within the City of Arcadia Watershed Management Plan boundary.~~

2.5 ~~FARMS – Spanish Trails Farming & Land Company, LLC – Phase 3 (H819), DeSoto County~~

~~Staff recommended the Board:~~

- ~~1. Approve the Spanish Trails Farming and Land Company, LLC – Phase 3 project for a not to exceed project reimbursement of \$542,000 with \$542,000 provided by the Governing Board.~~
- ~~2. Authorize the transfer of \$542,000 from fund 010 H017 Governing Board FARMS Fund to the H819 Spanish Trails Farming and Land Company, LLC – Phase 3 project fund.~~
- ~~3. Authorize the Assistant Executive Director to sign the agreement.~~

2.6 Five-Year Water Resource Development Work Program

Staff recommended the Board authorize staff to submit the proposed Five-Year Water Resource Development Work Program to the Florida Department of Environmental Protection for review.

Operations, Lands & Resource Monitoring Committee

2.7 Approval of Land Management Plan Updates for Conner Preserve, Flatford Swamp Preserve, Flying Eagle Preserve and Prairie Shell Creek Preserve

Staff recommended the Board approve the Plan Updates for Conner Preserve, Flatford Swamp Preserve, Flying Eagle Preserve, and Prairie Shell Creek Preserve.

Regulation Committee

2.8 Water Use Permit No. 20 011350.005, Countyline Ranch, LLC/Countyline Ranch LLC (Manatee County)

Staff recommended the Board approve the proposed permit attached as an exhibit.

2.9 Water Use Permit No. 20 005750.011, City of Davenport/City of Davenport WUP (Polk County)

Staff recommended the Board approve the proposed permit attached as an exhibit.

2.10 Water Use Permit No. 20 012934.003, Len-Angeline, LLC/Len Angeline (Pasco County)

Staff recommended the Board approve the proposed permit attached as an exhibit.

General Counsel's Report

2.11 Approval of Consent Order between SWFWMD and Hooley Development, LLC – Permit Condition Violations – Environmental Resource Permit No. 43045054.000 – CT No. 424099 – Hillsborough County

Staff recommended the Board:

1. Approve the Consent Order.
2. Authorize District staff to pursue compliance with the terms and conditions of the approved Consent Order, including filing any appropriate actions in Circuit Court, if necessary.

2.12 Approval of the District's Annual Regulatory Plan for 2023-2024

Staff recommended the Board approve the District's Annual Regulatory Plan for 2023-2024 and execute the certification required by Section 120.74(1)(d), F.S.

2.13 Affirm Emergency Order Nos. SWF 23-033 and SWF 23-034 – Emergency Measures Due to Hurricane Idalia

Mr. Brian Armstrong, Executive Director, provided a recap of staff's response to Hurricane Idalia. He stated that over 100 District staff participated in preparation resulting in approximately 1,400 staff hours. He expressed his appreciation to staff for their efforts.

Staff recommended the Board affirm Emergency Order Nos. 23-033 and 23-034.

Executive Director's Report

2.14 Approve Governing Board Minutes – August 22, 2023

Staff recommended the Board approve minutes as presented.

A motion was made and seconded to approve the Consent Agenda. The motion carried unanimously. (Audio – 00:12:34)

Finance/Outreach & Planning Committee

Treasurer Jack Bispham called the committee to order.

3.1 Consent Item(s) Moved to Discussion

2.1 Board Encumbrance of the Capital Field Equipment Fund

Board Member Schleicher expressed his opposition to the carrying forward of funds from one fiscal year to another.

Staff recommended the Governing Board approve the encumbrance of \$1,010,796 in FY2023 fund balance within the Capital Field Equipment Fund to carry forward into FY2024 for planned expenditures as approved through the budgetary process.

A motion was made and seconded to approve staff's recommendation. The motion passed with ten in favor and one opposed. (Audio – 00:14:10)

3.2 Office of Inspector General Fiscal Year 2023 Annual Report

Mr. Brian Werthmiller, CPA, CFE, CIG, Inspector General, provided the FY2023 Annual report for the Office of Inspector General (OIG). He explained this report is required pursuant to Florida Statute and Governing Board policy. Mr. Werthmiller provided an overview of his required work functions. He provided a summary of the completed work products and other activities associated with the Inspector General office. He highlighted audits, investigations and reviews that were completed for FY2023. Mr. Werthmiller stated that 64 reviews were initiated and explained how reviews are received and the processes associated. He stated that a Peer review for the period of October 1, 2020 through September 30, 2022 was completed by an outside entity which resulted in the highest rating of pass for a second consecutive time.

Mr. Werthmiller reminded the Board that the District has an in-house risk assessment and audit program that provides a savings of approximately \$29,000.

Mr. Werthmiller stated he has completed the FY2023 performance measures that were set by the Board.

This was for information only. No action was required.

3.3 Fiscal Year 2025 Business Plan Update

Ms. Mary Margaret Hull, PMP, APR, Lead Project Manager, presented an update on the FY2025 Business Plan. She explained the purpose of the Business Plan and how it integrates with the budget process and the District's Strategic Plan. Ms. Hull summarized the plan development that assisted in identifying the resource needs over a five-year period (FY2025-FY2029). Ms. Hull stated that a Strength, Weakness, Opportunity, and Threat (SWOT) Analysis was performed to determine the overall strategic position of the organization within its current environment. She stated that a changing workforce was identified as a top weakness across all five programmatic teams. Ms. Hull outlined the drivers for resource needs. Additional drivers were identified by the Board and have been incorporated. Drivers included population growth, sea-level rise and resiliency, regulation and legislation, technology, and aging infrastructure. Ms. Hull summarized improvements to the business plan, performance metrics and staffing trends. She outlined the next steps associated with the business plan.

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

3.4 Knowledge Management: Promotion of District Programs and Objectives Governing Board Policy

Ms. Melisa Lowe, Finance Bureau Chief, provided an overview of the current policy, outlined the proposed modifications, and described the next steps.

This item was presented for the Board's information and no action was requested.

3.5 Extension of Annual Review of Governing Board Policy, Investments

Mr. Brandon Baldwin, Business and IT Services Division Director, provided an overview of the District's investment policy. He explained that review of the District's investment policy is required within sixty (60) days following the end of each fiscal year, and the Governing Board shall approve any modifications. Mr. Baldwin explained that the 60-day deadline would be on November 29. Since the Governing Board plans to discuss the Investment Policy at the annual workshop on November 14, 2023, staff requested a onetime extension of the review and approval period to 115 days (October 1, 2023, through January 23, 2024). Any proposed changes will be presented at the December Governing Board meeting.

Staff recommended the Board approve a one-time extension of the review and approval period for Governing Board Policy Investments from 60 days to 115 days.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 00:48:15)

3.6 Budget Transfer Report

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

3.7 Report of Total Reductions in Taxes From Hurricane Ian or Hurricane Nicole

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

Resource Management Committee

Board Member Ashley Bell Barnett called the committee to order.

4.1 Consent Item(s) Moved to Discussion

2.4 Arcadia Stormwater Evaluation and Feasibility Study – Scope Change (Q217)

Ms. Terese Power, P.E., CFM., Engineering and Watershed Management Manager, provided an overview of the original feasibility study and outlined the proposed changes. She explained the City of Arcadia (City) was in the process of setting the scope of the feasibility study with a consultant when Hurricane Ian hit in September 2022. As a result, the City experienced major flooding and damage in the Baker Street Ditch area (Basin H). Due to this, the City is requesting a scope change to perform a feasibility study of Basin H instead of Jordan Branch (Basin E).

Mr. Brian Armstrong, Executive Director, asked when Basin E would be addressed.

Mr. Terry Stewart, City of Arcadia Manger, stated the City has received a hazard mitigation grant to address Basin E.

Staff recommended the Board approve of the scope revision to perform a feasibility study within Basin H (Baker Street Ditch) instead of Basin E (Jordan Branch) within the City of Arcadia Watershed Management Plan boundary.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 00:55:55)

2.5 FARMS – Spanish Trails Farming & Land Company, LLC - Phase 3 (H819), DeSoto County
Board Member Schleicher requested this item be moved to Discussion.

Staff recommended the Board:

1. Approve the Spanish Trails Farming and Land Company, LLC - Phase 3 project for a not-to exceed project reimbursement of \$542,000 with \$542,000 provided by the Governing Board.
2. Authorize the transfer of \$542,000 from fund 010 H017 Governing Board FARMS Fund to the H819 Spanish Trails Farming and Land Company, LLC – Phase 3 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 unanimously. (Audio – 00:57:01)

4.2 Boyd Hill Nature Preserve Project - Increased Funding Request for Construction Bid (W303)

Mr. Randy Smith, PMP, Natural Systems & Restoration Bureau Chief, presented information that included history, location, objectives, budget, and funding. He informed the Board that unlike other Cooperative Funding Initiative (CFI) projects, the District is the design, permitting and construction lead for this project.

Staff recommended the Board:

1. Approve the budget transfer of \$196,800 from the withdrawn Quads Park Habitat Restoration Project (W648) to the Boyd Hill Nature Preserve Project (W303).
2. Authorize staff to amend the Boyd Hill Nature Preserve Project (W303) cooperative funding agreement to increase the total project budget to \$1,096,800, with the District and City each contributing \$448,400 and \$200,000 from TBEP.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio – 01:03:58)

Operations, Lands & Resource Monitoring Committee

Board Member John Hall called the committee to order.

5.1 Consent Item(s) Moved to Discussion - None

Regulation Committee

Board Member Dustin Rowland 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 Industrial Advisory Committee

A written summary of the August 8 meeting was provided.

8.2 Public Supply Advisory Committee

A written summary of the August 8 meeting was provided.

Executive Director's Report

9.1 Executive Director's Report

Mr. Brian Armstrong, Executive Director, recognized Mr. Ross Morton, Ombudsman, for his service and dedication to the District. Mr. Morton will be leaving the District to work for the national Red Cross.

Mr. Armstrong provided a summary of his FY2023 District accomplishments. A written summary was provided.

Chair's Report

10.1 Chair's Report

Chair Armstrong stated the next Governing Board Meeting is scheduled for Tuesday, October 24 at 9:00 a.m., in the Tampa office

10.2 Employee Milestones

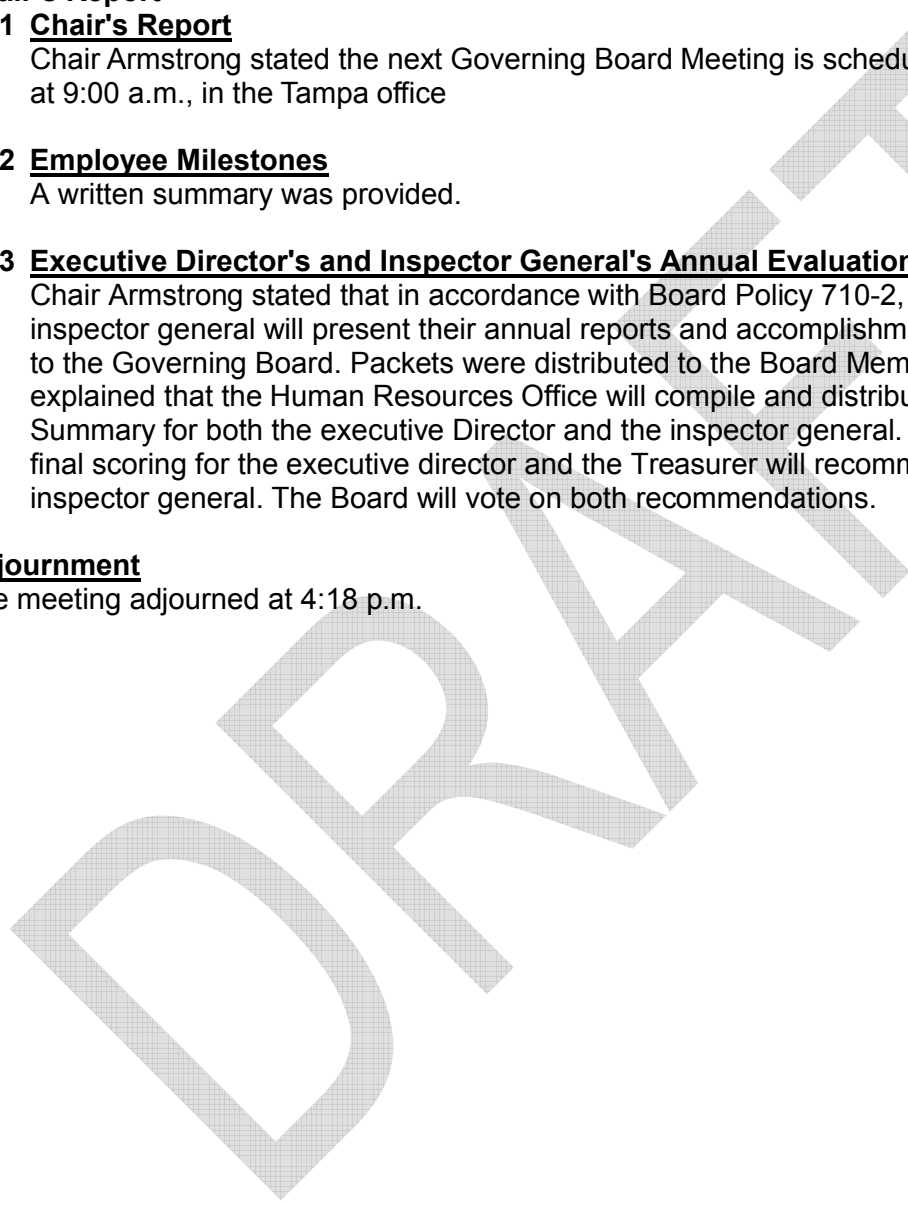
A written summary was provided.

10.3 Executive Director's and Inspector General's Annual Evaluations

Chair Armstrong stated that in accordance with Board Policy 710-2, the executive director and inspector general will present their annual reports and accomplishments for the current fiscal year to the Governing Board. Packets were distributed to the Board Members to be completed. He explained that the Human Resources Office will compile and distribute a Performance Evaluation Summary for both the executive Director and the inspector general. The Chair will recommend a final scoring for the executive director and the Treasurer will recommend a final score for the inspector general. The Board will vote on both recommendations.

Adjournment

The meeting adjourned at 4:18 p.m.



**Governing Board Meeting
October 24, 2023**

3. FINANCE/OUTREACH & PLANNING COMMITTEE

3.1	Discussion: Information Item: Consent Item(s) Moved to Discussion	109
3.2	Discussion: Action Item: Investment Strategy Quarterly Update	110
3.3	Discussion: Action Item: Knowledge Management: Industrial, Commercial & Institutional Advisory Committee Policy	122
3.4	Discussion: Action Item: Development of Preliminary Budget for Fiscal Year 2025	132
3.5	Submit & File: Information Item: Budget Transfer Report	133
3.6	Submit & File: Information Item: Office of Inspector General Quarterly Update – July 1, 2023 to September 30, 2023	135

FINANCE/OUTREACH AND PLANNING COMMITTEE

October 24, 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 Division

Brandon Baldwin, Division Director, Business and IT Services Division

FINANCE/OUTREACH AND PLANNING COMMITTEE

October 24, 2023

Discussion: Action Item: Investment Strategy Quarterly Update

Purpose

Provide quarterly update of the investment portfolio.

Background

In accordance with Board Policy, Investments, a quarterly investment report shall include the following:

1. A listing of individual securities by class and type held at the end of the reporting period.
2. Percentage of available funds represented by each investment type.
3. Coupon, discount, or earning rate.
4. Average life or duration and final maturity of all investments.
5. Par value and market value.
6. In addition to the standard gross-of-fee-performance reporting that is presented, net-of-fee performance will be provided by the Investment Manager.
7. A summary of District's investment strategy.
8. The year-end quarterly report ended September 30th will show performance on both a book value and total rate of return basis and will compare the results to the portfolio's performance benchmarks. All investments shall be reported at fair value per GASB standards. Investment reports shall be available to the public.

Staff Recommendation:

Accept and place on file the District's Quarterly Investment Reports for the quarter ended September 30, 2023.

Presenter:

John F. Grady III, Managing Director, Public Trust Advisors, LLC

Quarterly Investment Report for Period Ended September 30, 2023

Southwest Florida
Water Management District



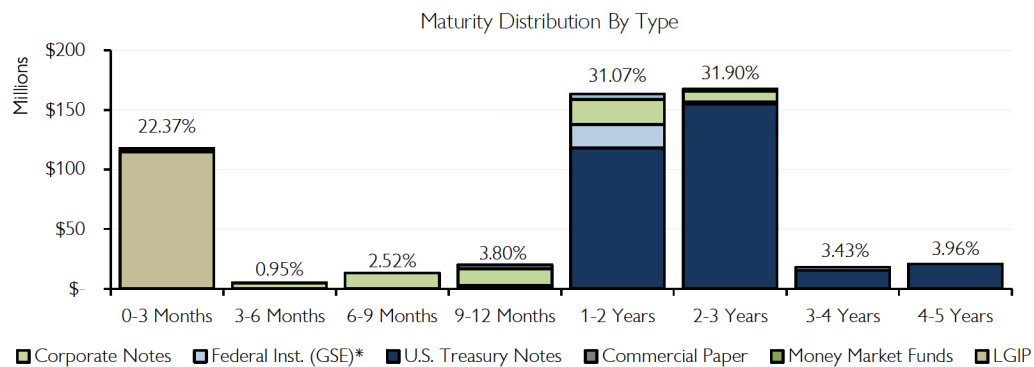
Southwest Florida Water Management District Investment Program Review
2379 Broad Street
Brooksville, FL 34604-6899

Public Trust Advisors LLC
201 E. Pine Street, Suite 750
Orlando, Florida 32801

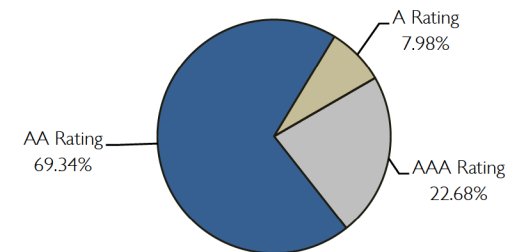
Southwest Florida Water Management District All Assets Summary Comparison for the period July 1, 2023 to September 30, 2023

Southwest Florida Water Management District All Assets Portfolio	July 1, 2023 Beginning Balance	September 30, 2023 Ending Balance	Portfolio Characteristic	July 1, 2023 Beginning Balance	September 30, 2023 Ending Balance
Book Value Plus Accrued	\$ 561,507,564	\$ 539,485,529	Weighted Book Yield	3.52%	3.58%
Net Unrealized Gain/Loss	(13,736,356)	(13,633,891)	Weighted Duration	1.51 Years	1.52 Years
Net Pending Transactions	12,669	284,382			
Market Value Plus Accrued Net	\$ 547,783,877	\$ 526,136,020			

Individual Portfolio Characteristics	July 1, 2023 Beginning Balance	September 30, 2023 Ending Balance	September 30, 2023 Monthly Earnings	September 30, 2023 Quarterly Earnings	September 30, 2023 YTD Earnings
Liquid Portfolio (SBA-Florida Prime)	\$ 138,596,692	\$ 114,389,857	\$ 559,015	\$ 1,787,165	\$ 6,769,709
Short Term 1-3 Year	305,151,135	307,439,866	800,320	2,074,357	2,339,465
Medium Term 1-5 Year	104,036,050	104,306,297	171,367	382,157	657,049
Market Value Plus Accrued Net	\$ 547,783,877	\$ 526,136,020	\$ 1,530,702	\$ 4,243,679	\$ 9,766,223
		Less Advisory Fees:	\$ (10,052)	\$ (30,794)	\$ (121,629)
		Total Earnings Net of Fees	\$ 1,520,650	\$ 4,212,885	\$ 9,644,594
		Blended Basis Fee (Annualized)	0.02236%	0.02283%	0.02255%



Portfolio Allocation By Standard and Poores' Rating



See additional disclosures for footnotes.

Additional Disclosure

This statement is for general information purposes only and is not intended to provide specific advice or recommendations. Please review the contents of this statement carefully. Should you have any questions regarding the information presented, calculation methodology, investment portfolio or security detail, or any other facet of your statement, please feel free to contact us.

Public Trust Advisor's monthly statement is intended to detail our investment advisory activity as well as the activity of any accounts held by clients in pools that are managed by Public Trust Advisors. The custodian bank maintains the control of assets and executes and settles all investments transactions. The custodian statement is the official record of security and cash holdings transactions. Public Trust Advisors recognizes that clients may use these reports to facilitate record keeping; therefore the custodian bank statement and the Public Trust Advisors statement should be reconciled and differences resolved. Many custodians use a settlement date basis which may result in the need to reconcile due to a timing difference. Please contact your relationship manager or our toll free number 855-395-3954 with questions regarding your account.

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Pricing sources from our reporting platform are provided by Clearwater reporting platform and are established by Clearwater's internal pricing procedures. Clearwater utilizes a hierarchical pricing model which starts with one of the industry's pricing sources, S&P Capital IQ. Securities with short maturities and infrequent secondary market trades are typically priced via mathematical calculations. The Securities in this investment portfolio, including shares of mutual funds, are not guaranteed or otherwise protected by Public trust Advisors, the FDIC (except for certain non-negotiable certificates of deposit) or any government agency, unless otherwise specifically stated. Investment in fixed income securities involves risks, including the possible loss of the amount invested.

Past performance is not an indication of future performance.

Beginning and Ending Balances based on Market Value plus Accrued Interest on a Trade Date basis.

Public Trust Advisors is an investment advisor registered with the Securities and Exchange Commission, and is required to maintain a written disclosure statement of our background and business experience. If you would like to receive a copy of our current disclosure statement, privacy policy, or code of ethics please contact Service Operations at the address below.

Public Trust Advisors

Portfolio Holdings

07/01/2023 to 09/30/2023

Description Identifier Coupon	Effective Maturity Final Maturity Duration	Trade Date Settle Date	Par Value	Original Cost Book Value	Market Value Market Price	MV + Accrued Accrued Balance	Net Unrealized Gain/Loss	% of Market Value	Callable Next Call Date	Book Yield YTM YTC	S&P Moody's
CASH								0.00%			
Cash CCYUSD 0.00%	09/30/23 09/30/23 0.00	-- --	(0.00)	(\$0.00) (\$0.00)	(\$0.00) 1.00	(\$0.00) \$0.00	\$0.00	(0.00%)	N --	0.00% 0.00% 0.00%	AAA Aaa
Receivable CCYUSD 0.00%	09/30/23 09/30/23 0.00	-- --	284,382.26	284,382.26 284,382.26	284,382.26 1.00	284,382.26 0.00	0.00	0.07%	N --	0.00% 0.00% 0.00%	AAA Aaa
CASH TOTAL	09/30/23 09/30/23 0.00	-- --	284,382.26	\$284,382.26 \$284,382.26	\$284,382.26 1.00	\$284,382.26 \$0.00	\$0.00	0.07%	N --	0.00% 0.00% 0.00%	AAA Aaa
MMFUND								0.00%			
FEDERATED HRMS GV O INST 60934N104 5.21%	09/30/23 09/30/23 0.00	-- --	708,644.75	\$708,644.75 \$708,644.75	\$708,644.75 1.00	\$708,644.75 \$0.00	\$0.00	0.17%	N --	5.20% -- --	AAAm Aaa
MMFUND TOTAL	09/30/23 09/30/23 0.00	-- --	708,644.75	\$708,644.75 \$708,644.75	\$708,644.75 1.00	\$708,644.75 \$0.00	\$0.00	0.17%	N --	5.20% -- --	AAAm Aaa
US GOV								0.00%			
UNITED STATES TREASURY 91282CCX7 0.38%	09/15/24 09/15/24 0.94	10/27/21 10/28/21	1,000,000.00	\$989,648.44 \$996,541.21	\$952,929.69 95.29	\$953,094.53 \$164.84	(\$43,611.52)	0.23%	N --	0.74% 5.47% --	AA+ Aaa
UNITED STATES TREASURY 91282CFQ9 4.38%	10/31/24 10/31/24 1.03	11/28/22 11/29/22	3,515,000.00	3,507,036.35 3,510,499.31	3,475,593.55 98.88	3,539,947.66 64,354.11	(34,905.76)	0.86%	N --	4.50% 5.45% --	AA+ Aaa
UNITED STATES TREASURY 91282G38 2.25%	11/15/24 11/15/24 1.08	07/07/22 07/08/22	1,845,000.00	1,811,847.66 1,828,920.74	1,782,298.82 96.60	1,797,978.81 15,679.99	(46,621.92)	0.44%	N --	3.05% 5.39% --	AA+ Aaa
UNITED STATES TREASURY 91282CDH1 0.75%	11/15/24 11/15/24 1.09	-- --	7,165,000.00	7,026,572.28 7,108,503.55	6,805,630.47 94.98	6,825,928.06 20,297.59	(302,873.08)	1.66%	N --	1.46% 5.39% --	AA+ Aaa
UNITED STATES TREASURY 91282CFX4 4.50%	11/30/24 11/30/24 1.11	01/26/23 01/30/23	1,450,000.00	1,455,154.30 1,453,366.65	1,435,443.36 99.00	1,457,371.64 21,928.28	(17,923.29)	0.35%	N --	4.29% 5.39% --	AA+ Aaa
UNITED STATES TREASURY 912828YY0 1.75%	12/31/24 12/31/24 1.21	03/09/22 03/11/22	15,100,000.00	15,071,097.66 15,087,043.80	14,447,632.89 95.68	14,514,413.46 66,780.57	(639,410.91)	3.53%	N --	1.82% 5.36% --	AA+ Aaa
UNITED STATES TREASURY 91282CDZ1 1.50%	02/15/25 02/15/25 1.33	03/09/22 03/11/22	15,100,000.00	14,955,488.28 15,031,486.93	14,343,820.39 94.99	14,372,748.38 28,927.99	(687,666.54)	3.49%	N --	1.84% 5.32% --	AA+ Aaa

Portfolio Holdings

07/01/2023 to 09/30/2023

Description Identifier Coupon	Effective Maturity Final Maturity Duration	Trade Date Settle Date	Par Value	Original Cost Book Value	Market Value Market Price	MV + Accrued Accrued Balance	Net Unrealized Gain/Loss	% of Market Value	Callable Next Call Date	Book Yield YTM YTC	S&P Moody's
UNITED STATES TREASURY 91282CGN5 4.62%	02/28/25 02/28/25 1.35	05/01/23 05/03/23	3,700,000.00	3,723,703.13 3,718,672.62	3,666,468.75 99.09	3,681,042.58 14,573.83	(52,203.87)	0.89%	N --	4.25% 5.29% --	AA+ Aaa
UNITED STATES TREASURY 91282ZF0 0.50%	03/31/25 03/31/25 1.46	-- --	4,750,000.00	4,720,439.47 4,736,162.29	4,426,220.72 93.18	4,426,285.61 64.89	(309,941.57)	1.08%	N --	0.70% 5.28% --	AA+ Aaa
UNITED STATES TREASURY 9128284F4 2.62%	03/31/25 03/31/25 1.43	04/27/22 04/28/22	14,600,000.00	14,570,343.75 14,584,608.37	14,050,218.75 96.23	14,051,265.88 1,047.13	(534,389.62)	3.41%	N --	2.70% 5.26% --	AA+ Aaa
UNITED STATES TREASURY 91282CEQ0 2.75%	05/15/25 05/15/25 1.55	06/09/22 06/10/22	9,450,000.00	9,388,353.49 9,415,280.32	9,090,826.20 96.20	9,188,985.50 98,159.31	(324,454.12)	2.23%	N --	2.98% 5.21% --	AA+ Aaa
UNITED STATES TREASURY 9128284R8 2.88%	05/31/25 05/31/25 1.58	07/07/22 07/08/22	13,000,000.00	12,928,398.44 12,958,248.97	12,521,132.78 96.32	12,646,737.29 125,604.51	(437,116.19)	3.07%	N --	3.07% 5.20% --	AA+ Aaa
UNITED STATES TREASURY 91282CEY3 3.00%	07/15/25 07/15/25 1.70	-- --	8,135,000.00	7,839,559.40 7,909,940.83	7,839,470.74 96.37	7,891,198.73 51,727.99	(70,470.08)	1.92%	N --	4.63% 5.14% --	AA+ Aaa
UNITED STATES TREASURY 912828Y79 2.88%	07/31/25 07/31/25 1.75	08/29/22 08/30/22	13,750,000.00	13,534,082.03 13,612,211.10	13,211,816.48 96.09	13,278,418.04 66,601.56	(400,394.63)	3.22%	N --	3.44% 5.13% --	AA+ Aaa
UNITED STATES TREASURY 91282CFE6 3.12%	08/15/25 08/15/25 1.79	08/29/22 08/30/22	10,370,000.00	10,276,832.08 10,310,055.80	10,004,214.43 96.47	10,045,602.84 41,388.42	(305,841.37)	2.44%	N --	3.45% 5.12% --	AA+ Aaa
UNITED STATES TREASURY 9128285J5 3.00%	10/31/25 10/31/25 1.96	06/22/23 06/26/23	9,400,000.00	9,068,796.92 9,104,576.61	9,026,203.17 96.02	9,144,214.04 118,010.87	(78,373.44)	2.22%	N --	4.60% 5.03% --	AA+ Aaa
UNITED STATES TREASURY 91282CFW6 4.50%	11/15/25 11/15/25 1.97	11/28/22 11/29/22	14,200,000.00	14,309,828.20 14,280,214.36	14,049,679.65 98.94	14,291,041.06 241,361.41	(230,534.71)	3.47%	N --	4.22% 5.03% --	AA+ Aaa
UNITED STATES TREASURY 912828M56 2.25%	11/15/25 11/15/25 2.02	11/28/22 11/29/22	11,075,000.00	10,475,825.22 10,638,407.52	10,464,144.53 94.48	10,558,266.98 94,122.45	(174,262.99)	2.56%	N --	4.21% 5.01% --	AA+ Aaa
UNITED STATES TREASURY 91282CGA3 4.00%	12/15/25 12/15/25 2.06	01/17/23 01/18/23	7,800,000.00	7,824,679.67 7,819,137.03	7,637,601.58 97.92	7,729,667.16 92,065.57	(181,535.45)	1.88%	N --	3.88% 5.00% --	AA+ Aaa
UNITED STATES TREASURY 91282CGE5 3.88%	01/15/26 01/15/26 2.15	01/26/23 01/30/23	9,750,000.00	9,747,714.89 9,748,318.89	9,520,722.70 97.65	9,600,802.53 80,079.82	(227,596.19)	2.33%	N --	3.88% 4.97% --	AA+ Aaa

Portfolio Holdings

07/01/2023 to 09/30/2023

Description Identifier Coupon	Effective Maturity Final Maturity Duration	Trade Date Settle Date	Par Value	Original Cost Book Value	Market Value Market Price	MV + Accrued Accrued Balance	Net Unrealized Gain/Loss	% of Market Value	Callable Next Call Date	Book Yield YTM YTC	S&P Moody's
UNITED STATES TREASURY 91282CBH3 0.38%	01/31/26 01/31/26 2.27	03/15/21 03/16/21	4,450,000.00	4,355,263.68 4,404,261.76	4,005,869.13 90.02	4,008,680.61 2,811.48	(398,392.64)	0.97%	N --	0.82% 4.95% --	AA+ Aaa
UNITED STATES TREASURY 91282CGL9 4.00%	02/15/26 02/15/26 2.23	06/22/23 06/26/23	3,725,000.00	3,679,310.57 3,683,843.07	3,646,280.28 97.89	3,665,310.17 19,029.89	(37,562.78)	0.89%	N --	4.50% 4.95% --	AA+ Aaa
UNITED STATES TREASURY 91282CBQ3 0.50%	02/28/26 02/28/26 2.35	10/27/21 10/28/21	850,000.00	829,812.50 838,654.04	765,265.62 90.03	765,627.58 361.95	(73,388.41)	0.19%	N --	1.06% 4.92% --	AA+ Aaa
UNITED STATES TREASURY 9128286F2 2.50%	02/28/26 02/28/26 2.30	03/08/23 03/10/23	10,000,000.00	9,384,375.00 9,493,707.11	9,455,468.80 94.55	9,476,760.01 21,291.21	(38,238.31)	2.30%	N --	4.74% 4.91% --	AA+ Aaa
UNITED STATES TREASURY 91282CGR6 4.62%	03/15/26 03/15/26 2.29	05/01/23 05/03/23	12,500,000.00	12,755,859.38 12,721,328.30	12,413,086.00 99.30	12,438,498.09 25,412.09	(308,242.30)	3.02%	N --	3.86% 4.93% --	AA+ Aaa
UNITED STATES TREASURY 91282CBT7 0.75%	03/31/26 03/31/26 2.41	04/22/21 04/23/21	6,000,000.00	5,987,578.14 5,993,661.24	5,425,781.28 90.43	5,425,904.23 122.95	(567,879.96)	1.32%	N --	0.79% 4.86% --	AA+ Aaa
UNITED STATES TREASURY 91282CBW0 0.75%	04/30/26 04/30/26 2.50	07/08/21 07/09/21	2,450,000.00	2,454,210.94 2,452,280.34	2,207,009.76 90.08	2,214,699.30 7,689.54	(245,270.58)	0.54%	N --	0.71% 4.88% --	AA+ Aaa
UNITED STATES TREASURY 9128286S4 2.38%	04/30/26 04/30/26 2.44	05/01/23 05/03/23	12,500,000.00	11,986,816.41 12,053,910.66	11,745,117.25 93.96	11,869,352.98 124,235.73	(308,793.41)	2.88%	N --	3.84% 4.89% --	AA+ Aaa
UNITED STATES TREASURY 91282CHB0 3.62%	05/15/26 05/15/26 2.44	06/22/23 06/26/23	12,000,000.00	11,746,875.00 11,769,002.41	11,632,031.28 96.93	11,796,338.35 164,307.07	(136,971.13)	2.86%	N --	4.41% 4.88% --	AA+ Aaa
UNITED STATES TREASURY 91282CHH7 4.12%	06/15/26 06/15/26 2.50	06/22/23 06/26/23	10,300,000.00	10,229,589.82 10,235,600.32	10,109,289.11 98.15	10,234,662.06 125,372.95	(126,311.21)	2.49%	N --	4.37% 4.86% --	AA+ Aaa
UNITED STATES TREASURY 91282CCJ8 0.88%	06/30/26 06/30/26 2.65	07/22/21 07/23/21	860,000.00	866,853.13 863,843.47	773,798.43 89.98	775,700.13 1,901.70	(90,045.03)	0.19%	N --	0.71% 4.81% --	AA+ Aaa
UNITED STATES TREASURY 91282CHM6 4.50%	07/15/26 07/15/26 2.57	-- --	13,350,000.00	13,321,972.66 13,323,121.17	13,226,929.69 99.08	13,354,262.57 127,332.88	(96,191.48)	3.24%	N --	4.58% 4.85% --	AA+ Aaa
UNITED STATES TREASURY 91282CHU8 4.38%	08/15/26 08/15/26 2.66	08/29/23 08/30/23	13,000,000.00	12,926,367.19 12,928,449.11	12,838,515.56 98.76	12,911,154.83 72,639.27	(89,933.55)	3.14%	N --	4.58% 4.84% --	AA+ Aaa

Portfolio Holdings

07/01/2023 to 09/30/2023

Description Identifier Coupon	Effective Maturity Final Maturity Duration	Trade Date Settle Date	Par Value	Original Cost Book Value	Market Value Market Price	MV + Accrued Accrued Balance	Net Unrealized Gain/Loss	% of Market Value	Callable Next Call Date	Book Yield YTM YTC	S&P Moody's
UNITED STATES TREASURY 91282CCW9 0.75%	08/31/26 08/31/26 2.82	10/27/21 10/28/21	5,225,000.00	5,131,317.38 5,167,977.64	4,652,903.31 89.05	4,656,240.70 3,337.40	(515,074.33)	1.13%	N --	1.13% 4.81% --	AA+ Aaa
UNITED STATES TREASURY 91282CCZ2 0.88%	09/30/26 09/30/26 2.88	10/27/21 10/28/21	2,090,000.00	2,063,303.51 2,073,570.84	1,864,998.44 89.23	1,865,048.40 49.97	(208,572.40)	0.45%	N --	1.14% 4.77% --	AA+ Aaa
UNITED STATES TREASURY 912828U24 2.00%	11/15/26 11/15/26 2.95	-- --	2,400,000.00	2,236,070.31 2,263,459.98	2,207,531.26 91.98	2,225,661.69 18,130.43	(55,928.72)	0.54%	N --	3.96% 4.79% --	AA+ Aaa
UNITED STATES TREASURY 912828V98 2.25%	02/15/27 02/15/27 3.18	01/26/23 01/30/23	815,000.00	771,862.30 778,605.50	752,060.35 92.28	754,402.37 2,342.02	(26,545.14)	0.18%	N --	3.67% 4.75% --	AA+ Aaa
UNITED STATES TREASURY 91282CEC1 1.88%	02/28/27 02/28/27 3.24	03/09/22 03/11/22	2,075,000.00	2,075,972.66 2,075,681.35	1,888,574.22 91.02	1,891,887.66 3,313.44	(187,107.13)	0.46%	N --	1.87% 4.75% --	AA+ Aaa
UNITED STATES TREASURY 91282CEF4 2.50%	03/31/27 03/31/27 3.25	04/27/22 04/28/22	1,865,000.00	1,841,031.84 1,847,658.06	1,732,337.31 92.89	1,732,464.70 127.39	(115,320.76)	0.42%	N --	2.78% 4.73% --	AA+ Aaa
UNITED STATES TREASURY 91282CEN7 2.75%	04/30/27 04/30/27 3.31	08/29/22 08/30/22	1,275,000.00	1,244,071.29 1,250,883.10	1,192,274.42 93.51	1,206,947.31 14,672.89	(58,608.68)	0.29%	N --	3.31% 4.74% --	AA+ Aaa
UNITED STATES TREASURY 91282CET4 2.62%	05/31/27 05/31/27 3.40	06/09/22 06/10/22	2,300,000.00	2,254,988.29 2,266,201.58	2,138,101.57 92.96	2,158,391.53 20,289.96	(128,100.01)	0.52%	N --	3.05% 4.74% --	AA+ Aaa
UNITED STATES TREASURY 9128282R0 2.25%	08/15/27 08/15/27 3.63	08/29/22 08/30/22	3,800,000.00	3,619,054.69 3,656,288.74	3,472,546.86 91.38	3,483,466.69 10,919.84	(183,741.88)	0.85%	N --	3.30% 4.71% --	AA+ Aaa
UNITED STATES TREASURY 91282CAL5 0.38%	09/30/27 09/30/27 3.87	11/28/22 11/29/22	3,800,000.00	3,211,296.89 3,305,572.91	3,207,585.93 84.41	3,207,624.86 38.93	(97,986.98)	0.78%	N --	3.92% 4.69% --	AA+ Aaa
UNITED STATES TREASURY 91282CFZ9 3.88%	11/30/27 11/30/27 3.75	01/26/23 01/30/23	4,200,000.00	4,253,812.50 4,247,037.26	4,071,375.00 96.94	4,126,069.67 54,694.67	(175,662.26)	1.00%	N --	3.58% 4.69% --	AA+ Aaa
UNITED STATES TREASURY 91282CBB6 0.62%	12/31/27 12/31/27 4.09	03/09/23 03/13/23	2,500,000.00	2,112,402.34 2,153,360.07	2,113,867.20 84.55	2,117,815.91 3,948.71	(39,492.87)	0.51%	N --	4.23% 4.67% --	AA+ Aaa
UNITED STATES TREASURY 91282CGH8 3.50%	01/31/28 01/31/28 3.94	05/01/23 05/03/23	775,000.00	768,945.31 769,462.78	739,610.35 95.43	744,180.33 4,569.97	(29,852.43)	0.18%	N --	3.68% 4.67% --	AA+ Aaa

Portfolio Holdings

07/01/2023 to 09/30/2023

Description Identifier Coupon	Effective Maturity Final Maturity Duration	Trade Date Settle Date	Par Value	Original Cost Book Value	Market Value Market Price	MV + Accrued Accrued Balance	Net Unrealized Gain/Loss	% of Market Value	Callable Next Call Date	Book Yield YTM YTC	S&P Moody's
UNITED STATES TREASURY 91282CBS9 1.25%	03/31/28 03/31/28 4.25	05/01/23 05/03/23	2,550,000.00	2,274,679.69 2,295,989.36	2,200,869.15 86.31	2,200,956.24 87.09	(95,120.21)	0.53%	N --	3.67% 4.66% --	AA+ Aaa
UNITED STATES TREASURY 91282CHA2 3.50%	04/30/28 04/30/28 4.11	08/02/23 08/04/23	1,375,000.00	1,330,043.95 1,331,441.13	1,310,546.88 95.31	1,330,686.14 20,139.27	(20,894.26)	0.32%	N --	4.27% 4.65% --	AA+ Aaa
UNITED STATES TREASURY 91282CHE4 3.62%	05/31/28 05/31/28 4.18	06/22/23 06/26/23	2,475,000.00	2,429,947.28 2,432,188.92	2,372,132.81 95.84	2,402,284.20 30,151.38	(60,056.10)	0.58%	N --	4.04% 4.62% --	AA+ Aaa
UNITED STATES TREASURY 91282CCE9 1.25%	05/31/28 05/31/28 4.41	-- --	1,950,000.00	1,697,579.15 1,706,140.59	1,674,638.67 85.88	1,682,830.27 8,191.60	(31,501.92)	0.41%	N --	4.23% 4.65% --	AA+ Aaa
UNITED STATES TREASURY 91282CCH2 1.25%	06/30/28 06/30/28 4.50	08/29/23 08/30/23	3,525,000.00	3,057,111.33 3,064,754.80	3,018,556.62 85.63	3,029,691.98 11,135.36	(46,198.18)	0.74%	N --	4.32% 4.65% --	AA+ Aaa
US GOV TOTAL	01/13/26 01/13/26 2.15	-- --	322,135,000.00	\$316,123,776.78 \$317,300,134.50	\$307,607,022.18 95.61	\$309,748,612.34 \$2,141,590.17	(\$9,693,112.32)	75.23%	N --	3.40% 5.02% --	AA+ Aaa
GSE								0.00%			
FEDERAL HOME LOAN BANKS 3130AJM22 0.44%	08/28/24 08/28/24 0.89	09/14/20 09/15/20	2,000,000.00	\$2,012,280.00 \$2,002,865.28	\$1,910,997.86 95.55	\$1,911,804.53 \$806.67	(\$91,867.42)	0.46%	N --	0.28% 5.50% --	AA+ Aaa
FEDERAL FARM CREDIT BANKS FUNDING CORP 3133EK4Y9 1.65%	11/01/24 11/01/24 1.05	05/01/20 05/04/20	1,700,000.00	1,780,155.00 1,719,539.74	1,632,831.64 96.05	1,644,519.14 11,687.50	(86,708.10)	0.40%	N --	0.58% 5.43% --	AA+ Aaa
FEDERAL NATIONAL MORTGAGE ASSOCIATION 3135G0X24 1.62%	01/07/25 01/07/25 1.23	-- --	11,250,000.00	11,833,764.00 11,425,273.10	10,736,159.74 95.43	10,778,815.99 42,656.25	(689,113.36)	2.62%	N --	0.39% 5.39% --	AA+ Aaa
FEDERAL HOME LOAN MORTGAGE CORP 3137EAEU9 0.38%	07/21/25 07/21/25 1.76	07/21/20 07/23/20	3,285,000.00	3,268,640.70 3,279,046.73	3,019,254.73 91.91	3,021,650.05 2,395.31	(259,792.00)	0.73%	N --	0.48% 5.11% --	AA+ Aaa
FEDERAL NATIONAL MORTGAGE ASSOCIATION 3135G05X7 0.38%	08/25/25 08/25/25 1.85	08/25/20 08/27/20	4,865,000.00	4,842,231.80 4,856,278.54	4,449,945.35 91.47	4,451,769.72 1,824.38	(406,333.19)	1.08%	N --	0.47% 5.13% --	AA+ Aaa

Portfolio Holdings

07/01/2023 to 09/30/2023

Description Identifier Coupon	Effective Maturity Final Maturity Duration	Trade Date Settle Date	Par Value	Original Cost Book Value	Market Value Market Price	MV + Accrued Accrued Balance	Net Unrealized Gain/Loss	% of Market Value	Callable Next Call Date	Book Yield YTM YTC	S&P Moody's
FEDERAL NATIONAL MORTGAGE ASSOCIATION 3135G06G3 0.50%	11/07/25 11/07/25 2.04	11/09/20 11/12/20	1,595,000.00	1,589,289.90 1,592,573.99	1,450,459.52 90.94	1,453,649.52 3,190.00	(142,114.47)	0.35%	N --	0.57% 5.09% --	AA+ Aaa
GSE TOTAL	03/21/25 03/21/25 1.43	-- --	24,695,000.00	\$25,326,361.40 \$24,875,577.38	\$23,199,648.84 93.99	\$23,262,208.94 \$62,560.10	(\$1,675,928.55)	5.65%	N --	0.43% 5.30% --	AA+ Aaa
MUNI								0.00%			
ARIZONA ST TRANSN BRD HWY REV 040654XU4 1.96%	07/01/24 07/01/24 0.73	01/10/20 02/12/20	3,100,000.00	\$3,100,000.00 \$3,100,000.00	\$3,016,734.00 97.31	\$3,031,908.50 \$15,174.50	(\$83,266.00)	0.74%	N --	1.96% 5.63% --	AA+ Aa1
FLORIDA ST BRD ADMIN FIN CORP REV 341271AD6 1.26%	07/01/25 07/01/25 1.69	04/22/22 04/26/22	3,000,000.00	2,803,110.00 2,889,106.11	2,784,960.00 92.83	2,794,395.00 9,435.00	(104,146.11)	0.68%	N --	3.45% 5.60% --	AA Aa3
OKLAHOMA CITY WATER UTILITIES TRUST 67865EAC6 3.29%	07/01/25 07/01/25 1.66	07/08/22 07/26/22	2,000,000.00	2,000,000.00 2,000,000.00	1,932,700.00 96.64	1,949,135.00 16,435.00	(67,300.00)	0.47%	N --	3.29% 5.32% --	AAA Aaa
TEXAS ST 882724T49 4.90%	10/01/25 10/01/25 1.88	08/10/23 08/29/23	1,130,000.00	1,130,000.00 1,130,000.00	1,122,914.90 99.37	1,127,836.68 4,921.78	(7,085.10)	0.27%	N --	4.90% 5.23% --	AAA NA
CONNECTICUT ST 20772KTH2 5.05%	05/15/26 05/15/26 2.40	06/01/23 06/22/23	1,195,000.00	1,211,024.95 1,209,556.33	1,190,638.25 99.64	1,207,233.81 16,595.56	(18,918.08)	0.29%	N --	4.55% 5.20% --	AA- Aa3
NEW YORK N Y 64966QC99 3.86%	05/01/27 05/01/27 3.24	05/20/22 05/26/22	1,170,000.00	1,170,000.00 1,170,000.00	1,115,747.10 95.36	1,134,574.35 18,827.25	(54,252.90)	0.28%	N --	3.86% 5.30% --	AA Aa2
CONNECTICUT ST 20772KTJ8 5.05%	05/15/27 05/15/27 3.23	06/01/23 06/22/23	570,000.00	580,944.00 580,214.99	569,469.90 99.91	577,385.78 7,915.88	(10,745.09)	0.14%	N --	4.51% 5.08% --	AA- Aa3
OKLAHOMA CITY WATER UTILITIES TRUST 67865EAE2 3.50%	07/01/27 07/01/27 3.43	07/08/22 07/26/22	1,050,000.00	1,050,000.00 1,050,000.00	996,576.00 94.91	1,005,760.88 9,184.88	(53,424.00)	0.24%	N --	3.50% 5.00% --	AAA Aaa
MUNI TOTAL	10/08/25 10/08/25 1.88	-- --	13,215,000.00	\$13,045,078.95 \$13,128,877.43	\$12,729,740.15 96.39	\$12,828,229.99 \$98,489.84	(\$399,137.28)	3.12%	N --	3.39% 5.40% --	AA+ Aa2
CORP								0.00%			

Portfolio Holdings

07/01/2023 to 09/30/2023

Description Identifier Coupon	Effective Maturity Final Maturity Duration	Trade Date Settle Date	Par Value	Original Cost Book Value	Market Value Market Price	MV + Accrued Accrued Balance	Net Unrealized Gain/Loss	% of Market Value	Callable Next Call Date	Book Yield YTM YTC	S&P Moody's
PEPSICO INC 713448FB9 0.40%	10/07/23 10/07/23 0.02	10/06/20 10/07/20	2,530,000.00	\$2,528,557.90 \$2,529,992.08	\$2,527,470.33 99.90	\$2,532,361.66 \$4,891.33	(\$2,521.75)	0.62%	N --	0.42% 4.89% --	A+ AI
CATERPILLAR FINANCIAL SERVICES CORP 14913R2S5 0.95%	01/10/24 01/10/24 0.28	01/03/22 01/10/22	5,060,000.00	5,059,190.40 5,059,888.10	4,995,401.11 98.72	5,006,216.86 10,815.75	(64,487.00)	1.22%	N --	0.96% 5.56% --	A A2
AMAZON.COM INC 023135CD6 2.73%	04/13/24 04/13/24 0.52	04/11/22 04/13/22	4,720,000.00	4,720,000.00 4,720,000.00	4,650,522.26 98.53	4,710,655.06 60,132.80	(69,477.74)	1.14%	N --	2.73% 5.54% --	AA AI
AMAZON.COM INC 023135BW5 0.45%	05/12/24 05/12/24 0.60	05/11/21 05/12/21	4,225,000.00	4,218,831.50 4,223,729.95	4,094,081.02 96.90	4,101,421.96 7,340.94	(129,648.93)	1.00%	N --	0.50% 5.61% --	AA AI
PACCAR FINANCIAL CORP 69371RR81 3.15%	06/13/24 06/13/24 0.68	06/06/22 06/13/22	4,490,000.00	4,488,967.30 4,489,631.94	4,409,945.81 98.22	4,452,376.31 42,430.50	(79,686.12)	1.08%	N --	3.16% 5.76% --	A+ AI
WALMART INC 931142EL3 2.85%	07/08/24 07/08/24 0.75	05/07/20 05/11/20	1,750,000.00	1,889,597.50 1,773,828.06	1,714,241.10 97.96	1,725,740.05 11,498.96	(59,586.96)	0.42%	Y 06/08/24	0.85% 5.57% 5.90%	AA Aa2
PACCAR FINANCIAL CORP 69371RR40 0.50%	08/09/24 08/09/24 0.84	08/03/21 08/09/21	2,710,000.00	2,708,536.60 2,709,580.31	2,593,673.47 95.71	2,595,630.69 1,957.22	(115,906.84)	0.63%	N --	0.52% 5.68% --	A+ AI
CATERPILLAR FINANCIAL SERVICES CORP 14913R2P1 0.60%	09/13/24 09/13/24 0.93	09/08/21 09/14/21	5,045,000.00	5,038,138.80 5,042,809.76	4,811,759.71 95.38	4,813,273.21 1,513.50	(231,050.05)	1.17%	N --	0.65% 5.64% --	A A2
TOYOTA MOTOR CREDIT CORP 89236TJN6 0.62%	09/13/24 09/13/24 0.93	09/08/21 09/13/21	5,200,000.00	5,197,556.00 5,199,220.59	4,953,798.77 95.27	4,955,423.77 1,625.00	(245,421.82)	1.20%	N --	0.64% 5.79% --	A+ AI
PACCAR FINANCIAL CORP 69371RR57 0.90%	11/08/24 11/08/24 1.07	11/02/21 11/08/21	3,875,000.00	3,874,767.50 3,874,913.78	3,674,746.43 94.83	3,688,599.56 13,853.12	(200,167.35)	0.90%	N --	0.90% 5.78% --	A+ AI
TOYOTA MOTOR CREDIT CORP 89236TJT3 1.45%	01/13/25 01/13/25 1.24	01/10/22 01/13/22	2,595,000.00	2,591,522.70 2,593,494.82	2,463,879.22 94.95	2,472,031.84 8,152.62	(129,615.60)	0.60%	N --	1.50% 5.56% --	A+ AI
AMAZON.COM INC 023135CE4 3.00%	04/13/25 04/13/25 1.46	04/11/22 04/13/22	4,175,000.00	4,168,361.75 4,171,533.42	4,033,655.17 96.61	4,092,105.17 58,450.00	(137,878.25)	0.99%	N --	3.06% 5.32% --	AA AI

Portfolio Holdings

07/01/2023 to 09/30/2023

Description Identifier Coupon	Effective Maturity Final Maturity Duration	Trade Date Settle Date	Par Value	Original Cost Book Value	Market Value Market Price	MV + Accrued Accrued Balance	Net Unrealized Gain/Loss	% of Market Value	Callable Next Call Date	Book Yield YTM YTC	S&P Moody's
HOME DEPOT INC 437076CM2 2.70%	04/15/25 04/15/25 1.46	03/24/22 03/28/22	2,280,000.00	2,276,010.00 2,277,955.60	2,189,792.94 96.04	2,218,178.94 28,386.00	(88,162.66)	0.54%	Y 03/15/25	2.76% 5.40% 5.56%	A A2
PACCAR FINANCIAL CORP 69371RR99 3.55%	08/11/25 08/11/25 1.77	08/03/22 08/11/22	1,555,000.00	1,553,895.95 1,554,301.53	1,504,172.99 96.73	1,511,840.00 7,667.01	(50,128.54)	0.37%	N --	3.58% 5.41% --	A+ A1
COLGATE-PALMOLIVE CO 194162AM5 3.10%	08/15/25 08/15/25 1.78	08/01/22 08/09/22	1,685,000.00	1,683,449.80 1,684,025.56	1,621,473.26 96.23	1,628,147.73 6,674.47	(62,552.30)	0.40%	N --	3.13% 5.23% --	AA- Aa3
WALMART INC 931142EVV9 3.90%	09/09/25 09/09/25 1.84	09/06/22 09/09/22	5,325,000.00	5,321,272.50 5,322,541.36	5,190,774.96 97.48	5,203,466.21 12,691.25	(131,766.40)	1.26%	N --	3.92% 5.28% --	AA Aa2
HOME DEPOT INC 437076CRI 4.00%	09/15/25 09/15/25 1.83	09/12/22 09/19/22	200,000.00	199,928.00 199,951.36	195,168.64 97.58	195,524.19 355.56	(4,782.72)	0.05%	Y 08/15/25	4.01% 5.31% 5.37%	A A2
PEPSICO INC 713448FQ6 4.55%	02/13/26 02/13/26 2.17	02/13/23 02/15/23	5,005,000.00	5,002,097.10 5,002,663.32	4,951,572.58 98.93	4,981,936.24 30,363.67	(51,090.74)	1.21%	Y 01/13/26	4.57% 5.03% 5.05%	A+ A1
COLGATE-PALMOLIVE CO 194162AQ6 4.80%	03/02/26 03/02/26 2.25	02/27/23 03/01/23	1,475,000.00	1,473,289.00 1,473,604.29	1,468,096.40 99.53	1,473,799.73 5,703.33	(5,507.89)	0.36%	N --	4.84% 5.01% --	AA- Aa3
JOHN DEERE CAPITAL CORP 24422EXD6 5.15%	09/08/26 09/08/26 2.69	09/05/23 09/08/23	2,555,000.00	2,553,185.95 2,553,221.76	2,546,948.25 99.68	2,555,354.91 8,406.66	(6,273.51)	0.62%	N --	5.18% 5.27% --	A A2
CORP TOTAL	12/16/24 12/16/24 1.15	-- --	66,455,000.00	\$66,547,156.25 \$66,456,887.58	\$64,591,174.40 97.22	\$64,914,084.11 \$322,909.70	(\$1,865,713.18)	15.77%	--	2.21% 5.47% 5.34%	A+ A1
PORTFOLIO TOTAL	10/21/25 10/21/25 1.94	-- --	427,493,027.00	\$422,035,400.39 \$422,754,503.90	\$409,120,612.58 95.57	\$411,746,162.39 \$2,625,549.81	(\$13,633,891.32)	100.00%	--	3.04% 5.12% 5.18%	AA Aa1

FINANCE/OUTREACH AND PLANNING COMMITTEE

October 24, 2023

Discussion: Action Item: Knowledge Management: Industrial, Commercial & Institutional Advisory Committee Policy

Purpose

To expand the Industrial Advisory Committee to include the commercial and institutional water use sectors.

Background/History

The Governing Board created the Advisory Committees to give professional and technical input into District programs and activities. In addition, representatives of member organizations who serve on the committees function as liaisons with the District and also act as an education extension of the District by helping to disseminate information.

The District's Industrial Advisory Committee currently consists of eight industrial water users representing power generation, phosphate processing, cement, sand and lime processing, and Port Tampa Bay. The relatively small membership base and narrow focus of the committee has created challenges to maintain attendance as well as find meaningful topics to present to the committee.

District staff recommend expanding the committee to be consistent with the water use categories reported in the District's Estimated Water Use Report to include large commercial water users, such as beverage and food processing and packing, as well as large institutional water users, such as hospitals and universities. Manufacturers and hotel/motel associations are other potential members to target.

This also aligns with future pilot efforts by the District's Water Resources Bureau to improve water use efficiency among industrial, commercial and institutional users through free water use evaluations and the Water Incentives Supporting Efficiency (WISE) cost-share program.

Benefits

By expanding the committee to the Industrial, Commercial and Institutional (ICI) Advisory Committee, the District will be able to reach a broader spectrum of water users and hopefully increase attendance, engagement and water use efficiency.

Staff Recommendation:

Approve the expansion of the Industrial Advisory Committee to the Industrial, Commercial & Institutional Advisory Committee.

Presenter:

Robyn Felix, Bureau Chief, Communications & Board Services Bureau

DRAFT

GOVERNING BOARD POLICY

Southwest Florida Water Management District

Title: Industrial, Commercial & Institutional Advisory Committee

Document Owner: Communications and Board Services
Bureau Chief

Approved By: Board Chair

Effective Date: MM/DD/YYYY

Supersedes: 02/26/2019

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PURPOSE

The purpose of this policy is to establish the Industrial, Commercial & Institutional Advisory Committee (IC~~I~~AC) to the Southwest Florida Water Management District, and to set forth the purpose, activities and membership guidelines of the IC~~I~~AC.

The District Governing Board has established this Advisory Committee for the purpose of obtaining input on District programs, projects and related resource management issues. The Governing Board recognizes and appreciates the significant commitment of the organizations and individuals who agree to serve on this Committee. This Advisory Committee is a valuable resource to the District and the input it provides helps to ensure the District is meeting its responsibilities in an effective and efficient manner.

The District has a ~~13~~thirteen-member Governing Board composed of gubernatorial appointees. The Board appointees are citizens from throughout the District representing the numerous and varied interests which exist. These Governing Board appointees are the policy makers of the District and ensure that the District achieves its statutory responsibilities. It is the intent of these Board members that the Aadvisory Committees not be engaged in policymaking but continue in the mission of providing valuable feedback and advice on issues that are determined by Board members to be directly related to the District's statutory responsibilities.

It is in recognition of staff's ongoing obligations to the Governing Board that this Advisory Committee is established. -District staff is charged with providing administrative support to the

GOVERNING BOARD POLICY

Title: Industrial, Commercial & Institutional Advisory Committee

Effective Date: MM/DD/YYYY

Page 2 of 5

Committee, including developing and posting meeting notices and agendas, making arrangements for meeting facilities, recording meetings and providing meeting summaries, monitoring membership and officer terms, and performing other related administrative matters.

SCOPE

The purpose of the ICIAC is to provide professional and technical input into District programs and activities including regulatory programs, rule revisions, water conservation activities, water resource planning, water resource and supply development projects, research and other water resource management projects that relate to the environment. Subject matter considered by the ICIAC shall relate to the statutory duties and responsibilities of the District. ICIAC member representatives serve as liaisons with the District, maintaining communication with other members of their organizations and conveying input from the organization to the ICIAC. In addition, the ICIAC acts as an education extension of the District by helping to disseminate information and by advising and assisting the District in education programs and projects. A function of the ICIAC shall be to provide two-way communication between the District and the industrial, commercial and institutional communities.

AUTHORITY

Chapter 373, Florida Statutes

DEFINITIONS

N/A.

STANDARDS

Section 286.011, Florida Statutes (Government-in-the-Sunshine Law)
Robert's Rules of Order Newly Revised

POLICY

Membership will consist of representatives of industrial, commercial and institutional water users; these representatives are chosen on the basis of whether they are prevalent within the District. Member organizations will be selected by the Executive Director at the recommendation of the Governing Board, designated District staff or from nominations by other member organizations. The Chair of the ICIAC may also recommend new members to the District. Each ICIAC member organization shall designate a primary representative. Alternates may also be designated to represent their organization in the absence of the primary member. The alternate representative shall have full voting rights in the absence of the primary. ICIAC member representatives shall be designated as authorized travelers of the District.

The organizations listed below are examples of ICIAC member organizations. This list may be supplemented or revised as deemed appropriate by the District to achieve optimal representation of the industrial, commercial and institutional sectors.

CEMEX

Port Tampa BayCF Industries

Mosaic Fertilizer LLC

Progress Energy Florida

Seminole Electric Cooperative, Inc.

Standard Sand and Silica

Tampa Electric Company

US Agri-Chemicals Corporation

Duke Energy Florida, LLC

Groundwater & Environmental ServicesSE

Environmental Solutions, Inc.

GOVERNING BOARD POLICY

Title: Industrial, Commercial & Institutional Advisory Committee

Effective Date: MM/DD/YYYY

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TERMS OF MEMBERSHIP

ICIAC member representatives serve three-year terms. Multiple terms may be served with the approval of the member organization and the District. If an organization's representative misses three consecutive meetings without prior notice to the District, the District shall request the member organization to select a representative who is better able to attend meetings. The Executive Director or his/her designee can remove a membership or a member representative from the Committee for nonparticipation.

OFFICERS AND DUTIES

The ICIAC will elect a chair and vice-chair who will serve two-year terms of office and may be elected to those positions a maximum of two consecutive times. Election shall be by majority vote.

The chair shall be responsible for assisting the District staff in establishing meeting agendas, in soliciting input from ICIAC members, for chairing ICIAC meetings, for establishing subcommittees as may be appropriate, and for representing the ICIAC when necessary. The vice-chair shall serve as chair in the chair's absence.

MEETINGS POLICY

Meetings of the ICIAC will be held, at a minimum, quarterly or as authorized by the Executive Director or his/her designee. The Chair of the ICIAC may request that special meetings be held. Notices of ICIAC meetings will be emailed in advance of the meetings by the District to members and interested persons and posted on the District's web calendar. The ICIAC's meetings will be recorded by the District staff. Abbreviated meeting summaries will be provided to the ICIAC members. Topics for discussion at ICIAC meetings will be focused on priorities set by the Governing Board and limited to issues specific to those priorities. Other topics may be proposed by the ICIAC, which shall be placed on the agenda for discussion; however, requests of staff requiring more than routine support will be subject to approval by the Executive Director or his/her designee. All determinations of the ICIAC shall be by majority vote of the members present (no quorum requirement). Requested input from the ICIAC to the District will be reported to the Governing Board when requested by the ICIAC or when otherwise deemed appropriate. Such reports may be presented by the Governing Board Liaison, ICIAC chair, other ICIAC members designated by the chair or selected by the ICIAC, or by District staff. Meetings shall be conducted in accordance with "~~Robert's "Rules of Order" as described in Robert's "Rules of Order Newly Revised," originally written by General Henry M. Robert (1876)~~", unless specified otherwise by law or this policy. The ICIAC is subject to the Government-in-the-Sunshine Law and all other applicable laws and regulations.

DISTRIBUTION

This Policy will be stored in the designated Governing Board Policy Repository.

REFERENCES

Section 286.011, Florida Statutes (Government-in-the-Sunshine Law)

~~Robert's Rules of Order Newly Revised, originally by Henry M. Robert (1876)~~

GOVERNING BOARD POLICY

Title: Industrial, Commercial & Institutional Advisory Committee

Effective Date: MM/DD/YYYY

Page 4 of 5

REVIEW PERIOD

This Policy will be reviewed every three years.

DRAFT

GOVERNING BOARD POLICY

Title: Industrial, Commercial & Institutional Advisory Committee

Effective Date: MM/DD/YYYY

Page 5 of 5

DOCUMENT DETAILS

Document Name	Industrial, <u>Commercial & Institutional</u> Advisory Committee
Formerly Known As	Industrial Advisory Committee
Document Type	Policy
Author(s)	Virginia Singer
Reviewing Stakeholder(s)	Senior Staff, Inspector General , Office of General Counsel
Document Owner Name	Robyn Felix
Document Owner Title	Communications and Board Services Bureau Chief
Review Period (in days)	1095
Span of Control	Governing Board
Supersedes Date	02/26/2019
Effective Date	MM/DD/YYYY

APPROVAL

E.D. Armstrong III
Chair

Date

DRAFT

GOVERNING BOARD POLICY

Southwest Florida Water Management District

Title: Industrial, Commercial & Institutional Advisory Committee

Document Owner: Communications and Board Services
Bureau Chief

Approved By: Board Chair

Effective Date: MM/DD/YYYY

Supersedes: 02/26/2019

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PURPOSE

The purpose of this policy is to establish the Industrial, Commercial & Institutional Advisory Committee (ICIAC) to the Southwest Florida Water Management District, and to set forth the purpose, activities and membership guidelines of the ICIAC.

The District Governing Board has established this Advisory Committee for the purpose of obtaining input on District programs, projects and related resource management issues. The Governing Board recognizes and appreciates the significant commitment of the organizations and individuals who agree to serve on this Committee. This Advisory Committee is a valuable resource to the District and the input it provides helps to ensure the District is meeting its responsibilities in an effective and efficient manner.

The District has a 13-member Governing Board composed of gubernatorial appointees. The Board appointees are citizens from throughout the District representing the numerous and varied interests which exist. These Governing Board appointees are the policy makers of the District and ensure that the District achieves its statutory responsibilities. It is the intent of these Board members that the Advisory Committees not be engaged in policymaking but continue in the mission of providing valuable feedback and advice on issues that are determined by Board members to be directly related to the District's statutory responsibilities.

It is in recognition of staff's ongoing obligations to the Governing Board that this Advisory Committee is established. District staff is charged with providing administrative support to the

GOVERNING BOARD POLICY

Title: Industrial, Commercial & Institutional Advisory Committee

Effective Date: MM/DD/YYYY

Page 2 of 4

Committee, including developing and posting meeting notices and agendas, making arrangements for meeting facilities, recording meetings and providing meeting summaries, monitoring membership and officer terms, and performing other related administrative matters.

SCOPE

The purpose of the ICIAC is to provide professional and technical input into District programs and activities including regulatory programs, rule revisions, water conservation activities, water resource planning, water resource and supply development projects, research and other water resource management projects that relate to the environment. Subject matter considered by the ICIAC shall relate to the statutory duties and responsibilities of the District. ICIAC member representatives serve as liaisons with the District, maintaining communication with other members of their organizations and conveying input from the organization to the ICIAC. In addition, the ICIAC acts as an education extension of the District by helping to disseminate information and by advising and assisting the District in education programs and projects. A function of the ICIAC shall be to provide two-way communication between the District and the industrial, commercial and institutional communities.

AUTHORITY

Chapter 373, Florida Statutes

DEFINITIONS

N/A.

STANDARDS

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POLICY

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Seminole Electric Cooperative, Inc.

Standard Sand and Silica
Tampa Electric Company
Duke Energy Florida, LLC
Groundwater & Environmental Services, Inc.

GOVERNING BOARD POLICY

Title: Industrial, Commercial & Institutional Advisory Committee

Effective Date: MM/DD/YYYY

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DISTRIBUTION

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REFERENCES

Section 286.011, Florida Statutes (Government-in-the-Sunshine Law)

Robert's Rules of Order Newly Revised

REVIEW PERIOD

This Policy will be reviewed every three years.

GOVERNING BOARD POLICY

Title: Industrial, Commercial & Institutional Advisory Committee

Effective Date: MM/DD/YYYY

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DOCUMENT DETAILS

Document Name	Industrial, Commercial & Institutional Advisory Committee
Formerly Known As	Industrial Advisory Committee
Document Type	Policy
Author(s)	Virginia Singer
Reviewing Stakeholder(s)	Senior Staff, Office of General Counsel
Document Owner Name	Robyn Felix
Document Owner Title	Communications and Board Services Bureau Chief
Review Period (in days)	1095
Span of Control	Governing Board
Supersedes Date	02/26/2019
Effective Date	MM/DD/YYYY

APPROVAL

E.D. Armstrong III
Chair

Date

FINANCE/OUTREACH AND PLANNING COMMITTEE

October 24, 2023

Discussion: Action Item: Development of Preliminary Budget for Fiscal Year 2025

Purpose

Present the general budget assumptions for development of the District's Preliminary Budget for fiscal year (FY) 2025.

Background

Pursuant to Section 373.535, Florida Statutes, the water management districts (WMDs) are required to submit a preliminary budget for the next fiscal year to the Florida Legislature for review by January 15. The statutory language specifies the information to be included in the Preliminary Budget submission. The President of the Senate and the Speaker of the House of Representatives may submit comments regarding the preliminary budgets to the WMDs on or before March 1 of each year. Each WMD must respond to those comments in writing on or before March 15 of each year.

To initiate the Preliminary Budget development process, staff will provide the Governing Board an overview of factors affecting budget development and recommend acceptance of the general budget assumptions necessary to prepare the District's preliminary budget for FY2025. A draft of the Preliminary Budget will be submitted to the Department of Environmental Protection and the Executive Office of the Governor in early December for initial review and comment. On December 12, 2023, staff will provide the draft FY2025 Preliminary Budget to the Governing Board with a request to approve for submission to the Legislature by January 15, 2024.

Staff Recommendation:

Approve the general budget assumptions as outlined in the October 24, 2023 budget presentation for the development of the Preliminary Budget for FY2025.

Presenter:

Brandon Baldwin, Division Director, Business and IT Services Division

FINANCE/OUTREACH AND PLANNING COMMITTEE

October 24, 2023

Submit & File: Information Item: Budget Transfer Report

Purpose

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

Staff Recommendation:

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

Presenter:

Melisa J. Lowe, Bureau Chief, Finance Bureau

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
Budget Transfer Report
September 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 Maintenance/Repair of Equipment	General Services Equipment - Vehicles	Transfer of funds originally budgeted for maintenance and repair of District drill rig. The funds are no longer required due to better than anticipated performance of the drill rig. The funds are required to purchase one vehicle in addition to the Board-approved quantity of 12 in the FY2023 adopted budget. The additional vehicle requires replacement due to unanticipated equipment failure. Savings from other vehicle acquisitions combined with this transfer cover the total \$74,028 cost of the additional vehicle.	\$ 21,000.00
2	Office of General Counsel Consultant Services	Office of General Counsel Recording and Court Costs	Transfer of funds originally budgeted to contract experts for testimony or analysis to assist the Office of General Counsel with various matters of litigation and rule-making. Expenditures were less than anticipated. The funds are required for higher than anticipated recording and court costs associated with increased enforcement activities.	5,000.00
Total Change from Original Budget Intent				\$ 26,000.00
<u>Consistent with Original Budget Intent</u>				
1	Water Resources Grant - Water Conservation	Water Resources Grant - Water Conservation	Funds are needed for the original purpose budgeted for the Polk Partnership. Four Polk Partnership projects were completed under budget. The funds were committed through Board resolution, therefore are being returned to the Polk Partnership Fund for future allocation to other Board-approved projects that meet the purpose of developing alternative water supplies within the Central Florida Water Initiative region.	\$ 643,372.91
2	Information Technology Other Contractual Services	Information Technology Other Contractual Services	Funds are needed for the original purpose budgeted for as-needed contractual services for Information Technology projects. Staff has identified processing enhancements to current custom workflows that would greatly streamline District work processes in the software used to manage and report on collected hydrologic data. The funds are needed for the implementation of these enhancements and are being transferred to the appropriate codes for project tracking purposes.	30,000.00
Total Consistent with Original Budget Intent				\$ 673,372.91
Total Amount Transferred				\$ 699,372.91

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.

FINANCE/OUTREACH AND PLANNING COMMITTEE

October 24, 2023

Submit & File: Information Item: Office of Inspector General Quarterly Update – July 1, 2023 to September 30, 2023

Background and Purpose

In accordance with the Office of Inspector General Charter Governing Board Policy, the Inspector General is required, on a quarterly basis, to update the Committee regarding work and other matters.

Staff Recommendation:

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

Presenter:

Brian Werthmiller, Inspector General, Office of Inspector General



An Equal Opportunity Employer

Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899

(352) 796-7211 or 1-800-423-1476 (FL only)

WaterMatters.org

Bartow Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Office
78 Sarasota Center Boulevard
Sarasota, Florida 34240-9770
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Office
7601 U.S. 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

Ed Armstrong
Chair, Pinellas

Michelle Williamson
Vice Chair, Hillsborough

John Mitten
Secretary, Hernando, Marion

Jack Bispham
Treasurer, Manatee

Kelly S. Rice
Former Chair, Citrus, Lake,
Levy, Sumter

Joel Schleicher
Former Chair, Charlotte,
Sarasota

Ashley Bell Barnett
Polk

John Hall
Polk

James Holton
Pinellas

Dustin Rowland
Pasco

Robert Stern
Hillsborough

Nancy Watkins
Hillsborough, Pinellas

Brian J. Armstrong, P.G.
Executive Director

October 24, 2023

MEMORANDUM

TO: Finance/Outreach & Planning Committee
Remaining Governing Board members

FROM: Brian Werthmiller, CPA, Inspector General

SUBJECT: Office of Inspector General Quarterly Update July 1, 2023 to September 30, 2023

The purpose of this memo is to satisfy the Office of Inspector General (OIG) Charter Governing Board Policy regarding updates with the Finance/Outreach and Planning Committee.

I am pleased to provide you the most recent quarterly update. During the quarter ending September 30, 2023:

- The OIG quarterly update for the quarter ending June 30, 2023 was submitted to the Governing Board on July 25, 2023.
- The OIG received requests from the District to review reports, policies, procedures, and other information. A review typically will provide a recommendation from the OIG for the requestor's consideration. Reviews can also be OIG initiated projects. During the quarter ending September 30, 2023, the OIG initiated 19 reviews. The State of Florida's Auditor General's Office is performing an operational audit of the District.
- One complaint was closed with no investigation considered necessary by the OIG.
- As noted in the FY 2022 OIG Annual Report, the District was in the process of implementing a declaration of conflict application to assist in identifying possible conflicts. During FY 2023, the District had implemented a declaration of conflict application which includes OGC review of any possible identified conflicts. Based upon the results of the follow-up procedures performed, the District has taken corrective actions for the conflict of interest finding.
- As noted in the FY 2022 OIG Annual Report, a recommendation was made that the District should continue to enhance procedures to ensure that the usage of District vehicles is in accordance with governing documents. During the period of August 15, 2023 to September 11, 2023, 25 vehicles were selected for testing to determine whether use was in accordance with District governing documents. The OIG found that vehicle use was in accordance with District governing documents. Based upon the results of the follow-up procedures performed, the District has taken corrective actions for the vehicle.
- The OIG FY 2023 Annual Report was submitted to the Governing Board on September 26, 2023. This report provides relevant information regarding the most recent peer review of the audit function which the OIG received the highest rating of pass, performance measures, follow-up work on corrective actions from

previous annual reports, a summary of the audit, review, and investigation functions, and other accomplishments during the period.

Office of Inspector General Performance Measures		
Performance Measure	Goal	Status
Complete follow-up on the disciplinary actions recommendation from FY 2022	Complete by September 2023	Completed June 2023
Complete follow-up on the conflict of interest recommendation from FY 2022	Complete by September 2023	Completed September 2023
Complete follow-up on the increases in pay recommendation from FY 2022	Complete by September 2023	Completed June 2023
Complete follow-up on the use of District vehicles recommendation from FY 2022	Complete by September 2023	Completed September 2023
Complete a Cybersecurity Audit	Complete by December 2023 ¹	Open
Appropriate time allocated to efforts resulting in reporting to the Board	65% of Chargeable Hours	71%
Performance Measure	Goal	Status
Risk Assessment and audit plan	Submit the audit plan to the Board January 2023	Completed January 2023
Inspector General FY 2023 Annual Report	Submit to the Board September 2023	Completed September 2023
Updates to the Finance/Outreach & Planning Committee including IG performance measures	Submit to the Board the month following each quarter-end	Completed

¹ The Auditor General’s audit began in FY 2023, goal is to complete by December 2023.

Governing Board Meeting
October 24, 2023

4. RESOURCE MANAGEMENT COMMITTEE

4.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion 138

4.2 **Discussion:** Action Item: Peace River Manasota Regional Water Supply Authority -
Regional Integrated Loop System Phase 3C Project – Third-Party Review (Q313) 139

RESOURCE MANAGEMENT COMMITTEE

October 24, 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 Division

RESOURCE MANAGEMENT COMMITTEE**October 24, 2023****Discussion: Action Item: Peace River Manasota Regional Water Supply Authority - Regional Integrated Loop System Phase 3C Project – Third-Party Review (Q313)***Purpose*

The purpose of this item is to present the results of the third-party review (TPR) of the pipeline for the Peace River Manasota Regional Water Supply Authority's (Authority) Regional Integrated Loop System Phase 3C (Phase 3C Interconnect) project and to request Governing Board approval to amend the Cooperative Funding Agreement to move forward with final design, permitting, and construction of the pipeline at a total cost of \$59,747,836. This item further requests an independent TPR of pumping and storage improvements at the Carlton facility to be performed by the Authority at their own cost. The District's share for the project remains at \$26,550,000 (50 percent of the initial Board-approved amount).

Background/History

The Authority and the Southwest Florida Water Management District (District) entered into a Cooperative Funding Agreement effective fiscal year (FY) 2023 for the Phase 3C Interconnect project. The project consists of the preliminary design phase and TPR of a potable water transmission interconnection to supply additional alternative water. A booster pump station and underground storage tank were included in the original conceptual project. This interconnect is part of the Regional Integrated Loop System to extend the system further north from its current terminus at Clark Road (SR-72) to Fruitville Road. This segment will be approximately 10 miles long and expected to have a max day capacity of 40 million gallons per day (MGD) to supply anticipated demand from a high growth area in Sarasota County. The District's Governing Board approved FY2023 cooperative funding for preliminary design and TPR of this project with a total cost of \$5,000,000 and District's share at 50 percent, or \$2,500,000. The initial conceptual project cost was estimated at \$53,100,000, which included costs associated with the pipeline, storage tank, and booster pump station. The Authority submitted a FY2024 cooperative funding request in October 2022, with an increased total project cost estimate of \$67,600,000.

The Authority provided the preliminary design package in December 2022 and the 60% design documents were provided by February 2023. To meet their requirement to provide water to Sarasota County to meet growing demands by March 1, 2025, the Authority obtained a guaranteed maximum price (GMP) for construction of the pipeline. The pipeline component is the most critical and expensive component of the project. The GMP did not include the storage or pumping components of the project.

The District hired a consultant in July 2023 to perform the TPR of the pipeline and the work was completed in October 2023. The results of TPR confirmed that construction methods were typical, the selected route met the established criteria, and the methodology to develop the cost model was sound. The cost estimate included Owner Direct Purchase of pipes and valves providing savings on the sales tax. The pipeline construction schedule provided with the GMP was found to be within reason, but an updated schedule will be needed as the project progresses.

As part of the Authority's value engineering effort, it was identified that pumping and storage improvements could be completed at the Carlton facility instead of constructing a new facility. It was also identified that with the compressed time schedule, additional time would be needed to finalize the design of these improvements without impacting the Authority's ability to deliver alternative water supply to

Sarasota County on time. The TPR concurred with the schedule presented for design and construction of the pumping and storage improvements to the existing Carlton facility, as well as the overall feasibility of this alternate concept. At their own cost, the Authority will perform an independent TPR of the preliminary design of the pumping and storage improvements at the Carlton facility. The Authority submitted a revised total project cost of \$63,850,000 based on the value engineering of the pumping and storage components (\$4,102,164) and the pipeline GMP (\$59,747,836). The TPR of the pumping and storage improvements at the Carlton facility will be presented to the Governing Board at a future meeting.

Benefits/Costs

The TPR found the design to be appropriate in its assumptions and methods, and the cost estimates and schedules are reasonable for the level of design. The District's funding will not exceed the initial Board-approved project share amount of \$26,550,000. The Governing Board included \$10,744,319 in the FY2024 budget for final design and construction of the project, and it is anticipated the Authority will request the remaining \$13,305,681 in FY2025. The project has also received an additional \$2,500,000 in state funding, which the Authority will be able to use towards project cost increases. A revised total project cost will be presented for the Governing Board's consideration with the TPR of the pumping and storage improvements at the Carlton facility.

The revised FY2024 evaluation form is attached as an exhibit to this recap. Governing Board authorization is needed to proceed with the project and to modify the Cooperative Funding Agreement to include final design, permitting, and construction of the pipeline and to allow the Authority to perform a TPR of the pumping and storage improvements at the Carlton facility.

Staff Recommendation:

1. Authorize final design, permitting, and construction of the pipeline and approve modification of the Cooperative Funding Agreement to include a pipeline cost of \$59,747,836 for the Regional Integrated Loop System Phase 3C Project (Q313).
2. Authorize the Peace River Manasota Regional Water Supply Authority, at their own cost, to perform an independent third-party review of the pumping and storage improvements at the Carlton facility for the Regional Integrated Loop System Phase 3C Project (Q313).

Presenter:

Jay Hoecker, PMP, Bureau Chief, Water Resources Bureau

Eval Project No. Q313	Interconnects – PRMRWSA Regional Integrated Loop System Phase 3C			
PRMRWSA	FY2024			
Risk Level:	Type 2	Multi-Year Contract: Yes, Year 2 of 3		
Description				
Description:	Third-party review (TPR), design, permitting, and construction of a potable water transmission interconnection, to supply additional alternative water, including pumping and storage improvements at the existing Carlton facility. This interconnect is part of the Regional Integrated Loop System to extend the system further north from its current terminus at Clark Road (SR-72) to Fruitville Road. This segment will be approximately 10 miles long and is expected to have a max day capacity of 40 million gallons per day (MGD) to supply anticipated demand from a high growth area in Sarasota County. At their own cost, the Authority will perform an independent TPR of the preliminary design of the pumping and storage improvements at the Carlton facility. This project is a follow-up project to Q205, PRMRWSA Phase 3C Integrated Loop Routing Feasibility Study. FY2024 funds are for design and construction.			
Measurable Benefit:	The contractual measurable benefit is the design, permitting, and construction of the project capable of delivering a max day capacity of 40 MGD.			
Costs:	Total project cost: \$63,850,000 (design, TPR, permitting, and construction), initial board-approved project amount \$53,100,000. Authority: \$34,800,000. District: \$26,550,000 with \$2,500,00 budgeted in previous years, \$10,744,319 requested in FY2024, and \$13,305,681 anticipated to be requested in future years. FDEP: \$2,500,000.			
Evaluation				
Application Quality:	All information identified in the CFI Guidelines was provided at the time of application.			
Project Benefit:	The benefit of this project is the construction of a max day capacity of 40 MGD regional potable water transmission pipeline and pumping and storage improvements to the existing Carlton facility to supply alternative water to a high growth area of Sarasota County.			
Cost Effectiveness:	The cost effectiveness, based on staff evaluation and third-party review for the project 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:	Strategic Initiative - Alternative Water Supplies: Increase development of alternative sources of water to ensure groundwater and surface water sustainability. Southern Region Priority: Implement Southern Water Use Caution Area (SWUCA) Recovery Strategy.			
Overall Ranking and Recommendation				
AWS	The preliminary design and TPR are complete for the pipeline of the project. The TPR found the pipeline preliminary design to be appropriate and the cost estimates to be reasonable for the level of design. Contractually, the Authority will need approval of the pumping and storage improvements TPR prior to construction of those components. Based on the pipeline TPR results, District staff recommend Governing Board authorization for final design, permitting, and construction of the pipeline and approve modification of the Cooperative Funding Agreement to include a pipeline cost of \$59,747,836 for the Regional Integrated Loop System Phase 3C Project (Q313). This project will assist in meeting regional water supply demands and implementation of SWUCA Recovery Strategy.			
Funding				
Funding Source	Prior	FY2024	Future	Total*
District	\$2,500,000	\$10,744,319	\$13,305,681	\$26,550,000
PRMRWSA	\$2,500,000	\$18,115,681	\$14,184,319	\$34,800,000
FDEP	\$2,500,000	\$0	\$0	\$2,500,000
Total	\$7,500,000	\$28,860,000	\$27,490,000	\$63,850,000

*Conceptual cost estimate, subject to Governing Board approval.

Governing Board Meeting
October 24, 2023

5. OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE

5.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion 142

5.2 **Discussion:** Information Item: Hydrologic Conditions 143

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE

October 24, 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 Division

OPERATIONS, LANDS AND RESOURCE MONITORING COMMITTEE**October 24, 2023****Discussion: Information Item: Hydrologic Conditions**

- September is the last month of the 4-month rainy season (June through September). Rainfall was scattered, regionally variable, and less-than-expected due to drier air and declining convective thunderstorm activity.
- **Rainfall:** Provisional (Sep. 1-30) rainfall totals were below normal in the northern and central counties, while they were within the normal range in the southern counties. The Districtwide 12-month cumulative rainfall total declined and ended the month at a deficit of 9.86 inches below the long-term historical average. The deficit is due to lack of rain, as well as Hurricane Ian rainfall from September 2022 now being outside the 12-month period.
- **Streamflow:** Monthly streamflow increased at eleven of twelve monitoring stations, while flow decreased at one station. Two stations reported below-normal flow, while nine reported normal flow and one reported above-normal flow. Regional streamflow, based on three index rivers, ended the month below normal in the northern region, within the normal range in the central region, and above normal in the southern region.
- **Groundwater:** The regional aquifer level percentiles decreased in the northern counties, while they increased in the central and southern counties between the end of August and the end of September. Regional levels ended the month in the normal range in the northern and central counties, and below normal in the southern counties.
- **Lake Levels:** Regional levels declined in the Northern region, while they increased in the Tampa Bay, Polk Uplands, and Lake Wales Ridge regions. Regional levels ended the month below normal in the Northern region, while within the normal range in the Tampa Bay, Polk Uplands, and Lake Wales Ridge regions.
- **Overall:** Drier air and less rainfall in September resulted in mixed (i.e., some increases and decreases) hydrologic indicator responses. The National Oceanic and Atmospheric Administration (NOAA) continues to predict above-normal rainfall through December 2023. The tropical storm season peaked in mid-September and ends on November 30th. Drier-than-normal rainfall during fall/winter would worsen the current overall hydrologic conditions.

Staff Recommendation:

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

Presenter:

Tamera McBride, Hydrologic Data Manager, Data Collection Bureau

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6. REGULATION COMMITTEE

6.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion..... 144

6.2 **Discussion:** Action Item: Denials Referred to the Governing Board 145

REGULATION COMMITTEE

October 24, 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 Division

REGULATION COMMITTEE

October 24, 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 Division

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7. GENERAL COUNSEL'S REPORT

7.1 **Discussion:** Information Item: Consent Item(s) Moved to Discussion 146

7.2 **Discussion:** Action Item: Affirm Governing Board Committee Actions 147

GENERAL COUNSEL'S REPORT

October 24, 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

GENERAL COUNSEL'S REPORT

October 24, 2023

Discussion: Action Item: Affirm Governing Board Committee Actions

The Governing Board has established four committees for conducting District business: the Finance/Outreach & Planning Committee; the Operations, Lands & Resource Monitoring Committee; the Regulation Committee; and the Resource Management Committee. Each committee is a committee of the whole with all Governing Board members serving as committee members.

The Governing Board, sitting as one of the four committees, considers and takes action on discussion items at the monthly Governing Board meeting. The actions taken by the committees will be presented to the Board for affirmation.

Staff Recommendation:

Affirm the actions of the Governing Board Committees taken during the regularly scheduled Governing Board meeting.

Presenter:

Ed Armstrong, Chair

COMMITTEE/LIAISON REPORTS

October 24, 2023

Discussion: Information Item: Agricultural and Green Industry Advisory Committee

Staff Recommendation:

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

Presenter:

Dustin Rowland, Board Member

EXECUTIVE DIRECTOR'S REPORT

October 24, 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

October 24, 2023

Discussion: Action Item: 2023 Employee Evaluation and 2024 Performance Goals for the Executive Director and Inspector General

Board Policy No. 710-2 governs the performance evaluation process for the Executive Director and Inspector General. The Policy provides that:

- Each Board member shall independently provide input on the Executive Director's and Inspector General's performance in anticipation of Governing Board approval of the annual employee evaluation for each employee.
- The Executive Director shall provide input on the 2023 administrative performance of the Inspector General.
- With this input, the Governing Board Chair will draft the Executive Director's 2023 evaluation and the Governing Board Treasurer drafts the Inspector General's 2023 evaluation.
- The Executive Director and Inspector General shall provide the Board with their proposed goals for 2024, against which they will be reviewed in the next year.

Consistent with Board Policy No. 710-2, at this meeting:

1. The Board Chair will provide to the Governing Board his draft 2023 evaluation for the District's Executive Director, Brian J. Armstrong, and the Board Treasurer will provide to the Governing Board his draft 2023 evaluation for the District's Inspector General, Brian R. Werthmiller. The Governing Board will have an opportunity to review, discuss and make any changes that it may wish to make to these draft evaluations. The Governing Board will also be asked to approve these evaluations so that they can be finalized and delivered to the employees.
2. Executive Director Brian J. Armstrong will present his proposed 2024 performance goals for approval. Inspector General Brian R. Werthmiller's goals were included as part of the Inspector General Performance Measures item on today's consent agenda.

Staff Recommendation:

- Adopt and approve the 2023 employee evaluations of Executive Director Brian J. Armstrong and Inspector General Brian R. Werthmiller that were completed by the Governing Board Chair and the Governing Board Treasurer, respectively.
- Adopt and approve the 2024 Executive Director goals.

Presenters:

Ed Armstrong, Chair

Jack Bispham, Treasurer

CHAIR'S REPORT

October 24, 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

October 24, 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	10/08/2018	Anne Blanchard-Ferguson	Land Manager	Brooksville	Land Resources	2023	10/08/2023
5	10/15/2018	Michael Schremser	Facilities Analyst	Brooksville	General Services	2023	10/15/2023
5	10/15/2018	Will Flerimond	Compliance Inspector 3	Bartow	Regulatory Support	2023	10/15/2023
5	10/22/2018	Bobbi McMichael	Records Management Specialist	Tampa	General Services	2023	10/22/2023
5	10/22/2018	Brian Werthmiller	Inspector General	Brooksville	Off Inspector General	2023	10/22/2023
5	10/22/2018	Oscar Robayo	Professional Engineer	Tampa	Environment Res Perm	2023	10/22/2023
5	10/22/2018	Teri Stearns	Senior Legal Assistant	Tampa	Off General Counsel	2023	10/22/2023
15	10/20/2008	Jennifer Noland	Accountant 1	Brooksville	Finance	2023	10/20/2023
20	10/06/2003	Margaret Blommel	Senior Land Use Specialist	Bartow	Land Resources	2023	10/06/2023
30	10/18/1993	Carrie Miller	Senior Application Systems Administrator	Brooksville	InformationTechnology	2023	10/18/2023