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## South Florida Water Management District

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### GOVERNING BOARD MONTHLY MEETING AGENDA

April 14, 2022

9:00 AM

District Headquarters - B-1 Auditorium  
3301 Gun Club Road  
West Palm Beach, FL 33406

FINAL

1. Call to Order - Chauncey Goss, Chairman, Governing Board
2. Pledge of Allegiance
3. Employee Recognitions
  - March Employee of the Month - Howard "Buff" Searcy, Engineering/Construction Manager
  - March Team of the Month - Aquifer Storage and Recovery (ASR) Science Plan Team
  - April Employee of the Month - Jewelene Harris, Senior Environmental Analyst
  - April Team of the Month - Wildfire Response Team
  - 30-Year Service Award - Bruce Chesser, Superintendent
  - 30-Year Service Award - Timothy J. Beirnes, Inspector General
4. Agenda Revisions
5. Agenda Item Abstentions by Board Members
6. Audit & Finance Committee Report - Jay Steinle, Chairman
7. Consider Approval of the Minutes for the March 10th Meeting
8. Executive Director's Report - Drew Bartlett
9. General Public Comment

10. Board Comment
11. Move Consent Agenda Items to Discussion Agenda
12. Public Comment on Consent Agenda Items
13. Board Vote on Consent Agenda

#### Consent Agenda

14. Land Acquisition Within the Fakahatchee Strand Component of the Picayune Strand Restoration Project (Staff contact, Stephen M. Collins)

**Agenda Item Background:**

The District is acquiring lands needed to complete the Fakahatchee Stand component of the Picayune Strand Restoration Project. Tract SG100-054, owned by Mark LeBlanc, contains approximately 1.25 acres. The purchase price of the Tract is \$42,500, which is equal to the appraised value.

**Recommended Action:**

**A. Resolution No. 2022 - 0401 Acquire land interests in one parcel containing 1.25 acres, more or less, located in the Picayune Strand Restoration Project, Fakahatchee Strand State Preserve Component, in Collier County, in the amount of \$42,500, plus associated costs, for which dedicated funds (Land Acquisition Trust Fund) and Ad Valorem funds are budgeted.**

**B. Resolution No. 2022 - 0402 Advise the Florida Department of Environmental Protection of the proposed acquisition of land interests containing 1.25 acres, more or less, for the Picayune Strand Restoration Project, Fakahatchee Strand State Preserve Component, in Collier County, and request the release of funds in the amount of \$42,500 from the Land Acquisition Trust Fund for acquisition of such land interests, together with associated costs.**

[Resolution No. 2022-0401](#)

[Resolution No. 2022-0402](#)

[Exhibit A](#)

15. Exchange Agreement with School Board of Osceola County (Staff contact, Stephen M. Collins)

**Agenda Item Background:**

The District acquired lands for the Reedy Creek Project ("Project") as part of the Save Our Rivers program in Osceola and Polk counties. The Project lands contain wetlands that provide water quality improvement benefits to the region, including sheetflow through the Kissimmee Basin. Pursuant to an Exchange Agreement ("Exchange Agreement"), the District will convey to the School Board of Osceola County, Florida ("School Board"), 1.36 acres, more or less, of uplands (the "District Exchange Lands"), in exchange for the District's acquisition from the School Board of 20 acres, more or less, of wetlands (the "District Acquired Lands"). The District Exchange Lands are located just south of a paved road and are primarily an upland area. The District

Acquired Lands provide additional wetlands and better support the District's core mission and the Project goals. For purposes of the Exchange Agreement, the value of the District Exchange Lands and the District Acquired Lands are deemed equal. However, pursuant to the approved appraisals, the District Acquired Lands were valued at \$200,000 and the District Exchange Lands were valued at \$190,000.

**Recommended Action:**

**Resolution No. 2022 - 0403 Approve declaring surplus for exchange and conveyance fee title land interests containing 1.36 acres, more or less, in exchange for the acquisition of fee title land interests containing 20 acres, more or less, within the District's Reedy Creek Project, all in Osceola County.**

[Resolution No. 2022-0403](#)

[Exhibit A](#)

16. Stipulation for Settlement and Final Judgment (Staff contact, Stephen M. Collins)

**Agenda Item Background:**

Duke Energy Florida, LLC ("Duke"), is a utility company that is constructing an electrical transmission line in Polk County and is authorized pursuant to Florida Statutes, Chapter 363, to utilize eminent domain to acquire real estate interests for that purpose. Duke brought an eminent domain action against the District for the acquisition of a perpetual utility easement interest containing 3.18 acres, more or less, and a perpetual access road easement containing 0.08 acres, more or less (collectively, the "Easement Interests"), over portions of the Lake Marion Creek Project in Polk County.

The District and Duke have reached a proposed settlement, the terms of which will be reflected in a Stipulated Order of Taking and Final Judgment (the "Final Judgment"). The Final Judgment provides that Duke will acquire the Easement Interests for the payment to the District in the amount of \$125,000, including attorney's fees.

**Recommended Action:**

**Resolution No. 2022 - 0404 Authorize a settlement of a condemnation action styled Duke Energy Florida, LLC v. South Florida Water Management District, in the 10th Judicial Circuit in and for Polk County, Florida, Case No. 2022-CA-000165, with respect to which the South Florida Water Management District will grant a perpetual utility easement containing 3.18 acres, more or less, and a perpetual access road easement containing 0.08 acre, more or less, over portions of the Lake Marion Creek Project in Polk County, for the amount of \$125,000.**

[Resolution No. 2022-0404](#)

[Exhibit A](#)

17. Agreement with the University of Florida and the United States Geological Survey for Improving Burmese Python (*Python molurus bivittatus*) Removal Strategies (Staff contact, Stephen M. Collins)

**Agenda Item Background:**

Staff is seeking Governing Board approval to enter into an agreement with the University of Florida and the United States Geological Survey to conduct collaborative

research on methods to improve management of the invasive Burmese python. As part of the District's continued refinements to its invasive python management program, this research will investigate methods to optimize existing control tools and develop new strategies to improve long-term control of Burmese pythons in remote areas of the Everglades. The proposed agreement is a five-year agreement not to exceed \$1,845,350 of which \$414,216 is budgeted in this fiscal year with the remainder subject to Governing Board approval of future years budgets.

**Recommended Action:**

**Resolution No. 2022 - 0405 Authorize a five-year agreement with the University of Florida and the United States Geological Survey for research on enhanced control of the invasive Burmese python (*Python molurus bivittatus*), in an amount not to exceed \$1,845,350 of which \$414,216 in Ad Valorem or Lease Revenue funds are budgeted in Fiscal Year 2021-2022 and the remainder is subject to Governing Board approval of future years budgets. (Agreement Number 4600004568 and Agreement Number 4600004571)**

[Resolution No. 2022-0405](#)

18. Florida Department of Environmental Protection Grant Agreement and Corresponding Grant Agreement with Ru-Mar Inc. for an Agricultural Irrigation Tailwater and Stormwater Recovery System, St. Lucie County (Staff contact, Jennifer Reynolds)

**Agenda Item Background:**

The Florida Department of Environmental Protection (DEP) has available additional Alternative Water Supply (AWS) funding from previous fiscal years due to cost savings and project changes. The DEP has identified more than \$7 Million in beneficial projects throughout the state, including \$830,135 for projects in the District area that focus on indoor residential water use, outdoor residential water use, outdoor commercial irrigation, and agricultural water conservation. The Florida Department of Agriculture and Consumer Services previously funded the planning, design, and construction of an agricultural irrigation tailwater and stormwater recovery project proposed by Ru- Mar, Inc. The DEP identified Ru-Mar, Inc.'s project to receive funding from its additional AWS funding from previous fiscal years and requested that the District contract with Ru-Mar, Inc., to provide the funding to complete construction of the project, which will be reimbursed by the DEP. Staff is seeking Governing Board authorization to enter into a grant agreement with the DEP and a corresponding reimbursable grant agreement with Ru-Mar Inc., for an Agricultural Irrigation Tailwater and Stormwater Recovery System in an amount not to exceed \$499,120 in dedicated state appropriations.

**Recommended Action:**

**Resolution No. 2022 - 0406 Authorize entering into a grant agreement with the Florida Department of Environmental Protection and a corresponding reimbursable grant agreement with Ru-Mar Inc., to complete the construction of an Agricultural Irrigation Tailwater and Stormwater Recovery System for which the Florida Department of Agriculture and Consumer Services funded the planning, design, and construction and for which the Florida Department of Environmental Protection has authorized reimbursable funding for construction in an amount not to exceed \$499,120.00 with dedicated state appropriations (State General Revenue) available to reimburse the South Florida Water**

## Management District.

[Resolution No. 2022-0406](#)

[Backup Document](#)

19. Denial of Application No. 210427-6032, a Minor Modification to Permit No. 49-00006-M for an Extension of the Construction Permit Duration for Lucky L Mitigation Bank (Staff contact, Jill Creech)

### **Agenda Item Background:**

The District issued Blue Water, LLC a Mitigation Bank Permit (Permit) on May 2, 2016, authorizing the construction of the Lucky L Mitigation Bank, located in Osceola County (Project). The Permit had a duration of five years, expiring May 2, 2021. On April 27, 2021, Blue Water LLC submitted a minor modification application requesting to extend the Permit's duration an additional five years pursuant to Chapter 62-330, Florida Administrative Code. District staff notified Blue Water, LLC that the Project does not meet the provisions for a permit extension as a minor modification and the application must be processed as a major modification. Staff provided Blue Water, LLC a list of additional information required to complete the application. In a letter dated February 25, 2022, Blue Water, LLC requested the application be deemed complete and agency action taken pursuant to Section 5.5.3.6 of the Environmental Resource Permit Applicant's Handbook Volume I. Blue Water, LLC also requested that if the proposed agency action is to deny, then the proposed action be referred to the Governing Board.

### **Recommended Action:**

**Deny Application No. 210427-6032, minor modification to Permit No. 49-00006-M, an extension of the construction permit duration for Lucky L Mitigation Bank, based on not meeting the provisions of Chapter 62-330, Florida Administrative Code.**

[Backup Document](#)

20. Governing Board Concurrence on Emergency Orders 2022-013-DAO and 2022-014-DAO, and Termination Order 2022-015-DAO, and any additional Termination Orders (Staff contact, Jennifer Smith and Julia Lomonico)

### **Agenda Item Background:**

**SFWMD 2022-013-DAO Emergency Authorization Temporarily Closing the Corkscrew Regional Ecosystem Watershed Project Lands Flint Pen Strand Unit Due to Wildfires** To prepare for and respond to wildfires within the Flint Pen Strand Unit of the Corkscrew Regional Ecosystem Watershed Project, the District issued Emergency Order 2022-013-DAO. This Order closed the Flint Pen Strand Unit for public access until further ordered by the District to ensure the health, safety, and welfare of the community due to the dangerous conditions caused by the wildfires.

**SFWMD 2022-014-DAO Emergency Authorization for Temporary Burn Ban on District Lands in Lee, Collier and Hendry Counties due to Dry Conditions and Imminent Danger of Wildfires** District rules permit fires on District lands in fireplaces, fire rings, grills and portable campstoves. See Rule 40E-7.537(29), F.A.C. On April 1, 2022, the Executive Director issued an Emergency Final Order, Order No. 2022-014-DAO, temporarily limiting fires on District lands to grills and portable campstoves based upon a finding that a serious threat to the public health, safety, and welfare,

natural resources and recreational use of District lands subject to Chapter 40E-7, Part V, F.A.C., in Lee, Collier and Hendry Counties existed due to severe drought conditions and imminent danger of wildfires.

**SFWMD 2022-015-DAO Order Terminating Emergency Authorization made pursuant to SFWMD Order No. 2022-013-DAO temporarily closing the Corkscrew Regional Ecosystem Watershed Project Lands Flint Pen Strand Unit Due to Wildfires** This Order terminates the emergency authorization and re-opens the area since dangerous conditions no longer exist. The wildfires have been extinguished and the area has received additional rainfall.

This item requests the Governing Board's concurrence with issuance of Emergency Orders 2022-013-DAO and 2022-014-DAO, and Termination Order 2022-015-DAO, in compliance with Section 373.119(2), Florida Statutes, and any additional termination orders.

**Recommended Action:**

**Concur with Emergency Orders 2022-013-DAO and 2022-014-DAO, and Termination Order 2022-015-DAO, and any additional termination orders.**

[2022-013-DAO Emergency Order](#)

[2022-014-DAO Emergency Order](#)

[2022-015-DAO Termination Order](#)

21. Microwave Radio Replacement Project (Staff contact, Duane Piper)

**Agenda Item Background:**

The microwave network is a critical component of the District's Flood Control Operations. The Microwave Radio Replacement Project is an ongoing capital project to upgrade the aging microwave radios that provide wide area network connectivity to remote locations. This project began in Fiscal Year 2019 and is scheduled to be completed in Fiscal Year 2023. These microwave radios service the District by transporting remote control, monitoring and data collection for major water control structures, pumps, and thousands of sensors.

In August 2019, the Governing Board approved a request to issue multiple purchase orders to Aviat US, Inc. in amount of \$6,300,613. This request is to increase the amount by \$1,692,533 for a revised total of \$7,993,146 to complete the project. This increase is the result of including the antenna systems in the Aviat purchases in order to work through a single vendor which ensures support and guaranteed uptime requirements. These purchase orders will be issued using the National Association of State Procurement Officials Value Point Master Agreement Number 05715 for Public Safety Communication Equipment and Services. This contract was competed by another government agency.

**Recommended Action:**

**Resolution No. 2022 - 0407 Authorize increasing the amount to issue multiple purchase orders to Aviat US, Inc. for the Microwave Radio Replacement Project equipment using the National Association of State Procurement Officials Value Point Master Agreement Number 05715 for Public Safety Communication**

**Equipment and Services in the amount of \$1,692,533 for a revised total of \$7,993,146 for which Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2022-2023 budget. (Purchase Order Number 4500134282)**

[Resolution No. 2022-0407](#)

22. Google Subscription Agreement (Staff contact, Duane Piper)

**Agenda Item Background:**

The District's scientific staff produces over 377 reports and spends approximately 4,000 hours per year on manual processes including searching, downloading, cataloging, and storing disparate data sets. The District requires a federated system with advanced visualization and trend analysis capability to communicate surface and groundwater, and meteorological data in an interactive and efficient manner. Google Earth Engine and Climate Engine can provide this federated system. This system will deliver insights focused on historical analysis, current and near real-time monitoring, and future predictions to understand and react to risks and identify opportunities to build resilience and sustainability.

This request is to issue a purchase order to Carahsoft Technology Corporation for a 1-year Google Subscription Agreement with three 1-year renewal options and 1-time implementation services, using the National Association of State Procurement Officials Value Point Master Agreement Number 43230000-NASPO-16-ACS in the amount of \$1,103,036 for the first year which includes the subscription service and implementation, and then an annually recurring amount of \$511,753 for the subscription service only. The 4-year total is \$2,638,295. This contract was competed by another government agency.

**Recommended Action:**

**Resolution No. 2022 - 0408 Authorize issuing a purchase order to Carahsoft Technology Corporation for a 1-year Google Subscription Agreement with three 1-year renewal options and 1-time implementation services, using the National Association of State Procurement Officials Value Point Master Agreement Number 43230000-NASPO-16-ACS in the amount of \$2,638,295 for which \$1,103,036 in dedicated funds (State Grant) and/or Ad Valorem funds are budgeted in Fiscal Year 2021-2022 and the remainder is subject to Governing Board approval of future years budgets. (Purchase Order 4500134638)**

[Resolution No. 2022-0408](#)

23. SAP Technical Resources (Staff contact, Duane Piper)

**Agenda Item Background:**

SAP technical resources are high salaried and difficult to hire and retain as full-time employees. In lieu of full-time positions, the SAP Solution Center uses staff augmentation services for SAP S/4HANA technical resources. These resources provide SAP S/4 expertise to design, configure, and implement SAP business support solutions. Information Technology is in the process of moving the District's Human Resource operations to Ultimate Kronos Group (UKG) and these resources will support the connection of UKG human resources data back to SAP S/4HANA allowing the finance, budget, and project management modules to continue to function as

currently configured. In addition to providing daily operational support, these resources will assist with this software implementation.

This request is to amend Purchase Order Number 4500121605 with Digital Intelligence Systems LLC by increasing the amount by \$319,800 for a revised purchase order total of \$1,014,600 for SAP technical resources, using the State of Florida Information Technology Staff Augmentation Services Contract Number 80101507-21-STC-ITSA. This contract was competed by another government agency.

**Recommended Action:**

**Resolution No. 2022 - 0409 Authorize an amendment to Purchase Order Number 4500121605 with Digital Intelligence Systems LLC by increasing the amount of the purchase order by \$319,800 for a revised purchase order total of \$1,014,600 for SAP technical resources, using the State of Florida Information Technology Staff Augmentation Services Contract Number 80101507-21-STC-ITSA, of which \$121,400 in Ad Valorem funds are budgeted in Fiscal Year 2021-2022 and the remainder is subject to Governing Board approval of future years budgets.**

[Resolution No. 2022-0409](#)

24. RS-G341 Conveyance Improvement Phase 1: Bolles East (L16) Canal Conveyance Improvements - Segment 5 Project, Palm Beach County (Staff contact, Alan Shirkey)

**Agenda Item Background:**

As part of the Restoration Strategies Program, the G-341 Bolles Canal Improvements Project improves the flow capacity of the Bolles East (L-16) Canal from the Hillsboro Canal to the North New River Canal. The project will provide the District with additional operational flexibility, providing a means to move stormwater east and west within the Everglades Agricultural Area, improving the efficiency of the Stormwater Treatment Areas and helping the District to achieve its water quality goals. Segment 5 consists of the western portion of this canal, including two bridged areas. Prior Governing Board resolutions authorized construction of Segments 1 through 4. This is the last segment required to complete canal improvements and the last construction award required to meet Restoration Strategies Construction Consent Order dates.

The lowest responsive and responsible bidder is recommended for award. In accordance with District policy and consistent with state law for Request for Bids procurements, this item was competitively bid through a sealed bid process.

**Recommended Action:**

**Resolution No. 2022 - 0410 Authorize entering into a 529-day contract with Forgen, LLC, the lowest responsive and responsible bidder, for the RS-G-341 Conveyance Improvement Phase 1: Bolles East (L16) Canal Conveyance Improvements - Segment 5 Project, in the amount of \$7,307,200, of which \$2,000,000 in dedicated funds (Land Acquisition Trust Fund and Everglades Trust Fund) and Ad Valorem funds are budgeted in Fiscal Year 2021-2022 and the remainder is subject to Governing Board approval of future years budgets. (Contract Number 4600004592)**

[Resolution No. 2022-0410](#)

[Backup Document](#)

25. S2, S3, S4, S7 and S8 Monitoring Panels (Staff contact, Alan Shirkey)

**Agenda Item Background:**

As part of the Operations and Maintenance Capital Improvement Program, the S2, S3, S4, S7 and S8 Monitoring Panels project will upgrade or replace all pump engine monitoring panels in these five pump stations with modern and standardized equipment to implement new shutdown triggers. All five pump stations are being included in one project to ensure there is consistency for the monitoring panel and equipment repairs for the pump stations. This will reduce operations and maintenance costs by limiting the spare parts inventory and required knowledge base for maintenance staff.

The S2, S3, S7 and S8 pump stations were built in the 1950s and S4 was built in 1975. The pump engine monitoring panels and equipment are outdated and at the end of their useful service life. The pump engine monitoring equipment malfunctions on occasion when the pumps are operational. This is potentially detrimental to the pump engines as the vital signs of the pump engines are not properly displayed or shown on the monitoring equipment panels. The manufacturer is unable to supply spare parts for the existing monitoring equipment due to their age and salvaged parts are getting increasingly difficult to find.

The lowest responsive and responsible bidder is recommended for award. In accordance with District policy, and consistent with state law for Request for Bids procurements, this item was competitively bid through a sealed bid process.

**Recommended Action:**

**Resolution No. 2022 - 0411 Authorize entering into a 1,272-day contract with Kiewit Infrastructure South Co., the lowest responsive and responsible bidder, for the S2, S3, S4, S7 and S8 Monitoring Panels Project, in the amount of \$16,877,000 of which \$1,000,000 in Ad Valorem funds are budgeted in Fiscal Year 2021-2022 and the remainder is subject to Governing Board approval of future years budgets. (Contract Number 4600004593)**

[Resolution No. 2022-0411](#)

Technical Reports

26. Water Conditions Report - John P. Mitnik  
27. Ecological Conditions Report - Lawrence Glenn

Discussion Agenda

28. April 2022 Water Conservation Month (Staff contact, Rosines Colon)

**Agenda Item Background:**

April is normally the last month of South Florida's dry season and water needs are most acute, highlighting the importance of conserving water. Since 1998, the month of April has been proclaimed Water Conservation Month in Florida to increase awareness and promote efficient use of the state's diverse water resources. With this resolution,

the District will join the Florida Section of the American Water Works Association, water management districts, local governments, and other organizations in supporting water conservation through the adoption of similar resolutions throughout Florida.

**Recommended Action:**

**Resolution No. 2022 - 0412 Proclaim April as Water Conservation Month.**

[Resolution No. 2022-0412](#)  
[Water Conservation Programs](#)

29. Notice of Proposed Rule and Rule Adoption, Rule 40E-2.091, Florida Administrative Code, and the incorporated Applicant's Handbook for Water Use Permit Applications to Establish and Amend Consumptive Use Permitting Criteria to Protect the Water Made Available by the Loxahatchee River Watershed Restoration Project (Staff contact, Sky Notestein)

**Agenda Item Background:**

Staff seeks Governing Board approval to publish a Notice of Proposed Rule and adopt rules to amend and establish consumptive use permitting criteria to protect water made available by the Loxahatchee River Watershed Restoration Project (LRWRP). The proposed rule amends the existing Lower East Coast Regional Water Availability criteria (LEC Rule) and corresponding permit duration criteria to include the several LRWRP project components not presently covered by the LEC Rule. The proposed rule also establishes criteria for the upper Floridan aquifer system groundwater associated with the project's aquifer storage and recovery wells.

If approved, a Notice of Proposed Rule will be published in the Florida Administrative Register on April 22, 2022. Provided no material changes are made and no request for public hearing is timely received, staff anticipates rule adoption in June 2022.

**Recommended Action:**

**Publish a Notice of Proposed Rule and adopt rules to amend and establish consumptive use permitting criteria to protect water made available by the Loxahatchee River Watershed Restoration Project.**

[Draft Rule](#)

Staff Reports

30. Monthly Financial Report - Candida Heater
- Lake Belt Mitigation Committee Annual Report for 2021

**Agenda Item Background:**

[Monthly Financial Statement Memo](#)  
[LBMC Annual Report 2021](#)

31. General Counsel's Report - Julia Lomonico, Interim General Counsel
32. General Public Comment

33. Board Comment

34. Adjourn

**Public Comment Policy**The South Florida Water Management District Governing Board encourages the public to provide comment and input to the Governing Board. Public comment is accepted at the two dedicated General Public Comment periods at the beginning and the end of the meeting. Public comment is also accepted on the Consent Agenda and each Discussion Agenda item.

Presentations for Agenda items 26, 27, 28, and 29.  
SFWMD Leasing Corp Meeting Packet

**Agenda Item Background:**

[26 Mitnik Kirkland Water Conditions Report](#)

[27 Glenn EcoCond Report](#)

[28 Colon Water Conservation Month](#)

[29 Notestein LRWRP NOPR](#)

[SFWMD Leasing Corp Meeting Packet](#)

[SFWMD Leasing Corp Presentation](#)

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Stephen M. Collins, Real Estate & Land Management

**DATE:** April 14, 2022

**SUBJECT:** Land Acquisition Within the Fakahatchee Strand Component of the Picayune Strand Restoration Project

### **Agenda Item Background:**

The District is acquiring lands needed to complete the Fakahatchee Strand component of the Picayune Strand Restoration Project. Tract SG100-054, owned by Mark LeBlanc, contains approximately 1.25 acres. The purchase price of the Tract is \$42,500, which is equal to the appraised value.

### **Core Mission and Strategic Priorities:**

The District, as local sponsor for the United States Army Corps of Engineers (“Corps”), has agreed to acquire the lands needed to complete the Fakahatchee Strand State Preserve Component of the Picayune Strand Restoration Project (“Project”), pursuant to the Project Partnership Agreement by and between the District and Corps, dated August 13, 2009 (“PPA”), as amended by the 2015 Limited Reevaluation Report (“LLR”). A map of the Project boundary and Tract to be acquired is attached hereto as Exhibit “A”. Subject to Governing Board approval, the District has agreed to purchase this parcel totaling approximately 1.25 acres for a total purchase price of \$42,500.

### **Core Mission and Strategic Priorities:**

The Picayune Strand Restoration Project will restore freshwater wetlands, improve estuarine water quality by increasing groundwater recharge, reduce large and unnatural freshwater inflows, and restore and enhance habitat for fish and wildlife, including threatened and endangered species. The Project is a Comprehensive Everglades Restoration Project (“CERP”) and is included in the District’s Five-Year Plan of Acquisition.

### **Funding Source:**

All costs associated with the acquisition of the Tract herein described will be funded from the Land Acquisition Trust Fund and/or Ad Valorem funds.

### **Staff Contact and/or Presenter:**

Stephen M. Collins, smcollins@sfwmd.gov, 561-682-2959

### **ATTACHMENTS:**

[Resolution No. 2022-0401](#)

[Resolution No. 2022-0402](#)

Exhibit A

## **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

### **Resolution No. 2022 - 04XX**

**A Resolution of the Governing Board of the South Florida Water Management District to acquire land interests in one parcel containing 1.25 acres, more or less, located in the Picayune Strand Restoration Project, Fakahatchee Strand State Preserve Component, in Collier County, in the amount of \$42,500, plus associated costs, for which dedicated funds (Land Acquisition Trust Fund) and Ad Valorem funds are budgeted; providing an effective date.**

**WHEREAS**, the Picayune Strand Restoration Project (“Project”) was authorized by Section 1001(15) of the Water Resource Development Act of 2007, Public Law 110-114, and is a Comprehensive Everglades Restoration Plan (“CERP”) Project; and

**WHEREAS**, the primary objective of the Project is to restore freshwater wetlands, increase groundwater recharge and storage, reduce large and unnatural freshwater inflows, reestablish natural plant distribution and composition, and restore and enhance habitat for fish and wildlife, including threatened and endangered species; and

**WHEREAS**, the District, as local sponsor pursuant to Section 373.1501, Florida Statutes, and the United States Army Corps of Engineers (“Corps”) entered into a Project Partnership Agreement (“PPA”) regarding the Project on August 13, 2009, as amended in 2015 by the Limited Reevaluation Report (“LRR”), wherein the District agreed to acquire all of the remaining land interest necessary to complete the Project; and

**WHEREAS**, the District desires to purchase land interests containing 1.25 acres, more or less, for the Project in Collier County, as shown on the location map Exhibit “A”, attached hereto and made a part hereof, in the amount of \$42,500; and

**WHEREAS**, all costs are to be funded from dedicated funds (Land Acquisition Trust Fund) and Ad Valorem funds for the acquisition and associated costs; and

**WHEREAS**, the South Florida Water Management District is authorized to acquire land, or interests or rights in land, pursuant to Section 373.139, Florida Statutes.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1:** The Governing Board of the South Florida Water Management District hereby approves the purchase of land interests containing 1.25 acres, more or less, identified in the attached Exhibit “A”, for the Fakahatchee Strand State Preserve Component of the Picayune Strand Restoration Project, in the amount of \$42,500, together with associated costs, for which dedicated funds (Land Acquisition Trust

Fund) and Ad Valorem funds are budgeted as follows:

Owner	Tract No.	Interest	Acres	Appraised Value	Purchase Price
Mark LeBlanc	SG100-054	Fee	1.25	\$42,500	\$42,500

**Budgeted:**

Amount	Tract No.	Fund	Fund Center	Functional Area	GL	Account Description
\$42,500	SG100-054	404000 425000	3510144000	P130	580020	Acquisition

**Section 2:** The Governing Board of the South Florida Water Management District hereby authorizes the Chair or Vice Chair to execute the Agreement for Sale and Purchase instruments, and further authorizes the Executive Director or his designee to make any determinations in connection with the transaction and execute all other documents necessary to consummate this transaction.

**Section 3:** This Resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED** this 14<sup>th</sup> day of April, 2022.

# SOUTH FLORIDA WATER MANAGEMENT DISTRICT

## Resolution No. 2022 - 04XX

**A Resolution of the Governing Board of the South Florida Water Management District advising the Florida Department of Environmental Protection of the proposed acquisition of land interests containing 1.25 acres, more or less, for the Picayune Strand Restoration Project, Fakahatchee Strand State Preserve Component, in Collier County, and requesting the release of funds in the amount of \$42,500 from the Land Acquisition Trust Fund for acquisition of such land interests, together with associated costs; providing an effective date.**

**WHEREAS**, the Picayune Strand Restoration Project (“Project”) is a Comprehensive Everglades Restoration Plan (“CERP”) project, authorized by Section 1001(15) of the Water Resources Development Act of 2007, Public Law 110-114; and

**WHEREAS**, the South Florida Water Management District (“District”), as local sponsor for the U. S. Army Corps of Engineers, has an active program underway to acquire land interests in the Fakahatchee Strand State Preserve Component of the Project; and,

**WHEREAS**, pursuant to Section 373.139(3)(c) Florida Statutes, the District is required to submit a resolution to the Florida Department of Environmental Protection when requesting funds from a trust fund, including the Land Acquisition Trust Fund; and

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** It does hereby advise the Secretary of the Florida Department of Environmental Protection of its intent to acquire fee simple title to Tract SG100-054 from willing sellers at a cost of \$42,500, containing a total of 1.25 acres, more or less, in Collier County, Florida, for the Picayune Strand Restoration Project, Fakahatchee Strand State Preserve Component. The Tracts are shown on the map attached hereto and made a part hereof as Exhibit “A.”

**Section 2.** The purchase price of the Tract is equal to the appraised value based on the certified appraisal used to determine the value of the land interests to be purchased, taking into account the value of improvements, non-cash considerations, defects in title or outstanding interests.

**Section 3.** The land being acquired have been reviewed for the presence of State Sovereign submerged lands and the District has taken reasonable measures to avoid paying for sovereign lands.

**Section 4.** This request for funds is consistent with the District's Five-Year Plan of acquisition for the South Florida Water Management District Florida Forever Work Plan, as contained in Chapter 6A, Volume II of the South Florida Environmental Report, which has been filed with the Legislature and the Florida Department of Environmental Protection, and is consistent with Sections 373.139 and 373.470, Florida Statutes, as applicable.

**Section 5.** Acquisition of this land furthers the following Florida Forever goals set forth in Section 259.105(4), Florida Statutes:

- (a) Enhance the coordination and completion of land acquisition projects as measured by:
  - 1. The number of shared acquisition projects among Florida Forever funding partners and partners with other funding sources including local governments and the federal government.
- (b) Protect, restore and maintain the quality and natural functions of land, water and wetland systems of the state, as measured by:
  - 1. The number of acres publicly owned land identified as needing restoration, acres undergoing restoration, enhancement and management, acres with restoration activities completed, and acres managed to maintain such restored or enhanced conditions; the number of acres which represent actual or potential imperiled species habitat; the number of acres which are available pursuant to a management plan to restore, enhance, repopulate, and manage imperiled species habitat; and the number of acres of imperiled species habitat managed, restored, enhance, repopulated, or acquired;
  - 2. The number of acres acquired that protect natural floodplain functions; and
  - 3. The number of acres identified for acquisition to minimize damage from flooding and the percentage of those acres acquired.
- (c) Ensure that sufficient quantities of water are available to meet the current and future needs of natural systems and the citizens of the state, as measured by:
  - 1. The quantity of water made available through the water resource development component of a district water supply plan for which a water management district is responsible.

- (d) Increase natural resource-based public recreational and educational opportunities, as measured by:
1. The number of acres acquired that are available for natural resource-based public recreation or education; and
  2. The miles of trails that are available for public recreation, giving priority to those that provide significant connections including those that will assist in completing the Florida National Scenic Trail; and
  3. The number of new resource-based recreation facilities, by type, made available on public land.

**Section 6.** The funds requested shall be used only for the acquisition costs and associated costs incurred during the process of acquiring the described land interests.

**Section 7.** The land interests being acquired shall be maintained in an environmentally acceptable manner.

**Section 8.** Should the District dispose of any or all of the interests acquired hereunder, all revenues derived therefrom will be used to acquire other lands for water management, water supply and the conservation and protection of water resources, within the boundaries of a CERP project.

**Section 9.** A Phase 1 environmental assessment of the property was conducted in July 2021 and no obvious environmental concerns were observed. Any environmental concerns discovered shall be remediated, as necessary, and any risks will be borne by the District.

**Section 10.** The lands shall be managed for multiple-use purposes, including recreational uses, where compatible with the resource values of and management objectives for such lands as set forth in Section 259.105(5), Florida Statutes.

**Section 11.** The Executive Director, or designee, is hereby authorized to request the release of funds for all acquisition costs, associated costs and expenses for the land interests identified in this Resolution.

**Section 12.** The Resolution to approve the acquisition of these land interests was approved by the Governing Board of the District on April 14, 2022.

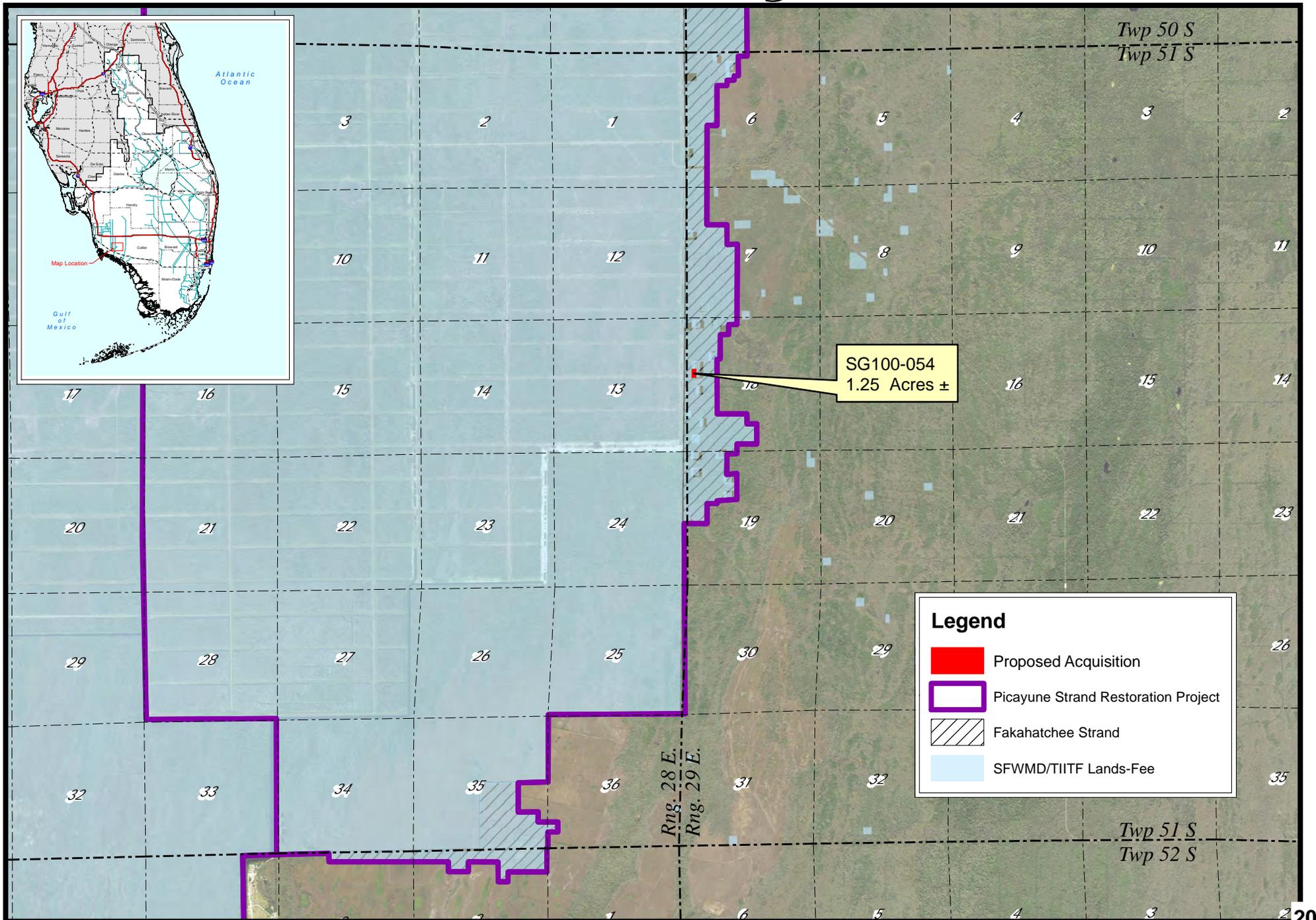
**Section 13.** The District will utilize funds from the Land Acquisition Trust Fund.

**Section 14.** This Resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED** on this 14<sup>th</sup> day of April, 2022.

# Picayune Strand - Fakahatchee Strand Restoration Project Collier County

Exhibit "A"



**Legend**

- Proposed Acquisition
- Picayune Strand Restoration Project
- Fakahatchee Strand
- SFWMD/TIIF Lands-Fee

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Stephen M. Collins, Real Estate & Land Management

**DATE:** April 14, 2022

**SUBJECT:** Exchange Agreement with School Board of Osceola County

### **Agenda Item Background:**

The District acquired lands for the Reedy Creek Project (“Project”) as part of the Save Our Rivers program in Osceola and Polk counties. The Project lands contain wetlands that provide water quality improvement benefits to the region, including sheetflow through the Kissimmee Basin. Pursuant to an Exchange Agreement (“Exchange Agreement”), the District will convey to the School Board of Osceola County, Florida (“School Board”), 1.36 acres, more or less, of uplands (the “District Exchange Lands”), in exchange for the District’s acquisition from the School Board of 20 acres, more or less, of wetlands (the “District Acquired Lands”).

The District Exchange Lands are located just south of a paved road and are primarily an upland area. The District Acquired Lands provide additional wetlands and better support the District’s core mission and the Project goals. For purposes of the Exchange Agreement, the value of the District Exchange Lands and the District Acquired Lands are deemed equal.

However, pursuant to the approved appraisals, the District Acquired Lands were valued at \$200,000 and the District Exchange Lands were valued at \$190,000.

### **Core Mission and Strategic Priorities:**

The District acquired lands for the Reedy Creek Project (“Project”) as part of the Save Our Rivers program in Osceola and Polk Counties. A majority of the lands were acquired between 1994 and 1997. Pursuant to an Exchange Agreement (“Exchange Agreement”), the District will convey to the School Board of Osceola County, Florida (“School Board”), 1.36 acres, more or less, of uplands (the “District Exchange Lands”), in exchange for the District’s acquisition from the School Board of 20 acres, more or less, of wetlands (the “District Acquired Lands”), all as shown on Exhibit “A”. The Exchange Agreement provides that, for purposes of the exchange, the value of the District Exchange Lands is equal to the value of the District Acquired Lands, and that the equal value is \$200,000. However, pursuant to the approved appraisals, the District Acquired Lands were valued at \$200,000 and the District Exchange Lands were valued at \$190,000.

### **Core Mission and Strategic Priorities:**

The Project lands contain wetlands that provide water quality improvement benefits to the region, including sheetflow through the Kissimmee Basin. The District Exchange Lands are located just south of a paved road and are primarily an upland area. The District Acquired Lands provide additional wetlands and better support the District’s core mission and the Project goals.

### **Funding Source:**

As this is an even exchange, there is no purchase price to fund. All costs of the transaction and all closing costs will be paid by the School Board.

**Staff Contact and/or Presenter:**

Stephen M. Collins, [smcollins@sfwmd.gov](mailto:smcollins@sfwmd.gov), 561-682-2959

**ATTACHMENTS:**

[Resolution No. 2022-0403](#)

[Exhibit A](#)

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

**2022 - 04XX**

**A Resolution of the Governing Board of the South Florida Water Management District approving declaring surplus for exchange and conveyance fee title land interests containing 1.36 acres, more or less, in exchange for the acquisition of fee title land interests containing 20 acres, more or less, within the District's Reedy Creek Project, all in Osceola County; providing an effective date.**

**WHEREAS**, the South Florida Water Management District acquired lands for the Reedy Creek Project ("Project") as part of the Save Our Rivers program in Osceola and Polk Counties; and

**WHEREAS**, the Project lands, a majority of which were acquired between 1994 and 1997, contain mostly wetlands that provide water quality improvement benefits to the region, including sheetflow through the Kissimmee Basin; and

**WHEREAS**, the District is authorized to exchange lands, or interests or rights in lands, pursuant to Section 373.089, Florida Statutes; and

**WHEREAS**, the District desires to enter into an Agreement for Exchange of Real Property Interests with the School Board of Osceola County, Florida ("Exchange Agreement") whereby the District will convey fee title land interests containing 1.36 acres, more or less, of uplands (the "District Exchange Lands"), in exchange for the acquisition of fee title land interests containing 20 acres, more or less, of wetlands (the "District Acquired Lands"), all as shown on Exhibit "A"; and

**WHEREAS**, the Exchange Agreement provides that for purposes of the exchange, the District Exchange Lands and the District Acquired Lands have an equal value of \$200,000; and

**WHEREAS**, the Governing Board has determined that it is in the public interest to declare the District Exchange Interests surplus; and

**WHEREAS**, pursuant to Section 373.089(6), Florida Statutes, the Governing Board shall be required, by at least a two-thirds (2/3) majority, to make a determination that the District Exchange Lands are no longer needed for conservation purposes.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby approves declaring surplus for exchange and conveyance to the

School Board of Osceola County, Florida, fee title land interests containing 1.36 acres, more or less, in exchange for the acquisition from the School Board of Osceola County, Florida, of fee title land interests containing 20 acres, more or less, within the District’s Reedy Creek Project, all in Osceola County.

“District Exchange Lands”

Tract No.	Interest	Acres	Agreed Value	Appraised Value
24100-410	Fee	1.36	\$200,000	\$190,000

“District Acquired Lands”

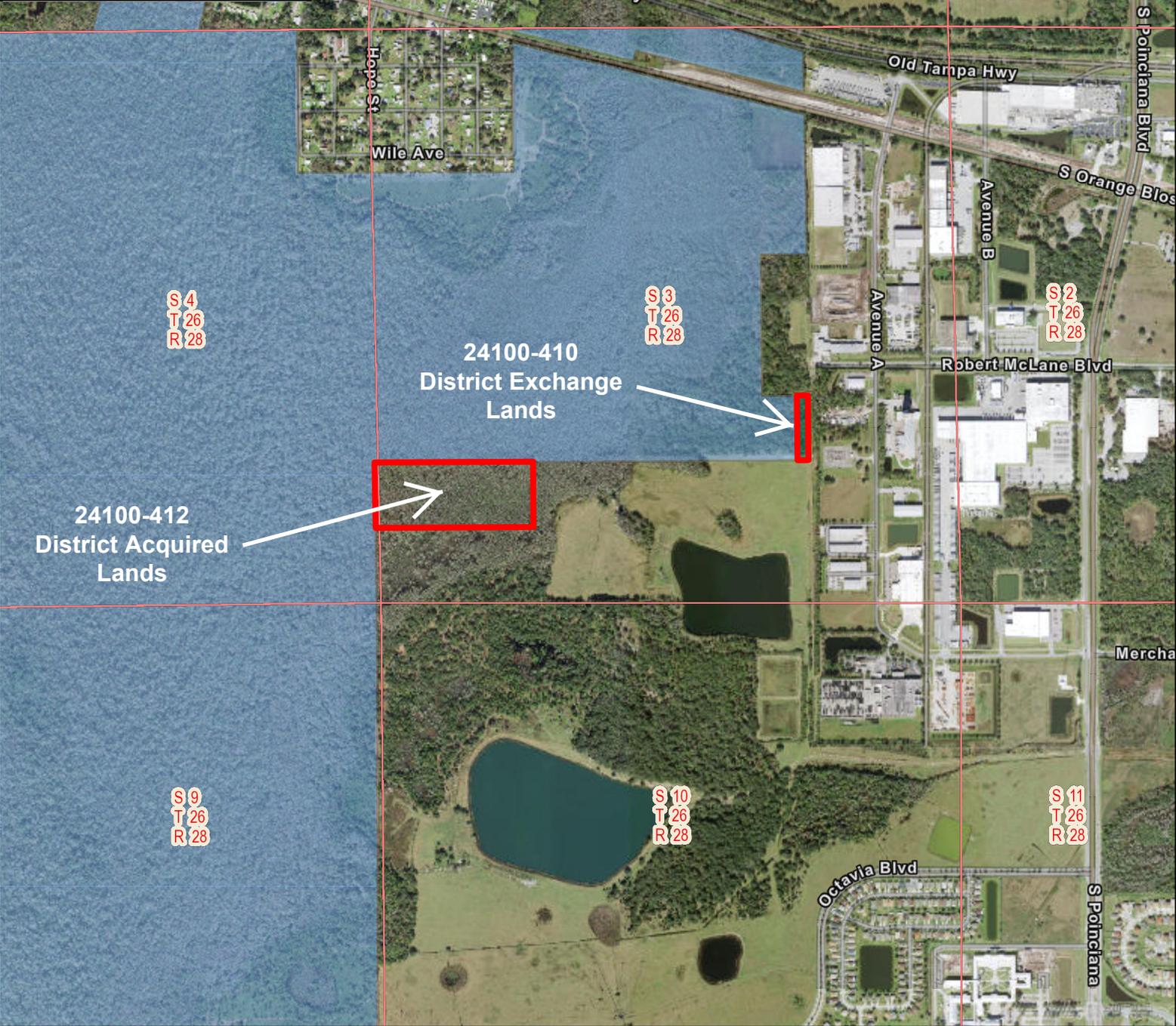
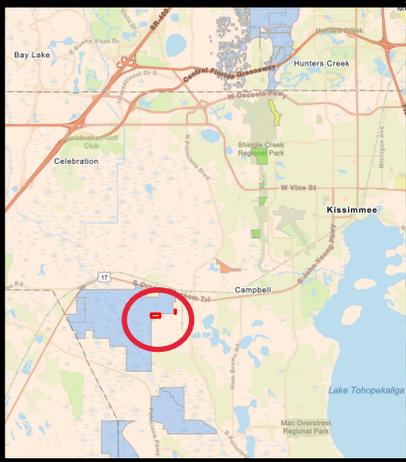
Tract Nos.	Interest	Acres	Agreed Value	Appraised Value
24100-412	Fee	20	\$200,000	\$200,000

**Section 2.** In accordance with the requirements of Section 373.089(6), Florida Statutes, the Governing Board hereby determines that the District Exchange Lands are no longer needed for conservation purposes, and that the District Acquired Lands allow the District additional wetlands ownership consistent with the Project goals, and this Resolution was approved by the Governing Board by at least a two-thirds (2/3) vote.

**Section 3.** The Governing Board hereby authorizes the Chairman or Vice Chairman to execute the Exchange Agreement and any instrument(s) of conveyance required to consummate the transaction contemplated therein. The Governing Board hereby authorizes the Executive Director or the Executive Director’s designee to make any determination in connection with the transaction and execute all other documents necessary to consummate this transaction.

**Section 4.** This Resolution shall take effect immediately upon adoption.

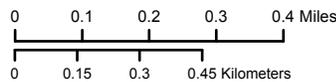
**PASSED** and **ADOPTED** this 14<sup>th</sup> day of April, 2022.



## Osceola School Board Exchange - Exhibit "A"



South Florida Water Management District  
 3301 Gun Club Road, West Palm Beach, Florida 33406  
 561-686-8800; www.sfwmd.gov



**DISCLAIMER:**  
 This map is a conceptual or planning tool only. The South Florida Water Management District does not guarantee or make any representation regarding the information contained herein. It is not self-executing or binding, and does not affect the interests of any persons or properties, including any present or future right or use of real property.

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Stephen M. Collins, Real Estate & Land Management

**DATE:** April 14, 2022

**SUBJECT:** Stipulation for Settlement and Final Judgment

### **Agenda Item Background:**

Duke Energy Florida, LLC (“Duke”), is a utility company that is constructing an electrical transmission line in Polk County and is authorized pursuant to Florida Statutes, Chapter 363, to utilize eminent domain to acquire real estate interests for that purpose. Duke brought an eminent domain action against the District for the acquisition of a perpetual utility easement interest containing 3.18 acres, more or less, and a perpetual access road easement containing 0.08 acres, more or less (collectively, the “Easement Interests”), over portions of the Lake Marion Creek Project in Polk County.

The District and Duke have reached a proposed settlement, the terms of which will be reflected in a Stipulated Order of Taking and Final Judgment (the “Final Judgment”). The Final Judgment provides that Duke will acquire the Easement Interests for the payment to the District in the amount of \$125,000, including attorney’s fees.

### **Core Mission and Strategic Priorities:**

#### **Core Mission and Strategic Priorities:**

The subject easement lands are located within the Lake Marion Creek Project. There is no impact to project purposes as the location of the easements are along the upland perimeter of the project boundary.

### **Funding Source:**

Not applicable. The District will receive \$125,000 as total compensation for the Easement Interests. The appraised value was \$12,700.

### **Staff Contact and/or Presenter:**

Stephen M. Collins, [smcollins@sfwmd.gov](mailto:smcollins@sfwmd.gov), 561-682-2959

### **ATTACHMENTS:**

[Resolution No. 2022-0404](#)

[Exhibit A](#)

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

**Resolution No. 2022-04XX**

**A Resolution of the Governing Board of the South Florida Water Management District authorizing a settlement of a condemnation action styled *Duke Energy Florida, LLC v. South Florida Water Management District*, in the 10<sup>th</sup> Judicial Circuit in and for Polk County, Florida, Case No. 2022-CA-000165, with respect to which the South Florida Water Management District will grant a perpetual utility easement containing 3.18 acres, more or less, and a perpetual access road easement containing 0.08 acre, more or less, over portions of the Lake Marion Creek Project in Polk County, for the amount of \$125,000; providing an effective date.**

**WHEREAS**, pursuant to Florida Statutes, Sections 361.01 and 361.08, Duke Energy Florida, LLC (“Duke”) is constructing an electrical transmission line and is authorized to utilize eminent domain to acquire real estate interests for that purpose; and

**WHEREAS**, Duke, as the Plaintiff in the above styled case, brought an eminent domain action against the South Florida Water Management District (“District”) for the acquisition of a perpetual utility easement interest containing 3.18 acres, more or less, and a perpetual access road easement containing 0.08 acre, more or less (collectively, the “Easement Interests”), over portions of the Lake Marion Creek Project in Polk County; and

**WHEREAS**, the District has considered the public benefit provided by the District’s interest in the subject property and has concluded that Duke’s acquisition of the Easement Interests, as generally depicted on Exhibit “A” attached hereto and incorporated herein by reference, in connection with Duke’s electrical transmission line project is not inconsistent with the overall purposes for which the District acquired the real property pursuant to Chapter 373, Florida Statutes; and

**WHEREAS**, the District and Duke have reached a proposed settlement, the terms of which will be reflected in a Stipulated Order of Taking and Final Judgment (the “Final Judgment”); and

**WHEREAS**, the Final Judgment provides that Duke will acquire the Easement Interests for the payment to the District of the amount of \$125,000, including attorney’s fees.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

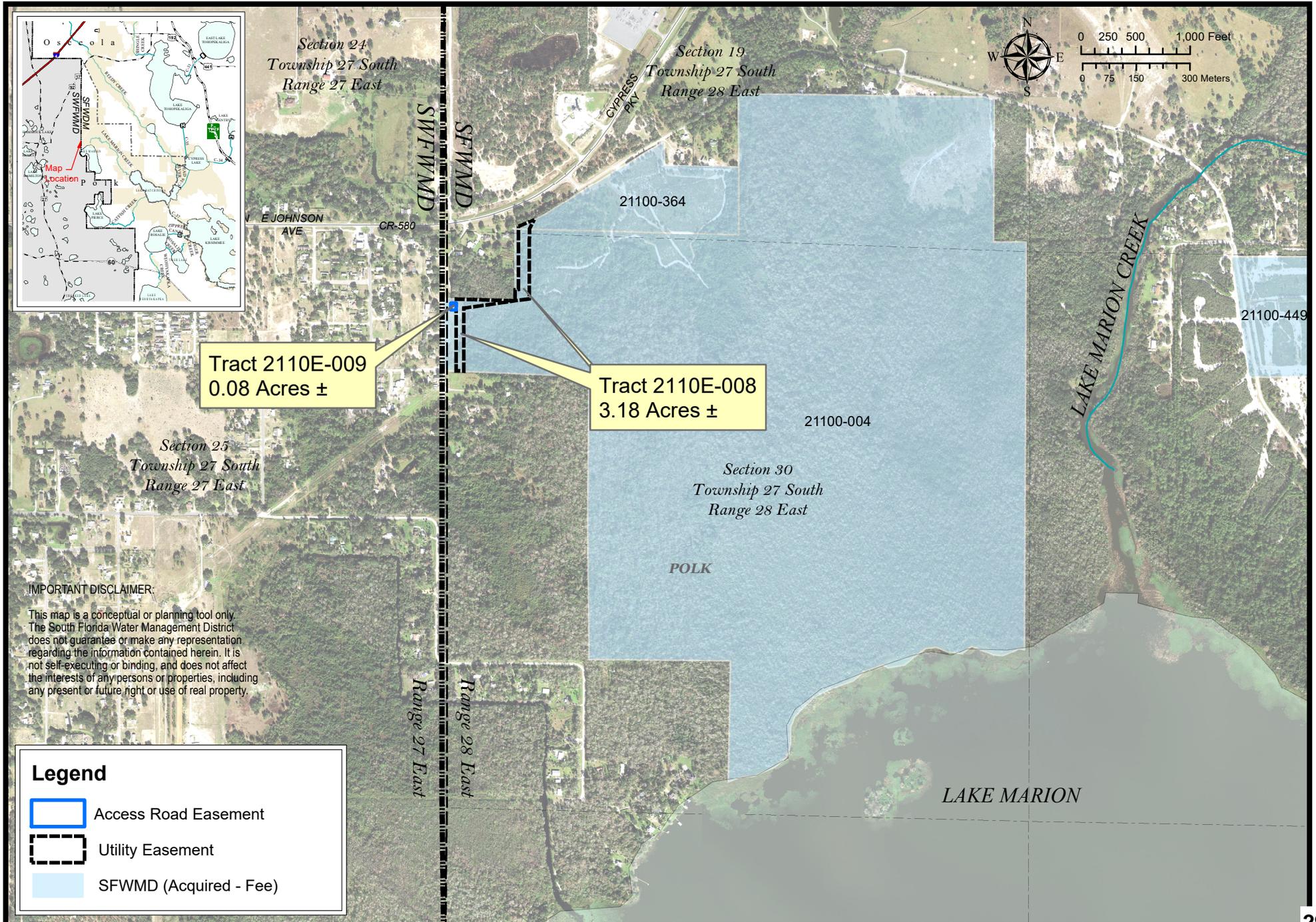
**Section 1.** The Governing Board of the South Florida Water Management District hereby approves the settlement of *Duke Energy Florida, LLC v. South Florida Water Management District*, in the 10<sup>th</sup> Judicial Circuit Court in and for Polk County, Florida, Case No. 2022-CA-000165, which consists of the acquisition by Duke Energy Florida, LLC from the South Florida Water Management District of a perpetual utility easement containing 3.18 acres, more or less, and perpetual access road easement containing 0.08 acre, more or less, for the payment to the District of the amount of \$125,000.

**Section 2.** The Governing Board of the South Florida Water Management District hereby authorizes the Executive Director and/or a Legal Officer of the District to execute all documents needed to effectuate the terms of the settlement.

**Section 3.** This Resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED** this 14th day of April, 2022.

# Lake Marion Creek - Polk County Duke Energy Easements



## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Stephen M. Collins, Real Estate & Land Management

**DATE:** April 14, 2022

**SUBJECT:** Agreement with the University of Florida and the United States Geological Survey for Improving Burmese Python (*Python molurus bivittatus*) Removal Strategies

### **Agenda Item Background:**

Staff is seeking Governing Board approval to enter into an agreement with the University of Florida and the United States Geological Survey to conduct collaborative research on methods to improve management of the invasive Burmese python. As part of the District's continued refinements to its invasive python management program, this research will investigate methods to optimize existing control tools and develop new strategies to improve long-term control of Burmese pythons in remote areas of the Everglades. The proposed agreement is a five-year agreement not to exceed \$1,845,350 of which \$414,216 is budgeted in this fiscal year with the remainder subject to Governing Board approval of future years budgets.

### **Core Mission and Strategic Priorities:**

A proposed collaborative effort between the University of Florida and United States Geological Survey seeks to enter into a five-year agreement with the South Florida Water Management District (SFWMD) to track transmitted pythons within the Everglades and Francis S. Taylor Wildlife Management Area where there is currently an important knowledge and management gap. Research objectives include assessing python habitat and nesting preferences, increasing understanding of spatial movement across the landscape, determining abundance, locating reproductive adult pythons within remote marsh and tree island sites, and evaluating the effectiveness of SFWMD's Python Elimination Program.

### **Core Mission and Strategic Priorities:**

Control of highly invasive Burmese python is a regional priority for the Florida Everglades. Cost effective management tools for this species is needed to both restore the ecological integrity of the Everglades and help ensure long-term sustainability of natural resource management programs.

### **Funding Source:**

This is a five-year agreement in the amount not-to-exceed \$1,845,350 of which \$414,216 in Ad Valorem or Lease Revenue funds are budgeted in Fiscal Year 2021-2022 and the remainder is subject to Governing Board approval of future years budgets (Agreement Number 4600004568 and Agreement Number 4600004571).

### **Staff Contact and/or Presenter:**

Stephen M. Collins, smcollins@sfwmd.gov, 561-682-2959

**ATTACHMENTS:**

Resolution No. 2022-0405

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

**Resolution No. 2022 - 04XX**

**A Resolution of the Governing Board of the South Florida Water Management District authorizing a five-year agreement with the University of Florida and the United States Geological Survey for research on enhanced control of the invasive Burmese python (*Python molurus bivittatus*), in an amount not to exceed \$1,845,350 of which \$414,216 in Ad Valorem or Lease Revenue funds are budgeted in Fiscal Year 2021-2022 and the remainder is subject to Governing Board approval of future years budgets; providing an effective date (Agreement No. 4600004568 and Agreement No. 4600004571).**

**WHEREAS**, the Governing Board of the South Florida Water Management District has determined that it is necessary, appropriate, and in the public interest to enter into an agreement with the University of Florida and with the United States Geological Survey to investigate means to improve removal strategies of the highly invasive Burmese python in an amount not to exceed \$1,845,350 of which \$414,216 in Ad Valorem or Lease Revenue funds are budgeted in Fiscal Year 2021-2022 and the remainder is subject to Governing Board approval of future budget years.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby authorizes the execution of Agreement Number 4600004568 with the University of Florida and the execution of Agreement Number 4600004571 with the United States Geological Survey.

**Section 2.** This Resolution shall take effect immediately upon adoption.

**PASSED and ADOPTED** this 14<sup>th</sup> day of April, 2022.

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Jennifer Reynolds, Ecosystem Restoration & Capital Projects

**DATE:** April 14, 2022

**SUBJECT:** Florida Department of Environmental Protection Grant Agreement and Corresponding Grant Agreement with Ru-Mar Inc. for an Agricultural Irrigation Tailwater and Stormwater Recovery System, St. Lucie County

### **Agenda Item Background:**

The Florida Department of Environmental Protection (DEP) has available additional Alternative Water Supply (AWS) funding from previous fiscal years due to cost savings and project changes. The DEP has identified more than \$7 Million in beneficial projects throughout the state, including \$830,135 for projects in the District area that focus on indoor residential water use, outdoor residential water use, outdoor commercial irrigation, and agricultural water conservation. The Florida Department of Agriculture and Consumer Services previously funded the planning, design, and construction of an agricultural irrigation tailwater and stormwater recovery project proposed by Ru- Mar, Inc. The DEP identified Ru-Mar, Inc.'s project to receive funding from its additional AWS funding from previous fiscal years and requested that the District contract with Ru-Mar, Inc., to provide the funding to complete construction of the project, which will be reimbursed by the DEP. Staff is seeking Governing Board authorization to enter into a grant agreement with the DEP and a corresponding reimbursable grant agreement with Ru-Mar Inc., for an Agricultural Irrigation Tailwater and Stormwater Recovery System in an amount not to exceed \$499,120 in dedicated state appropriations.

### **Core Mission and Strategic Priorities:**

#### **Additional Agenda Item Background:**

Water resource and water supply development projects help to protect our water resources and ensure that the needs of existing and future users are met. This project will serve a 350-acre agricultural site with the tailwater and stormwater recovery system. This project will capture 100 percent of stormwater runoff from the site eliminating discharge to the C-23 Canal and St. Lucie River and also provides an alternative source of irrigation thereby reducing the reliance and use of water from the C-23 Canal. The system will provide an estimated 68.69 acre-feet or 22.38 million gallons per year of retention.

### **Core Mission and Strategic Priorities:**

This program supports the District's ecosystem restoration and water supply core missions, and alternative water supply and water conservation strategic priorities.

### **Funding Source:**

Reimbursement from dedicated state appropriations. There will be no required match on behalf of the District.

### **Staff Contact and/or Presenter:**

Jennifer Reynolds, jreynolds@sfwmd.gov, 561-682-6672  
Jonathan Madden, jmadden@sfwmd.gov, 561-682-2617

**ATTACHMENTS:**

[Resolution No. 2022-0406](#)

[Backup Document](#)

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2022 - 04XX**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a grant agreement with the Florida Department of Environmental Protection and a corresponding reimbursable grant agreement with Ru-Mar Inc., to complete the construction of an Agricultural Irrigation Tailwater and Stormwater Recovery System for which the Florida Department of Agriculture and Consumer Services funded the planning, design, and construction and for which the Florida Department of Environmental Protection has authorized reimbursable funding for construction in an amount not to exceed \$499,120.00 with dedicated state appropriations (State General Revenue) available to reimburse the South Florida Water Management District; providing an effective date.**

**WHEREAS**, the Department of Environmental Protection (Department) and the South Florida Water Management District (SFWMD) recognize the value of efficient water use by all water use classes; and

**WHEREAS**, the Department has available additional Alternative Water Supply (AWS) funding from previous fiscal years due to cost savings and project changes. The Department has identified more than \$7 million in beneficial projects throughout the state, including \$830,135 for projects in the SFWMD area that focus on indoor residential water use, outdoor residential water use, outdoor commercial irrigation, and agricultural water conservation; and

**WHEREAS**, the Department funds Alternative Water Supply Projects through Florida's water management districts; and

**WHEREAS**, the Florida Department of Agriculture and Consumer Services previously funded the planning, design, and construction of an agricultural irrigation tailwater and stormwater recovery project proposed by Ru- Mar, Inc., and

**WHEREAS**, the Department identified Ru-Mar, Inc.'s project to receive funding from its additional AWS funding from previous fiscal years and requested that the SFWMD contract with Ru-Mar, Inc., to provide the funding to complete construction of the project, which will be reimbursed by the Department; and

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to enter into a grant agreement with the Florida Department of Environmental Protection and a corresponding reimbursable grant agreement with Ru-Mar, Inc., to complete the construction of an agricultural irrigation tailwater and stormwater recovery system for which the Florida Department of Agriculture and Consumer Services funded the planning and design and for which the Florida Department of Environmental Protection has authorized reimbursable funding; and

**WHEREAS**, development of alternative supplies reduces the reliance and use of traditional water sources; and

**WHEREAS**, water resource and water supply development projects help to protect our

water resource and ensure that the needs of existing and future users are met; and,

**WHEREAS**, limiting surface water and nutrient discharge is beneficial to our canals, rivers, and estuaries.

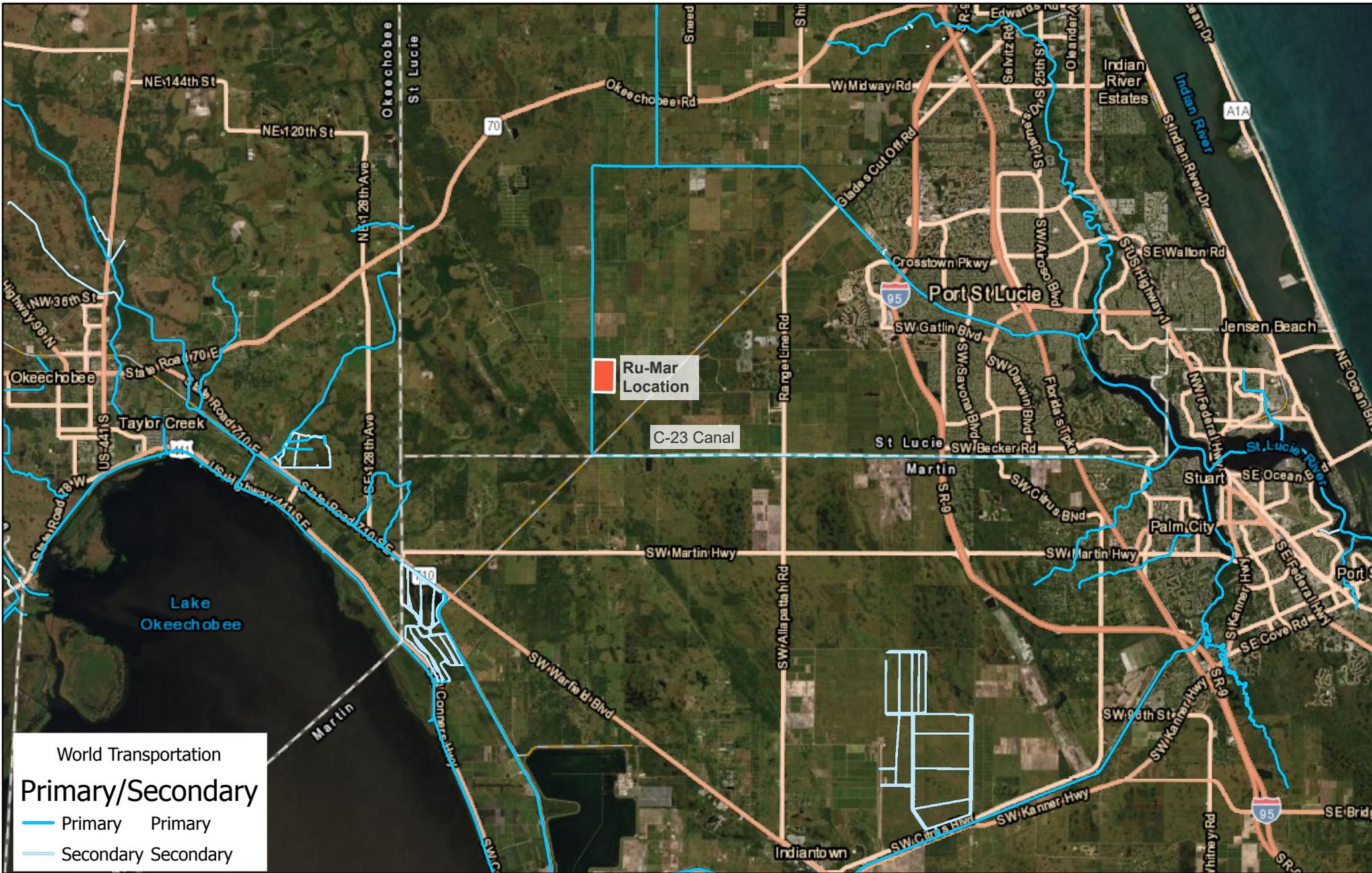
**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATERMANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby authorizes the Executive Director to enter into a grant agreement with the Florida Department of Environmental Protection and request reimbursement therefrom for the construction by Ru-Mar Inc., of an agricultural irrigation tailwater and stormwater recovery system in an amount not to exceed \$499,120.00.

**Section 2.** The Governing Board of the South Florida Water Management District hereby authorizes entering into a reimbursable grant agreement with Ru-Mar Inc., to complete the construction of an agricultural irrigation tailwater and stormwater recovery system in an amount not to exceed \$499,120.00.

**Section 3.** This Resolution shall take effect immediately upon adoption.

**PASSED and ADOPTED** this 14<sup>th</sup> day of April, 2022.

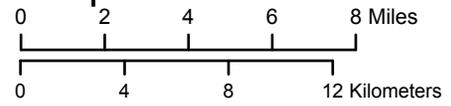


World Transportation  
**Primary/Secondary**  
 Primary Primary  
 Secondary Secondary

**Ru-Mar Location**

C-23 Canal

### Ru-Mar Map



South Florida Water Management District  
 3301 Gun Club Road, West Palm Beach, Florida 33406  
 561-686-8800; www.sfwmd.gov

**DISCLAIMER:**  
 This map is a conceptual or planning tool only. The South Florida Water Management District does not guarantee or make any representation regarding the information contained herein. It is not self-executing or binding, and does not affect the interests of any persons or properties, including any present or future right or use of real property and is exempt from public records disclosure and confidential under Section 119.071(3)(a)(1), Florida Statute.



## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Jill Creech, Regulation

**DATE:** April 14, 2022

**SUBJECT:** Denial of Application No. 210427-6032, a Minor Modification to Permit No. 49-00006-M for an Extension of the Construction Permit Duration for Lucky L Mitigation Bank

### **Agenda Item Background:**

The District issued Blue Water, LLC a Mitigation Bank Permit (Permit) on May 2, 2016, authorizing the construction of the Lucky L Mitigation Bank, located in Osceola County (Project). The Permit had a duration of five years, expiring May 2, 2021. On April 27, 2021, Blue Water LLC submitted a minor modification application requesting to extend the Permit's duration an additional five years pursuant to Chapter 62-330, Florida Administrative Code.

District staff notified Blue Water, LLC that the Project does not meet the provisions for a permit extension as a minor modification and the application must be processed as a major modification. Staff provided Blue Water, LLC a list of additional information required to complete the application. In a letter dated February 25, 2022, Blue Water, LLC requested the application be deemed complete and agency action taken pursuant to Section 5.5.3.6 of the Environmental Resource Permit Applicant's Handbook Volume I. Blue Water, LLC also requested that if the proposed agency action is to deny, then the proposed action be referred to the Governing Board.

### **Core Mission and Strategic Priorities:**

### **Funding Source:**

### **Staff Contact and/or Presenter:**

Jill Creech, [jcreech@sfwmd.gov](mailto:jcreech@sfwmd.gov), 561-682-6814

### **ATTACHMENTS:**

[Backup Document](#)

CONSENT AGENDA TABLE OF CONTENTS  
REGULATORY ITEMS FOR GOVERNING BOARD ACTION  
April 14, 2022

**I DENIALS**

**PAGE**

OSCEOLA COUNTY

1

## REGULATION AGENDA ITEMS

**PERMIT DENIAL:** Those listed on the consent agenda are routine in nature and non-controversial. Such denials are typically due to failure of applicant to complete the application. Unique or controversial projects or those requiring a policy decision are normally listed as discussion items. Permit types include:

**Environmental Resource (ERP):** Permits that consider such factors as the storage of storm water to prevent flooding of a project (upstream or downstream projects); the treatment of stormwater prior to discharge from the site to remove pollutants; and the protection of wetlands on the project site.

**Surface Water Management:** Permits for drainage systems, which address flood protection, water quality, and environmental protection of wetlands.

**Water Use:** Permits for the use of ground and/or surface water from wells, canals, or lakes.

**Lake Okeechobee Works of the District:** Permits that set concentration limits for total phosphorus in surface discharge from individual parcels in the Lake Okeechobee Basin.

**EAA Works of the District:** Permits to reduce the total phosphorus load from the EAA by 25 percent in water discharged to Works of the District.

**Wetland Resource:** Permits for dredge and fill activities within Waters of the State and their associated wetlands.

**ADMINISTRATIVE HEARING:** A case in litigation conducted pursuant to the Administrative Procedures Act (Chapter 120, Florida Statutes) involving the determination of a suit upon its merits. Administrative hearings provide for a timely and cost effective dispute resolution forum for interested persons objecting to agency action.

**FINAL ORDER:** The Administrative Procedures Act requires the District to timely render a final order for an administrative hearing after the hearing officer submits a recommended order. The final order must be in writing and include findings of fact and conclusions of law.

**CONSENT ORDER:** A voluntary contractual agreement between the District and a party in dispute which legally binds the parties to the terms and conditions contained in the agreement. Normally used as a vehicle to outline the terms and conditions regarding settlement of an enforcement action.

**CONSERVATION EASEMENT:** A perpetual interest to the District in real property that retains land or water areas in their existing, natural, vegetative, hydrologic, scenic, open or wooded condition and retains such areas as suitable habitat for fish, plants, or wildlife in accordance with Section 704.06, F.S.

**TECHNICAL DENIAL:** This action normally takes place when a proposed project design does not meet water management criteria or the applicant does not supply information necessary to complete the technical review of an application.

**EMERGENCY ORDER and AUTHORIZATION:** An immediate final order issued without notice by the Executive Director, with the concurrence and advice of the Governing Board, pursuant to (Section 373.119(2), Florida Statutes, when a situation arises that requires timely action to protect the public health, safety or welfare and other resources enumerated by rule and statute.

**MEMORANDUM OF AGREEMENT/UNDERSTANDING:** A contractual arrangement between the District and a named party or parties. This instrument typically is used to define or explain parameters of a long-term relationship and may establish certain procedures or joint operating decisions.

**PETITION:** An objection in writing to the District, requesting either a formal or an informal administrative hearing, regarding an agency action or a proposed agency action. Usually a petition filed pursuant to Chapter 120, Florida Statutes, challenges agency action, a permit, or a rule. Virtually all agency action is subject to petition by substantially affected persons.

**SEMINOLE TRIBE WORK PLAN:** The District and the Seminole Indians signed a Water Use Compact in 1987. Under the compact, annual work plans are submitted to the District for review and approval. This plan keeps the District informed about the tribe plans for use of their land and the natural resources. Although this is not a permit, the staff has water resource related input to this plan.

**SITE CERTIFICATIONS:** Certain types of projects (power plants, transmission lines, etc.) are permitted by the Governor and Cabinet under special one-stop permitting processes that supercede normal District permits. The Water Management Districts, DEP, DCA, FGFWFC, and other public agencies are mandatory participants. DEP usually coordinates these processes for the Governor and Cabinet.

**VARIANCES FROM, OR WAIVERS OF, PERMIT CRITERIA:** The Florida Administrative Procedures Act provides that persons subject to an agency rule may petition the agency for a variance from, or waiver of, a permitting rule. The Governing Board may grant a petition for variance or waiver when the petitioner demonstrates that 1) the purpose of the underlying statute will be or has been achieved by other means and, 2) when application of the rule would create a substantial hardship or would violate principles of fairness.

DENIALS

OSCEOLA COUNTY

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1. LUCKY L MITIGATION BANK  
BLUE WATER LLC

APPL. NO. 210427-6032  
PERMIT NO. 49-00006-M

PERMIT TYPE: MITIGATION

ACREAGE: 1191.88  
LAND USE: MITIGATION

PRIMARY ISSUES:

The District issued Blue Water, LLC a Mitigation Bank Permit (Permit) on May 2, 2016, authorizing the construction of the Lucky L Mitigation Bank, located in Osceola County (Project). The Permit had a duration of five years, expiring May 2, 2021. On April 27, 2021, Blue Water LLC submitted a minor modification application requesting to extend the Permit's duration an additional five years pursuant to Chapter 62-330, Florida Administrative Code. District staff notified Blue Water, LLC that the Project does not meet the provisions for a permit extension as a minor modification and the application must be processed as a major modification. Staff provided Blue Water, LLC a list of additional information required to complete the application. In a letter dated February 25, 2022, Blue Water, LLC requested the application be deemed complete and agency action taken pursuant to Section 5.5.3.6 of the Environmental Resource Permit Applicant's Handbook Volume I. Blue Water, LLC also requested that if the proposed agency action is to deny, then the proposed action be referred to the Governing Board.

LAST DATE FOR BOARD ACTION: APRIL, 2022

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# SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Regulation Division

April 4, 2022

*Delivered via email*

Matthew Ehrhard  
Blue Water, LLC  
2053 Indian Summer Lane  
Vero Beach, FL 32963

**CERTIFIED MAIL NO. 7021 0950 0001 7961 0688**

Subject: **Referral to Governing Board for Final Agency Action - Denial**  
Lucky L Mitigation Bank  
Application No. 210427-6032 / Permit Number: 49-00006-M  
Osceola County

References: Section 5.5.3.5 Environmental Resource Permit Applicant's Handbook,  
Volume I (AH Vol. I); Section 120, Florida Statutes (F.S.)

Dear Mr. Ehrhard:

On September 9, 2021, the South Florida Water Management District (District) notified you that additional information was required to complete the processing of your application and that if a complete response was not provided within 90 days the application would be processed for denial, in accordance with Section 5.5.3.5 of AH Vol. I.

On February 25, 2022, you requested that the minor modification application referenced above be deemed complete and the District's Governing Board take final agency action pursuant to Section 5.5.3.6 of the AH. Vol I. Therefore, this matter will be presented to the District's Governing Board at its meeting on **April 14, 2022**, at 9:00 a.m. at the District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406. Enclosed is a copy of the District's staff report recommending denial of the minor modification application referenced above. The staff report will be provided to the Board members for their review.

If you have any questions or require additional assistance, please contact Lisa Prather at (407) 858-6100 ext. 3818 or via email at [lprather@sfwmd.gov](mailto:lprather@sfwmd.gov).

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a "Notice of Rights" has been mailed to the addressee this 4<sup>th</sup> day of April, 2022 in accordance with Section 120.60(3), F.S.

Sincerely,



Melissa M. Lawrence, P.E.  
Bureau Chief, Environmental Resource Bureau  
South Florida Water Management District

Attachment: Notice of Rights  
Draft Staff Report

cc: Vivian.Gerena, Project Manager, Mitigation Bank Team, USACOE (E-Mail)  
John Lesman, Bio-Tech Consulting Inc. (E-mail)  
John Fumero, Nason Yeager (E-Mail)

**South Florida Water Management District  
Mitigation Bank Permit No. 49-00006-M**

**Date Issued:** May 2, 2016

**Project Name:** Lucky L Mitigation Bank

**Permittee:** Blue Water LLC  
2053 Indian Summer Lane  
Vero Beach, FL 32963

**Operating Entity:** Blue Water LLC  
2053 Indian Summer Lane  
Vero Beach, FL 32963

**Location:** Osceola County

**Permit Acres:** 1191.88 acres

**Conservation Easement to District:** Yes

**Project Summary**

Denial of an application for a minor modification to Mitigation Bank Permit No. 49-00006-M (Permit), which was issued on May 2, 2016, and authorized the construction and operation of a 1,191.88-acre mitigation bank known as Lucky L Mitigation Bank, located in Osceola County.

**Current Request (Application No. 210427-6032)**

The minor modification application requests a 5-year time extension to the construction phase of the Permit pursuant to Rule 62-330.320(6), Florida Administrative Code (Fla. Admin. Code).

**Staff Comments/Reasons for Denial**

Blue Water LLC (permittee) requested a minor modification pursuant to Rules 62-330.320(6)(a) and 62-330.315(2)(a), Fla. Admin. Code, to extend the construction phase of the Permit beyond the initial 5 years from the date of issuance. Rule 62-330.320(6)(a), Fla. Admin. Code, allows for a modification to extend the duration of the construction phase of an individual permit if the extension request is received in writing by the Agency before the expiration of the construction phase, and the permitted activity remains consistent with plans, terms, and conditions of the permit. If the modification does not cause the permitted activity to become inconsistent with the plans, terms, and conditions

of the permit, then Rule 62-330.315(2)(a), Fla. Admin. Code, allows for the construction phase of a permit to be extended by up to five years as a minor modification.

The permittee's request does not meet the requirements for a minor modification extension. The permittee chose to delay the construction aspects of the project past the original 5-year permit duration due to a desire to align work schedule activities with the federal review process. Now the permittee's request to extend the construction phase beyond the initial five years will cause the project to be inconsistent with the permitted work schedule and UMAM analysis. For the project to remain consistent with the permitted plans, terms, and conditions the permittee must modify the project's work schedule, UMAM analysis, and financial assurance mechanisms to account for the delay in construction of the bank. These changes must be processed as a major modification pursuant to the factors established in Section 6.2.1 of the Environmental Resource Permit Applicant's Handbook Volume I (AH. Vol. I). Additionally, Rule 62-330.315(2)(a), Fla. Admin. Code, which allows for minor modifications to extend a permit duration, does not apply because the permittee is requesting to extend the construction phase of the permit beyond the five-year extension period. Such a request must be processed as a major modification.

Despite receiving a Request for Additional Information (RAI) requesting the information necessary to process the application as a major modification, the permittee requested that the minor modification application be deemed complete, and the District take final agency action as provided for in Section 5.5.3.6 of the AH. Vol. I.

Because the permittee has failed to submit the necessary information to appropriately extend the construction phase beyond the initial five years, the permittee's application for a minor modification must be denied pursuant to Rules 62-330.320(6)(a) and 62-330.315(2)(a), Fla. Admin. Code, and Section 6.2.1 of the AH. Vol. I.

### **Changes Necessary to Address Reasons for Denial**

The District has determined that the following changes to the application may enable the District to grant the permittee's request for an extension of the construction phase of the permit via a major modification:

- 1.) Provide the appropriate processing fee as noted in the District's September 9, 2021 Request for Additional Information. [62-330.071 F.A.C.]
- 2.) Update the financial assurance mechanism as requested in the District's September 9, 2021 Request for Additional Information. [62-342.700 F.A.C.]
- 3.) Provide a revised UMAM analysis that accounts for the additional time being requested to implement the mitigation strategies. [62-345.600 F.A.C.]

## NOTICE OF RIGHTS

As required by Chapter 120, Florida Statutes, the following provides notice of the opportunities which may be available for administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, or judicial review pursuant to Section 120.68, Florida Statutes, when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Some of the legal proceedings detailed below may not be applicable or appropriate for your situation. You may wish to consult an attorney regarding your legal rights.

### **RIGHT TO REQUEST ADMINISTRATIVE HEARING**

A person whose substantial interests are or may be affected by the South Florida Water Management District's (District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which affects or may affect their substantial interests shall file a petition for hearing in accordance with the filing instructions set forth herein within 21 days of receipt of written notice of the decision unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, posting, or publication that the District has taken or intends to take final agency action. Any person who receives written notice of a District decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action that materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Florida Statutes, shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The District may grant the request for good cause. Requests for extension of time must be filed with the District prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and whether the District and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

### **FILING INSTRUCTIONS**

A petition for administrative hearing must be filed with the Office of the District Clerk. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at the District's headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.

- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the District's security desk does not constitute filing. It will be necessary to request that the District's security officer contact the Office of the District Clerk. An employee of the District's Clerk's office will receive and process the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at [clerk@sfwmd.gov](mailto:clerk@sfwmd.gov). The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document.

### **INITIATION OF AN ADMINISTRATIVE HEARING**

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the District in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other District identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner, petitioner's attorney or qualified representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the District's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the District's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the District to take with respect to the District's proposed action.

### **MEDIATION**

The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401-.405, Florida Administrative Code. The District is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

### **RIGHT TO SEEK JUDICIAL REVIEW**

Pursuant to Section 120.68, Florida Statutes, and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final District action may seek judicial review of the District's final decision by filing a notice of appeal with the Office of the District Clerk in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the appropriate district court of appeals via the Florida Courts E-Filing Portal.

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Jennifer Smith and Julia Lomonico, Office of Counsel

**DATE:** April 14, 2022

**SUBJECT:** Governing Board Concurrence on Emergency Orders 2022-013-DAO and 2022-014-DAO, and Termination Order 2022-015-DAO, and any additional Termination Orders

### **Agenda Item Background:**

**SFWMD 2022-013-DAO Emergency Authorization Temporarily Closing the Corkscrew Regional Ecosystem Watershed Project Lands Flint Pen Strand Unit Due to Wildfires** To prepare for and respond to wildfires within the Flint Pen Strand Unit of the Corkscrew Regional Ecosystem Watershed Project, the District issued Emergency Order 2022-013-DAO. This Order closed the Flint Pen Strand Unit for public access until further ordered by the District to ensure the health, safety, and welfare of the community due to the dangerous conditions caused by the wildfires.

**SFWMD 2022-014-DAO Emergency Authorization for Temporary Burn Ban on District Lands in Lee, Collier and Hendry Counties due to Dry Conditions and Imminent Danger of Wildfires** District rules permit fires on District lands in fireplaces, fire rings, grills and portable campstoves. See Rule 40E-7.537(29), F.A.C. On April 1, 2022, the Executive Director issued an Emergency Final Order, Order No. 2022-014-DAO, temporarily limiting fires on District lands to grills and portable campstoves based upon a finding that a serious threat to the public health, safety, and welfare, natural resources and recreational use of District lands subject to Chapter 40E-7, Part V, F.A.C., in Lee, Collier and Hendry Counties existed due to severe drought conditions and imminent danger of wildfires.

**SFWMD 2022-015-DAO Order Terminating Emergency Authorization made pursuant to SFWMD Order No. 2022-013-DAO temporarily closing the Corkscrew Regional Ecosystem Watershed Project Lands Flint Pen Strand Unit Due to Wildfires** This Order terminates the emergency authorization and re-opens the area since dangerous conditions no longer exist. The wildfires have been extinguished and the area has received additional rainfall.

This item requests the Governing Board's concurrence with issuance of Emergency Orders 2022-013-DAO and 2022-014-DAO, and Termination Order 2022-015-DAO, in compliance with Section 373.119(2), Florida Statutes, and any additional termination orders.

### **Core Mission and Strategic Priorities:**

### **Funding Source:**

### **Staff Contact and/or Presenter:**

Jennifer Smith, [jsmith@sfwmd.gov](mailto:jsmith@sfwmd.gov), 561-682-6285  
Julia Lomonico, [jlomonic@sfwmd.gov](mailto:jlomonic@sfwmd.gov), 561-682-6210

**ATTACHMENTS:**

[2022-013-DAO Emergency Order](#)

[2022-014-DAO Emergency Order](#)

[2022-015-DAO Termination Order](#)

4:41 pm Mar 29, 2022

SOUTH FLORIDA  
WATER MANAGEMENT DISTRICT

*MIS*

STATE OF FLORIDA  
SOUTH FLORIDA WATER MANAGEMENT DISTRICT

In Re:

ORDER NO. 2022-013-DAO

EMERGENCY AUTHORIZATION  
TEMPORARILY CLOSING THE  
CORKSCREW REGIONAL ECOSYSTEM  
WATERSHED PROJECT LANDS FLINT  
PEN STRAND UNIT DUE TO WILDFIRES

EMERGENCY FINAL ORDER

Pursuant to Sections 120.569(2)(n), 373.016, 373.119(2), and 373.1391 of the Florida Statutes ("F.S.") and Rule 40E-7.523 of the Florida Administrative Code ("F.A.C."), the South Florida Water Management District ("SFWMD") enters this Order temporarily closing the Flint Pen Strand Unit of the Corkscrew Regional Ecosystem Watershed ("CREW") project lands due to imminent danger of wildfires.

FINDINGS OF FACT

1. The Flint Pen Strand Unit of the CREW is located within Lee and Collier counties and is within SFWMD's jurisdiction.
2. Local public safety entities and the Florida Division of Forestry have worked to contain and eliminate wildfires in CREW Lands, including Flint Pen Strand, since Saturday, March 26, 2022.
3. Current weather conditions are dry, breezy, and favorable to additional wildfires.
4. Wildfires pose an immediate danger to the lives and property of persons within the Flint Pen Strand Unit.

5. In preparation for the dangerous conditions caused by the wildfires, it is necessary to close the Flint Pen Strand Unit to protect the public health, safety, and welfare.

6. The SFWMD finds that the actions authorized under this Order are narrowly tailored to address the immediate need for action and are procedurally fair under the circumstances.

7. The SFWMD finds that an emergency authorization is required to implement immediate action to prevent or ameliorate dangers to the public health, safety, and welfare.

#### **ULTIMATE FACTS AND CONCLUSIONS OF LAW**

8. Pursuant to 40E-7.523(3)(a), F.A.C., Section 373.119(2) F.S., and Section 120.569(2)(n), F.S, the SFWMD may temporarily close SFWMD managed lands under certain circumstances, including, "[w]hen necessary during emergency conditions such as floods, severe weather events, or wildfire dangers for public safety and the protection of natural resources." Such closures are subject to the approval of SFWMD's Executive Director and the concurrence of its Governing Board.

9. Based on the above findings of fact, and to protect the public's immediate health, safety, and welfare interests, it is both reasonable and appropriate to close the Flint Pen Strand Unit immediately.

**THEREFORE, IT IS ORDERED** that:

10. Effective immediately, the Flint Pen Strand Unit is closed for public access until further ordered by SFWMD.

11. Failure to comply with the terms of this Order shall constitute a violation of a SFWMD Final Order under Chapter 373, F.S., and enforcement proceedings may be brought in any appropriate administrative or judicial forum.

**NOTICE OF RIGHTS**

Any party substantially affected by this Order has the right to seek judicial review under Section 120.68, F.S., by filing a written notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the SFWMD at 3301 Gun Club Road, West Palm Beach 33406, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days after this Order is filed with the Clerk of the SFWMD.

**DONE AND ORDERED** on this 29<sup>th</sup> day of March, in West Palm Beach, Florida.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT



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Drew Bartlett  
Executive Director

**STATE OF FLORIDA  
SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

**In re:**

**SFWMD ORDER NO. 2022-014-DAO**

EMERGENCY AUTHORIZATION FOR  
TEMPORARY BURN BAN ON DISTRICT  
LANDS SUBJECT TO CHAPTER 40E-7,  
Part V, F.A.C., IN LEE, COLLIER AND  
HENDRY COUNTIES DUE TO DRY  
CONDITIONS AND IMMINENT DANGER OF  
WILDFIRES

**RECEIVED  
DISTRICT CLERK'S OFFICE**

10:29 am Apr 1, 2022

**SOUTH FLORIDA  
WATER MANAGEMENT DISTRICT**

*RB*

\_\_\_\_\_ /

**EMERGENCY FINAL ORDER**

The Executive Director of the South Florida Water Management District (“SFWMD”) enters this Emergency Final Order (“Order”) under sections 120.569(2)(n), 373.016, 373.119(2), and 373.1391, Florida Statutes (“Fla. Stat.”), in response to the imminent danger of wildfires due to dry windy weather conditions, and out of concern for the threat to the public health, safety, and welfare of the citizens of the State of Florida, natural resources, and recreational use of SFWMD Lands.<sup>1</sup>

**FINDINGS OF FACT**

1. South Florida is experiencing extremely dry conditions and the current weather outlook calls for the threat of fire to remain high in south Florida through the end of fire season in June.

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<sup>1</sup> “SFWMD Lands” shall mean “any real property in which the District has an interest and is limited to Management Areas, Stormwater Treatment Areas, Impoundment Areas, Right of Way, and vacant undesignated lands” Fla. Admin. Code r. 40E-7.521(6).

2. As of March 27, 2022, 1,049 wildfires have burned 55,481 acres in Florida this year.

3. The danger of additional wildfires will increase dramatically if dry conditions persist.

4. Collier County and adjacent Hendry County, both within the SFWMD's jurisdiction, have established burn bans.

5. The building or maintaining of fires for recreational purposes in fireplaces and fire rings provided by the SFWMD on SFWMD Lands open to the public, as provided for under Chapter 40E-7.537(9), F.A.C., could result in additional wildfires. Therefore, the SFWMD finds that the building or maintaining of fires in fireplaces and fire rings on SFWMD Lands in current weather conditions threatens the public health, safety and welfare, natural resources, and recreational use of SFWMD Lands.

6. Immediate action is necessary to prevent or ameliorate dangers to the public health, safety and welfare, natural resources, and recreational use of the SFWMD Lands posed by the increased risk of wildfires during the current dry weather conditions and SFWMD finds that an emergency authorization is required to address the need for immediate action.

7. A Notice of Rights is attached hereto as Exhibit "A".

### **CONCLUSIONS OF LAW**

8. The Executive Director of SFWMD is authorized to issue emergency orders with concurrence of the Governing Board by sections 120.569(2)(n) and 373.119(2), Fla. Stat., and to immediately employ any remedial means necessary to meet the emergency when immediate action is necessary to protect public health, safety, or welfare.

9. Based on the findings recited in this Order and pursuant to Section 373.119(2), Fla. Stat., it is hereby concluded that the current dry conditions and increased risk of wildfires threatens the public health, safety, and welfare, natural resources, and recreational use of the Subject Lands, thereby requiring SFWMD to issue an immediate order (i) extending the prohibitions of Rule 40E-7.537(9), Fla. Admin. Code, to include fireplaces and fire rings provided by the District on SFWMD Lands, and (ii) limiting the use of portable campstoves and grills provided by the users and grills on SFWMD Lands for cooking only in order to protect the public health, safety, and welfare, natural resources and recreational use of SFWMD Lands.

### **ORDER**

Based upon the above Findings of Fact and Conclusions of Law, the Executive Director orders that:

10. The building or maintaining of fires in fireplaces and fire rings provided by SFWMD or other authorized management agencies on SFWMD Lands located in Lee, Collier, and Hendry Counties otherwise allowed under Rule 40E-7.537(9), Fla. Admin. Code, is hereby prohibited until this Order is rescinded.

11. The use of portable campstoves and grills on SFWMD Lands located in Lee, Collier, and Hendry Counties subject to Chapter 40E-7, Part V, Fla. Admin. Code, is allowed for cooking purposes only.

12. Failure to comply with the terms of this Order shall constitute a violation of a SFWMD Final Order under Chapter 373, Fla. Stat., and enforcement proceedings may be brought in any appropriate administrative or judicial forum.

13. This Order shall take effect immediately upon execution by the Executive Director of the SFWMD and shall remain in effect until rescinded by the Executive Director or the Governing Board of the SFWMD.

**DONE AND SO ORDERED** in West Palm Beach, Florida, on this 1 day of April, 2022.

SOUTH FLORIDA WATER  
MANAGEMENT DISTRICT  
By its Executive Director



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DREW BARTLETT  
Executive Director

3:38 pm Apr 7, 2022

SOUTH FLORIDA WATER MANAGEMENT DISTRICT  
3301 Gun Club Road  
West Palm Beach, Florida

SOUTH FLORIDA  
WATER MANAGEMENT DISTRICT



IN THE MATTER OF:

SFWMD ORDER NO. 2022-015-DAO

TERMINATING EMERGENCY  
AUTHORIZATION MADE PURSUANT  
TO SFWMD ORDER NO. 2022-013-DAO  
MADE NECESSARY BY WILDFIRES

\_\_\_\_\_ /

**ORDER TERMINATING EMERGENCY AUTHORIZATION  
TEMPORARILY CLOSING THE CORKSCREW REGIONAL ECOSYSTEM  
WATERSHED PROJECT LANDS FLINT PEN STRAND UNIT DUE TO WILDFIRES**

The South Florida Water Management District enters this Order terminating Emergency Order No. 2022-013-DAO, which authorized temporarily closing the Flint Pen Strand Unit of the Corkscrew Regional Ecosystem Watershed ("CREW") project lands due to imminent danger or wildfires.

**FINDINGS OF FACT**

1. On March 29, 2022, the Executive Director issued Emergency Final Order No. 2022-013-DAO ("Order"). The Order was based upon a finding that a serious threat to the public health, safety, and welfare existed due to the immediate danger to the lives and property of persons within the Flint Pen Strand Unit due to wildfires.
2. The wildfires on Flint Pen Strand Unit lands have been extinguished and the area has received additional rainfall.
3. The Executive Director has determined that an immediate danger to the public health and safety or other substantial loss to the public no longer exists.

## **ULTIMATE FACTS AND CONCLUSIONS OF LAW**

4. Section 373.119(2), Florida Statutes, authorizes the Executive Director to issue emergency authorizations whenever the Executive Director finds that an emergency exists requiring immediate action to protect the public health, safety, or welfare.

5. Based upon the findings above, the Executive Director concludes that because the serious threat to the public health, safety, and welfare from the immediate danger of wildfire within the Flint Pen Strand Unit no longer exists, the Emergency Order temporarily closing the Flint Pen Strand Unit should be terminated as of 5:00pm, Friday, April 8, 2022.

### **ORDER**

#### **THEREFORE, IT IS ORDERED:**

That Emergency Order No. 2022-013-DAO is terminated as of 5:00pm, Friday, April 8, 2022.

### **NOTICE OF RIGHTS**

Any party substantially affected by this Order has the right to seek judicial review of it under section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the SFWMD at 3301 Gun Club Road, West Palm Beach, Florida 33406, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this Order is filed with the Clerk of the SFWMD.

**DONE AND ORDERED** on this 7<sup>th</sup> day of April 2022, in West Palm Beach,  
Florida.

SOUTH FLORIDA WATER  
MANAGEMENT DISTRICT

By:   
\_\_\_\_\_  
Drew Bartlett  
Executive Director

## MEMORANDUM

**TO:** Governing Board Members  
**FROM:** Duane Piper, Information Technology  
**DATE:** April 14, 2022  
**SUBJECT:** Microwave Radio Replacement Project

### **Agenda Item Background:**

The microwave network is a critical component of the District's Flood Control Operations. The Microwave Radio Replacement Project is an ongoing capital project to upgrade the aging microwave radios that provide wide area network connectivity to remote locations. This project began in Fiscal Year 2019 and is scheduled to be completed in Fiscal Year 2023.

These microwave radios service the District by transporting remote control, monitoring and data collection for major water control structures, pumps, and thousands of sensors.

In August 2019, the Governing Board approved a request to issue multiple purchase orders to Aviat US, Inc. in amount of \$6,300,613. This request is to increase the amount by \$1,692,533 for a revised total of \$7,993,146 to complete the project. This increase is the result of including the antenna systems in the Aviat purchases in order to work through a single vendor which ensures support and guaranteed uptime requirements. These purchase orders will be issued using the National Association of State Procurement Officials Value Point Master Agreement Number 05715 for Public Safety Communication Equipment and Services. This contract was competed by another government agency.

### **Core Mission and Strategic Priorities:**

### **Funding Source:**

### **Staff Contact and/or Presenter:**

Duane Piper, dpiper@sfwmd.gov, 561-682-2150

### **ATTACHMENTS:**

[Resolution No. 2022-0407](#)

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2022 - 04XX**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize increasing the amount to issue multiple purchase orders to Aviat US, Inc. for the Microwave Radio Replacement Project equipment using the National Association of State Procurement Officials Value Point Master Agreement Number 05715 for Public Safety Communication Equipment and Services in the amount of \$1,692,533 for a revised total of \$7,993,146 for which Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2022-2023 budget; providing an effective date. (Purchase Order Number 4500134282)**

**WHEREAS**, the District needs to upgrade the aging microwave radios that provide network connectivity to remote locations; and

**WHEREAS**, the District will issue multiple purchase orders through a special procurement using the National Association of State Procurement Officials Value Point Master Agreement Number 05715 for Public Safety Communication Equipment and Services; and

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to approve increasing the amount for issuing multiple purchase orders to Aviat US, Inc. for the Microwave Radio Replacement Project equipment by \$1,692,533 for a revised total of \$7,993,146

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby authorizes increasing the amount to issue multiple purchase orders to Aviat US, Inc. for the Microwave Radio Replacement Project equipment using the National Association of State Procurement Officials Value Point Master Agreement Number 05715 for Public Safety Communication Equipment and Services. (Purchase Order Number 4500134282)

**Section 2.** This Resolution shall take effect immediately upon adoption.

**PASSED and ADOPTED** this 14<sup>th</sup> day of April, 2022.

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Duane Piper, Information Technology

**DATE:** April 14, 2022

**SUBJECT:** Google Subscription Agreement

### **Agenda Item Background:**

The District's scientific staff produces over 377 reports and spends approximately 4,000 hours per year on manual processes including searching, downloading, cataloging, and storing disparate data sets. The District requires a federated system with advanced visualization and trend analysis capability to communicate surface and groundwater, and meteorological data in an interactive and efficient manner. Google Earth Engine and Climate Engine can provide this federated system. This system will deliver insights focused on historical analysis, current and near real-time monitoring, and future predictions to understand and react to risks and identify opportunities to build resilience and sustainability.

This request is to issue a purchase order to Carahsoft Technology Corporation for a 1-year Google Subscription Agreement with three 1-year renewal options and 1-time implementation services, using the National Association of State Procurement Officials Value Point Master Agreement Number 43230000-NASPO-16-ACS in the amount of \$1,103,036 for the first year which includes the subscription service and implementation, and then an annually recurring amount of \$511,753 for the subscription service only. The 4-year total is \$2,638,295. This contract was competed by another government agency.

### **Core Mission and Strategic Priorities:**

### **Funding Source:**

### **Staff Contact and/or Presenter:**

Duane Piper, [dpiper@sfwmd.gov](mailto:dpiper@sfwmd.gov), 561-682-2150

### **ATTACHMENTS:**

[Resolution No. 2022-0408](#)

## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

### Resolution No. 2022 - 04XX

**A Resolution of the Governing Board of the South Florida Water Management District to authorize issuing a purchase order to Carahsoft Technology Corporation for a 1-year Google Subscription Agreement with three 1-year renewal options and 1-time implementation services, using the National Association of State Procurement Officials Value Point Master Agreement Number 43230000-NASPO-16-ACS in the amount of \$2,638,295 for which \$1,103,036 in dedicated funds (State Grant) and/or Ad Valorem funds are budgeted in Fiscal Year 2021-2022 and the remainder is subject to Governing Board approval of future years budgets; providing an effective date. (Purchase Order 4500134638)**

**WHEREAS**, the District needs a federated system to communicate surface and groundwater, and meteorological data in an interactive and efficient manner; and

**WHEREAS**, the District obtained these services through a special procurement using the National Association of State Procurement Officials Value Point Master Agreement Number 43230000-NASPO-16-ACS; and

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to approve issuing a purchase order to Carahsoft Technology Corporation for a one-year Google Subscription Agreement with three one-year renewal options and one-time implementation services in the amount of \$2,638,295.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby authorizes issuing a purchase order to Carahsoft Technology Corporation for a 1-year Google Subscription Agreement with three 1-year renewal options and 1-time implementation services, using the National Association of State Procurement Officials Value Point Master Agreement Number 43230000-NASPO-16-ACS. (Purchase Order 4500134638)

**Section 2.** The Governing Board of the South Florida Water Management District hereby authorizes the Executive Director or his designee to enter into a grant agreement with the Florida Department of Environmental Protection and to request distribution, transfer, release, advance, or reimbursement of funds for a federated system to communicate surface and groundwater, and meteorological data in an interactive and efficient manner.

**Section 3.** This Resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED** this 14<sup>th</sup> day of April, 2022.

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Duane Piper, Information Technology

**DATE:** April 14, 2022

**SUBJECT:** SAP Technical Resources

### **Agenda Item Background:**

SAP technical resources are high salaried and difficult to hire and retain as full-time employees. In lieu of full-time positions, the SAP Solution Center uses staff augmentation services for SAP S/4HANA technical resources. These resources provide SAP S/4 expertise to design, configure, and implement SAP business support solutions. Information Technology is in the process of moving the District's Human Resource operations to Ultimate Kronos Group (UKG) and these resources will support the connection of UKG human resources data back to SAP S/4HANA allowing the finance, budget, and project management modules to continue to function as currently configured. In addition to providing daily operational support, these resources will assist with this software implementation.

This request is to amend Purchase Order Number 4500121605 with Digital Intelligence Systems LLC by increasing the amount by \$319,800 for a revised purchase order total of \$1,014,600 for SAP technical resources, using the State of Florida Information Technology Staff Augmentation Services Contract Number 80101507-21-STC-ITSA. This contract was competed by another government agency.

### **Core Mission and Strategic Priorities:**

### **Funding Source:**

### **Staff Contact and/or Presenter:**

Duane Piper, dpiper@sfwmd.gov, 561-682-2150

### **ATTACHMENTS:**

[Resolution No. 2022-0409](#)

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2022 - 04XX**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to Purchase Order Number 4500121605 with Digital Intelligence Systems LLC by increasing the amount of the purchase order by \$319,800 for a revised purchase order total of \$1,014,600 for SAP technical resources, using the State of Florida Information Technology Staff Augmentation Services Contract Number 80101507-21-STC-ITSA, of which \$121,400 in Ad Valorem funds are budgeted in Fiscal Year 2021-2022 and the remainder is subject to Governing Board approval of future years budgets; providing an effective date. (Purchase Order No. 4500121605)**

**WHEREAS**, Information Technology requires technical expertise for SAP S/4HANA; and

**WHEREAS**, the District obtained this purchase order through a special procurement using the State of Florida Information Technology Staff Augmentation Services Contract Number 80101507-21-STC-ITSA; and

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize an amendment to Purchase Order 4500121605 with Digital Intelligence Systems LLC by increasing the purchase order by \$319,800.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby authorizes an amendment to Purchase Order Number 4500121605 with Digital Intelligence Systems LLC by increasing the amount of the purchase order for SAP technical resources, using the State of Florida Information Technology Staff Augmentation Services Contract Number 8010507-21-STC-ITSA. (Purchase Order Number 4500121605)

**Section 2.** This Resolution shall take effect immediately upon adoption

**PASSED** and **ADOPTED** this 14<sup>th</sup> day of April, 2022.

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Alan Shirkey, Ecosystem Restoration & Capital Projects

**DATE:** April 14, 2022

**SUBJECT:** RS-G341 Conveyance Improvement Phase 1: Bolles East (L16) Canal Conveyance Improvements - Segment 5 Project, Palm Beach County

### **Agenda Item Background:**

As part of the Restoration Strategies Program, the G-341 Bolles Canal Improvements Project improves the flow capacity of the Bolles East (L-16) Canal from the Hillsboro Canal to the North New River Canal. The project will provide the District with additional operational flexibility, providing a means to move stormwater east and west within the Everglades Agricultural Area, improving the efficiency of the Stormwater Treatment Areas and helping the District to achieve its water quality goals. Segment 5 consists of the western portion of this canal, including two bridged areas. Prior Governing Board resolutions authorized construction of Segments 1 through 4. This is the last segment required to complete canal improvements and the last construction award required to meet Restoration Strategies Construction Consent Order dates.

The lowest responsive and responsible bidder is recommended for award. In accordance with District policy and consistent with state law for Request for Bids procurements, this item was competitively bid through a sealed bid process.

### **Core Mission and Strategic Priorities:**

The RS-G341 Conveyance Improvement Phase 1: Bolles East (L16) Canal Conveyance Improvements – Segment 5 Project supports the District’s core mission of ecosystem restoration by increasing the District’s ability to effectively treat stormwater prior to discharging it into the Water Conservation Areas.

### **Funding Source:**

### **Staff Contact and/or Presenter:**

Alan Shirkey, ashirkey@sfwmd.gov; 561-682-2579

### **ATTACHMENTS:**

[Resolution No. 2022-0410](#)

[Backup Document](#)

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2022 - 04XX**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 529-day contract with Forgen, LLC, the lowest responsive and responsible bidder, for the RS-G-341 Conveyance Improvement Phase 1: Bolles East (L16) Canal Conveyance Improvements - Segment 5 Project, in the amount of \$7,307,200, of which \$2,000,000 in dedicated funds (Land Acquisition Trust Fund and Everglades Trust Fund) and Ad Valorem funds are budgeted in Fiscal Year 2021-2022 and the remainder is subject to Governing Board approval of future years budgets; providing an effective date. (Contract No. 4600004592)**

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize entering into a 529-day contract with Forgen, LLC, the lowest responsive and responsible bidder for RS-G341 Conveyance Improvement Phase 1: Bolles East (L16) Canal Conveyance Improvements - Segment 5 Project, in the amount of \$ 7,307,200.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby authorizes entering into a 529-day contract with Forgen, LLC for the RS-G341 Conveyance Improvement Phase 1: Bolles East (L16) Canal Conveyance Improvements - Segment 5 Project, in the amount of \$7,307,200. (Contract No. 4600004592)

**Section 2.** This Resolution shall take effect immediately upon adoption

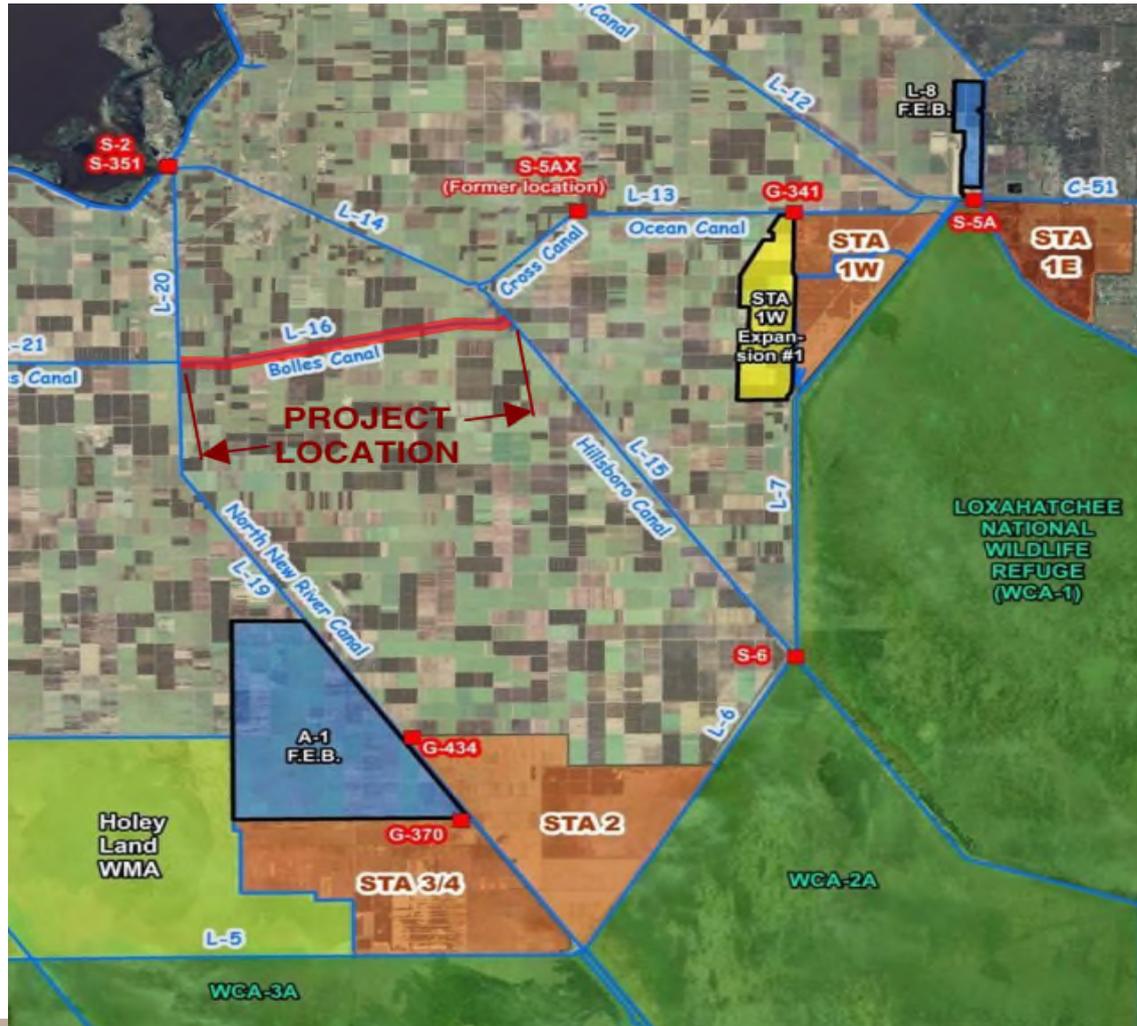
**PASSED and ADOPTED** this 14<sup>th</sup> day of April, 2022.

# G-341 CONVEYANCE IMPROVEMENTS PHASE 1: BOLLES EAST (L16) CANAL IMPROVEMENTS – SEGMENT 5

Alan Shirkey, P.E.  
Bureau Chief, Engineering & Construction  
South Florida Water Management District  
Governing Board Meeting  
April 14, 2022

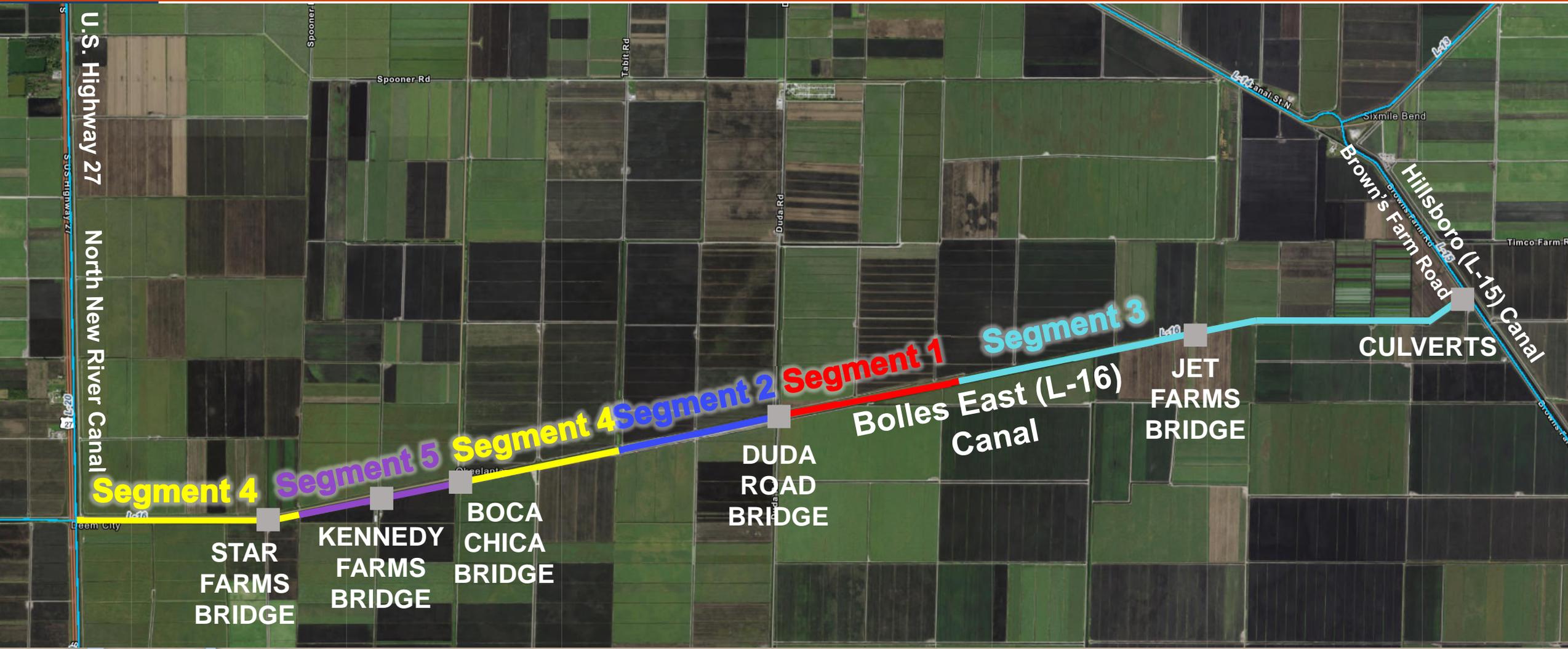


# Project Location



- Part of the Restoration Strategies Program
- Last construction project in the consent order
- Canal improvements include:
  - ~ 9 miles of increased canal capacity
  - 5 Bridge replacements to open up flow obstructions

# Project Segments Map





# Scope

- Deepening and widening of the L-16 Bolles Canal, approximately 1.2 miles
- Construct largest possible cross-section within R-O-W
- Cross-section equivalent to 60' bottom width at Elev. -5.0 feet
- Replace impacted farm ditches & roads outside R-O-W
- Relocation of existing electrical services
- Demolition and construction of new bridges for Kennedy Farms and Star Farms

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Alan Shirkey, Ecosystem Restoration & Capital Projects

**DATE:** April 14, 2022

**SUBJECT:** S2, S3, S4, S7 and S8 Monitoring Panels

### **Agenda Item Background:**

As part of the Operations and Maintenance Capital Improvement Program, the S2, S3, S4, S7 and S8 Monitoring Panels project will upgrade or replace all pump engine monitoring panels in these five pump stations with modern and standardized equipment to implement new shutdown triggers. All five pump stations are being included in one project to ensure there is consistency for the monitoring panel and equipment repairs for the pump stations. This will reduce operations and maintenance costs by limiting the spare parts inventory and required knowledge base for maintenance staff.

The S2, S3, S7 and S8 pump stations were built in the 1950s and S4 was built in 1975. The pump engine monitoring panels and equipment are outdated and at the end of their useful service life. The pump engine monitoring equipment malfunctions on occasion when the pumps are operational. This is potentially detrimental to the pump engines as the vital signs of the pump engines are not properly displayed or shown on the monitoring equipment panels. The manufacturer is unable to supply spare parts for the existing monitoring equipment due to their age and salvaged parts are getting increasingly difficult to find.

The lowest responsive and responsible bidder is recommended for award. In accordance with District policy, and consistent with state law for Request for Bids procurements, this item was competitively bid through a sealed bid process.

### **Core Mission and Strategic Priorities:**

The S2, S3, S4, S7 and S8 Monitoring Panels Project supports the District's core mission of flood protection.

### **Funding Source:**

### **Staff Contact and/or Presenter:**

Alan Shirkey, ashirkey@sfwmd.gov; 561-682-2579

### **ATTACHMENTS:**

[Resolution No. 2022-0411](#)

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2022 - 04XX**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 1,272-day contract with Kiewit Infrastructure South Co., the lowest responsive and responsible bidder, for the S2, S3, S4, S7 and S8 Monitoring Panels Project, in the amount of \$16,877,000 of which \$1,000,000 in Ad Valorem funds are budgeted in Fiscal Year 2021-2022 and the remainder is subject to Governing Board approval of future years budgets; providing an effective date. (Contract No. 4600004593)**

**WHEREAS**, the Governing Board of South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize entering into a 1,272-day contract with Kiewit Infrastructure South Co., the lowest responsive and responsible bidder, for the S2, S3, S4, S7 and S8 Monitoring Panels Project in the amount of \$16,877,000.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby authorizes entering into a 1,272-day contract with Kiewit Infrastructure South Co., the lowest responsive and responsible bidder, for the S2, S3, S4, S7 and S8 Monitoring Panels Project in the amount of \$16,877,000. (Contract No. 4600004593)

**Section 2.** This Resolution shall take effect immediately upon adoption

**PASSED and ADOPTED** this 14<sup>th</sup> day of April, 2022.

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Rosines Colon, Water Resources Division

**DATE:** April 14, 2022

**SUBJECT:** April 2022 Water Conservation Month

### **Agenda Item Background:**

April is normally the last month of South Florida's dry season and water needs are most acute, highlighting the importance of conserving water. Since 1998, the month of April has been proclaimed Water Conservation Month in Florida to increase awareness and promote efficient use of the state's diverse water resources. With this resolution, the District will join the Florida Section of the American Water Works Association, water management districts, local governments, and other organizations in supporting water conservation through the adoption of similar resolutions throughout Florida.

### **Core Mission and Strategic Priorities:**

This item supports the District's core mission and five year-strategic goals by fostering a water conservation ethic and promoting the efficient use of water to preserve water supplies to meet existing and future water needs. Conservation measures and the efficient use of water is less expensive than developing alternative water supplies.

### **Funding Source:**

### **Staff Contact and/or Presenter:**

Jim Harmon, [jharmon@sfwmd.gov](mailto:jharmon@sfwmd.gov), 561-682-6777

### **ATTACHMENTS:**

[Resolution No. 2022-0412](#)

[Water Conservation Programs](#)

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2022 – 04XX**

**A Resolution of the Governing Board of the South Florida Water Management District proclaiming April as Water Conservation Month; providing an effective date.**

**WHEREAS**, the South Florida Water Management District (District) continues in its commitment to promote the overall water conservation goal of the State of Florida by preventing and reducing wasteful, uneconomical, impractical and unreasonable use of water resources and by supporting programs that employ water saving technology and education programs that cultivate a strong water conservation ethic; and

**WHEREAS**, this effort is consistent with the efforts of the Water Use Efficiency Division of the Florida Section of the American Water Works Association; and

**WHEREAS**, the District is implementing a Comprehensive Water Conservation Program to promote a lasting ethic throughout its 16 counties; and

**WHEREAS**, the District consistently promotes water conservation by establishing educational networks, developing water wise guidelines, providing grant funds, disseminating water conservation information, participating in statewide partnerships, and advocating water management practices which sustain reductions in per capita water use compatible with economic growth; and

**WHEREAS**, for the past 24 years, the month of April has been proclaimed as Water Conservation Month in Florida by the Florida Section of the American Water Works Association to increase awareness of and promote efficient use of our state's diverse water resources; the District is continuing this tradition with a renewed spirit and enthusiasm; and

**WHEREAS**, the District is again taking the opportunity to raise additional conservation awareness by designating April, which is typically the last month of Florida's dry season when water needs are most acute, as Water Conservation Month to educate consumers about the need for conservation and the ways in which they can help save the state's precious water resources; and

**WHEREAS**, droughts and water shortages serve as a reminder that Florida's water resources, no matter how diverse, are precious and finite; and

**WHEREAS**, all water users including commercial, industrial, agricultural, recreational, institutional, hospitality, private citizens and others can make positive contributions to reduce water use and protect Florida's vital water resources.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby proclaims April 2022 as **WATER CONSERVATION MONTH** and

**Section 2.** The Governing Board of the South Florida Water Management District urges every citizen and visitor to become more aware of the need to save our precious water supply and to take appropriate measures to conserve and protect this vital natural resource.

**Section 3.** This Resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED** this 14<sup>th</sup> day of April, 2022.

# District Water Conservation Programs

## 2020 and 2021 Cost-Share Funding Program (Water Conservation)

- Water saving hardware and technology
- 24 conservation projects
- ~\$2.1 million budgeted
- Estimated 963 million gallons per year (2.64 mgd) saved
- FDEP funding for FY22 Projects pending allocation

## Year-Round Irrigation Ordinance Initiative

- 155 counties and local municipalities in SFWMD
- 79 have an acceptable year-round irrigation ordinance
- 17 local governments working to adopt and 21 reviewing our model ordinances

## Florida Water Star<sup>SM</sup>

- Statewide voluntary certification program
- Increased water efficiency for new homes, commercial properties, and communities
  - Landscape – right plants and reduced percent turf
  - Irrigation – micro-irrigation and reduced high volume
  - Indoor fixtures – water efficient
- 20% indoor and 40% outdoor water savings over traditional construction

## Florida Water CHAMP<sup>SM</sup>

- Water Conservation Hotel and Motel Program (CHAMP)
- Voluntary recognition program for hotel and lodging facilities
- Saves water through education, changes in laundry operations and conservation devices (aerators)
- Savings up to 20 gallons of water/room/night

## Florida-Friendly Landscaping (FFL)

- Voluntary recognition program through University of Florida – IFAS and local extension offices
- Nine FFL principles provide guidance on plant selection and care, proper irrigation and fertilizer applications, mulching, pest management, planting for waterway protection, proper use and care of lawn or turf space, and the reduction of stormwater runoff.

## Education and Outreach (2021)

- Over 35,800 followers on the District's social media channels (Facebook, Twitter, Instagram and LinkedIn)
- Over 8,600 website visitors to the District's water conservation webpage
- Approximately 1,200 materials distributed
- 243 speaking engagements

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Sky Notestein, Water Resources Division

**DATE:** April 14, 2022

**SUBJECT:** Notice of Proposed Rule and Rule Adoption, Rule 40E-2.091, Florida Administrative Code, and the incorporated Applicant's Handbook for Water Use Permit Applications to Establish and Amend Consumptive Use Permitting Criteria to Protect the Water Made Available by the Loxahatchee River Watershed Restoration Project

### **Agenda Item Background:**

Staff seeks Governing Board approval to publish a Notice of Proposed Rule and adopt rules to amend and establish consumptive use permitting criteria to protect water made available by the Loxahatchee River Watershed Restoration Project (LRWRP). The proposed rule amends the existing Lower East Coast Regional Water Availability criteria (LEC Rule) and corresponding permit duration criteria to include the several LRWRP project components not presently covered by the LEC Rule. The proposed rule also establishes criteria for the upper Floridan aquifer system groundwater associated with the project's aquifer storage and recovery wells.

If approved, a Notice of Proposed Rule will be published in the Florida Administrative Register on April 22, 2022. Provided no material changes are made and no request for public hearing is timely received, staff anticipates rule adoption in June 2022.

### **Core Mission and Strategic Priorities:**

#### **Additional Background:**

As part of the Comprehensive Everglades Restoration Plan (CERP), the Water Resources Development Act (WRDA) of 2020 authorized the LRWRP. The LRWRP is a component of the recovery strategy for the minimum flow established for the Northwest Fork of the Loxahatchee River. The authorized LRWRP will improve the quantity, quality, timing, and distribution of freshwater flow to the Northwest Fork utilizing three flow-way components that store excess freshwater currently lost to tide (via the Southwest Fork).

Section 601 of WRDA 2000 requires the State to protect water made available for the natural system by CERP projects from allocation to consumptive uses. Legal protection of the water is required before the South Florida Water Management District (District) and the U.S. Army Corps of Engineers (USACE) may execute a Project Partnership Agreement (PPA) to cost-share the construction of CERP project features. The District is fulfilling these requirements by amending water use permitting criteria for the existing LEC Rule to protect the water made available by the LRWRP for the Northwest Fork of the Loxahatchee River.

### **Core Mission and Strategic Priorities:**

The District included this rulemaking effort in its 2021 Priority Water Body List and Schedule that the Governing Board and Florida Department of Environmental Protection approved. The

processes to establish legal protection of water for the LRWRP are part of the District's core mission and strategic priorities to protect natural systems.

**Funding Source:**

District staff resources will be used to complete the rulemaking activities.

**Staff Contact and/or Presenter:**

Sky Notestein, snotestein@sfwmd.gov, 561-682-2750

Seán Sculley, ssculley@sfwmd.gov, 561-682-6109

**ATTACHMENTS:**

[Draft Rule](#)

## NOTICE OF PROPOSED RULE

NAME OF AGENCY

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RULE NO.: RULE TITLE:

40E-2.091 Publications Incorporated by Reference

**PURPOSE AND EFFECT:** To establish and amend existing consumptive use permitting criteria to protect water made available by the Loxahatchee River Watershed Restoration Project (LRWRP), a component of the Comprehensive Everglades Restoration Plan (CERP). The proposed rule amends the Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District (Applicant's Handbook) to amend the existing Lower East Coast Regional Water Availability criteria (LEC Rule) and corresponding permit duration to include the several LRWRP project components not presently covered by the LEC Rule. The proposed rule also establishes criteria for the upper Floridan aquifer system groundwater associated with the project's aquifer storage and recovery (ASR) wells.

**SUMMARY:** Amend the Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District to provide water resource protection for the LRWRP. The proposed amendments to the Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District and the Technical Document Supporting Rulemaking to Protect Water Made Available by the Loxahatchee River Watershed Restoration Project are available on the District's website at: <https://www.sfwmd.gov/doing-business-with-us/rules>.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The District determined the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein:

The District completed the Governor's Office of Fiscal Accountability and Regulatory Reform (OFARR) form "Is a SERC Required?" and prepared a summary of the proposed rule

amendments, both of which are available upon request. Based on the completed “Is a SERC Required?” form and the District’s summary and analysis performed to prepare and complete said documents, the proposed rule amendment does not require legislative ratification pursuant to subsection 120.541(3), F.S.

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

RULEMAKING AUTHORITY (formerly “Specific Authority”): [373.044](#), [373.113](#), [373.171](#), [373.216 FS](#)

LAW IMPLEMENTED: [373.042](#), [373.0421](#), [373.083](#), [373.109](#), [373.196](#), [373.219](#), [373.223](#), [373.224](#), [373.229](#), [373.232](#), [373.233](#), [373.236](#), [373.239](#), [373.250 FS](#)

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: June 9, 2022, beginning at 9:00 a.m.

PLACE: South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:

Natalie Kraft, Lead Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401; telephone: (561) 682-2196; email: [nkraft@sfwmd.gov](mailto:nkraft@sfwmd.gov).

THE FULL TEXT OF THE PROPOSED RULE IS:

**40E-2.091 Publications Incorporated by Reference.**

(1) The “Applicant’s Handbook for Water Use Permit Applications within the South Florida Water Management District – \_\_\_\_\_ [effective date] \_\_\_\_\_ ~~March 21, 2021~~” (<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>) is incorporated by reference herein.

(2) The following forms and materials are referenced in the “Applicant’s Handbook for Water Use Permit Applications within the South Florida Water Management District – March 21, 2021” (<http://www.flrules.org/Gateway/reference.asp?No=Ref-12731>) and are incorporated herein:

(a) through (i) No Change.

(j) Subsections referenced in Section 3.3.6 of the “Environmental Resource Permit Applicant’s

Handbook, Volume I (General and Environmental)", (December 22, 2020 ~~June 1, 2018~~) incorporated by reference in paragraph 62-330.010(4)(a), F.A.C., as follows:

1. through 9. No Change.

(3) through (4) No Change.

*Rulemaking Authority 373.044, 373.113, 373.118, 373.171, 373.216 FS. Law Implemented 373.042, 373.0421, 373.083, 373.109, 373.196, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239, 373.250 FS. History—New 9-3-81, Formerly 16K-2.035(1), Amended 2-24-85, 11-21-89, 1-4-93, 4-20-94, 11-26-95, 7-11-96, 4-9-97, 12-10-97, 9-10-01, 12-19-01, 8-1-02, 6-9-03, 8-31-03, 4-23-07, 9-13-07, 2-13-08, 10-14-08, 7-2-09, 3-15-10, 3-18-10, 9-26-12, 10-23-12, 7-21-13, 7-14-14, 7-16-14, 9-7-15, 1-31-21, 3-21-21,\_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE: Sean P. Sculley, SNR, PE, Chief,  
Applied Sciences Bureau

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: South Florida Water  
Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 14, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December  
21, 2021

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Candida Heater, Director, Administrative Services Division

**DATE:** April 14, 2022

**SUBJECT:** Monthly Financial Statement – February 28, 2022

This report provides an overview of the District's unaudited financial activity for Fiscal Year 2021-2022, including revenue collections, expenditures and encumbrances made against the \$1.9 billion current budget, including a \$710.6 million encumbrance carryforward from Fiscal Year 2020-2021. The carryforward is predominantly planning, design and construction of large restoration projects funded by state sources. Encumbrances represent orders for goods and services which have not yet been received. Attached is a summary in the State Program format in compliance with Section 373.536(4)(e), Florida Statutes, which states that each District shall provide a monthly financial statement in the form and manner prescribed by the Department of Financial Services to the District's Governing Board and make such monthly financial statement available for public access on its website.

**Summary of Revenue Sources** - New operating revenue collected (excluding prior year reserves) totals **\$385.4 million**. Including reserves, the total Fiscal Year 2021-2022 revenue sources collected were 42.6% of budget or **\$793.2 million**.

- Taxes collected in the amount of \$272.3 million or 90.1% were distributed to the District through the Tax Collectors within the District's 16 counties. Compared to the five-year average of 89.5%, as of the end of February, tax collections are 0.6% above trend at this time in the fiscal year. The total amount of Ad Valorem the District levied was \$303.6 million and was discounted to \$291.5 million for budgeting purposes.
- Intergovernmental revenues of \$92.2 million were recognized as of the end of February. Intergovernmental revenues are comprised of local, state, and federal sources with the majority being allocated by the Florida Legislature for Everglades Restoration construction projects. Specific funding sources include Save Our Everglades Trust Fund, Land Acquisition Trust Fund, General Revenue, Florida Fish and Wildlife Conservation Commission, Natural Resources Conservation Service and U.S. Army Corps of Engineers federal cost share of transferred projects. Most of these revenues are received through reimbursement requests submitted monthly or quarterly based on actual expenses incurred.
- Interest on Invested Funds of \$1.9 million was recognized as of the end of February. Last year, at this time, \$1.1 million was recognized.
- License and Permit Fees of \$2.7 million have been received, including \$747,608 from Lake Belt mitigation fees, \$72,117 from Corkscrew Mitigation Bank, \$1.5 million from environmental resource permits, and \$220,000 from water use permits.

- Other budgeted revenues of \$16.3 million received include leases, sale of District property and revenue supporting District self-insured programs:
  - \$1.2 million in rock mining royalties have been collected and \$2.5 million in lease revenues, for a total of \$3.7 million. The timing of revenues received is based on the fee schedules within the agreements.
  - \$239,542 has been collected from cash discounts refunded from prior year expenditures, civil penalties, enforcement fees, and sale of recycled oil and scrap metal.
  - \$306,549 from the sale of District property has been received.
  - \$12 million in revenues recognized through the end of February for the District's self-insured programs. This includes District funding as well as premiums paid by employees, retirees, and COBRA participants.

**Summary of Expenditure and Encumbrance** - the District has spent **\$316 million** and has encumbered **\$859.4 million** of its budget. The District has obligated (encumbrances plus expenditures) **\$1.2 billion** of its budget.

- **Water Resources Planning and Monitoring Program** includes water supply and other water resources planning, development of minimum flows and levels and technical assistance (including local and regional plan and program review). District regional water supply plans for each planning area address the unique resources and needs of specific regions – Lower West Coast, Upper and Lower East Coast, Upper and Lower Kissimmee Basin. District work includes research, data collection, modeling, environmental monitoring, and assessment activities that support various regulatory-driven mandates/agreements and comply with federal and state-issued permits for all restoration projects. Of the \$72.9 million budgeted for this program, the District has obligated \$35.2 million: \$19.5 million expended and \$15.7 million encumbered.
- **Land Acquisition, Restoration and Public Works Program** includes the acquisition, planning, design, engineering, and construction of all restoration projects unique to the District including Kissimmee River Restoration Project, Northern Everglades, and Estuaries Protection Program (NEEPP), Everglades Forever Act (EFA), Critical Restoration, Comprehensive Everglades Restoration Plan (CERP) and Restoration Strategies (RS). This category also includes water resource development and water supply assistance projects, water control projects and cooperative projects. Of the \$1.3 billion budgeted for this program, the District has obligated \$915.3 million: \$188.3 million expended and \$727 million encumbered.
- **Operation and Maintenance of Lands and Works Program** includes all operation and maintenance of facilities, flood control and water supply structures, lands, and other works authorized by Chapter 373, Florida Statutes. The District operates and maintains a multi-purpose water management system comprised of approximately 2,179 miles of canals and 2,131 miles of levees/berms, 89 pump stations, 918 water control structures and weirs, and 621 project culverts, throughout the Central and Southern Florida (C&SF) Project, Big Cypress Basin system, Storm Water Treatment Areas (STA's), CERP, NEEPP and RS completed projects. Of the \$452.9 million budgeted for this program, the District has obligated \$191.6 million: \$79.9 million expended and \$111.7 million encumbered.
- **Regulation Program** includes water use permitting, water well construction permitting, water well contractor licensing, environmental resource and surface water management permitting,

permit administration and enforcement, and any delegated regulatory program. Additional regulatory enforcement activities include the Southern and Northern Everglades Nutrient Source Control Program, and the Everglades Long-Term Plan, which mandates the implementation of Best Management Practices (BMP) programs in the Everglades Construction Project (ECP) and non-ECP Basins for the Southern Everglades. Of the \$22.7 million budgeted for this program, the District has obligated \$8.6 million: \$8.2 million expended and \$0.4 million encumbered.

- **Outreach Program** includes all environmental education activities, such as water conservation campaigns and water resource education; public information activities; activities relating to local, regional, state, and federal governmental affairs; and all public relations activities, including public service announcements and advertising in any media. Of the \$1.3 million budgeted for this program, the District has obligated \$531,735: \$525,981 is expended and \$5,755 is encumbered.
- **District Management and Administration** includes all Governing and Basin Board support, executive support, management information systems, and general counsel, ombudsman, human resources, budget, finance, audit, risk management, and administrative services. Additionally, this program includes property appraiser, tax collector & self-insurance fees in support of district and basin activities. Of the \$44.5 million budgeted for this program, the District has obligated \$24 million: \$19.5 million expended and \$4.5 million encumbered.

We hope this report will aid in understanding the District's financial condition as well as expenditure performance against the approved budget. If you have any questions, please feel free to contact me at (561) 682-6486.

CJH/MD

Attachment

**South Florida Water Management District**  
**Statement of Sources and Uses of Funds (Unaudited)**  
For the month ended: February 28, 2022. Percent of fiscal year completed: 41.7%

Sources	CURRENT BUDGET	Actuals Through February 2022	VARIANCE (UNDER) / OVER BUDGET	ACTUALS AS A % OF BUDGET
Taxes <sup>1</sup>	\$ 302,376,243	\$ 272,308,878	\$ (30,067,365)	90.1%
Intergovernmental	1,102,192,949	92,234,904	(1,009,958,045)	8.4%
Interest on Invested Funds	3,824,577	1,882,449	(1,942,128)	49.2%
Licenses Permits & Fees	3,589,000	2,656,034	(932,966)	74.0%
Other <sup>2</sup>	41,165,580	16,282,781	(24,882,799)	39.6%
<b>SUB-TOTAL OPERATING REVENUES</b>	<b>1,453,148,349</b>	<b>385,365,046</b>	<b>(1,067,783,303)</b>	<b>26.5%</b>
Reserves	407,832,514	407,832,514	-	100.0%
<b>Total Sources</b>	<b>\$ 1,860,980,863</b>	<b>\$ 793,197,560</b>	<b>\$ (1,067,783,303)</b>	<b>42.6%</b>

<sup>1</sup> Includes Ad Valorem and Agricultural Privilege Taxes.

<sup>2</sup> Includes Leases, Sale of District Property, and Self Insurance Premiums.

Uses	CONSUMABLE BUDGET	EXPENDITURES	ENCUMBRANCES <sup>3</sup>	AVAILABLE BUDGET	% EXPENDED	% OBLIGATED <sup>4</sup>
Water Resources Planning and Monitoring	\$ 72,935,487	\$ 19,526,298	\$ 15,734,644	\$ 37,674,545	26.8%	48.3%
Land Acquisition, Restoration and Public Works	1,266,668,456	188,345,349	726,978,718	351,344,390	14.9%	72.3%
Operation and Maintenance of Lands and Works	452,910,140	79,856,392	111,728,633	261,325,115	17.6%	42.3%
Regulation	22,697,239	8,215,492	370,622	14,111,125	36.2%	37.8%
Outreach	1,294,357	525,981	5,755	762,621	40.6%	41.1%
District Management and Administration	44,475,184	19,521,167	4,534,808	20,419,209	43.9%	54.1%
<b>Total Uses</b>	<b>\$ 1,860,980,863</b>	<b>\$ 315,990,678</b>	<b>\$ 859,353,179</b>	<b>\$ 685,638,355</b>	<b>17.0%</b>	<b>63.2%</b>

<sup>3</sup> Encumbrances represent unexpended balances of open purchase orders and contracts.

<sup>4</sup> Represents the sum of expenditures and encumbrances as a percentage of the current budget.

This unaudited financial statement is prepared as of February 28, 2022, and covers the interim period since the most recent audited financial statement.

**LAKE BELT MITIGATION COMMITTEE**  
**ANNUAL REPORT FOR 2021**

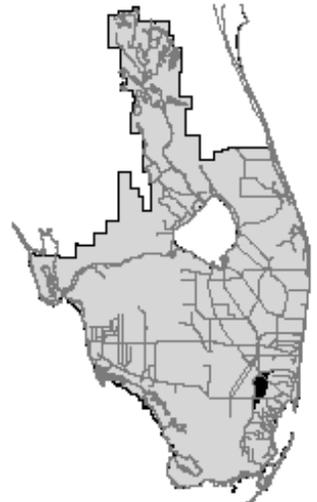
Submitted to the

GOVERNING BOARD

of the

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

In Accordance with Section 373.41492(8)(a), Florida Statutes



Lake Belt Mitigation Committee  
2021 Annual Report

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## **I. Background**

In 1999, the Florida Legislature established a mitigation fee on each ton of limerock and sand sold from the Miami-Dade County Lake Belt Area. The purpose of this fee is to provide for the mitigation of wetland resources lost to mining activities within this area.

The Legislature found that the impact of rock mining could best be offset by the implementation of a comprehensive mitigation plan, as recommended in the 1998 Progress Report to the Florida Legislature by the Miami-Dade County Lake Belt Plan Implementation Committee. Legislation was adopted in s. 373.4149(1), Florida Statutes (F.S.), authorizing the mitigation fee and governing its use.

The mitigation fee became effective on October 1, 1999 at the initial rate of 5.0 cents for each ton of limerock and sand sold. The fee applies to raw, processed, or manufactured limestone, cement, and concrete products. The mitigation fee is collected by the Florida Department of Revenue and deposited to a trust fund at the South Florida Water Management District (SFWMD). An interagency committee, referred to as the Lake Belt Mitigation Committee (Committee), must approve expenditures from the trust fund. Based on changes in mitigation projects and estimated costs, the Legislature revised the mitigation fee schedule in 2006, 2011, and 2015. The fee was 5.0 cents per ton in 2021.

Section 373.41492(8)(a), F.S., states: “the interagency committee established in this section shall annually prepare and submit to the governing board of the South Florida Water Management District a report evaluating the mitigation costs and revenues generated by the mitigation fee.”

Additional information on the Miami-Dade County Lake Belt Plan and the Mitigation Committee is available at the SFWMD web site <http://www.sfwmd.gov>. (The Lake Belt Mitigation Committee is one of the projects listed under the Our Work / Local Projects and Programs section of the SFWMD website.)

## **II. Legislative Guidance**

Pursuant to s. 373.41492(6)(a), F.S., mitigation fees may include the purchase, enhancement, restoration, and management of wetlands and uplands in the Everglades watershed, the purchase of mitigation credit from a permitted mitigation bank, and any structural modifications to the existing drainage system to enhance the hydrology of the Miami-Dade County Lake Belt Area or the Everglades watershed. Funds may also be used to reimburse other funding sources, including the Save Our Rivers Land Acquisition Program, the Internal Improvement Trust Fund, SFWMD, and Miami-Dade County. Section 373.41492, F.S. (Miami-Dade County Lake Belt Mitigation Plan; mitigation for mining activities within the Miami-Dade County Lake Belt) is attached in Appendix A.

### **III. Committee Representation**

The Lake Belt Mitigation Committee is authorized under s. 373.4149, F.S. Meetings are held on an as needed basis at locations determined by the Committee. All meetings are open to the general public and are held under requirements of Chapter 286.011, F.S.

The Lake Belt Mitigation Committee consists of following members:

#### **Voting Members:**

Florida Department of Environmental Protection (DEP)  
Ed Smith

South Florida Water Management District (SFWMD)  
Jennifer Reynolds (Committee Chair)  
Matthew Morrison, Alternate

Miami-Dade County Department of Regulatory and Economic Resources (DRER)  
Craig Grossenbacher  
Michael Spinelli

Florida Fish and Wildlife Conservation Commission (FWCC)  
Jason Hight  
Christine Raininger, Alternate

U.S. Army Corps of Engineers (USCOE)  
John Fellows  
Eve Huggins, Alternate

U.S. Environmental Protection Agency (USEPA)  
Veronica Fasselt  
Becky Allenbach, Alternate

U.S. Fish and Wildlife Service (USFWS)  
Robert Progulske (Committee Vice Chair)

#### **Non-Voting Member:**

Miami-Dade Limestone Products Association (MDLPA)  
Jeff Rosenfeld  
Bill Baker, Alternate

## IV. Committee Administration

**Accounting** - The available balance in the Lake Belt Mitigation Trust Fund as of December 31, 2020 was \$33,901,960. During 2021, \$1,882,821 was transferred to the Trust Fund from the Florida Department of Revenue, \$195,621 was earned as Trust Fund investment income, and \$1,866 was earned as interest in the escrow account. During 2021, approved expenditures from the Trust Fund were \$7,162,469. Approved expenditures from the Trust Fund represent committed funds for projects approved by the Committee. The 2021 investment gains/losses were not available at the time of this report and will be included in the 2022 annual report. On December 31, 2021, the available balance in the Trust Fund was \$28,819,799.

Table 1 summarizes the mitigation fee deposits and investment income earned by the Lake Belt Mitigation Trust Fund for the period between 2000 and 2021. Between July 1, 2012 and July 1, 2015, the water treatment plant upgrade fee was deposited into the Lake Belt Mitigation Trust Fund subject to criteria specified in Section 373.41492(3)(b), F.S. (2012) The month-by-month financial statement for the Trust Fund is included in Appendix B. Appendix C shows the receipts / approved expenditures summary developed for the Committee. The Appendix includes expenditures / mitigation acres approved by the Committee during 2021, and summaries for the overall receipts / expenditures, the Abiaki Prairie restoration project, the water treatment plant fee deposits, and seepage project expenditures through the end of 2021.

**Table 1. Summary - Lake Belt Mitigation Trust Fund Cash Receipts**

Calendar Year	Mitigation Fee (\$/ton)	Rock Mining Mitigation Fee	Water Treatment Plant Upgrade Fee <sup>1</sup>	Investment Income	Total Fees & Income
2000	0.05	\$2,386,463		\$78,162	\$2,464,625
2001	0.053	\$2,227,895		\$167,611	\$2,395,506
2002	0.056	\$2,436,950		\$174,384	\$2,611,334
2003	0.058	\$2,761,957		\$205,836	\$2,967,793
2004	0.062	\$3,109,122		\$132,434	\$3,241,556
2005	0.066	\$3,344,232		\$200,189	\$3,544,421
2006	0.071	\$3,808,079		\$521,348	\$4,329,427
2007	0.12	\$4,989,649		\$934,092	\$5,923,741
2008	0.18	\$4,899,784		\$380,229	\$5,280,013
2009	0.24	\$4,349,570		\$234,641	\$4,584,211
2010	0.24	\$4,481,029		\$83,335	\$4,564,364
2011	0.252	\$4,740,963		\$122,561	\$4,863,524
2012	0.45	\$10,288,460	\$2,115,408	\$85,431	\$12,489,299
2013	0.45	\$14,439,993	\$4,813,331	(\$6,568)	\$19,246,756
2014	0.45	\$14,344,851	\$4,781,617	\$608,471	\$19,734,939
2015	0.45	\$14,921,010	\$2,237,946	\$366,129	\$17,525,085
2016	0.25	\$10,786,476		\$370,611	\$11,157,087
2017	0.15	\$6,241,310		\$783,432	\$7,024,742
2018	0.05	\$2,538,736		\$870,765	\$3,409,500
2019	0.05	\$2,028,406		\$2,273,585	\$4,301,991
2020	0.05	\$1,904,079		\$1,571,700	\$3,475,779
2021	0.05	\$1,882,821		\$197,487	\$2,080,309
<b>TOTAL</b>		<b>\$122,911,835</b>	<b>\$13,948,302</b>	<b>\$10,355,865</b>	<b>\$147,216,002</b>

<sup>1</sup> The water treatment plant upgrade fee during the period between 2012 and 2015 was 15 cents per ton.

**Mitigation Fee** – The initial mitigation fee calculation was based on many factors (values and functions of wetlands in the Pennsuco and mining areas, mitigation ratios, estimated mining rates, and acquisition, restoration, and long-term management costs of land in the Pennsuco). During 1999, an interagency team of economists calculated the rate of the fee and determined the most appropriate method for annually adjusting the fee. This approach was codified in statute. Based on changes in mitigation projects and estimated costs, the Legislature revised the mitigation fee schedule in 2006, 2011, and 2015. The fee was 5.0 cents per ton in 2021. The updated statute is included in Appendix A.

**Approved Expenditures** – Total expenditures approved in 2021 from the Lake Belt Mitigation Trust Fund were \$7,162,469. The different projects are discussed below and more detailed information on the expenditures and associated mitigation acres are included in Appendix C. There were no administrative costs associated with the operation of the Lake Belt Mitigation Committee in 2021.

## V. Committee Mitigation Activities

**Committee Activities** – In 2021, Committee activities included:

1. Consistent with the Committee’s December 2012 approval of the use of the Abiaki Prairie Restoration Project as a mitigation project for wetland impacts associated with the limestone mining activities in Lake Belt Region, the Committee approved the 2021 payment of \$7 million of funding for the Abiaki Prairie Restoration project (August 2021). The updated Abiaki Prairie project footprint, mitigation credits, and cost estimate were discussed with the Committee. The permitted project will result in 4,298 WRAP credits, at an updated estimated cost of \$35,300 per WRAP credit. The Committee approval authorized the award of 198.3 WRAP credits (793.2 Pennsuco-equivalent mitigation acres) for 2021. The Abiaki Prairie mitigation acres in Table 2 below have been updated to reflect the updated cost estimate. A summary of the updated Abiaki Prairie funding, acres, and mitigation credits is included in Appendix C.
2. There were no willing seller acquisitions in the Pennsuco wetlands in 2021.
3. In 2016, three additional miles of the L-31N seepage barrier project were constructed. The initial two miles of a 35-foot deep seepage barrier were constructed in 2012 on the berm between the SFWMD L-31N Canal and the adjacent levee, which borders Everglades National Park. Ongoing monitoring well and flowmeter data presented to the Committee indicate that the barrier is influencing water levels and reducing seepage from the Park into the L-31N Canal. In 2020, the Corps provided a concurrence letter agreeing that sufficient monitoring had been performed for the project and for a proposed 21.7 mitigation credit reduction (86.8 Pennsuco-equivalent mitigation acres) per the ground-water modeling information that was previously provided to the Committee. This reduction is reflected in the updated 2015 “Mitigation Acres” entry in Appendix C (page 1), which has been reduced from 4,599.8 to 4,513.0 mitigation acres (86.8 acre reduction). The Committee concurred with the cessation of monitoring for the project.
4. In 2016, gaps in 7.5 miles of the Dade-Broward Levee berm (which allowed flow of surface water from the Pennsuco wetlands) were repaired. In 2018, construction of the two proposed water control structures in Phase 2 of the Dade-Broward Levee improvements project was completed. Ongoing monitoring data presented to the Committee indicate that the upstream

portion of the Wellfield Protection Canal, which historically has drained the adjacent Pennsuco wetlands, now has higher water levels than the adjacent wetlands and is acting as a source of recharge for the wetlands (rather than a drain).

5. Approval of FY22 operation and maintenance cost for the new Dade-Broward Levee structures (\$13,179). It was discussed that SFWMD would provide an estimated cost for Committee approval every year.

6. Approval of estimated FY22 Lake Belt water quality monitoring costs (\$149,290).

7. An escrow account has been established to facilitate payment of contractors on Miami-Dade Limestone Products Association sponsored projects. \$1,866 of accrued interest was earned in the escrow account during FY21 and deposited back into the Trust Fund. The memo for the accrued interest is included in Appendix D.

**Mitigation Summary** - A summary of annual expenditures / mitigation acres approved by the Committee are included in Appendix C.

**Table 2. Lake Belt Mitigation Activities**

Year	Pennsuco Acquisition, Restoration, & Long-Term Management (Acres)	Pennsuco Restoration, & Long-Term Management <sup>2</sup> (Acres)	Other Projects <sup>4</sup> (Acres)	Abiaki Prairie <sup>5</sup> (Acres)	Adjustments <sup>3</sup> (Acres)	Committee Approved Mitigation Acres	Committee Approved Mitigation WRAP units <sup>1</sup>
2002	455.6	1240.6				1,075.9	269.0
2003	0	2134.8				1,067.4	266.9
2004	160.0				-0.5	159.5	39.9
2005	320.9					320.9	80.2
2006	142.4					142.4	35.6
2007	124.4					124.4	31.1
2008	10.0					10.0	2.5
2009	0	1708.0	100.0			954.0	238.5
2010	10.0		1549.0		-4.7	1,554.3	388.6
2011	20.0		600.0			620.0	155.0
2012				340.0		340.0	85.0
2013				906.4		906.4	226.6
2014	30.0			906.4		936.4	234.1
2015	5.0		2409.2	906.4		3,320.6	830.2
2016	59.7			566.4	-1.2	624.9	156.2
2017	1734.4	-1708.0		340.0	-0.1	1,220.3	305.1
2018				226.8	-0.1	226.7	56.7
2019				226.8	-0.1	226.7	56.7
2020	23.2			226.8	-0.1	249.9	62.5
2021				793.2	-0.1	793.1	198.3
<b>Total</b>	<b>3,095.6</b>	<b>3,375.4</b>	<b>4,658.2</b>	<b>5,439.2</b>	<b>-6.9</b>	<b>14,873.8</b>	<b>3,718.4</b>

Notes (Lake Belt Annual Report Table 5):

<sup>1</sup> Mitigation in terms of Pennsuco-equivalent mitigation acres (Lake Belt Mitigation Committee Annual Reports).

One Pennsuco-equivalent mitigation acre equals 0.25 WRAP units.

<sup>2</sup> The number of mitigation acres for restoration and long-term management is equal to one-half the number of actual treated acres (per Mitigation Committee decision). 1708 Pennsuco acres owned by Cemex were approved for treatment in 2009 and acquired in 2017.

<sup>3</sup> Mitigation adjustments (Lake Belt Annual Report Table 5B)

<sup>4</sup> 2009 Southern Glades project; 2010 Dade-Broward Levee 1500' setback restoration project; and 2011 & 2015 L-31N seepage management project

<sup>5</sup> Based on updated 2021 cost estimate and 2020 Corps permit mitigation units

Through 2021, the Committee has approved a total of 14,873.8 mitigation acres, which will result in the: 1) public acquisition, enhancement, and long-term management of 3,095.6 acres in Pennsuco; 2) enhancement and long-term management of an additional 3,375.4 acres in Pennsuco; 3) enhancement and long-term management of 1,549 acres adjacent to the Dade-Broward Levee; 4) acquisition, enhancement, and long-term management of 100 acres in the Southern Glades project area; 5) construction of a 5-mile seepage barrier to enhance the hydrology in Everglades National Park and 6) acquisition, enhancement, and long-term management of 1,998 acres (5,439 Pennsuco-equivalent acres) in the Abiaki Prairie Restoration project. The Abiaki Prairie acres reflect the 2021 project cost estimate and permitted mitigation credits.

The Mining Industry submits an Annual Lake Belt Report to the U.S. Army Corps of Engineers, Florida Department of Environmental Protection, and Miami-Dade County Department of Regulatory and Economic Resources. This report documents the changes in mining and wetland acreages, and summarizes the ecological balance between the wetland impacts and wetland mitigation funded through the Lake Belt Mitigation Committee. This information is summarized below in Table 3.

**Table 3. Lake Belt Mitigation/Mining Summary**

Year	Committee Approved Mitigation Acres <sup>1</sup>	Lake Belt Wetland Impacts In New Permit Areas (Acres)	Mitigation Needed to Offset Wetland Impacts (Acres) <sup>2</sup>	Annual Balance (Acres)	Cumulative Balance (Acres)	Cumulative Balance (WRAP units)
2002	1,075.9	34	85	990.9	990.9	247.7
2003	1,067.4	135	337.5	729.9	1,720.8	430.2
2004	159.5	87	217.5	-58.0	1,662.8	415.7
2005	320.9	87	217.5	103.4	1,766.2	441.6
2006	142.4	567	1417.5	-1,275.1	491.1	122.8
2007	124.4	9	22.5	101.9	593.0	148.3
2008	10.0	5	12.5	-2.5	590.5	147.6
2009	954.0	1	2.5	951.5	1,542.0	385.5
2010	1554.3	108	270	1,284.3	2,826.3	706.6
2011	620.0	134	335	285.0	3,111.3	777.8
2012	340.0	30	75	265.0	3,376.3	844.1
2013	906.4	114	285	621.4	3,997.7	999.4
2014	936.4	246	615	321.4	4,319.1	1,079.8
2015	3320.6	241	602.5	2,718.1	7,037.2	1,759.3
2016	624.9	244	610	14.9	7,052.1	1,763.0
2017	1220.3	261	652.5	567.8	7,619.9	1,905.0
2018	226.7	230	575	-348.3	7,271.6	1,817.9
2019	226.7	318	795	-568.3	6,703.3	1,675.8
2020	249.9	169	422.5	-172.6	6,530.7	1,632.7
2021	793.1	not yet available				
<b>Total</b>	<b>14,873.8</b>	<b>3,020</b>	<b>7,550.0</b>	<b>6,530.7</b>		

Notes (Lake Belt Annual Report Table 5A):

<sup>1</sup> Mitigation in terms of Pennsuco-equivalent mitigation acres (Lake Belt Mitigation Committee Annual Reports)

<sup>2</sup> Assumes 2.5 ratio utilized in State of Florida calculation of Lake Belt mitigation fee

Pursuant to s. 373.41492(7), F.S., the mitigation fee established by the Legislature “satisfies the mitigation requirements imposed under ss. 373.403-373.439 and any applicable county ordinance for loss of the value and functions from mining of the wetlands identified as rock mining supported and allowable areas of the Miami-Dade County Lake Plan adopted by s. 373.4149(1).” The mitigation fee calculation was based on many factors (values and functions of wetlands in the mining area and Pennsuco, estimated mining rates, land acquisition, restoration, and long-term management costs), and included the assumption that an estimated ratio of 2.5 mitigation acres: impact acres was needed to offset the loss of the values and functions of wetlands impacted in mining areas that were not permitted prior to the issuance of the Lake Belt permits in 2002. The wetland impact and offsetting mitigation information for the State and County permits are summarized in Table 3 and show a large positive mitigation acreage balance (6,531 acres through January 2021) due to the expedited mitigation being implemented by the Mitigation Committee. Through expedited mitigation, the Committee has been attempting to spend the mitigation fee on mitigation projects in the same year that the fee is collected, rather than at the slower rate anticipated in the original permit tables. As documented in the 2021 Lake Belt Annual Report, comparisons of the 2002 permit tables with the actual mitigation fee collections and mitigation funded during the first nineteen years of the permits indicate that the amount of actual mitigation fees and approved mitigation are much greater than were anticipated when the permits were issued in 2002.

The U.S. Army Corps of Engineers Lake Belt permits issued in 2010 included a different methodology for calculating mitigation requirements. The balance between the wetland mitigation and wetland impacts is calculated using the ecological value of the mitigation projects and the impacted wetland land use categories. The cumulative mitigation balance at the end of the 2021 Lake Belt Annual Report reporting period (through December 2020) was a positive 1,621 wetland units. In addition, an additional 793.2 acres of Pennsuco-equivalent mitigation (198.3 wetland units) was reported to the Corps in 2021. Therefore, the cumulative mitigation balance significantly exceeds the positive 100 unit balance identified in Special Condition #7 of the Corps permits. The Abiaki Prairie acres included in this mitigation balance reflect the 2021 project cost estimate and permitted mitigation credits.

## VI. Appendices

### APPENDIX A – Florida Statutes

#### **373.41492. Miami-Dade County Lake Belt Mitigation Plan; mitigation for mining activities within the Miami-Dade County Lake Belt.**

(1) The Legislature finds that the impact of mining within the rock mining supported and allowable areas of the Miami-Dade County Lake Belt Plan adopted by s. 373.4149(1) can best be offset by the implementation of a comprehensive mitigation plan. The Lake Belt Mitigation Plan consists of those provisions contained in subsections (2)-(8). The per-ton mitigation fee assessed on limestone sold from the Miami-Dade County Lake Belt Area and sections 10, 11, 13, 14, Township 52 South, Range 39 East, and sections 24, 25, 35, and 36, Township 53 South, Range 39 East, shall be used for acquiring environmentally sensitive lands and for restoration, monitoring, maintenance, and other environmental purposes. It is the intent of the Legislature that the per-ton mitigation fee not be a revenue source for purposes other than enumerated in this section. Further, the Legislature finds that the public benefit of a sustainable supply of limestone construction materials for public and private projects requires a coordinated approach to permitting activities on wetlands within Miami-Dade County in order to provide the certainty necessary to encourage substantial and continued investment in the limestone processing plant and equipment required to efficiently extract the limestone resource. It is the intent of the Legislature that the Lake Belt Mitigation Plan satisfy all local, state, and federal requirements for mining activity within the rock mining supported and allowable areas.

(2) To provide for the mitigation of wetland resources lost to mining activities within the Miami-Dade County Lake Belt Plan, effective October 1, 1999, a mitigation fee is imposed on each ton of limerock and sand extracted by any person who engages in the business of extracting limerock or sand from within the Miami-Dade County Lake Belt Area and the east one-half of sections 24 and 25 and all of sections 35 and 36, Township 53 South, Range 39 East. The mitigation fee is imposed for each ton of limerock and sand sold from within the properties where the fee applies in raw, processed, or manufactured form, including, but not limited to, sized aggregate, asphalt, cement, concrete, and other limerock and concrete products. The mitigation fee imposed by this subsection for each ton of limerock and sand sold shall be 25 cents per ton, beginning on January 1, 2016; 15 cents per ton beginning on January 1, 2017; and 5 cents per ton beginning on January 1, 2018, and thereafter. To pay for seepage mitigation projects, including groundwater and surface water management structures designed to improve wetland habitat and approved by the Lake Belt Mitigation Committee, and to upgrade a water treatment plant that treats water coming from the Northwest Wellfield in Miami-Dade County, a water treatment plant upgrade fee is imposed within the same Lake Belt Area subject to the mitigation fee and upon the same kind of mined limerock and sand subject to the mitigation fee. The water treatment plant upgrade fee imposed by this section for each ton of limerock and sand sold shall be 6 cents per ton, and the collection of this fee shall cease once the total amount of proceeds collected for this fee reaches the amount of the actual moneys necessary to design and construct the water treatment plant upgrade, as determined in an open, public solicitation process. The water treatment plant upgrade fee imposed by this section expires July 1, 2018. Any limerock or sand that is used within the mine from which the limerock or sand is extracted is exempt from the fees. The amount of the mitigation fee and the water treatment plant upgrade fee imposed under this section must be stated separately on the invoice provided to the purchaser

of the limerock or sand product from the limerock or sand miner, or its subsidiary or affiliate, for which the fee or fees apply. The limerock or sand miner, or its subsidiary or affiliate, who sells the limerock or sand product shall collect the mitigation fee and the water treatment plant upgrade fee and forward the proceeds of the fees to the Department of Revenue on or before the 20th day of the month following the calendar month in which the sale occurs. The proceeds of a fee imposed by this section include all funds collected and received by the Department of Revenue relating to the fee, including interest and penalties on a delinquent fee. The amount deducted for administrative costs may not exceed 3 percent of the total revenues collected under this section and may equal only those administrative costs reasonably attributable to the fee.

(3) The mitigation fee and the water treatment plant upgrade fee imposed by this section must be reported to the Department of Revenue. Payment of the mitigation and the water treatment plant upgrade fees must be accompanied by a form prescribed by the Department of Revenue.

(a) The proceeds of the mitigation fee, less administrative costs, must be transferred by the Department of Revenue to the South Florida Water Management District and deposited into the Lake Belt Mitigation Trust Fund.

(b) The proceeds of the water treatment plant upgrade fee, less administrative costs, must be transferred by the Department of Revenue to a trust fund established by Miami-Dade County, for the sole purpose authorized by paragraph (6)(a).

(4)(a) The Department of Revenue shall administer, collect, and enforce the mitigation and treatment plant upgrade fees authorized under this section in accordance with the procedures used to administer, collect, and enforce the general sales tax imposed under chapter 212. The provisions of chapter 212 with respect to the authority of the Department of Revenue to audit and make assessments, the keeping of books and records, and the interest and penalties imposed on delinquent fees apply to this section. The fees may not be included in computing estimated taxes under s. 212.11, and the dealer's credit for collecting taxes or fees provided for in s. 212.12 does not apply to the fees imposed by this section.

(b) In administering this section, the Department of Revenue may employ persons and incur expenses for which funds are appropriated by the Legislature. The Department of Revenue shall adopt rules and prescribe and publish forms necessary to administer this section. The Department of Revenue shall establish audit procedures and may assess delinquent fees.

(5) Each January 1, beginning January 1, 2010, through December 31, 2011, the per-ton mitigation fee shall be increased by 2.1 percentage points, plus a cost growth index. The cost growth index shall be the percentage change in the weighted average of the Employment Cost Index for All Civilian Workers (ecu 10001I), issued by the United States Department of Labor for the most recent 12-month period ending on September 30, and the percentage change in the Producer Price Index for All Commodities (WPU 00000000), issued by the United States Department of Labor for the most recent 12-month period ending on September 30, compared to the weighted average of these indices for the previous year. The weighted average shall be calculated as 0.6 times the percentage change in the Employment Cost Index for All Civilian Workers (ecu 10001I), plus 0.4 times the percentage change in the Producer Price Index for All Commodities (WPU 00000000). If either index is discontinued, it shall be replaced by its successor index, as identified by the United States Department of Labor.

(6)(a) The proceeds of the mitigation fee must be used to conduct mitigation activities that are appropriate to offset the loss of the value and functions of wetlands as a result of mining activities and to conduct water quality monitoring to ensure the protection of water resources within the Lake Belt Area. Such mitigation may include the purchase, enhancement, restoration, and management of wetlands and uplands in the Everglades watershed, the purchase of mitigation credit from a permitted mitigation bank, and any structural modifications to the existing drainage system to enhance the hydrology of the Miami-Dade County Lake Belt Area or the Everglades watershed. Funds may also be used to reimburse other funding sources, including the Save Our Rivers Land Acquisition Program, the Internal Improvement Trust Fund, the South Florida Water Management District, and Miami-Dade County, for the purchase of lands that were acquired in areas appropriate for mitigation due to rock mining and to reimburse governmental agencies that exchanged land under s. 373.4149 for mitigation due to rock mining. The proceeds of the water treatment plant upgrade fee deposited into the Lake Belt Mitigation Trust Fund shall be used solely to pay for seepage mitigation projects, including groundwater or surface water management structures designed to improve wetland habitat and approved by the Lake Belt Mitigation Committee. The proceeds of the water treatment plant upgrade fee which are transmitted to a trust fund established by Miami-Dade County shall be used to upgrade a water treatment plant that treats water coming from the Northwest Wellfield in Miami-Dade County. As used in this section, the terms “upgrade a water treatment plant” or “treatment plant upgrade” mean those works necessary to treat or filter a surface water source or supply or both.

(b) Expenditures of the mitigation fee must be approved by an interagency committee consisting of representatives from each of the following: the Miami-Dade County Department of Environmental Resource Management, the Department of Environmental Protection, the South Florida Water Management District, and the Fish and Wildlife Conservation Commission. In addition, the limerock mining industry shall select a representative to serve as a nonvoting member of the interagency committee. At the discretion of the committee, additional members may be added to represent federal regulatory, environmental, and fish and wildlife agencies.

(7) Payment of the mitigation fee imposed by this section satisfies the mitigation requirements imposed under ss. 373.403-373.439 and any applicable county ordinance for loss of the value and functions from mining of the wetlands identified as rock mining supported and allowable areas of the Miami-Dade County Lake Plan adopted by s. 373.4149(1). In addition, it is the intent of the Legislature that the payment of the mitigation fee imposed by this section satisfy all federal mitigation requirements for the wetlands mined.

(8)(a) The interagency committee established in this section shall annually prepare and submit to the governing board of the South Florida Water Management District a report evaluating the mitigation costs and revenues generated by the mitigation fee.

(b) No sooner than January 31, 2010, and no more frequently than every 2 years thereafter, the interagency committee shall submit to the Legislature a report recommending any needed adjustments to the mitigation fee, including the annual escalator provided for in subsection (5), to ensure that the revenue generated reflects the actual costs of the mitigation.

(9)(a) The Legislature finds that more than 1,000 water samples from quarry lakes and groundwater sources near the Northwest Wellfield have been analyzed without a single detection

of pathogens. The Legislature further finds that the best available science indicates that there is no connection between the quarry lakes in the Miami-Dade County Lake Belt and any potential need to upgrade the water treatment plant that receives water from the Northwest Wellfield for pathogen removal and none is expected in the future.

(b) To assist the Legislature in determining whether a portion of the limestone mining fee should be dedicated to a treatment plant upgrade through July 1, 2018, pursuant to subsection (2), Miami-Dade County shall:

1. By January 15, 2016, submit to the President of the Senate and the Speaker of the House of Representatives a detailed accounting of the Lake Belt fees collected through June 30, 2015, and all expenditures of those fees; and

2. By January 15, 2017, submit to the President of the Senate and the Speaker of the House of Representatives a detailed report on all pathogen data collection and analyses related to the Northwest Wellfield and the planning and engineering studies undertaken to upgrade any water treatment plant to provide treatment for pathogens in water from the Northwest Wellfield.

History.—s. 2, ch. 99-298; s. 23, ch. 2000-197; s. 2, ch. 2006-13; s. 32, ch. 2010-205; s. 36, ch. 2010-225; s. 1, ch. 2012-107; s. 2, ch. 2015-141; s. 39, ch. 2016-10; s. 21, ch. 2021-51.

#### **APPENDIX B - Financial Statement**

(See Attachment)

#### **APPENDIX C – Receipts / Approved Expenditures Summary**

(See Attachment)

#### **APPENDIX D – LBMC Escrow Account Accrued Interest Memo**

(See Attachment)

**APPENDIX B**

Lake Belt Mitigation Trust Fund  
Financial Statement  
Year Ending December 31, 2021

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
<b>Year 2000</b>						
January	\$ 276,674		\$ 181	\$ 276,855		\$ 276,855
February	247,990		1,474	249,464		526,319
March	167,699		3,037	170,736		697,055
April	159,867		3,813	163,680		860,735
May	195,853		4,898	200,751		1,061,486
June	168,562		5,929	174,491		1,235,977
July	263,244		7,373	270,617		1,506,594
August	*		8,598	8,598		1,515,192
September	302,087		9,359	311,446		1,826,638
October	257,732		9,484	267,216		2,093,854
November	173,573		10,297	183,870		2,277,724
December	173,182		13,719	186,901		2,464,625
	<u>2,386,463</u>		<u>78,162</u>	<u>2,464,625</u>		
<b>Year 2001</b>						
January	108,739		12,855	121,594		2,586,219
February	92,523		11,240	103,763		2,689,982
March	214,087		13,438	227,525		2,917,507
April	212,656		12,335	224,991		3,142,498
May	170,744		13,272	184,016		3,326,514
June	224,087		9,705	233,792		3,560,306
July	*		12,920	12,920		3,573,226
August (A)	389,503		42,457	431,960		4,005,186
September	205,108		11,438	216,546		4,221,732
October	220,698		9,935	230,633		4,452,365
November	168,616		8,946	177,562		4,629,927
December	221,134		9,070	230,204		4,860,131
	<u>2,227,895</u>		<u>167,611</u>	<u>2,395,506</u>		
<b>Year 2002</b>						
January	181,259		10,337	191,596		5,051,727
February	182,742		8,154	190,896		5,242,623
March	219,362		9,560	228,922		5,471,545
April	144,300		9,603	153,903		5,625,448
May	230,099		10,586	240,685		5,866,133
June	271,439		10,659	282,098		6,148,231
July	253,744		11,018	264,762		6,412,993
August	194,939		16,488	211,427		6,624,420
September (B)	200,472		34,012	234,484		6,858,904
October	212,938		18,444	231,382		7,090,286
November	210,808		17,529	228,337		7,318,623
December	134,848		17,994	152,842		7,471,465
	<u>2,436,950</u>		<u>174,384</u>	<u>2,611,334</u>		

**APPENDIX B**

Lake Belt Mitigation Trust Fund  
Financial Statement  
Year Ending December 31, 2021

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
<b>Year 2003</b>						
January	208,027		15,230	223,257		7,694,722
February	197,666		19,394	217,060		7,911,782
March	215,031		19,672	234,703		8,146,485
April	228,112		21,209	249,321		8,395,806
May	300,353		22,857	323,210		8,719,016
June	226,880		26,658	253,538	(129,464)	8,843,090
July	163,946		16,893	180,839		9,023,929
August	321,454		24,782	346,236		9,370,165
September (C)	184,487		(10,863)	173,624		9,543,789
October	296,066		24,144	320,210		9,863,999
November	182,957		16,452	199,409	(6,478,513)	3,584,895
December	236,978		9,408	246,386		3,831,281
	<u>2,761,957</u>		<u>205,836</u>	<u>2,967,793</u>	<u>(6,607,977)</u>	
<b>Year 2004</b>						
January	292,639		10,508	303,147		4,134,428
February	78,564		9,696	88,260		4,222,687
March	265,877		11,437	277,314		4,500,001
April	306,964		11,853	318,817		4,818,818
May	382,166		13,252	395,418	(807)	5,213,428
June	266,424		13,512	279,936		5,493,364
July	246,484		14,625	261,109		5,754,473
August	271,917		15,355	287,272		6,041,745
September	262,439		15,545	277,984		6,319,729
Adjustment (D)	-		(53,146)	(53,146)		6,266,583
October	277,685		29,552	307,237	(864,000)	5,709,820
November	200,441		17,291	217,732	(1,317)	5,926,235
December	257,522		22,956	280,478		6,206,713
	<u>3,109,122</u>		<u>132,434</u>	<u>3,241,556</u>	<u>(866,124)</u>	
<b>Year 2005</b>						
January	259,847		18,250	278,097		6,484,810
February	263,054		17,196	280,250	(3,995)	6,761,065
March	273,444		25,625	299,069		7,060,134
April	291,662		15,572	307,234		7,367,368
May	289,723		27,072	316,795		7,684,163
June	337,017		25,231	362,248		8,046,411
Adjustment (D)			(67,661)	(67,661)		7,978,750
July	287,218		24,592	311,810		8,290,560
August	284,984		27,975	312,959		8,603,519
September	279,133		32,050	311,183	(893)	8,913,809
Adjustment (D)			(52,881)	(52,881)		8,860,928
October	291,581		31,045	322,626		9,183,554
November	258,339		32,936	291,275	(1,296)	9,473,533
December	228,230		43,187	271,417		9,744,950
	<u>3,344,232</u>		<u>200,189</u>	<u>3,544,421</u>	<u>(6,184)</u>	

**APPENDIX B**

Lake Belt Mitigation Trust Fund  
Financial Statement  
Year Ending December 31, 2021

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
<b>Year 2006</b>						
Adjustment (D)			(44,413)	(44,413)		9,700,537
January	253,031		60,768	313,799		10,014,336
February	297,359		15,098	312,457		10,326,793
March	314,301		35,521	349,822		10,676,615
Adjustment (D)			(34,333)	(34,333)		10,642,282
April	310,279		41,802	352,081	(1,105)	10,993,258
May	344,944			344,944		11,338,202
June	341,412		110,696	452,108	(3,785,199)	8,005,111
Adjustment (D)			(25,449)	(25,449)		7,979,662
July	342,536		43,130	385,666		8,365,328
August	336,125		42,040	378,165		8,743,493
September	290,928		54,157	345,085		9,088,578
Adjustment (D)			40,976	40,976		9,129,554
October	333,653		58,000	391,653	(978)	9,520,230
November	311,616		63,032	374,648		9,894,878
December	331,895		60,322	392,217	(2,363,982)	7,923,113
	3,808,079		521,348	4,329,427	(6,151,264)	
<b>Year 2007</b>						
Adjustment (D)			66,080	66,080		7,989,194
January	281,203		(565)	280,638	(978)	8,268,853
February			62,215	62,215		8,331,069
March	362,224		71,510	433,733		8,764,802
Adjustment (D)	478,805		1,795	480,600		9,245,402
April			68,127	68,127		9,313,529
May	404,802		112,389	517,191	(27,620)	9,803,100
June	435,942		74,016	509,958	(8,496,899)	1,816,159
Adjustment (D)	430,485		(50,524)	379,961	(1,211)	2,194,909
July			78,255	78,255	(19,452)	2,253,712
August	489,031		81,943	570,974	(237,036)	2,587,650
September	442,271		89,764	532,035		3,119,685
Adjustment (D)	444,092		72,014	516,106		3,635,791
October			67,596	67,596		3,703,387
November	473,511		54,356	527,867		4,231,254
December	359,414		59,750	419,164	(1,275)	4,649,143
Adjustment (D)	387,870		25,370	413,240		5,062,383
	4,989,649		934,092	5,923,741	(8,784,471)	
<b>Year 2008</b>						
January	383,715		54,702	438,416		5,500,800
February	331,462		47,753	379,215	(1,743)	5,878,273
March	454,863		49,368	504,231		6,382,504
Adjustment (D)			22,587	22,587		6,405,091
April	467,788		46,783	514,571	(1,211)	6,918,451
May	443,635		69,437	513,072	(105,270)	7,326,253
June	431,890		28,062	459,952	(15,000)	7,771,204
Adjustment (D)			(38,341)	(38,341)		7,732,863
July	417,579		26,245	443,825	(1,065)	8,175,622
August	411,110		29,025	440,135		8,615,757
September	399,271		10,847	410,118	(17,345)	9,008,530
Adjustment (D)			(44,832)	(44,832)		8,963,698
October	345,680		32,587	378,268		9,341,966
November	420,913		36,485	457,398		9,799,364
December	391,877		26,802	418,679	(3,584,412)	6,633,631
Adjustment (D)			(17,280)	(17,280)	(1,401)	6,614,949
	4,899,784		380,229	5,280,013	(3,727,447)	

**APPENDIX B**

Lake Belt Mitigation Trust Fund  
Financial Statement  
Year Ending December 31, 2021

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
<b>Year 2009</b>						
January	317,141		22,359	339,500	(1,425)	6,953,024
February	298,385		15,770	314,155	(2,023,300)	5,243,879
March	387,449		22,560	410,009		5,653,889
Adjustment (D)			(10,540)	(10,540)		5,643,348
April	373,967		14,399	388,366	(200,000)	5,831,714
May	514,178		7,676	521,854	(1,211)	6,352,358
June	291,423		7,829	299,252		6,651,610
Adjustment (D)			3,151	3,151		6,654,761
July	375,170		14,058	389,228		7,043,989
August	410,553		15,175	425,728		7,469,717
September	343,028		70,241	413,269	(56,000)	7,826,986
October	361,952		31,352	393,304	(784)	8,219,506
November	358,216		18,764	376,980		8,596,486
December	318,110		12,718	330,828	(7,576,193)	1,351,121
Adjustment (D)			(10,874)	(10,874)		1,340,247
	4,349,570		234,641	4,584,211	(9,858,913)	
<b>Year 2010</b>						
January	337,976		10,634	348,609		1,688,857
February	319,785		8,935	328,720		2,017,577
March	332,366		5,556	337,923	(1,639)	2,353,861
Adjustment (D)			6,717	6,717		2,360,578
April	307,022		12,380	319,402		2,679,980
May	437,123		1,945	439,068		3,119,048
June	385,173		3,639	388,812		3,507,860
Adjustment (D)			11,228	11,228		3,519,088
July	376,073		3,460	379,533	(240,367)	3,658,254
August	385,990		3,360	389,350	(1,853)	4,045,752
September	399,365		15,001	414,366	(523)	4,459,596
Adjustment (D)			(5,759)	(5,759)		4,453,837
October	377,570		15,879	393,449		4,847,286
November	393,090		5,510	398,599	(2,666,070)	2,579,816
December	429,496		4,348	433,844	(100,270)	2,913,389
Adjustment (D)			(19,499)	(19,499)		2,893,890
	4,481,029		83,335	4,564,364	(3,010,721)	
<b>Year 2011</b>						
January	383,368		(7,021)	376,347		3,270,237
February	320,453		2,591	323,044	(713)	3,592,568
March	340,098		2,699	342,798		3,935,366
Adjustment (D)			69	69		3,935,435
April	357,546		3,881	361,427	(760)	4,296,102
May	443,707		5,395	449,102		4,745,204
June	397,558		7,372	404,930		5,150,133
Adjustment (D)			32,622	32,622		5,182,755
July	441,404		6,819	448,223		5,630,979
August	395,006		4,743	399,749	(641)	6,030,086
September	399,882		2,664	402,546		6,432,633
Adjustment (D)			45,862	45,862		6,478,495
October	454,116		12,791	466,906	(475)	6,944,926
November	439,158		9,242	448,400	(7,838,000)	(444,674)
December	367,447		3,824	371,271	(200,540)	(273,943)
Adjustment (D)			(11,134)	(11,134)		(285,077)
Escrow Account Reconciliations (E)	1,220		142	1,362	2,132	(281,583)
	4,740,963		122,561	4,863,524	(8,038,997)	

**APPENDIX B**

Lake Belt Mitigation Trust Fund  
Financial Statement  
Year Ending December 31, 2021

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
<b>Year 2012</b>						
January	412,446		3,104	415,550		133,968
February	391,515		3,391	394,906		528,873
March	817,841		4,018	821,860	(1,045)	1,349,688
Adjustment (D)			6,126	6,126		1,355,814
April	705,909		2,679	708,589		2,064,403
May	834,441		2,034	836,474		2,900,877
June	780,085		2,883	782,967		3,683,845
Adjustment (D)			4,898	4,898		3,688,742
July	932,791	310,930	3,368	1,247,089		4,935,831
August	817,158	272,386	4,444	1,093,988		6,029,820
September	955,062	318,354	2,236	1,275,652		7,305,472
Adjustment (D)			14,237	14,237		7,319,709
October	1,164,569	388,190	11,706	1,564,464	(1,093)	8,883,081
November	1,165,352	388,451	10,102	1,563,904		10,446,985
December	1,311,292	437,097	6,872	1,755,261	(3,000,000)	9,202,246
Adjustment (D)			583	583		9,202,829
Escrow Account Reconciliations (E)			2,750	2,750		9,205,578
	10,288,460	2,115,408	85,431	12,489,299	(3,002,138)	
<b>Year 2013</b>						
January	1,232,089	410,696	7,685	1,650,470	(974)	10,855,075
February	1,198,103	399,368	6,852	1,604,323	(414,000)	12,045,397
March	1,375,724	458,575	8,926	1,843,225	(1,235)	13,887,387
Adjustment (D)			(4,240)	(4,240)		13,883,147
April	1,215,549	405,183	8,904	1,629,635		15,512,783
May	1,271,804	423,935	8,607	1,704,346		17,217,128
June	1,291,000	430,333	11,632	1,732,966		18,950,094
Adjustment (D)			(162,435)	(162,435)		18,787,659
July	1,086,400	362,133	17,061	1,465,594	(784)	20,252,469
August	1,009,156	336,385	20,268	1,365,809	(449,000)	21,169,278
September	1,055,556	351,852	18,299	1,425,706		22,594,985
Adjustment (D)			40,156	40,156		22,635,141
October	1,174,797	391,599	32,518	1,598,913		24,234,054
November	1,066,682	355,561	32,523	1,454,765	(8,000,000)	17,688,819
December	1,463,134	487,711	26,944	1,977,788	(641)	19,665,966
Adjustment (D)			(80,902)	(80,902)		19,585,064
Escrow Account Reconciliations (E)			637	637		19,585,700
	14,439,993	4,813,331	(6,568)	19,246,756	(8,866,634)	
<b>Year 2014</b>						
January	1,124,250	374,750	27,528	1,526,528		21,112,228
February	1,062,361	354,120	28,268	1,444,749		22,556,977
March	1,152,454	384,151	26,766	1,563,371	(831)	24,119,517
Adjustment (D)			48,702	48,702		24,168,219
April	1,213,821	404,607	29,052	1,647,479		25,815,699
May	1,281,658	427,219	32,586	1,741,464	(1,022)	27,556,140
June	1,345,564	448,521	32,178	1,826,264	(8,000,000)	21,382,404
Adjustment (D)			117,592	117,592		21,499,997
July	1,288,249	429,416	33,327	1,750,992		23,250,989
August	1,251,053	417,018	35,767	1,703,838	(300,803)	24,654,023
September	1,185,733	395,244	37,884	1,618,862		26,272,885
Adjustment (D)			(80,345)	(80,345)		26,192,540
October	1,159,406	386,469	44,552	1,590,426		27,782,967
November	1,078,456	359,485	46,073	1,484,014		29,266,981
December	1,201,845	400,615	36,918	1,639,378		30,906,359
Adjustment (D)			110,807	110,807		31,017,166
Escrow Account Reconciliations (E)			817	817		31,017,983
	14,344,851	4,781,617	608,471	19,734,939	(8,302,656)	

**APPENDIX B**

Lake Belt Mitigation Trust Fund  
Financial Statement  
Year Ending December 31, 2021

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
<b>Year 2015</b>						
January	977,205	325,735	35,942	1,338,882		32,356,865
February	1,148,437	382,812	36,518	1,567,766		33,924,632
March	1,060,330	353,444	37,180	1,450,954		35,375,586
Adjustment (D)			160,964	160,964		35,536,550
April	1,074,925	358,309	32,166	1,465,400		37,001,950
May	1,252,100	417,367	37,685	1,707,152		38,709,102
June	1,200,840	400,280	35,453	1,636,573	(808)	40,344,868
Adjustment (D)			(198,111)	(198,111)	8,686,790	48,833,547
July	1,221,460		56,651	1,278,111	(22,913,563)	27,198,095
August	1,294,912		33,863	1,328,775		28,526,870
September	1,389,045		47,913	1,436,958		29,963,828
Adjustment (D)			137,737	137,737		30,101,565
October	1,426,767		39,215	1,465,982		31,567,547
November	1,368,134		39,152	1,407,286	(50,135)	32,924,698
December	1,506,856		31,279	1,538,135	(450,000)	34,012,832
Adjustment (D)			(199,441)	(199,441)		33,813,392
Escrow Account Reconciliations (E)			1,961	1,961		33,815,352
	14,921,010	2,237,946	366,129	17,525,085	(14,727,716)	
<b>Year 2016</b>						
January	1,386,718		38,216	1,424,934		35,240,286
February	1,397,262		41,684	1,438,946		36,679,232
March	734,794		31,678	766,472	(265,716)	37,179,988
Adjustment (D)			265,151	265,151		37,445,139
April	846,277		29,473	875,750	(282,761)	38,038,128
May	930,720		51,248	981,968	(750)	39,019,346
June	838,695		40,519	879,214		39,898,560
Adjustment (D)			135,992	135,992		40,034,553
July	817,085		42,866	859,951	(8,307,878)	32,586,626
August	836,657		41,362	878,019	(50,135)	33,414,510
September	759,571		45,568	805,139		34,219,650
Adjustment (D)			(90,421)	(90,421)		34,129,229
October	839,874		50,279	890,153		35,019,382
November	704,794		49,537	754,331		35,773,713
December	694,029		35,158	729,187		36,502,900
Adjustment (D)			(446,636)	(446,636)		36,056,263
Escrow Account Reconciliations (E)			8,936	8,936		36,065,199
	10,786,476	0	370,611	11,157,087	(8,907,240)	
<b>Year 2017</b>						
January	743,143		69,583	812,726		36,877,925
February	732,719		78,928	811,648		37,689,573
March	464,202		80,572	544,774		38,234,346
Adjustment (D)			(29,631)	(29,631)		38,204,716
April	398,619		98,145	496,764	(4,342,500)	34,358,980
May	510,396		101,549	611,945	(214,177)	34,756,748
June	494,353		132,724	627,077		35,383,826
Adjustment (D)			23,515	23,515		35,407,340
July	545,687		99,535	645,221	(50,135)	36,002,426
August	510,368		95,517	605,886	(3,000,000)	33,608,312
September	493,478		124,324	617,802	(225,298)	34,000,816
Adjustment (D)			(28,636)	(28,636)		33,972,180
October	527,016		95,487	622,503	(6,053,000)	28,541,683
November	326,431		91,339	417,769		28,959,452
December	494,897		54,704	549,601		29,509,053
Adjustment (D)			(310,905)	(310,905)		29,198,148
Escrow Account Reconciliations (E)			6,683	6,683		29,204,831
	6,241,310	0	783,432	7,024,742	(13,885,110)	

**APPENDIX B**

Lake Belt Mitigation Trust Fund  
Financial Statement  
Year Ending December 31, 2021

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
<b>Year 2018</b>						
January	512,633		80,158	592,791		29,797,622
February	455,654		87,565	543,219		30,340,841
March	161,606		91,446	253,052		30,593,893
Adjustment (D)			(495,274)	(495,274)		30,098,619
April	154,711		116,779	271,490		30,370,109
Adjustment (D)			(12)	(12)		30,370,097
May	166,858		106,000	272,858		30,642,955
June	114,593		112,144	226,737		30,869,692
Adjustment (D)			(222,135)	(222,135)		30,647,556
July	109,560		110,255	219,815		30,867,372
August	264,040		119,047	383,087	(2,000,000)	29,250,459
September	155,925		126,128	282,052	(107,289)	29,425,222
Adjustment (D)			(341,989)	(341,989)		29,083,233
October	175,372		120,480	295,852		29,379,086
November	87,236		117,521	204,757		29,583,842
December	180,549		96,108	276,657		29,860,500
Adjustment (D)			641,114	641,114		30,501,614
Escrow Account Reconciliations (E)			5,429	5,429		30,507,043
	2,538,736	0	870,765	3,409,500	(2,107,289)	
<b>Year 2019</b>						
January	152,383		612	152,994		30,660,037
February	190,350		188,936	379,286		31,039,323
Adjustment (D)			(95,426)	(95,426)		31,796,575
March	161,213		119,910	281,123		31,320,446
Adjustment (D)			301,978	301,978		31,622,423
April	166,410		103,167	269,578		31,892,001
May	163,450		115,575	279,025		32,075,600
June	169,353		109,354	278,708		32,354,308
Adjustment (D)			595,281	595,281		32,949,589
July	175,902		99,116	275,018	(2,000,000)	31,224,607
August	163,093		108,015	271,108		31,495,715
September	179,241		240,630	419,870		31,915,585
Adjustment (D)			181,310	181,310		32,096,895
October	176,573		94,950	271,523		32,368,418
November	145,858		92,749	238,608		32,607,026
December	184,579		74,479	259,058		32,866,084
Adjustment (D)			(60,648)	(60,648)		32,805,436
Escrow Account Reconciliations (E)			3,598	3,598		32,809,034
	2,028,406	0	2,273,585	4,301,991	(2,000,000)	
<b>Year 2020</b>						
January	150,721		67,662	218,382		33,027,416
February	141,982		79,006	220,988		33,248,404
March	168,362		81,541	249,903	(2,000,000)	31,498,307
Adjustment (D)			602,640	602,640		32,100,947
April	163,534		67,477	231,011		32,331,958
May	177,097		57,109	234,206		32,566,164
June	157,516		54,978	212,494	(50,135)	32,728,523
Adjustment (D)			346,784	346,784		33,075,307
July	153,885		34,636	188,522	(150,328)	33,113,501
August	111,629		35,547	147,177	(100,270)	33,160,407
September	164,886		39,372	204,258	(50,135)	33,314,530
Adjustment (D)			13,048	13,048		33,327,579
October	151,935		27,642	179,577	(31,986)	33,475,170
November	149,854		27,259	177,113		33,652,282
December	212,677		26,479	239,156		33,891,438
Adjustment (D)			7,303	7,303		33,898,742
Escrow Account Reconciliations (E)			3,217	3,217		33,901,959
	1,904,079	0	1,571,700	3,475,779	(2,382,854)	

**APPENDIX B**

Lake Belt Mitigation Trust Fund  
Financial Statement  
Year Ending December 31, 2021

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
<b>Year 2021</b>						
January	87,503		8,247	95,751		33,997,710
February	146,859		6,368	153,227		34,150,937
March	203,359		12,642	216,001	(149,290)	34,217,648
April	166,918		3,842	170,760		34,388,408
May	199,593		15,386	214,979		34,603,387
June	157,139		17,000	174,140		34,777,526
July	159,622		20,023	179,645		34,957,171
August	163,937		16,495	180,432	(7,000,000)	28,137,603
September	157,745		20,583	178,328	(13,179)	28,302,751
October	168,886		24,799	193,685		28,496,436
November	164,684		26,259	190,943		28,687,379
December	106,575		23,978	130,553		28,817,933
Escrow Account Reconciliations (E)			1,866	1,866		28,819,799
	<u>1,882,821</u>	<u>0</u>	<u>197,487</u>	<u>2,080,309</u>	<u>(7,162,469)</u>	
<b>TOTAL \$</b>	<b>122,911,835</b>	<b>\$ 13,948,302</b>	<b>\$ 10,355,865</b>	<b>\$ 147,216,002</b>	<b>\$ (118,396,203)</b>	<b>28,819,799</b>

\* Payment for two months received in the next month.

(A) Includes monthly interest allocation of \$12,421 plus fair value adjustment (gain) of \$30,036

(B) Includes monthly interest allocation of \$13,463 plus fair value adjustment (gain) of \$20,549

(C) Includes monthly interest allocation of \$22,218 less fair value adjustment (loss) of \$33,081

(D) Represents Market Value Adjustments (unrealized gain (loss)).

(E) See Annual Report Appendices C and D for more detail

2021 Note - the investment gains/losses for 2021 will be included in the 2022 Annual Report

## APPENDIX C

### Receipts / Approved Expenditures Summary

#### Receipts / Approved Expenditures Through 2021

Year	Permit Table Estimated Mitigation Fee Collections	Estimated Mitigation Fee Running Total	Department of Revenue Mitigation Fee Deposits	Actual Mitigation Fee Running Total	Investment Income	Cash Receipts Running Total	Approved Expenditures	End of Year Balance	Payment Summary	Committee Approved Mitigation Acres <sup>1</sup>
1999	487,813	487,813	*	0	*	0	0	0		
2000	1,950,000	2,437,813	2,386,463	2,386,463	78,162	2,464,625	0	2,464,625		
2001	2,181,684	4,619,497	2,227,895	4,614,358	167,611	4,860,131	0	4,860,131		
2002	2,297,314	6,916,811	2,436,950	7,051,308	174,384	7,471,465	6,607,977	863,488		1,075.9
2003	2,419,071	9,335,882	2,761,957	9,813,265	205,836	10,439,258	0	3,831,281	6,555,971	1,067.4
2004	2,547,282	11,883,164	3,109,122	12,922,387	132,434	13,680,814	866,124	6,206,713	491,360	159.5
2005	2,682,288	14,565,452	3,344,232	16,266,619	200,189	17,225,235	6,184	9,744,950	3,732,067	320.9
2006	2,824,449	17,389,901	3,808,079	20,074,698	521,348	21,554,662	6,151,264	7,923,113	-3,785,199	142.4
2007	2,974,145	20,364,046	4,989,649	25,064,347	934,092	27,478,403	8,784,471	5,062,383	-6,994,199	124.4
2008	3,131,775	23,495,821	4,899,784	29,964,131	380,229	32,758,416	3,727,447	6,614,949		10.0
2009	3,297,759	26,793,580	4,349,570	34,313,701	234,641	37,342,627	9,858,913	1,340,247		954.0
2010	3,472,540	30,266,120	4,481,029	38,794,730	83,335	41,906,991	3,010,721	2,893,890		1,554.3
2011	3,656,585	33,922,705	4,740,963	43,535,693	122,561	46,770,515	8,038,997	(281,583)		620.0
2012	3,838,769	37,761,474	12,403,868	55,939,561	85,431	59,259,814	3,002,138	9,205,578		340.0
2013	4,042,223	41,803,697	19,253,324	75,192,885	(6,568)	78,506,570	8,866,634	19,585,700		906.4
2014	4,256,461	46,060,158	19,126,468	94,319,353	608,471	98,241,509	8,302,656	31,017,983		936.4
2015	4,482,054	50,542,211	17,158,956	111,478,309	366,129	115,766,594	14,727,716	33,815,352		3,320.6
2016	4,719,603	55,261,814	10,786,476	122,264,785	370,611	126,923,681	8,907,240	36,065,199		624.9
2017	4,969,741	60,231,555	6,241,310	128,506,095	783,432	133,948,423	13,885,109	29,204,832		1,220.3
2018	5,233,138	65,464,693	2,538,736	131,044,831	870,765	137,357,924	2,107,289	30,507,044		226.7
2019	5,510,494	70,975,187	2,028,406	133,073,237	2,273,585	141,659,915	2,000,000	32,809,035		226.7
2020	5,802,550	76,777,737	1,904,079	134,977,316	1,571,700	145,135,694	2,382,854	33,901,960		249.9
2021	6,110,085	82,887,822	1,882,821	136,860,137	197,487	147,216,002	7,162,469	28,819,799		793.1
<b>TOTAL</b>			<b>\$136,860,137</b>		<b>\$10,355,865</b>		<b>\$118,396,203</b>		<b>\$0</b>	<b>14,873.8</b>

\* 1999 & 2000 combined

<sup>1</sup> Mitigation in terms of Pennsuco-equivalent mitigation acres. One Pennsuco-equivalent mitigation acre equals 0.25 WRAP units.

#### 2021 Notes

The mitigation acres reflect the updated 2021 cost estimate and 2020 Corps permit mitigation units for the Abiaki Prairie project.

The investment gains/losses for 2021 will be included in the 2022 Annual Report.

**Abiaki Prairie Project Mitigation Credits**

August 2021 Update                      \$ 151,718,997      Total cost

6,314 acres                                      4,298 WRAP units  
 \$24,029 cost/Abiaki acre                      \$35,300 cost/WRAP unit

LBMC Meeting	Contribution	Abiaki acres	WRAP units	Pennsuco-equivalent acres
12/2012	\$ 3,000,000	124.8	85.0	340.0
11/2013	\$ 8,000,000	332.9	226.6	906.4
6/2014	\$ 8,000,000	332.9	226.6	906.4
7/2015	\$ 8,000,000	332.9	226.6	906.4
7/2016	\$ 5,000,000	208.1	141.6	566.4
8/2017	\$ 3,000,000	124.8	85.0	340.0
9/2018	\$ 2,000,000	83.2	56.7	226.8
7/2019	\$ 2,000,000	83.2	56.7	226.8
3/2020	\$ 2,000,000	83.2	56.7	226.8
8/2021	\$ 7,000,000	291.3	198.3	793.2
<b>Total</b>	<b>\$ 48,000,000</b>	<b>1,997.6</b>	<b>1,359.8</b>	<b>5,439.2</b>

Pennsuco restoration WRAP score = 0.25 units / acre

**Summary of Water Treatment Plant Upgrade Fee Deposits and  
Seepage Management Project Expenditures Approved by the Committee**

Deposits

Year	Department of Revenue Treatment Plant Fee Deposits	Treatment Plant Fee Running Total
2012	\$ 2,115,408	\$ 2,115,408
2013	\$ 4,813,331	\$ 6,928,739
2014	\$ 4,781,617	\$ 11,710,356
2015	\$ 2,237,946	\$ 13,948,302

Expenditures

Year Approved by Committee	Project	Expenditure
2009	L-31N pilot project construction costs	\$ 253,868
2010	L-31N pilot project tracer test	\$ 184,580
2010	Dade-Broward Levee drilling	\$ 119,000
2011	Dade-Broward Levee drilling contingency	\$ 5,005
2011	L-31N Phase 1 construction	\$ 7,838,000
2013	Dade-Broward Levee Phase 1	\$ 414,000
2013	Dade-Broward Levee mulching	\$ 449,000
2015	L-31N Phase 2 construction	\$ 13,757,000
2015	Dade-Broward Levee Phase 1 construction	\$ 1,489,422
2016	Dade-Broward Levee Phase 2 construction	\$ 3,040,957

**TOTAL**      \$ 27,550,832

**Summary of 2021 Expenditures / Mitigation Acres Approved by Committee**

	<u>Acres</u>	<u>Amount</u>
<b>1. SFWMD - C-139 Annex land acquisition, restoration and long-term management</b>		\$ 7,000,000
Mitigation Committee - August 2021		
Cost/WRAP Unit	\$35,300	
WRAP units	198.3 units	
Pennsuco WRAP score	0.25 units/acre	
Pennsuco equivalent mitigation acres = 198.3 / 0.25 =	<b>793.2</b>	
<b>2. MDLPA - Dade-Broward Levee improvement project - Phase 3</b>		\$ 13,179
Mitigation Committee - August 2021		
Dade-Broward Levee structures operation and maintenance		
<b>3. MDLPA - Water Quality Monitoring (3/2021 - 2/2022)</b>		\$ 149,290
Mitigation Committee - March 2021		
 <b>Total Pennsuco equivalent mitigation acres / Expenditures</b>	 <b>793.2</b>	 <b>\$ 7,162,469</b>

**Escrow account reconciliation deposits (see Appendix D)**

<b>1. Escrow account accrued interest through 9/30/2020</b>	\$	1,866
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## **APPENDIX D**

***MacVicar Consulting, Inc.***

*4524 West Gun Club Road, Suite 201, West Palm Beach FL 33415 (561) 689-1708*

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To: Robert Hopper  
From: Jeff Rosenfeld  
on behalf of the Miami-Dade Limestone Products Association  
Date: January 7, 2021  
Subject: Lake Belt Mitigation Trust Fund – Accrued Interest

Per the SFWMD-MDLPA agreement, accrued interest in the Greenberg Traurig escrow account is to be returned to SFWMD for deposit into the Lake Belt Mitigation Trust Fund. Greenberg Traurig reports that a total of \$1,865.99 of interest was earned in the escrow account during the period from October 1, 2020 through September 30, 2021. We plan on submitting an accrued interest check to SFWMD annually.

Attached for deposit to the Lake Belt Mitigation Trust Fund is a check for the 2021 accrued interest earned in the Greenberg Traurig escrow account.

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** , Office of Communications & Public Engagement

**DATE:** April 14, 2022

**SUBJECT:** Presentations for Agenda items 26, 27, 28, and 29.  
SFWMD Leasing Corp Meeting Packet

**Agenda Item Background:**

**Core Mission and Strategic Priorities:**

**Funding Source:**

**Staff Contact and/or Presenter:**

**ATTACHMENTS:**

[26 Mitnik Kirkland Water Conditions Report](#)

[27 Glenn EcoCond Report](#)

[28 Colon Water Conservation Month](#)

[29 Notestein LRWRP NOPR](#)

[SFWMD Leasing Corp Meeting Packet](#)

[SFWMD Leasing Corp Presentation](#)

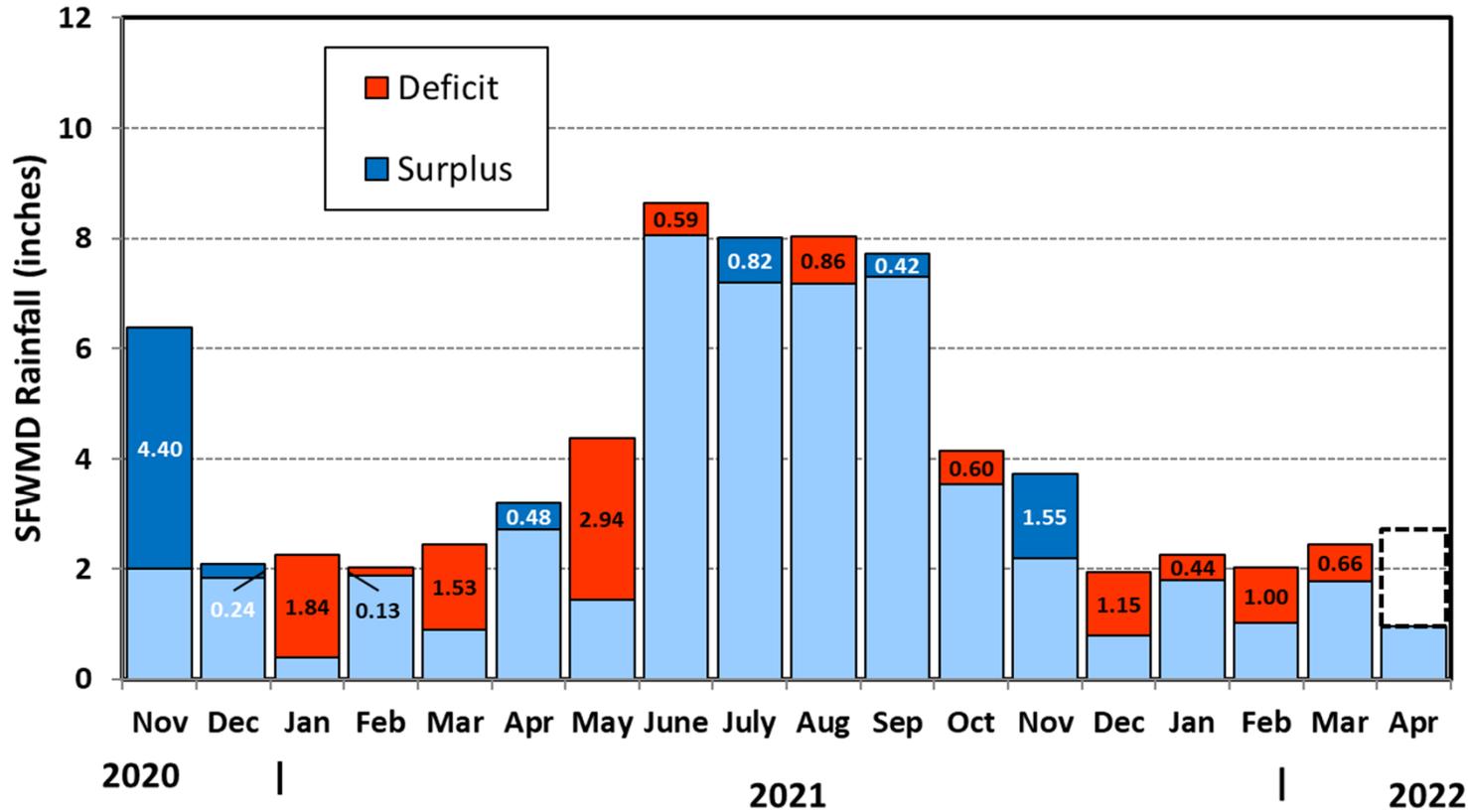
# Water Conditions Summary

**South Florida Water Management District  
Governing Board Meeting  
April 14, 2022**



**Suelynn E. Kirkland, P.E.  
Office Chief – Water Management  
Office of Operations**

### SFWMD Rainfall Distribution Comparison (November 2020 - April 2022)



### District Wide Average Rainfall

Month	Average (inches)
Jan	2.24
Feb	2.01
Mar	2.43
Apr	2.71
May	4.37
Jun	8.65
Jul	7.20
Aug	8.03
Sep	7.31
Oct	4.15
Nov	2.18
Dec	1.94

Wet Season

#### 2020-2021 DRY SEASON

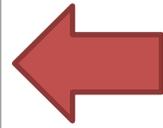
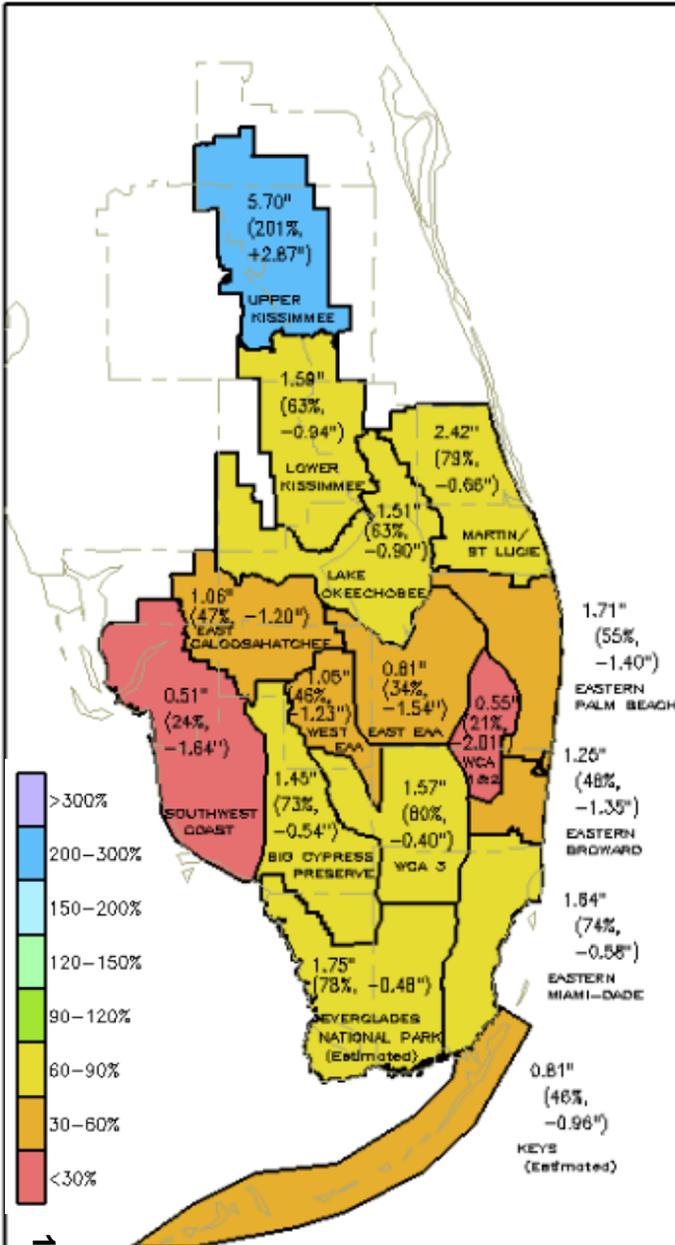
- Nov rainfall was in excess of 300% of normal.
- Jan and Mar extremely dry months.
- Dec and Apr slightly above normal.
- May 2021 is the sixth driest May in POR.

#### 2021 WET SEASON

- Late Start 05/28/2021, Ended 10/17/2021.
- Wet season, deficits and surplus balance out.
- Average overall.

#### 2021-2022 DRY SEASON

- Started 10/17/2021 and is ~ 85% of average to date.
- Dec 2021 to Mar 2022 all below average.
- March was 73% of average.
- April to date is near average (96%).

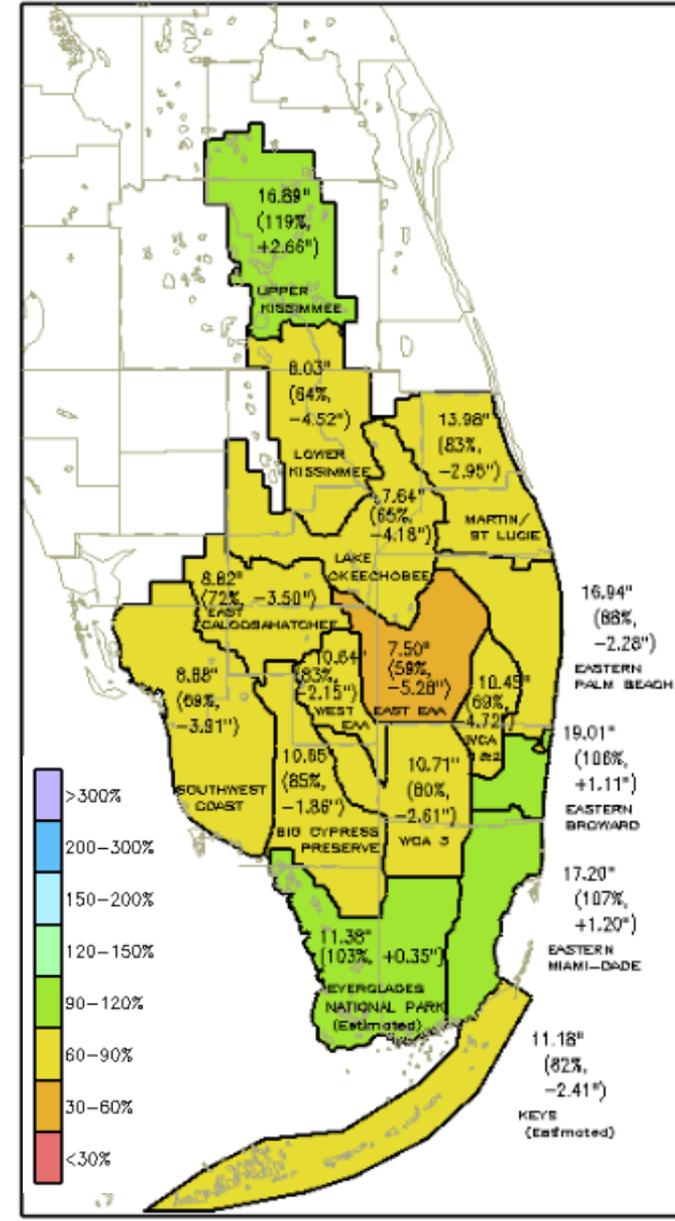
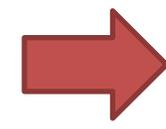


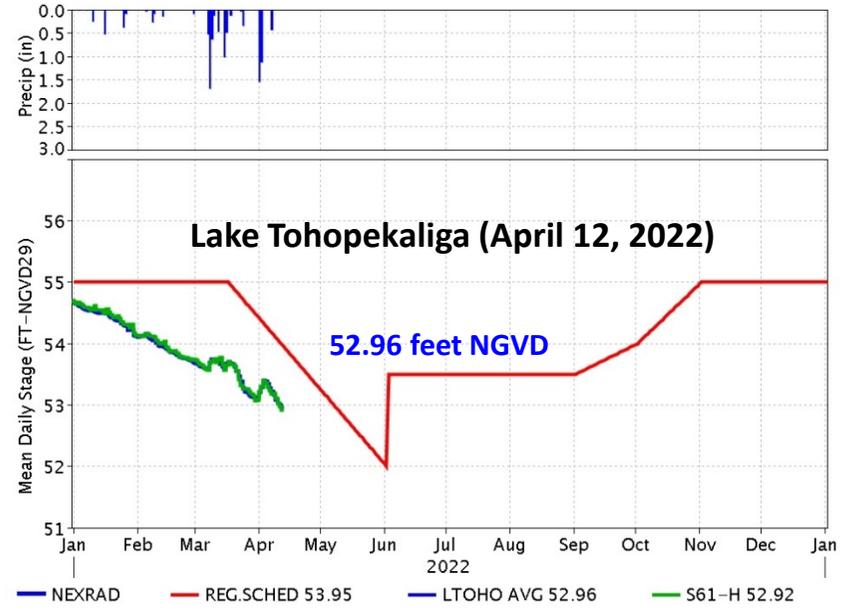
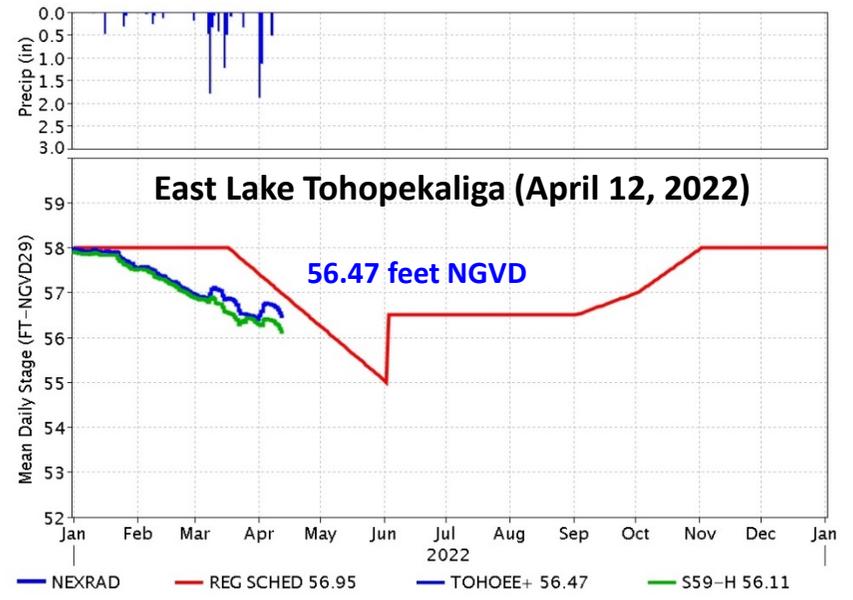
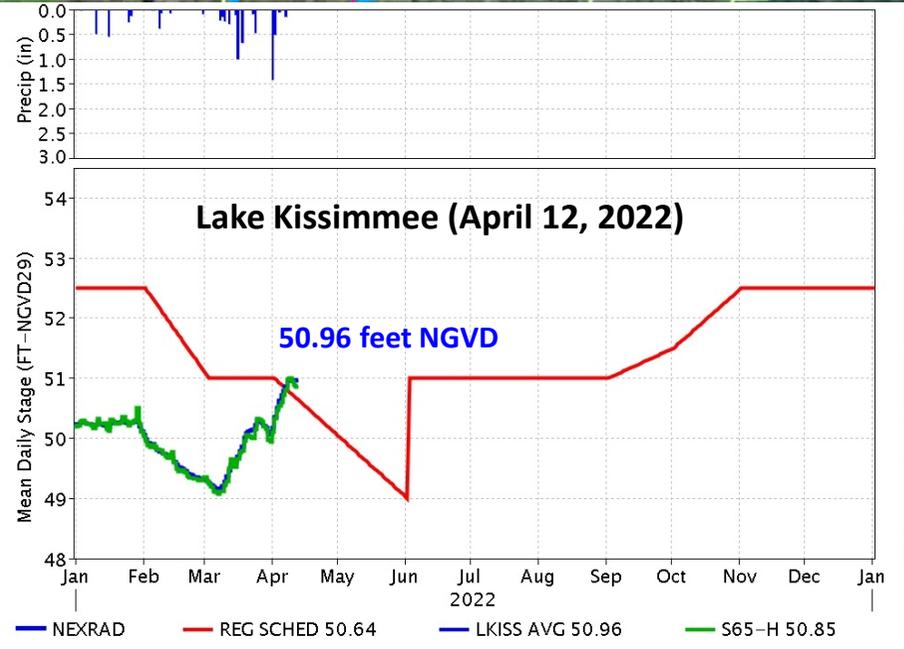
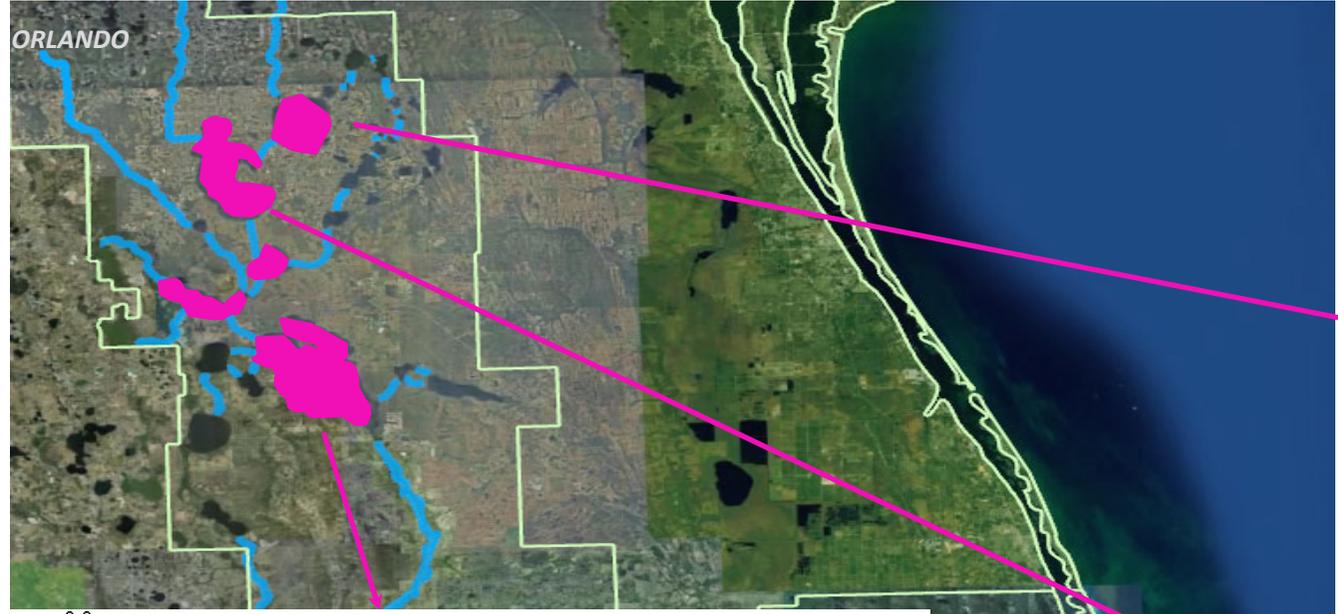
## March 2022 Rainfall DISTRICT-WIDE: 1.66"

- 73% of average, 0.66" deficit.
- All but one area show deficit.
- Highly uneven distribution.
- Largest deficit is WCA 1 & 2: -2.01".
- Upper Kissimmee has the largest surplus with +2.87".

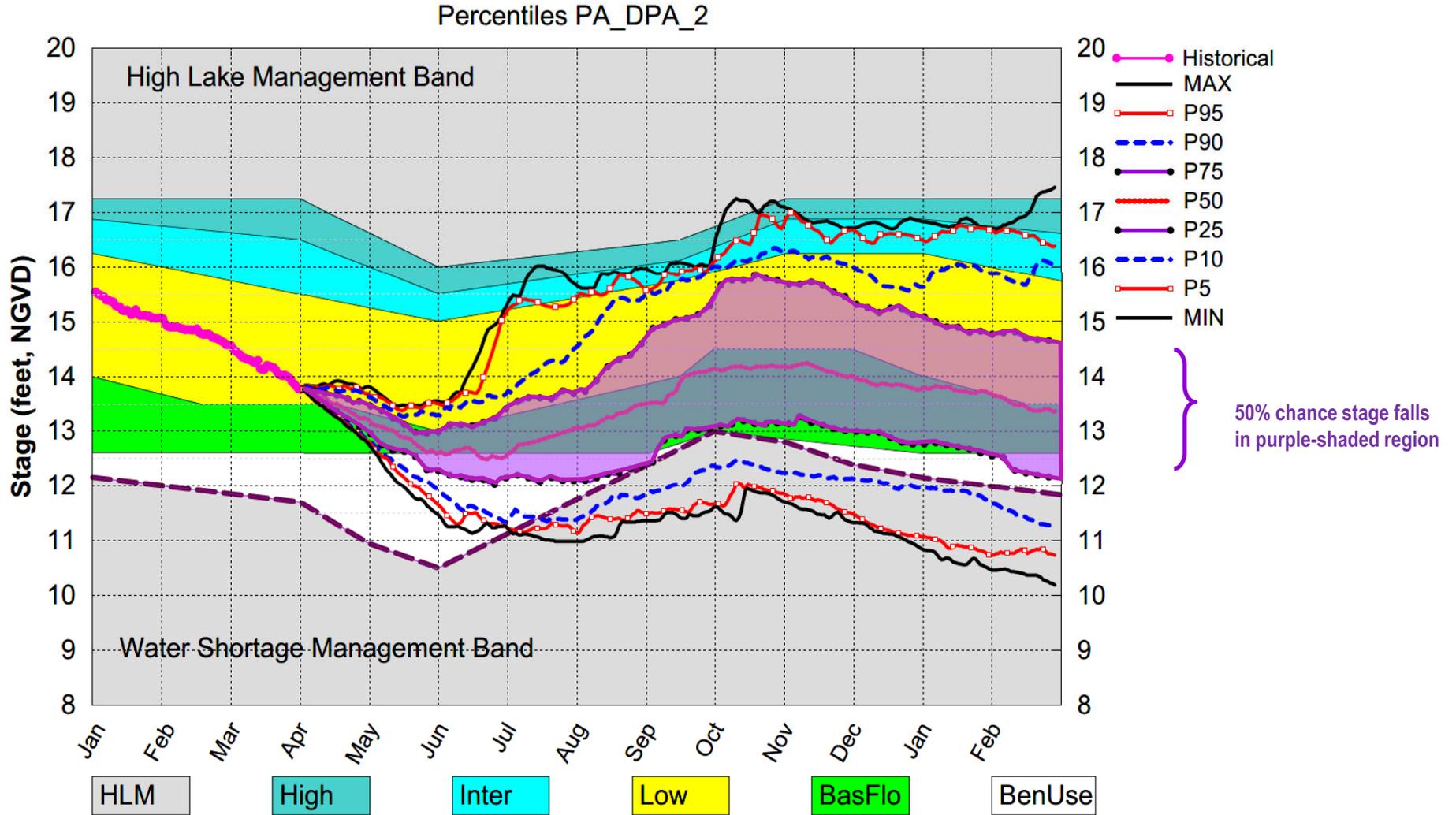
## Dry Season Rainfall 18 October 2021 - Present DISTRICT-WIDE: 11.31"

- Dry season started October 17<sup>th</sup>
- 82% of average, 2.56" deficit.
- Some variability, 59% to 119% of normal.
- Largest surplus is at Upper Kissimmee, +2.66".
- Largest deficit is East EAA, with -5.28".





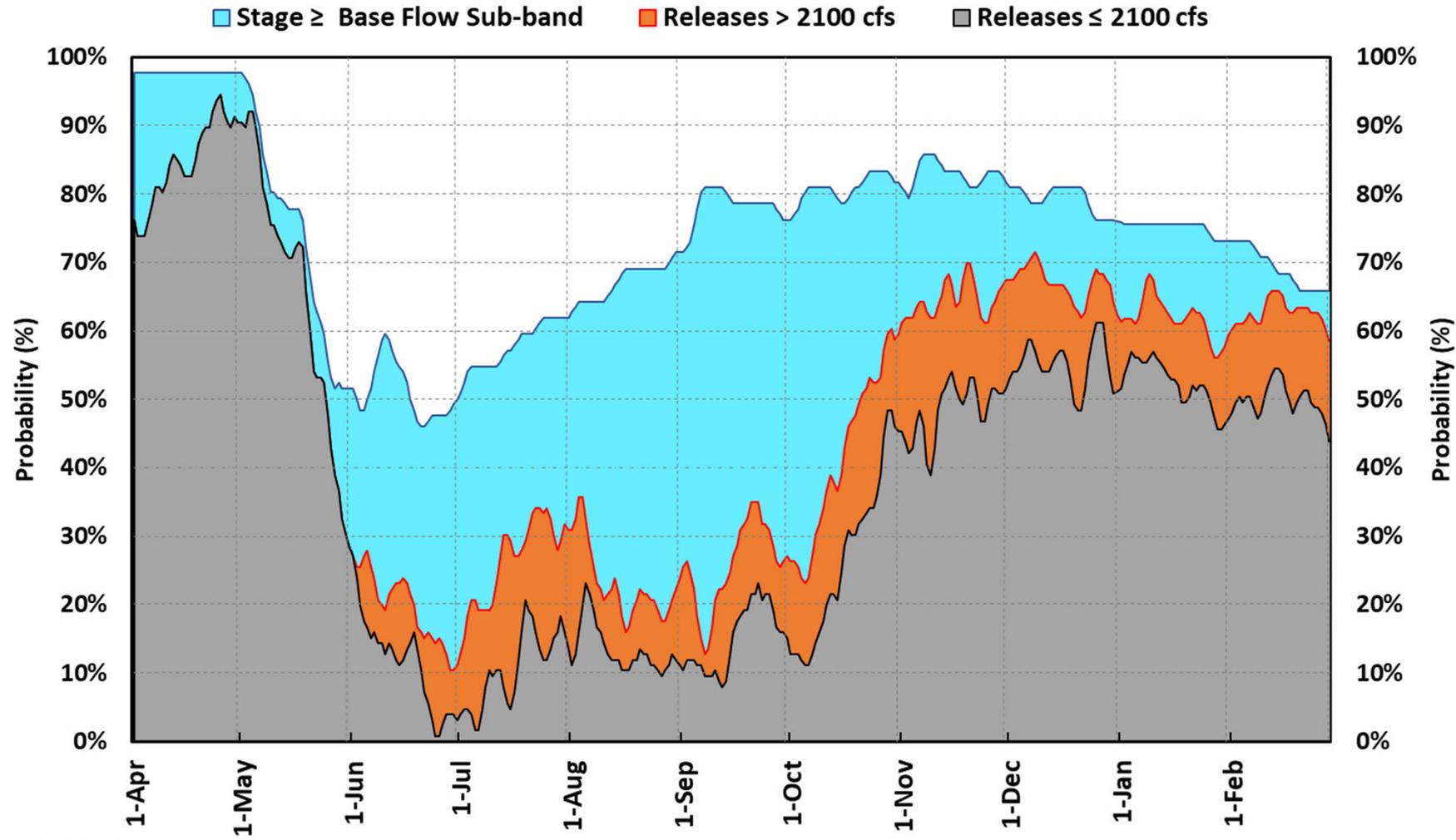
# Lake Okeechobee SFWMM April 2022 Position Analysis



(See assumptions on the Position Analysis Results website)

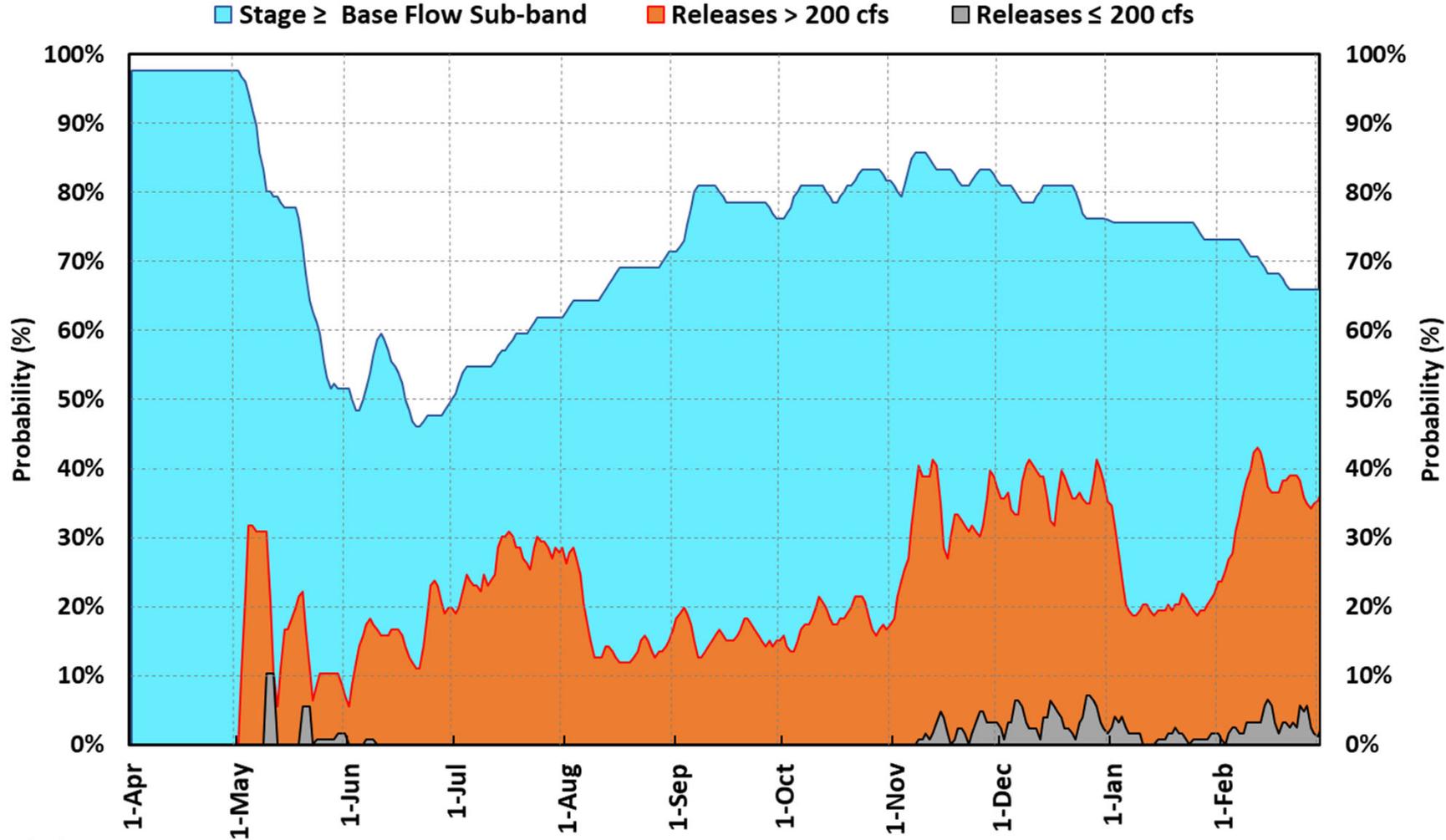
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### April 2022 PA - Likelihood of Releases to the Caloosahatchee Estuary



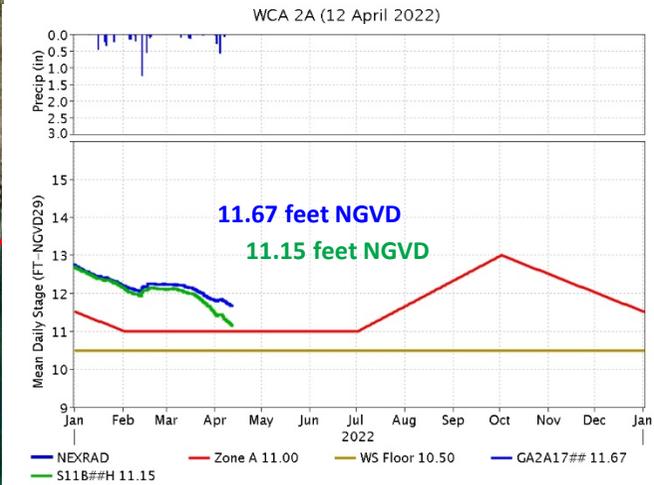
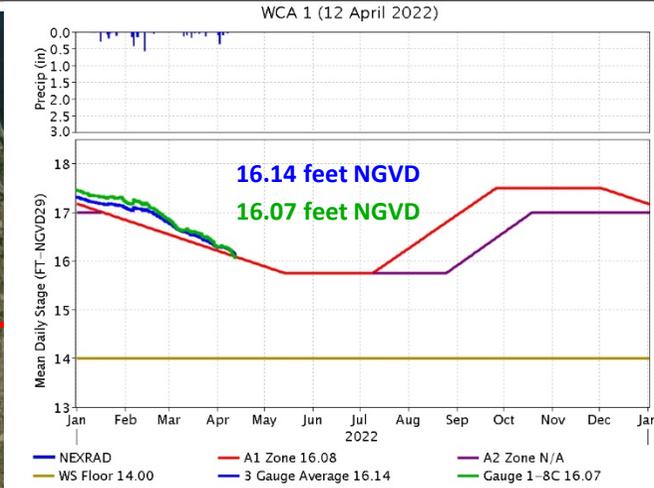
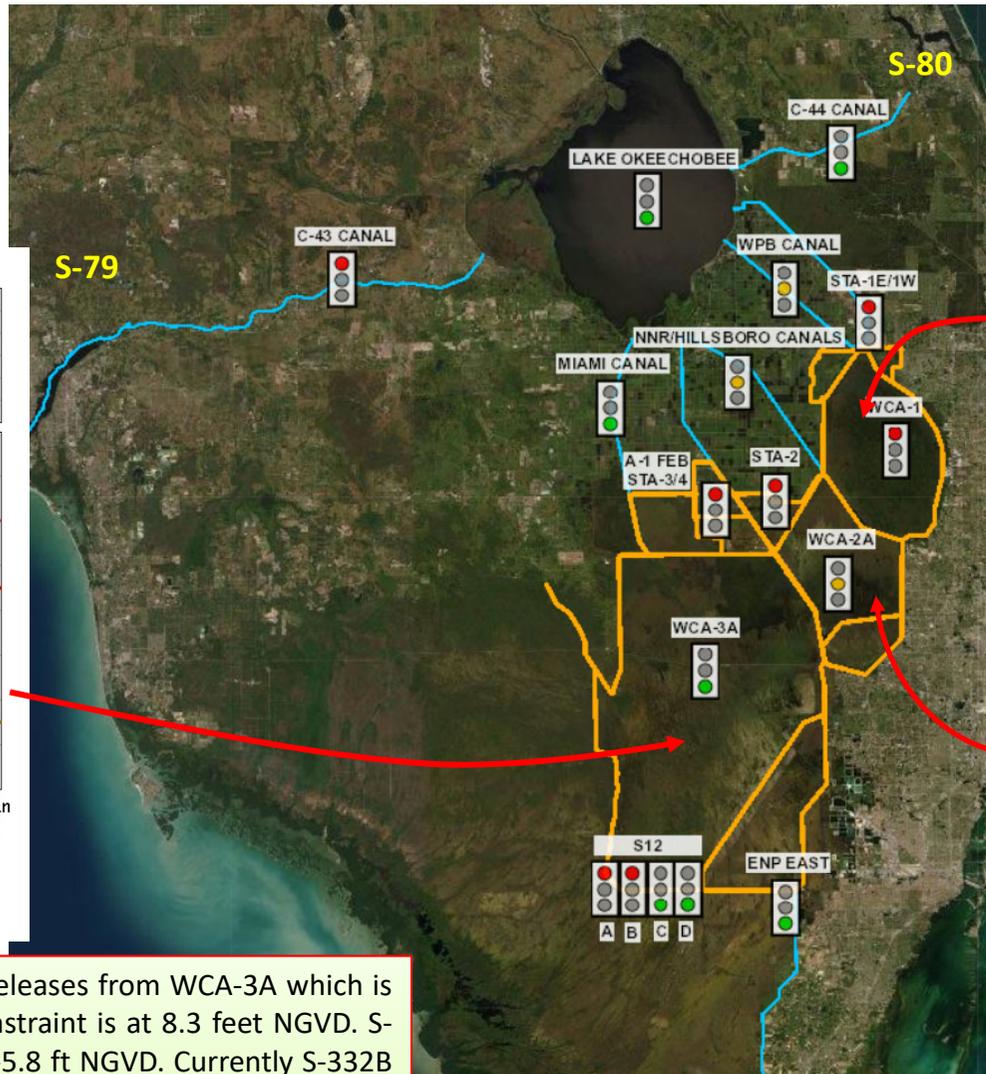
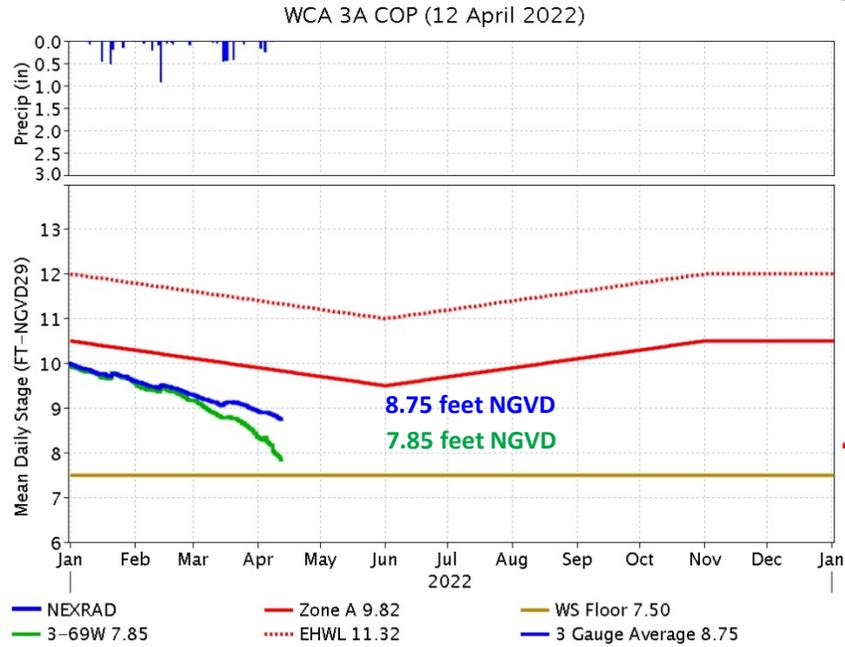
Tue 04/12/2022 12:47

### April 2022 PA - Likelihood of Releases to the St. Lucie Estuary



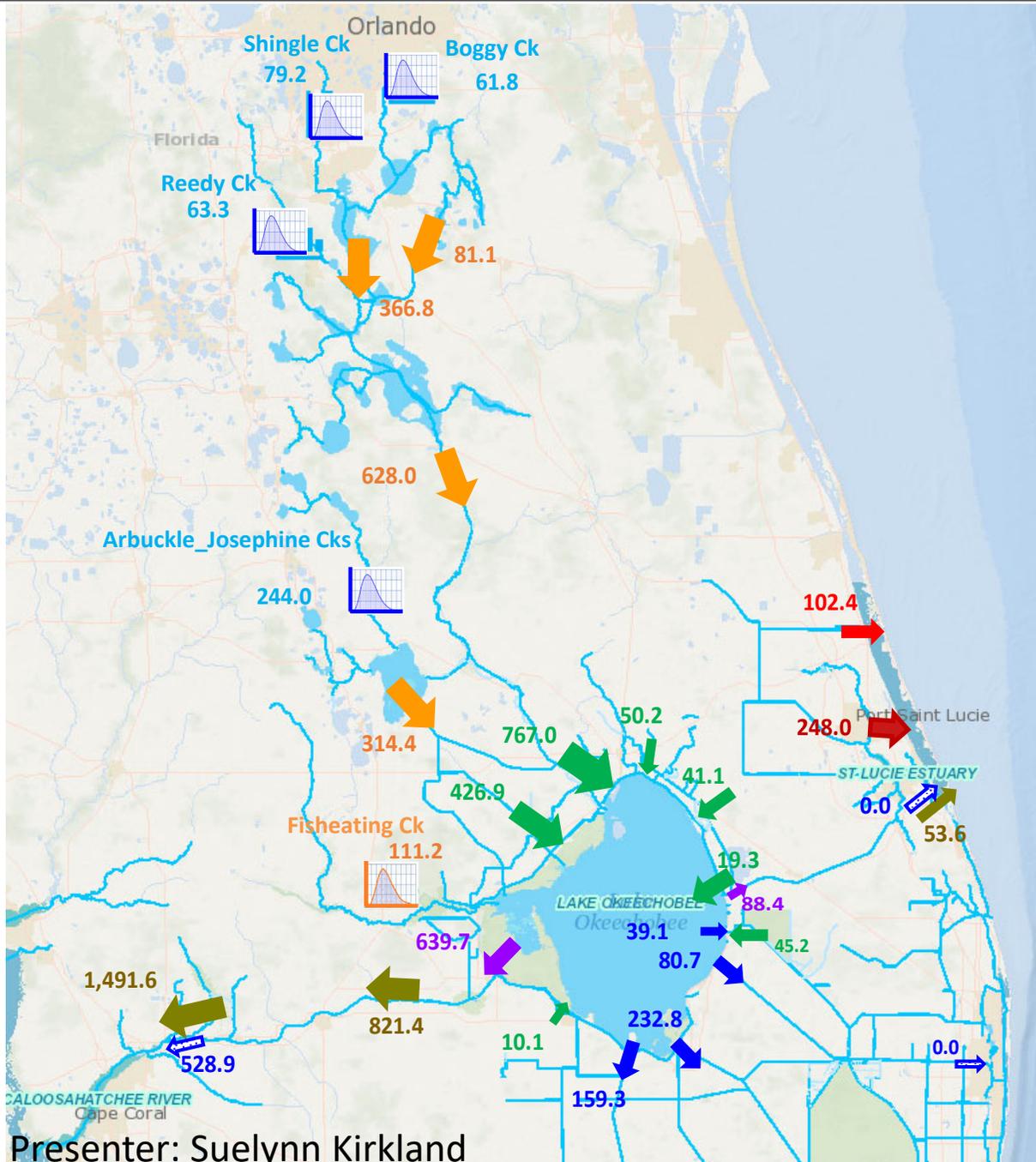
Tue 04/12/2022 12:47

Lake Okeechobee stage is in the Base Flow Sub-band of the LORS-2008 Regulation schedule. LORS release guidance suggests no releases to the WCAs. For Estuaries, up to 450 cfs at S-79 and up to 200 cfs at S-80.



For this week, the Tamiami Trail Flow Formula calls for 557 cfs releases from WCA-3A which is being delivered via S-333+S-333N+S-12D. Current L-29 stage constraint is at 8.3 feet NGVD. S-356 is pumping to maintain canal stages in the L-31N within 5.5-5.8 ft NGVD. Currently S-332B is secured (in need of repairs), S-332C and S-332D are pumping as needed. S-199 is pumping and S-200 is secured due to CSSS constraints. S-18C is open and S-197 remains closed. Closure period for WCA-3A October 1 – July 15. LPG-2 stage at 8.5 SMA is below ground. S-331 has been syphoning and S-357 pumping to maintain stages. Agricultural drawdown in south Miami-Dade continues.

WCA-1 stage just transitioned from Zone A1 to Zone B of the regulation schedule; WCA-2A stage is above schedule in Zone A; WCA-3A stage is below schedule in Zone B. S-10s were fully closed since March 9. S-11's fully closed since January 12. S-333+S-333N ~ 460 cfs. S-12s A-C are closed. S-12D < 50 cfs. S-152 is fully closed. S-7 is gravity flowing north and sending water from WCA-2A to NE and NW WCA-3A, but this flow is decreasing (< 100 cfs).



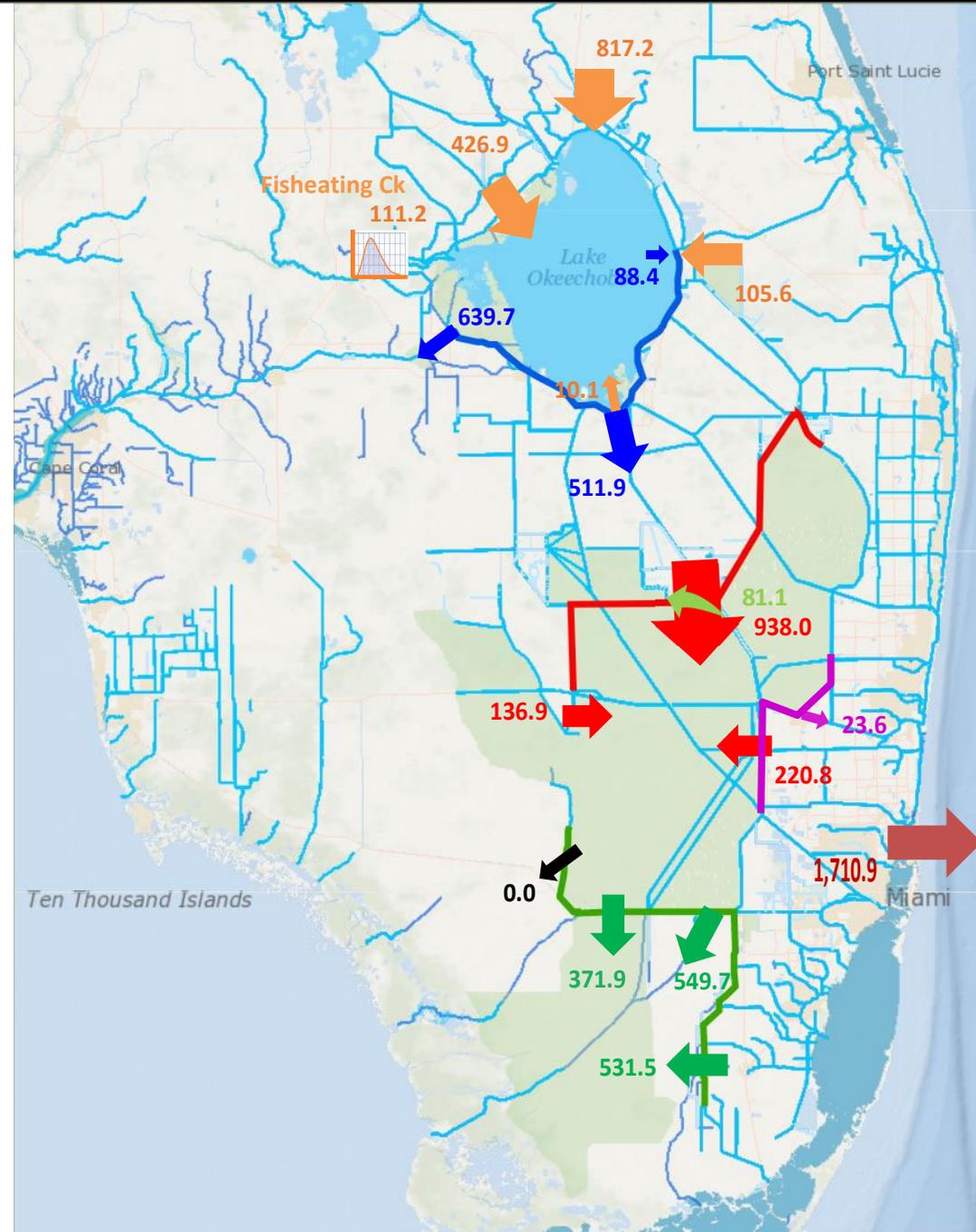
**SFWMD – Selected Release Volumes for the Period  
May 1, 2021 to April 12, 2022**  
(volumes in 1,000 acre-feet)

Symbol	Description	Volume (1,000 acre- feet)	
		Season to Date	Last Month
	Upper Kissimmee to Lower Kissimmee	628.0	71.9
	Inflows to Lake Okeechobee (including Fisheating Creek)	1,470.9	52.3
	Lake Releases and Basin Runoff	1,545.2	108.7
	Lake Releases East and West	728.1	130.1
	Lake Flood Control to Estuaries	528.9	80.8
	Total Lake Releases South	511.9	77.9
	Releases to Indian River Lagoon	102.4	0.6
	Upper East Coast discharges to St. Lucie Estuary	248.0	8.1
	Uncontrolled flows - Creeks (does not include Fisheating Creek)	448.3	33.1

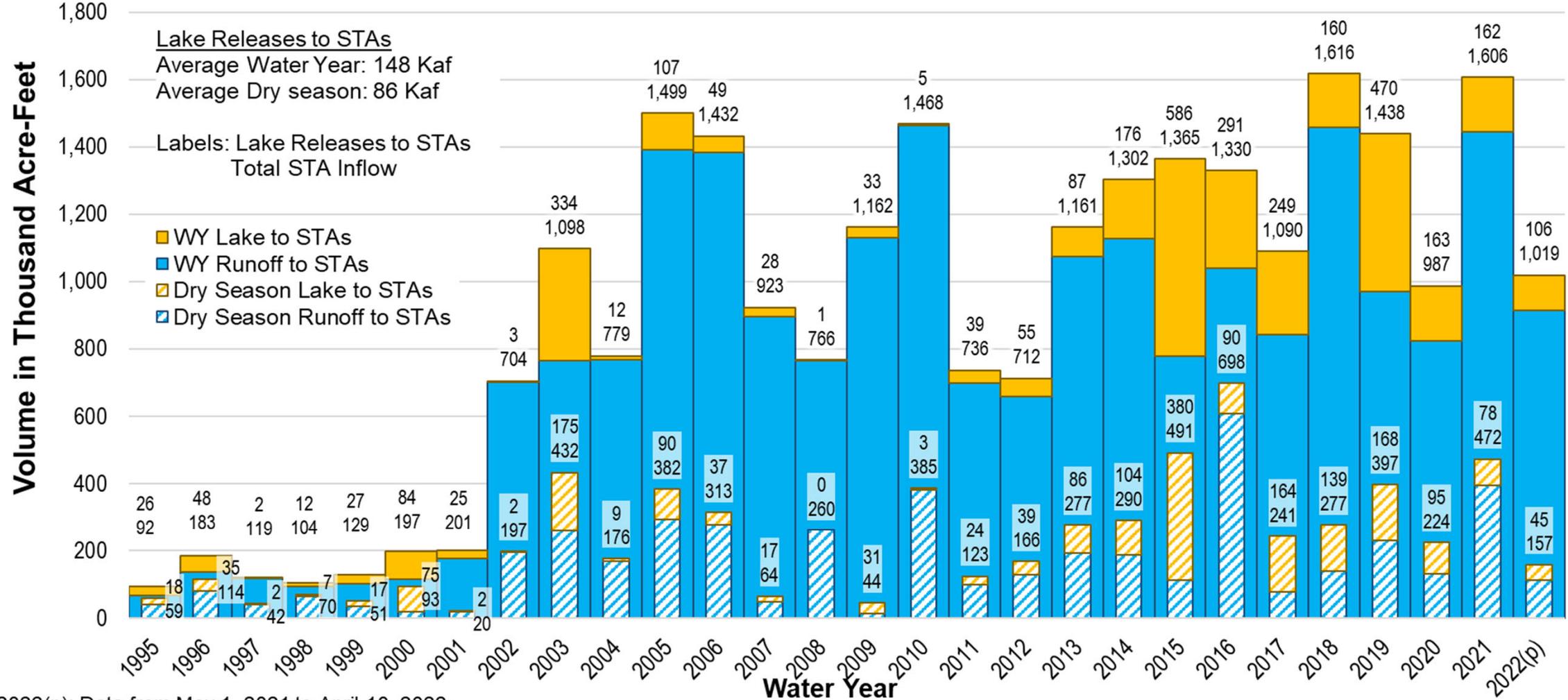
1,000 acre-feet = 325.9 Million Gallons

**SFWMD –Volumes Flowing  
Down the System  
May 1, 2021 to April 12, 2022**  
(volumes in 1,000 acre-feet)

Symbol	Description	Volume (1,000 acre- feet)	
		Season to Date	Last Month
	Lake Okeechobee Inflows	1470.9	52.3
	Lake Okeechobee Outflows	1240.0	208.0
	WCAs Inflows	1295.7	13.6
	ENP / Detention Cell Inflows	1453.1	60.9
	WCAs to East	23.6	4.0
	Flows to Intra-coastal	1710.9	36.9



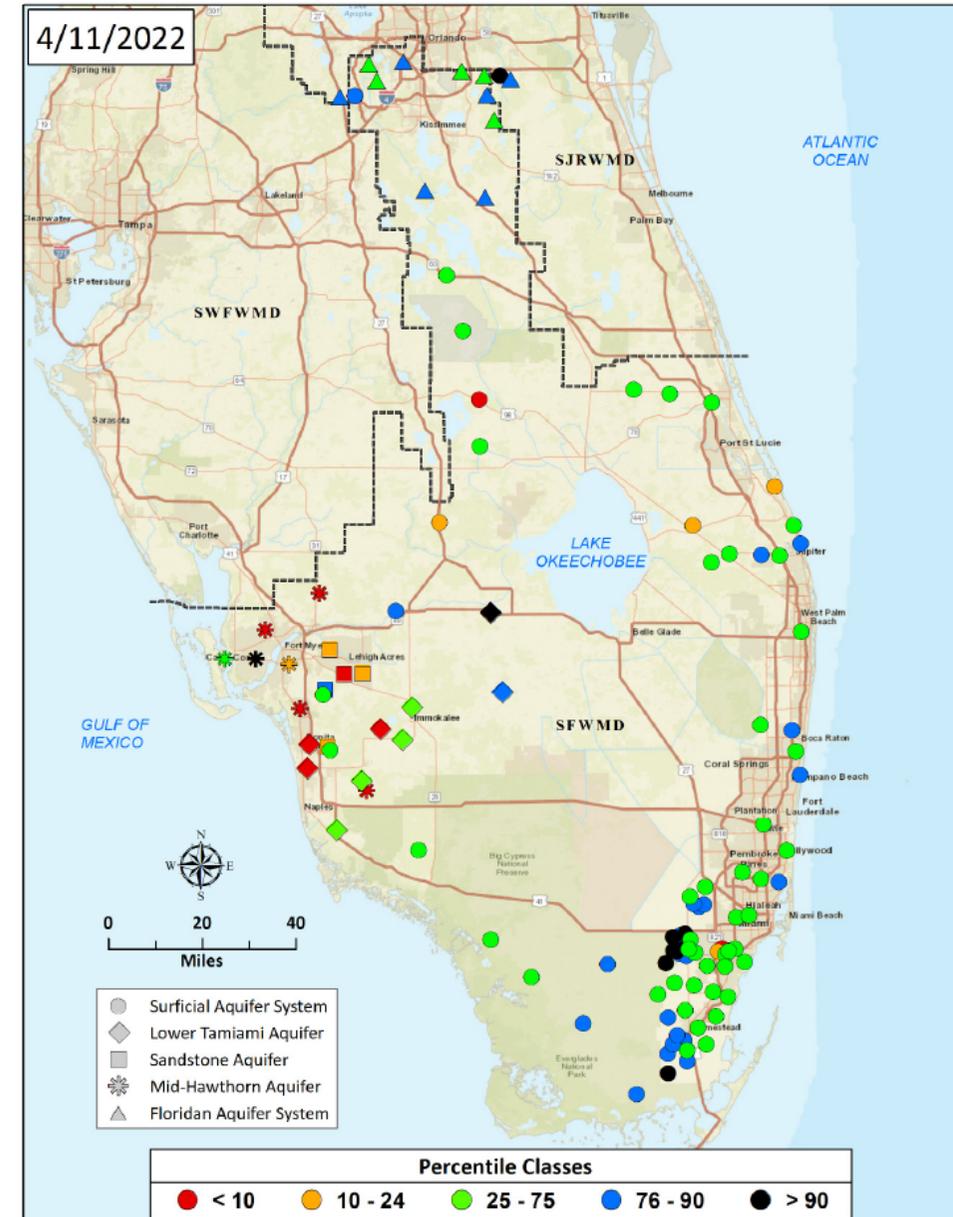
### Total STA Inflow and Lake Releases to STAs



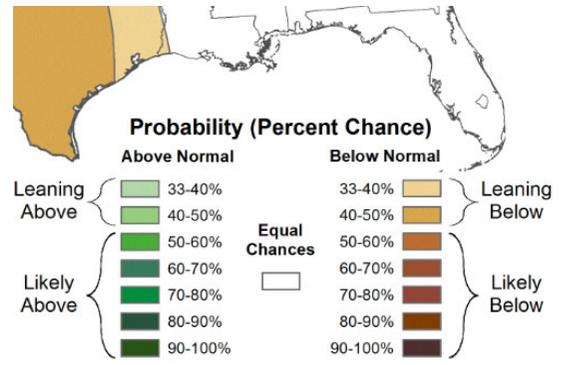
2022(p): Data from May 1, 2021 to April 10, 2022.

# Status of Groundwater Conditions

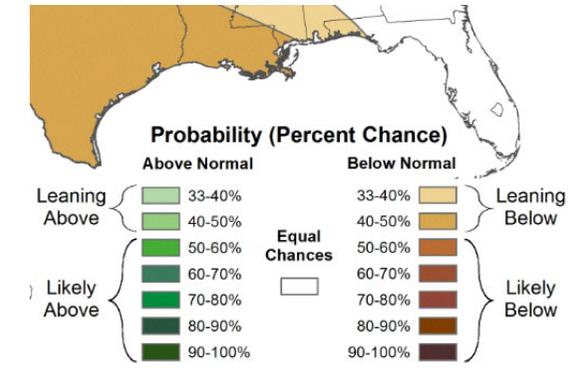
- Surface and groundwater levels showed mixed trends throughout the District over the last week.
- About 90% of the wells in the Kissimmee Basin within the District boundaries are at median levels or higher for this time of the year.
- About 80% of surface and groundwater wells exhibit decreased levels across stations in the Lower East Coast during the past 7 days and all are at median levels and higher..
- Groundwater levels are on the low side in the C-111 Basin, Homestead and Everglades National Park.
- Groundwater levels decreased in most of the stations on the Lower West Coast over the last seven days. Groundwater levels are in the lower percentiles in about 80% of the Sandstone and 70% of the Mid Hawthorn aquifer monitoring wells.
- Real-time groundwater levels:
  - Each dot represents a monitor well, continuously monitoring water levels.
  - Color coding corresponds to statistical comparison of current water levels compared to historical for this time of year.



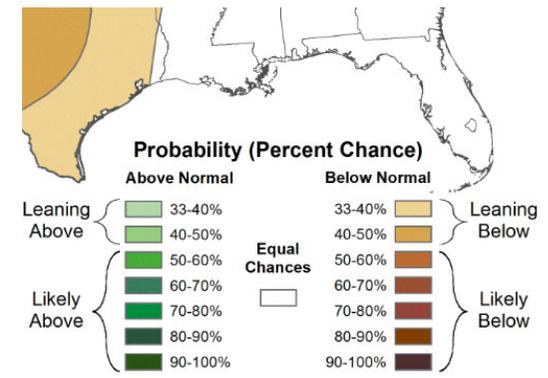
# CPC Precipitation Outlook for South Florida



Apr 2022



Apr 2022 – Jun 2022



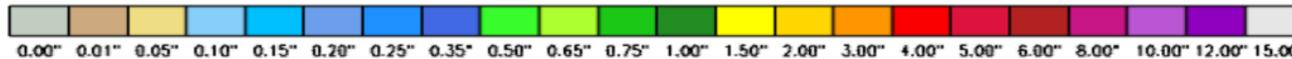
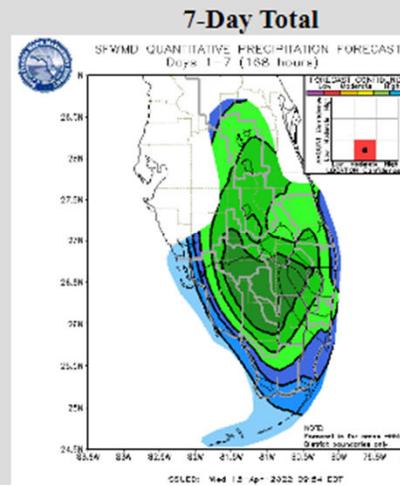
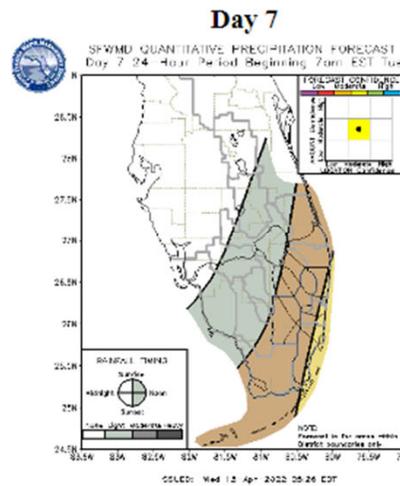
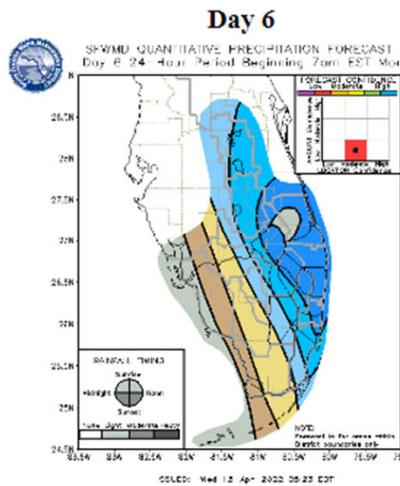
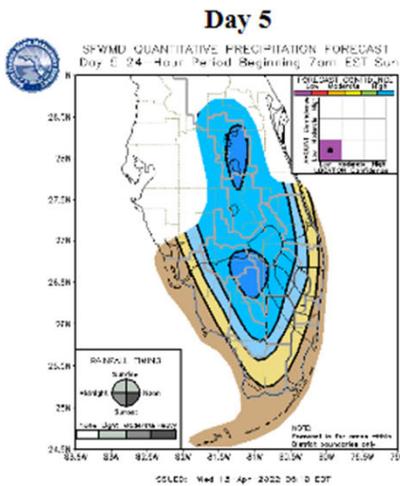
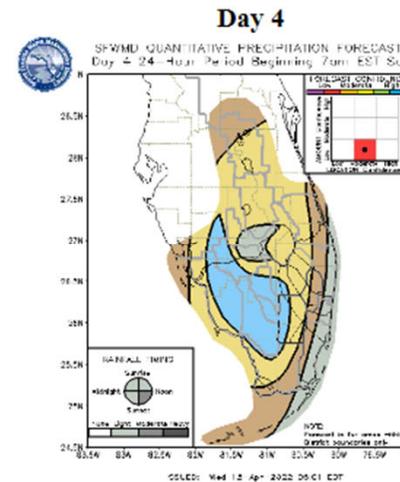
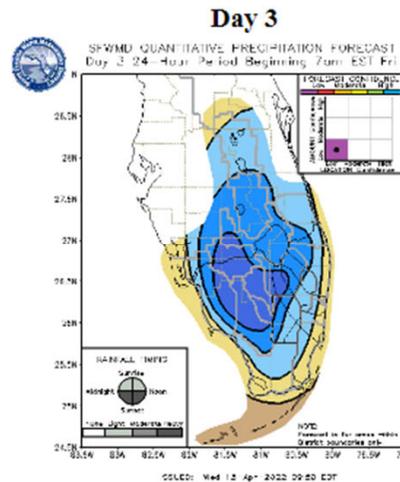
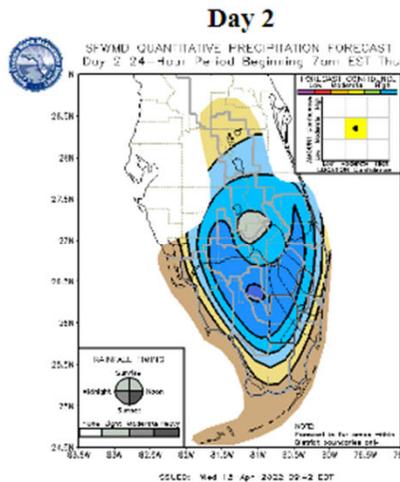
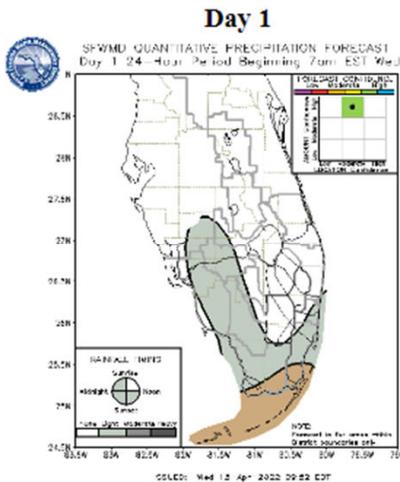
May 2022 – Jul 2022

- The most recent CPC precipitation outlooks for South Florida for April 2022 is for equal chances of below, normal and above-normal rainfall.
- The outlooks for all the 3-month window of Apr – Jun 2022 to Apr – Jun 2023 are for equal chances of below, normal and above-normal rainfall

<https://www.cpc.ncep.noaa.gov/products/predictions/30day/>

Last update issued: March 31, 2021

# Daily Quantitative Precipitation Forecasts (Posted 04/13/2022)



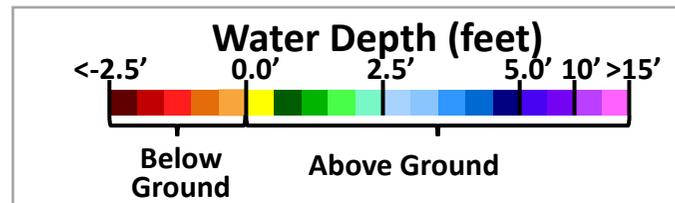
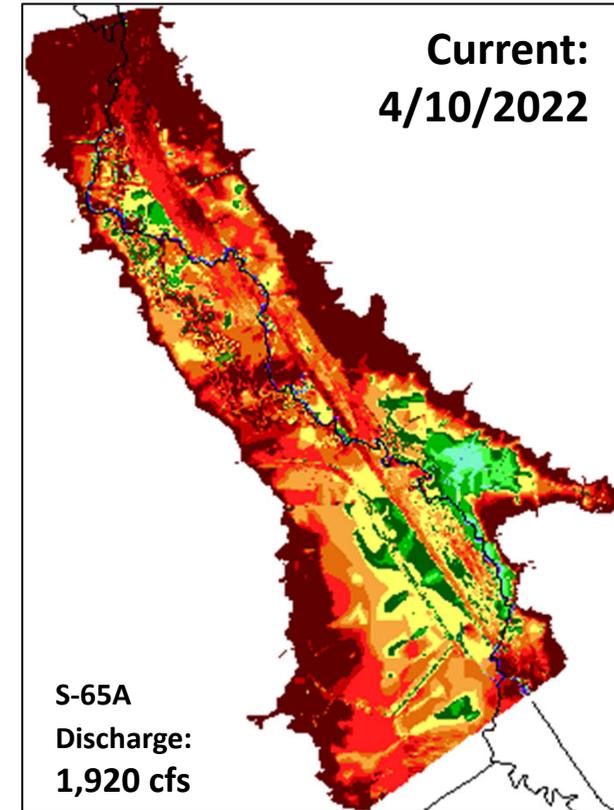
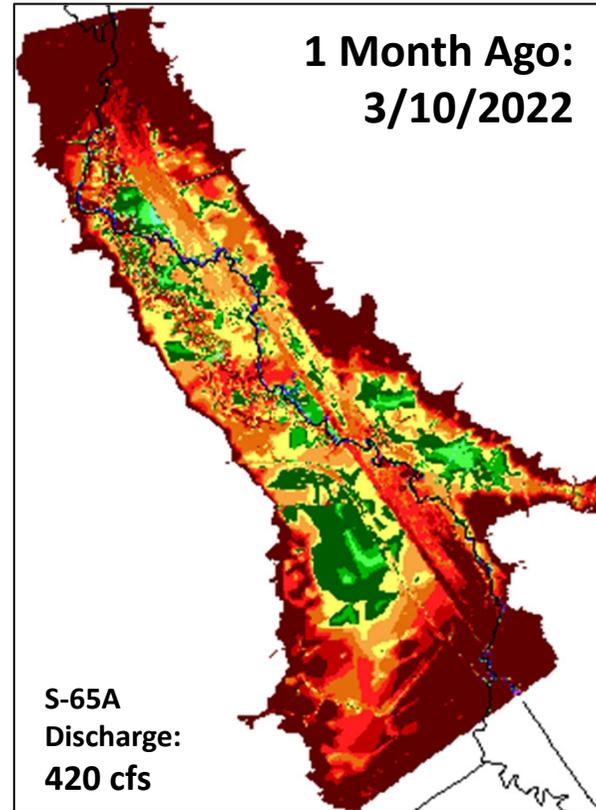
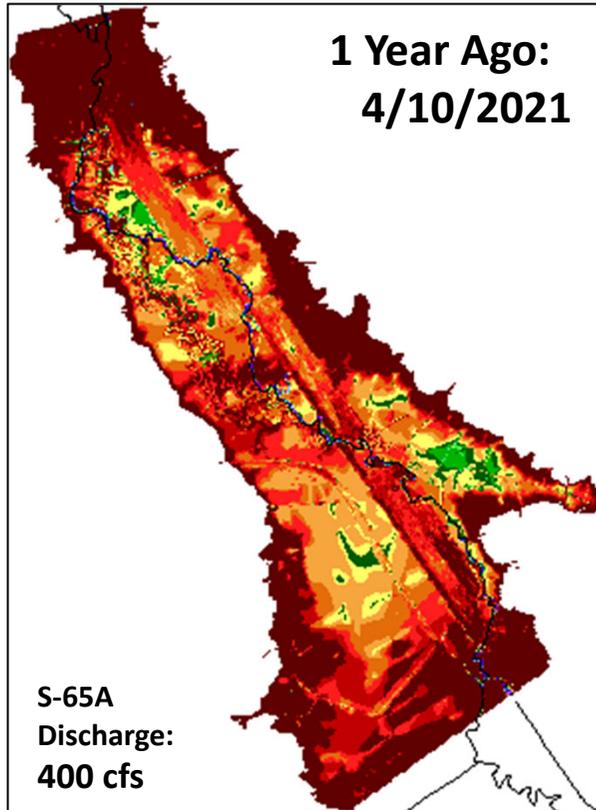
# Ecological Conditions Update

Governing Board Meeting  
April 14, 2022

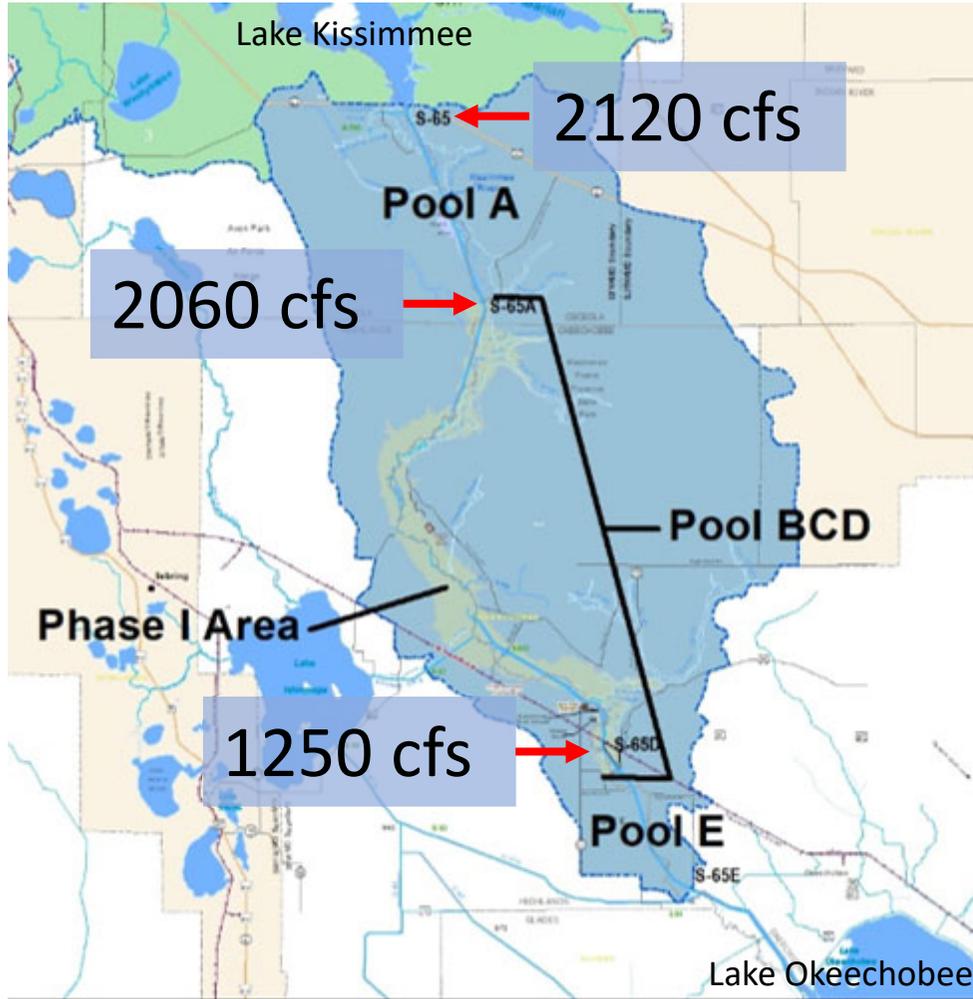


Lawrence Glenn  
Division Director  
Water Resources

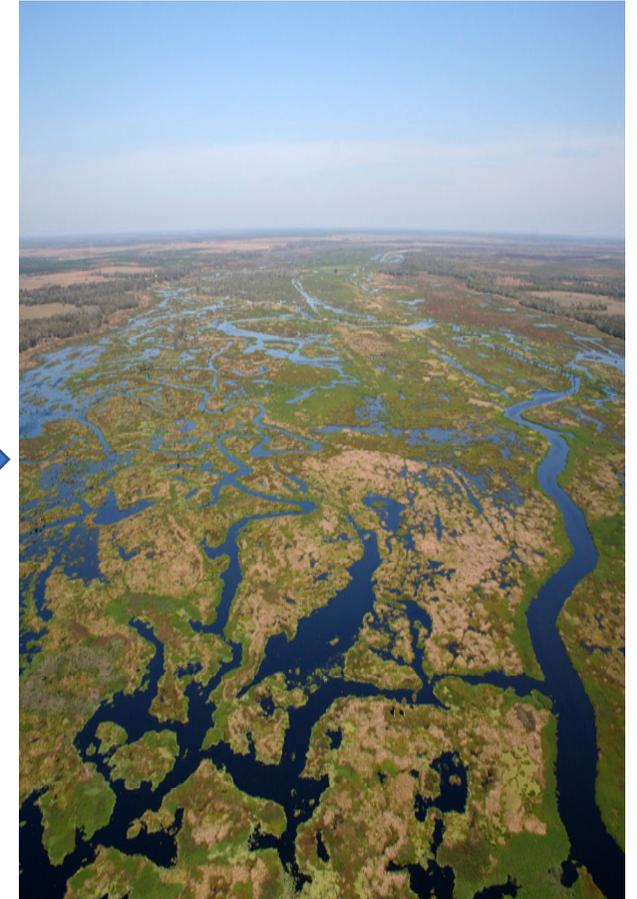
# Kissimmee River (Phase I) Floodplain Water Depth Maps



# Floodplain Flow Attenuation



C-38 canal

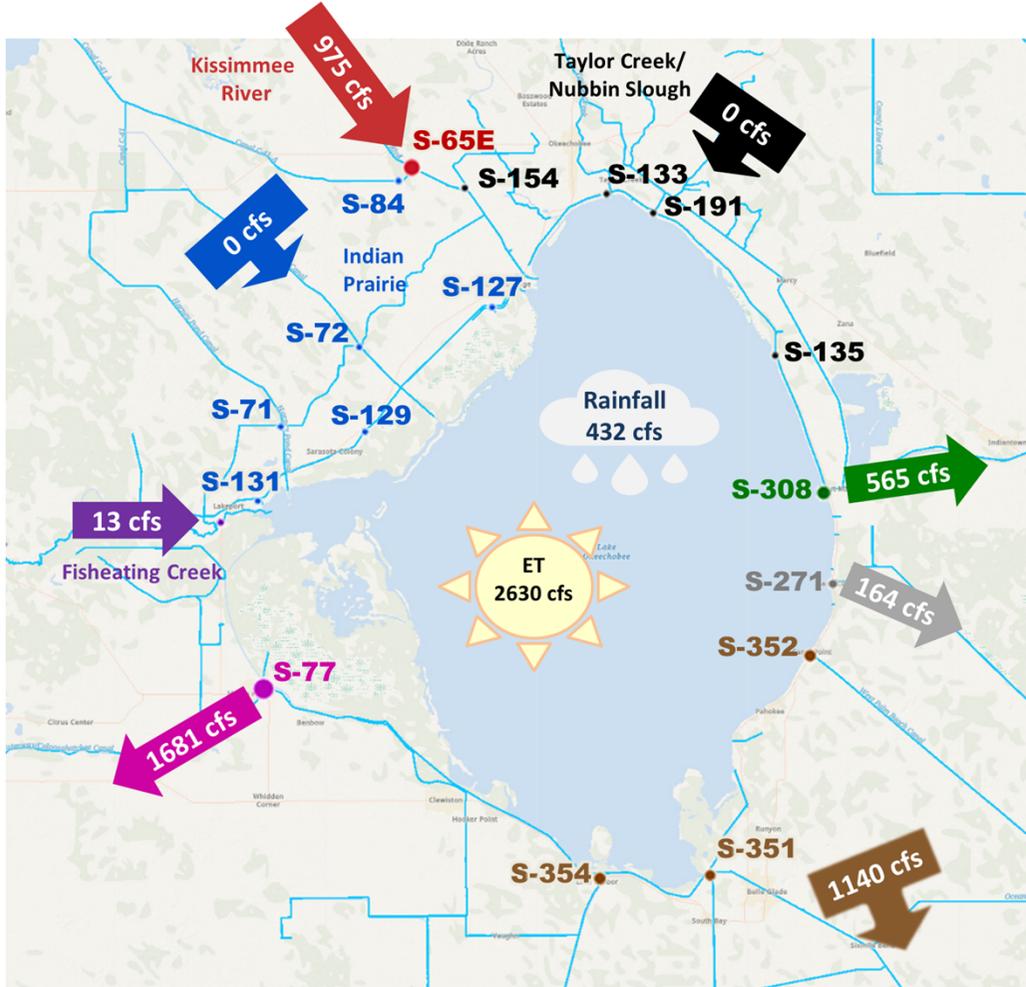


Restored River

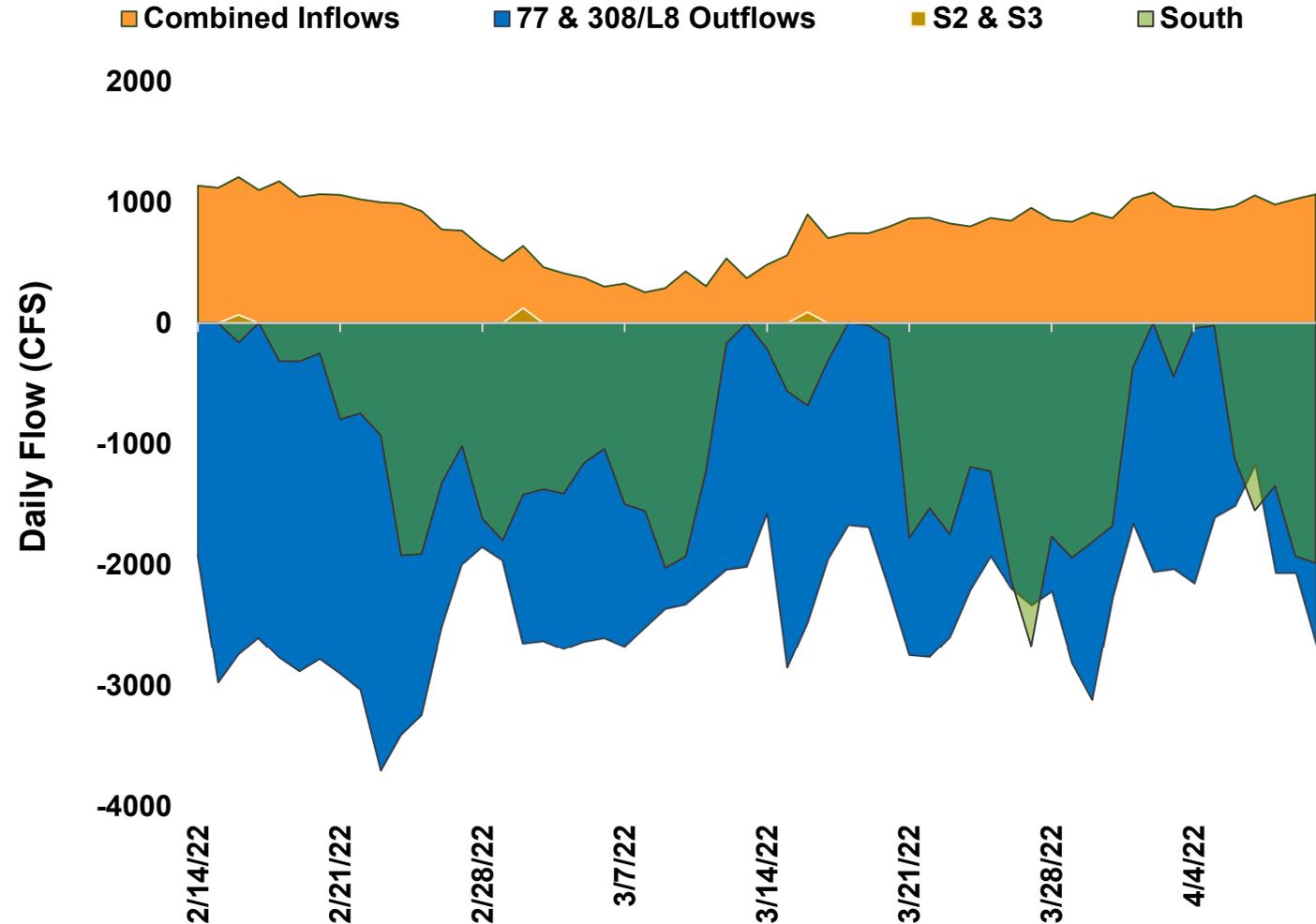
# Lake Okeechobee Hydrology

(\*Provisional Data)

Apr. 4 – 10 Inflows and Outflows

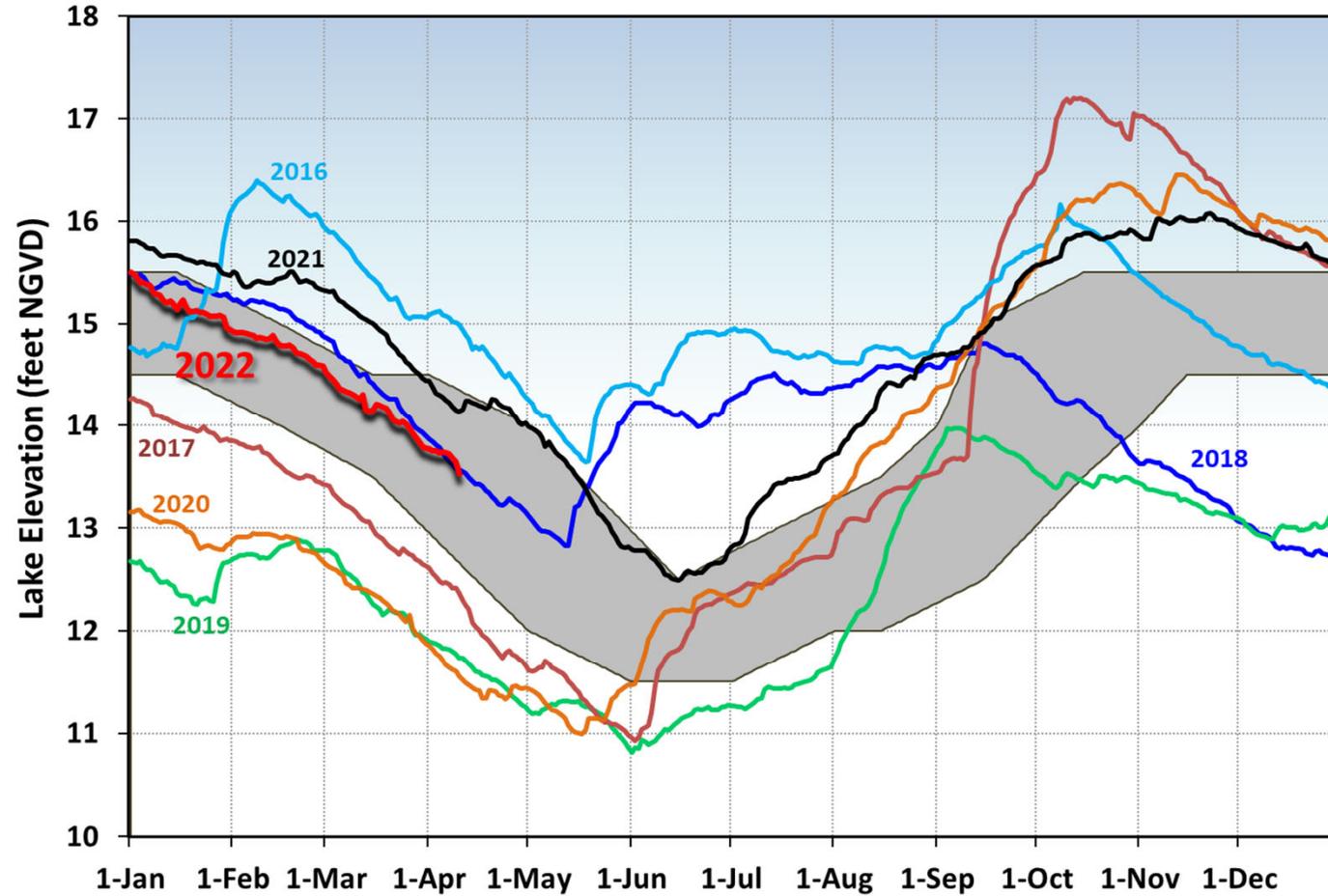


Prior 8 Weeks Inflows and Outflows

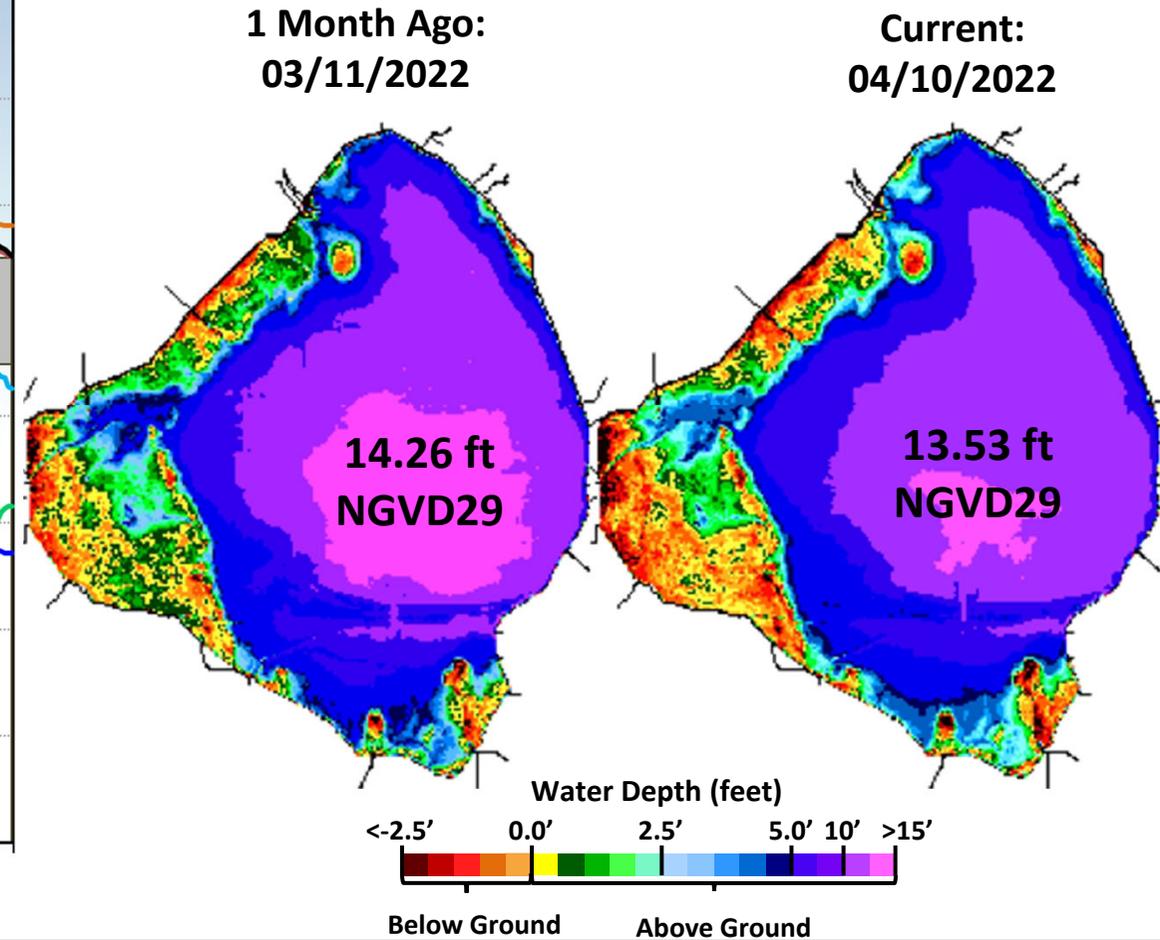


# Ecological Envelope and Water Depths

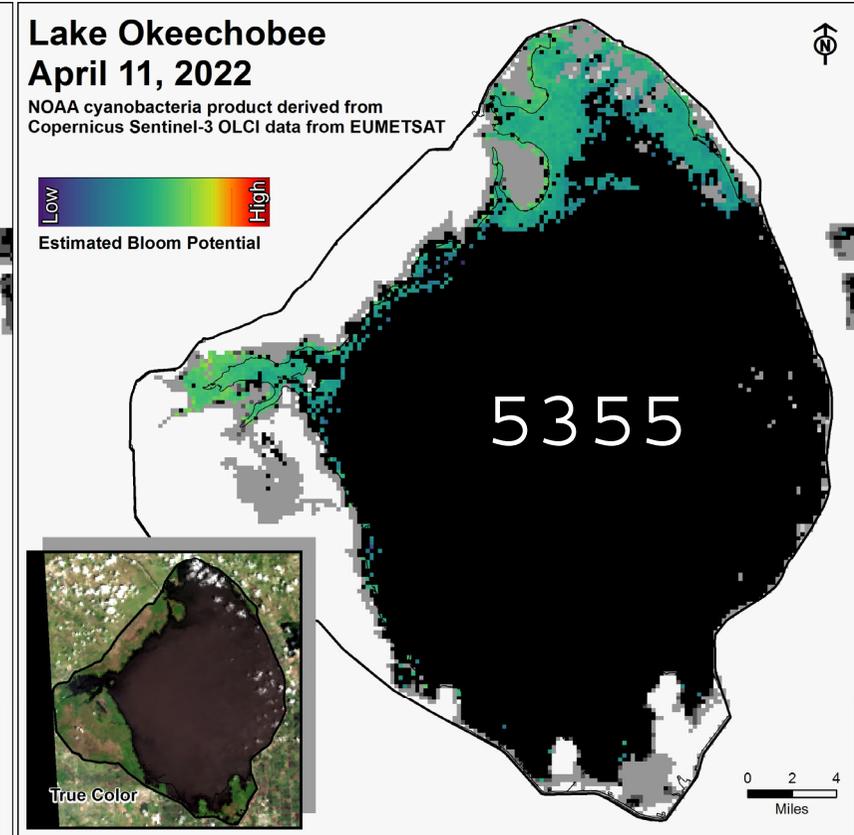
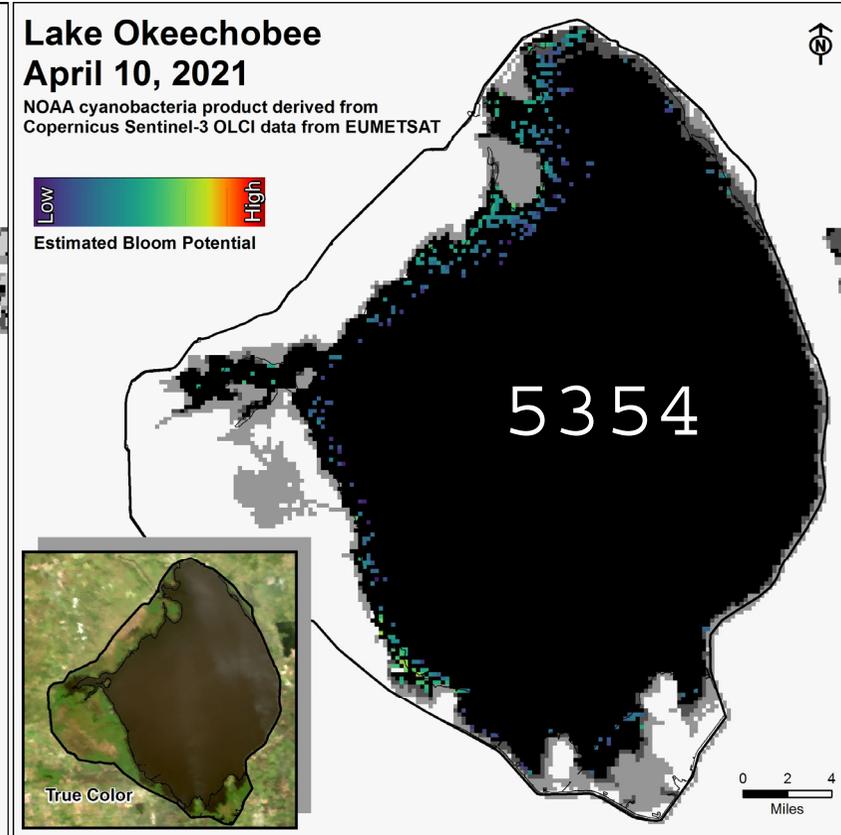
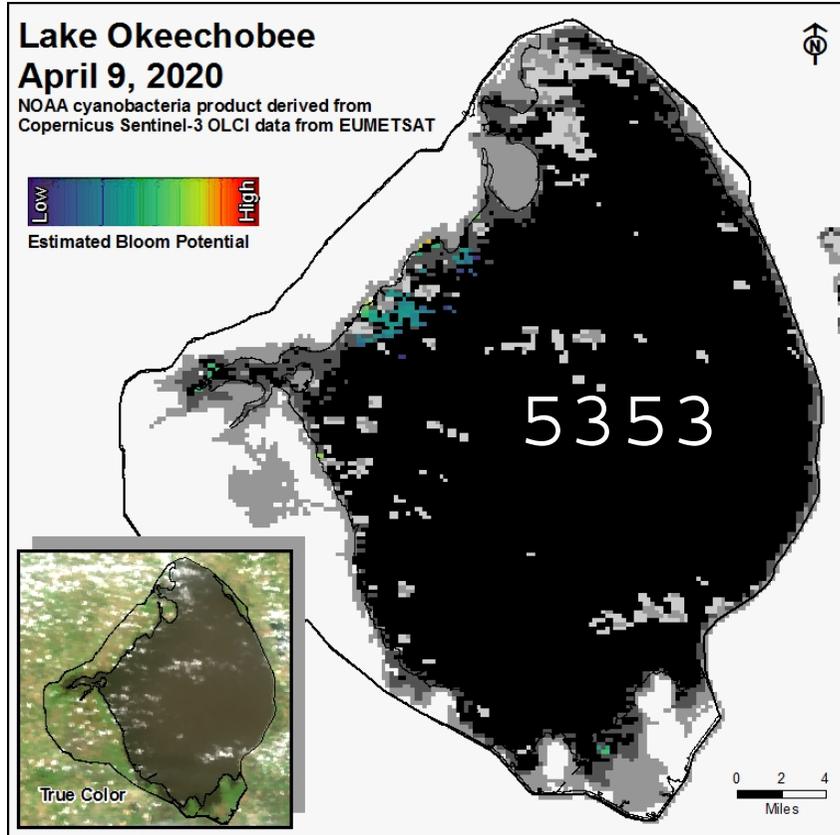
Lake Okeechobee Stage vs Ecological Envelope



Changes in Water Depth



# Lake Okeechobee Cyanobacteria Bloom Potential



QRDD# | dqrdfwub#surgfxw#ghulyh#urp #Frshuq lfxv#7hqwqho6 #R FOI#gdw#urp #IXP HWVDW

# Lake Okeechobee January Water Quality

## \* Provisional Data \*

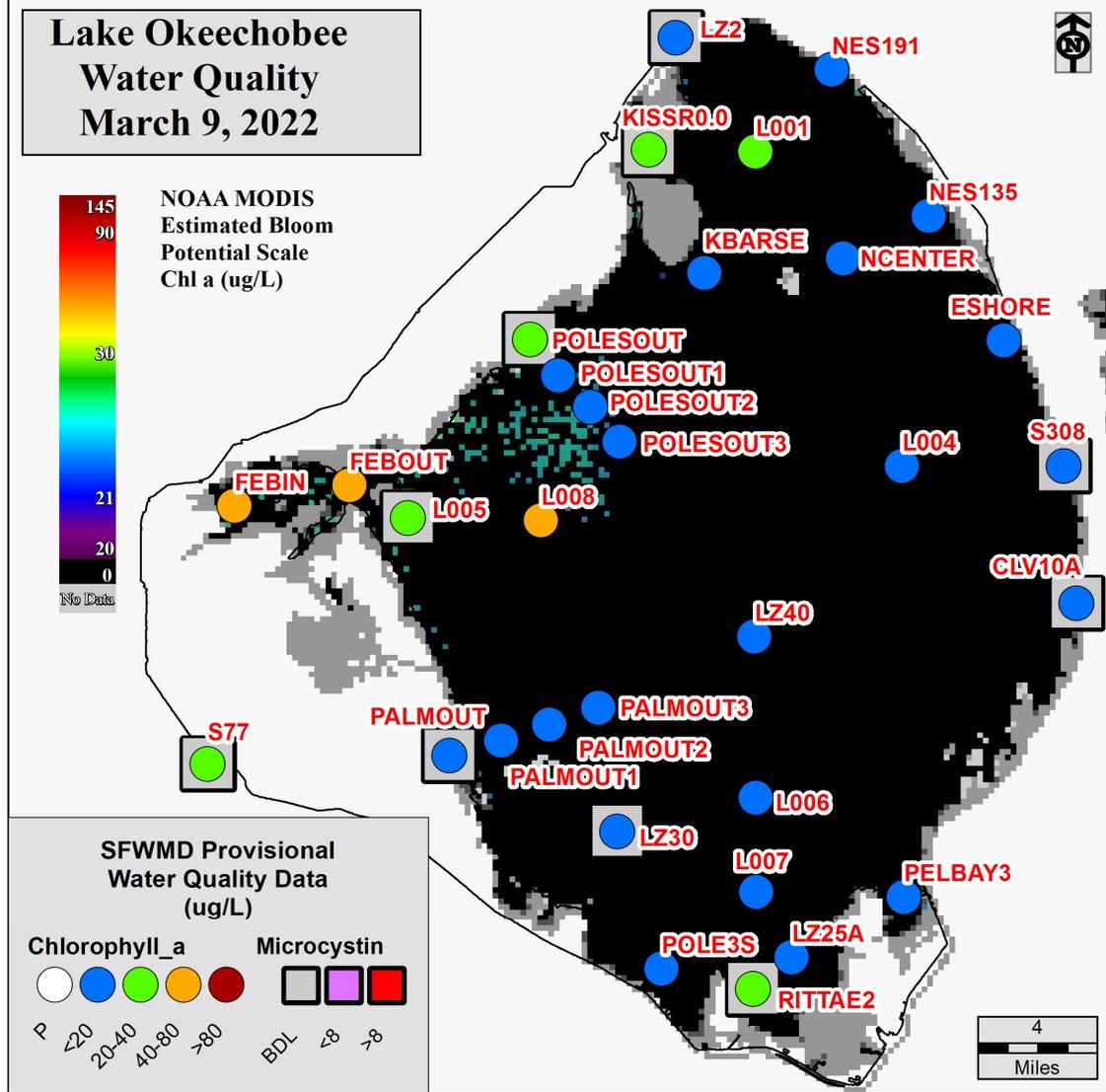
Collection Date: Mar 7-9, 2022

Station	CHL <sub>a</sub> (ug/L)	TOXIN (ug/L)	TAXA
FEBIN	<b>74.6</b>		
FEBOUT	<b>40.8</b>		
KISSR0.0	<b>26.4</b>	BDL	<i>mixed</i>
L005	<b>32.8</b>	BDL	<i>mixed</i>
LZ2	13.3	BDL	<i>mixed</i>
KBARSE	6.9		
RITTAE2	<b>22.0</b>	BDL	<i>mixed</i>
PELBAY3	3.7		
POLE3S	16.7		
LZ25A	3.6		
PALMOUT	17.9	BDL	<i>mixed</i>
PALMOUT1	4.8		
PALMOUT2	3.8		
PALMOUT3	8.2		
POLESOUT	<b>23.6</b>	BDL	<i>mixed</i>
POLESOUT1	15.9		
POLESOUT2	14.1		
POLESOUT3	11.2		
EASTSHORE	7.3		
<b>136</b> NES135	7.3		
NES191	7.4		

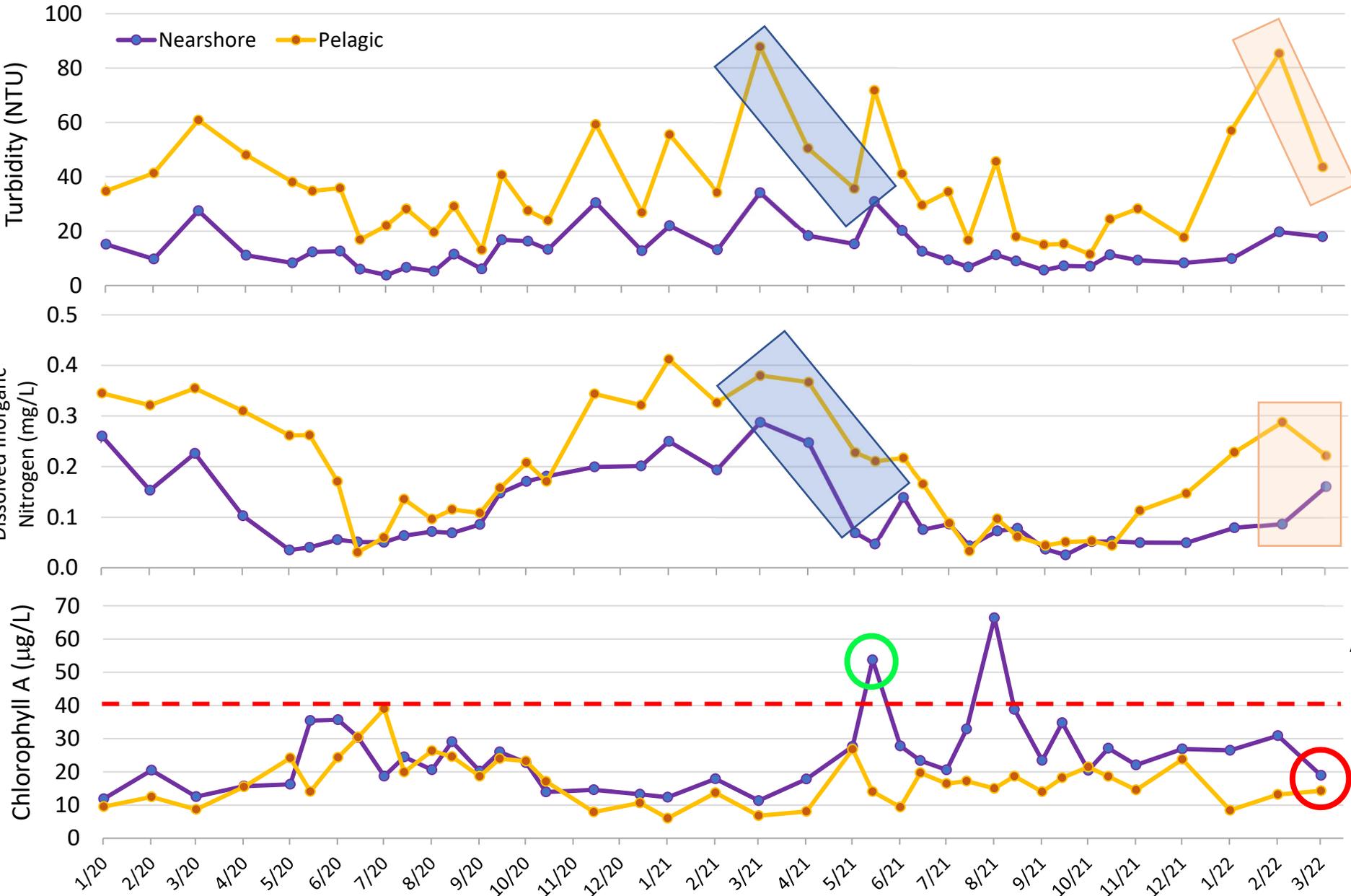
Station	CHL <sub>a</sub> (ug/L)	TOXIN (ug/L)	TAXA
L001	<b>24.8</b>		
L004	7.1		
L006	6.6		
L007	4.1		
L008	<b>46.0</b>		
LZ30	5.4	BDL	<i>mixed</i>
LZ40	13.6		
CLV10A	5.1	BDL	<i>mixed</i>
NCENTER	6.1		
S308C	4.6	BDL	<i>mixed</i>
S77 (3/14/22)	<b>20.9</b>	BDL	<i>mixed</i>

- SFWMD considers >40 µg/L Chlorophyll *a* (Chl<sub>a</sub>) an algal bloom
- BDL – Below Detectable Limit of **0.25** µg/L
- ND – No Dominant taxa
- P – Pending
- NS – Not Sampled
- Station bold font – crew observed possible BGA
- Chlorophyll *a* analyzed by SFWMD
- Toxin and Taxa analyzed by FDEP:  
*Microcys* = *Microcystis*; *Cylindro* = *Cylindrospermopsis*;  
*Pseud* = *Pseudanabaena*; *Dolicho* = *Dolichospermum*

Presenter: Lawrence Glenn



# SOUTH FLORIDA WATER MANAGEMENT DISTRICT



March	Year	Turbidity	DIN	Chl-A
Nearshore	2018	51.7	0.486	8.3
	2019	30.7	0.197	17.2
	2020	27.5	0.226	12.5
	2021	34.3	0.288	11.3
	2022	17.9	0.161	19.0
Pelagic	2018	101.4	0.559	5.3
	2019	45.5	0.315	8.0
	2020	60.8	0.355	8.7
	2021	87.7	0.380	6.8
	2022	43.7	0.222	14.3

## Recent Water Quality

**\*Provisional Data\***

# SFWMD Avian Monitoring

**Wading birds** are monitored by SFWMD scientists as useful indicators of current ecological conditions and restoration success.

**Foraging**, and more importantly, **nesting** are behaviors monitored during the breeding season.

Foraging



Nesting



# South Florida Wading Bird Report

- Published each July, the *South Florida Wading Bird Report (SFWBR)* summarizes foraging and nesting activity systemwide and has 15 area-specific reports published by a team of avian ecologists in south Florida.
- Most historically important wading bird nesting colonies are surveyed annually. Not all colonies in the Kissimmee Basin (KB) are monitored, but nearly 100% of wading birds nesting in the Everglades are.
- Agricultural lands provide a more important habitat for nesting in the KB than in Lake Okeechobee or the Everglades. A recent study of White Ibis indicates privately-owned pasture lands near the Kissimmee River have the most used habitat overall, not natural wetlands.

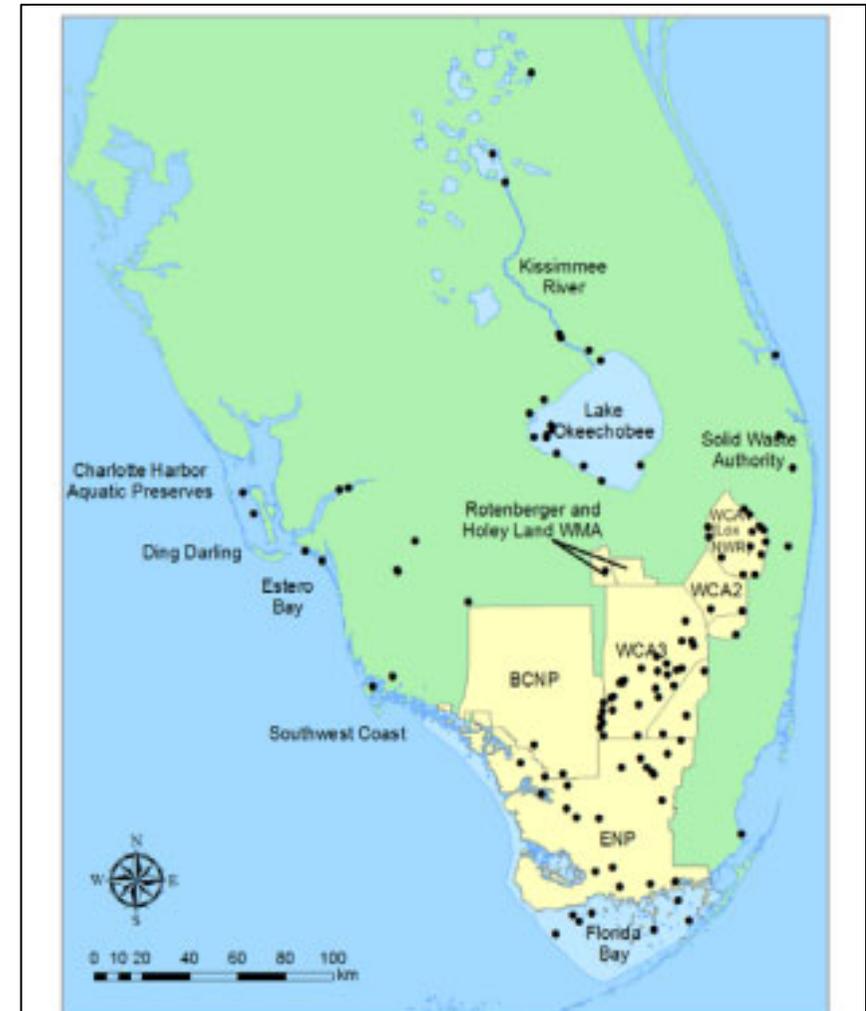


Figure 1. Locations of wading bird colonies with 50 or more nests in South Florida, 2018.

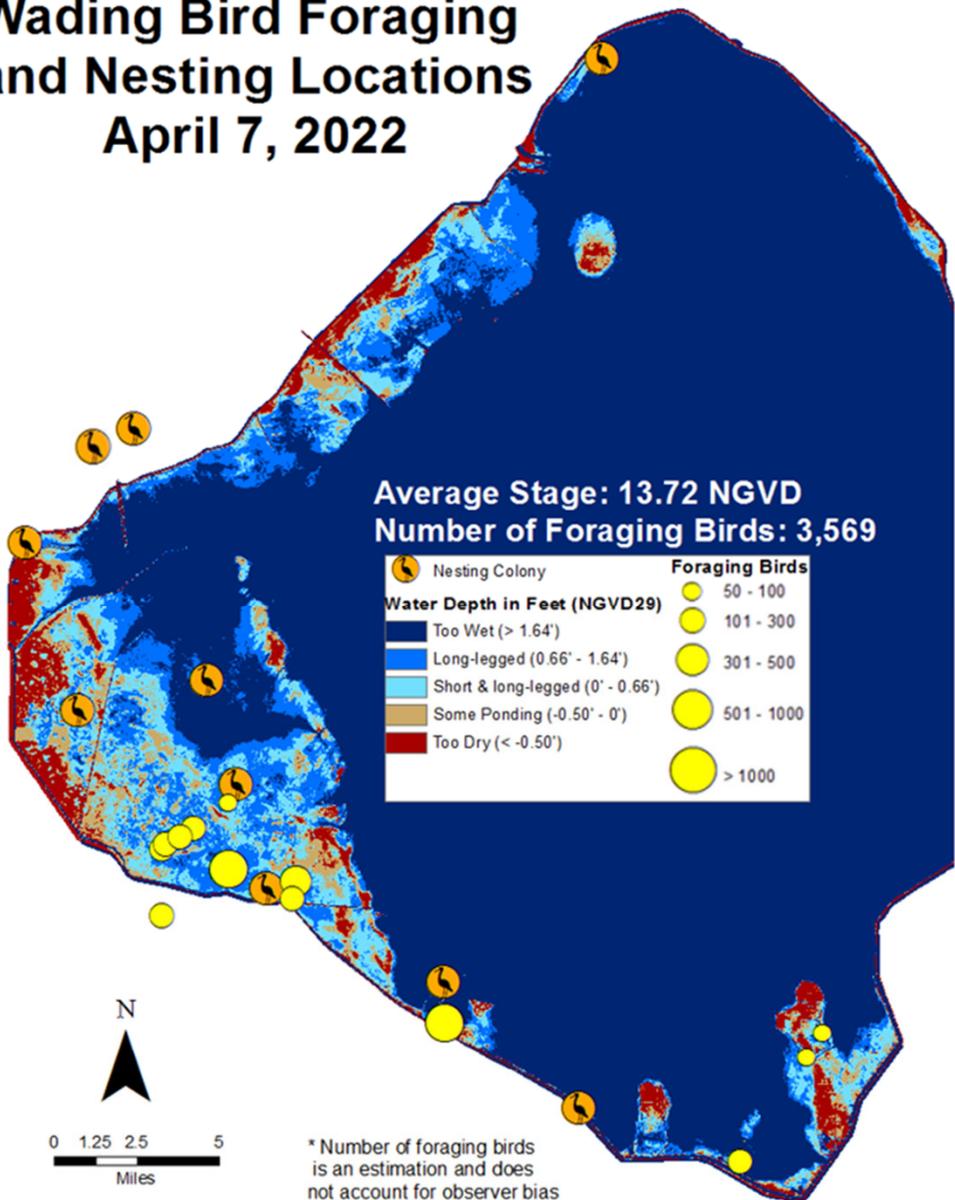
# South Florida Wading Bird Reporting



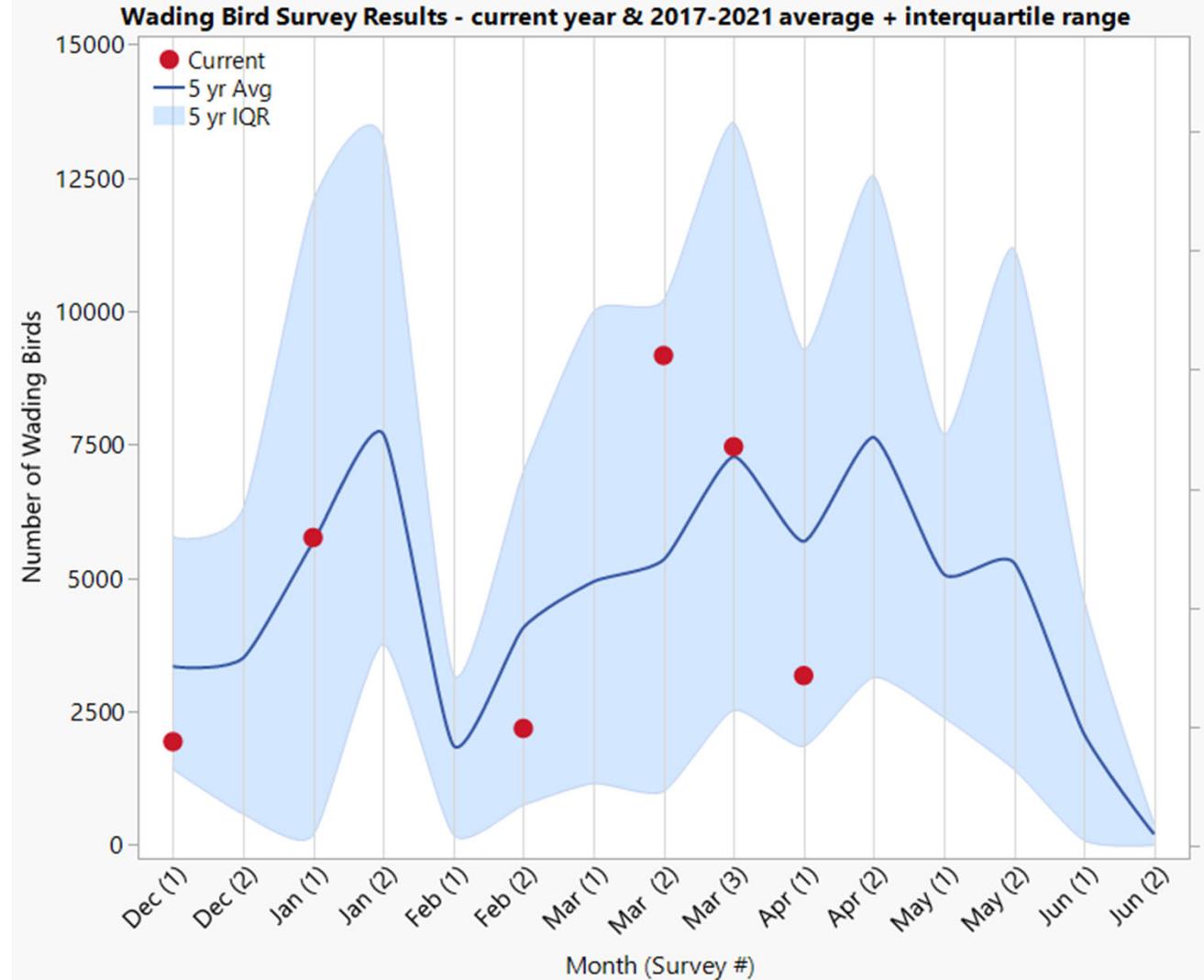
- A systemwide summary of nesting in South Florida may be presented to the Governing Board each July or August.
- Additional nesting success information for specific species and locations will also be presented, many of which are compared with restoration performance measures.
- Site-specific reports will continue to be provided in the monthly Ecological Conditions report to the Governing Board.



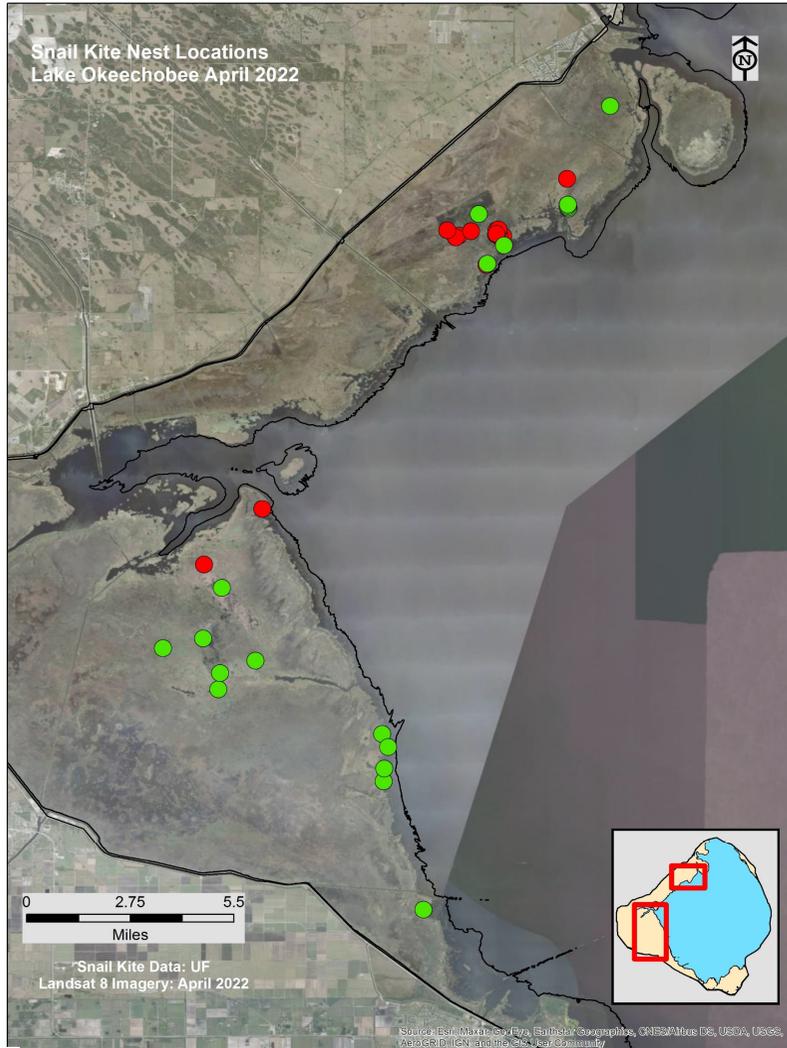
Wading Bird Foraging and Nesting Locations  
April 7, 2022



# Lake Okeechobee Wading Bird Foraging



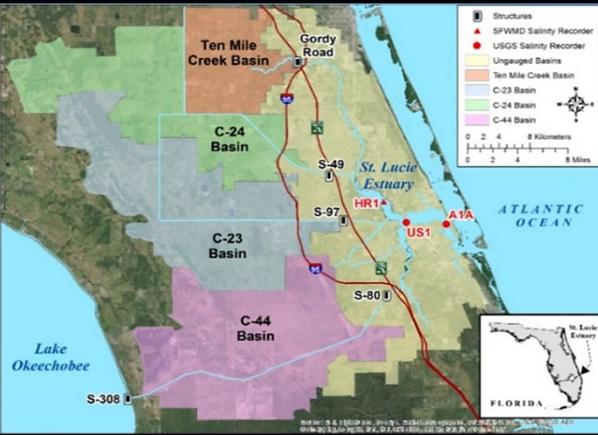
# Snail Kite Nest Monitoring



- Currently there have been 34 nests on the lake (green and red dots) with 13 failures (red dots) so far. Three new nests were observed on the lake, one each in Indian Prairie, Moonshine Bay, and Observation Island.
- Last year there were about 161 total nests throughout the marsh, about 80 nests were in the Indian Prairie area



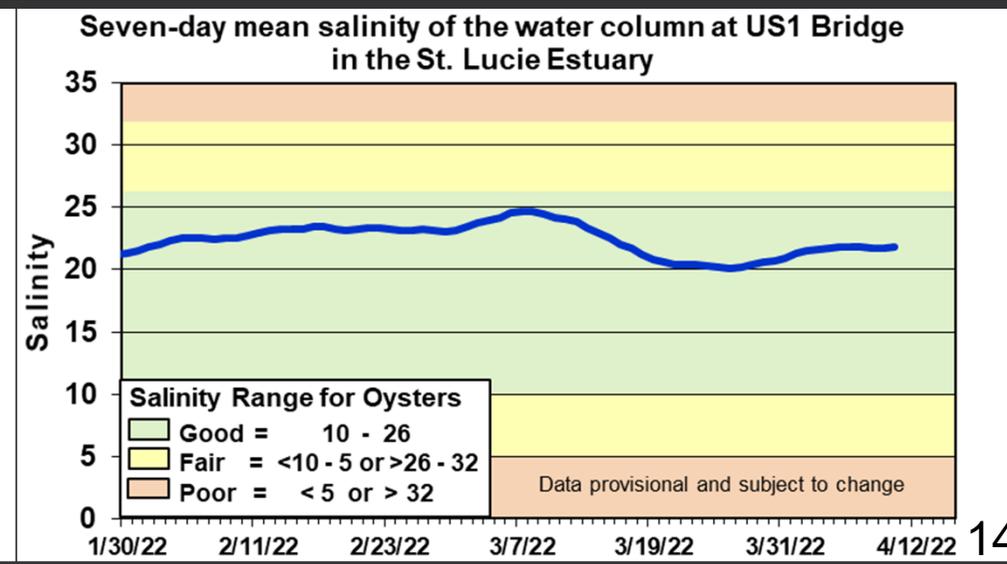
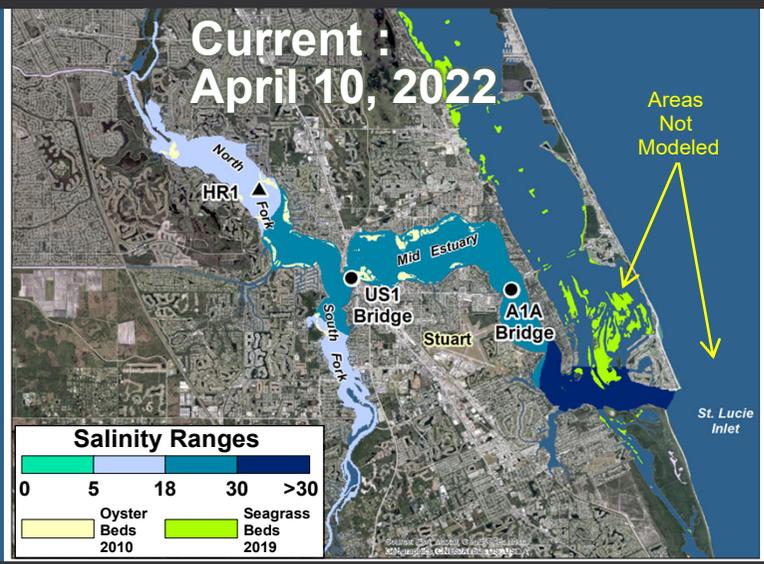
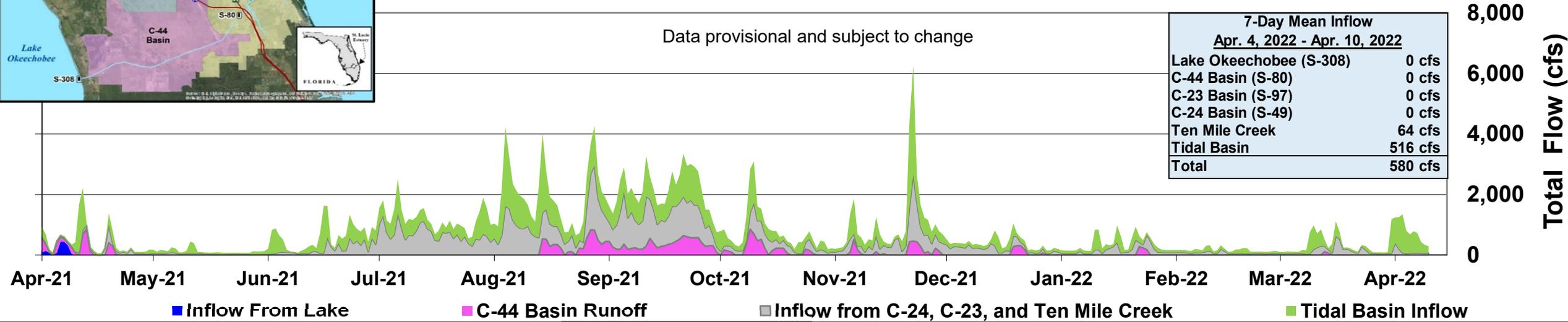
# St. Lucie Inflows and Salinity Conditions



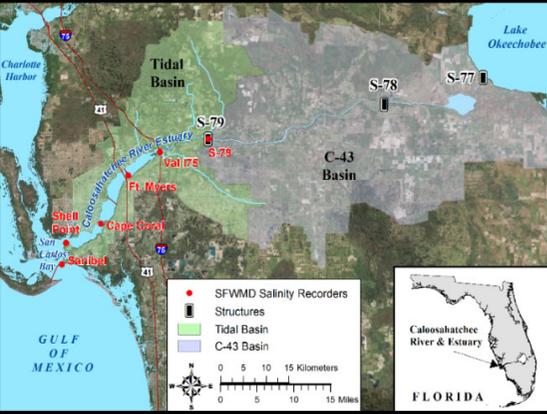
## Total Daily Inflow into the St. Lucie Estuary

Data provisional and subject to change

7-Day Mean Inflow Apr. 4, 2022 - Apr. 10, 2022	
Lake Okeechobee (S-308)	0 cfs
C-44 Basin (S-80)	0 cfs
C-23 Basin (S-97)	0 cfs
C-24 Basin (S-49)	0 cfs
Ten Mile Creek	64 cfs
Tidal Basin	516 cfs
<b>Total</b>	<b>580 cfs</b>



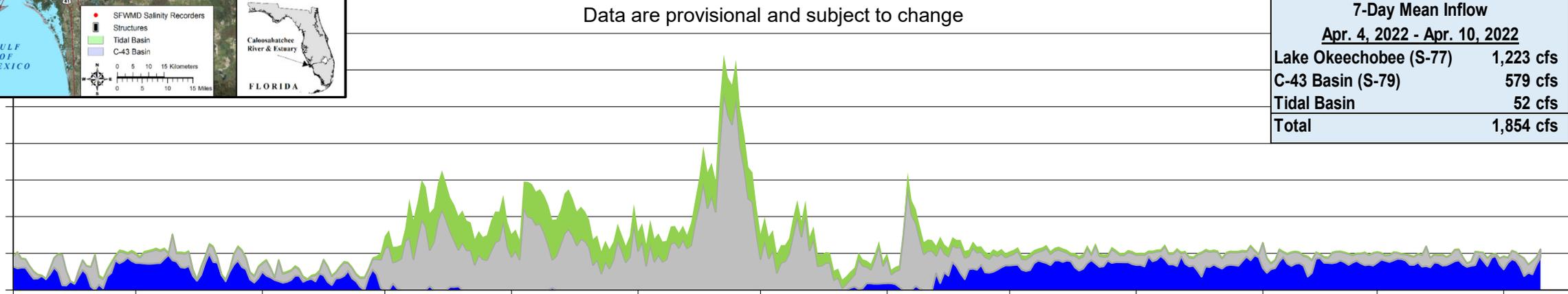
# Caloosahatchee Inflows and Salinity Conditions



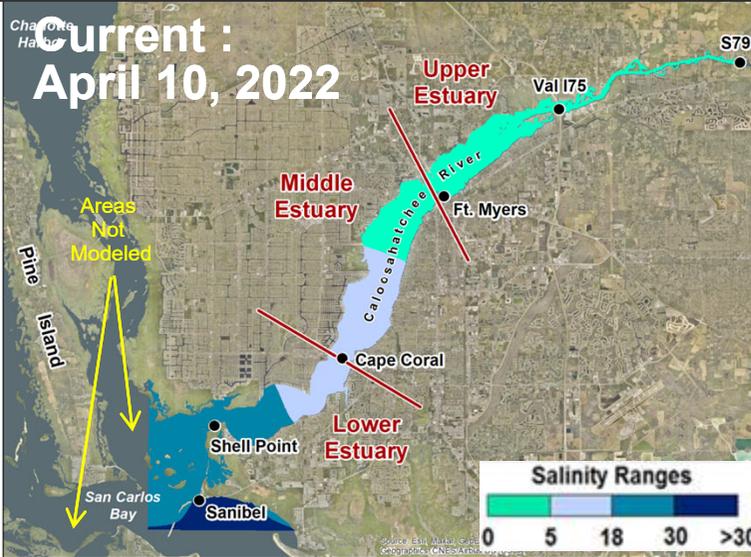
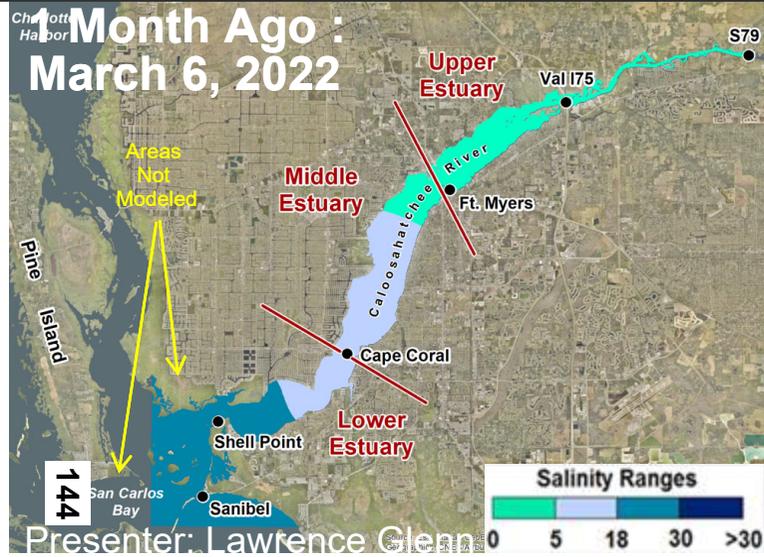
## Total Daily Inflow into the Caloosahatchee River Estuary

Data are provisional and subject to change

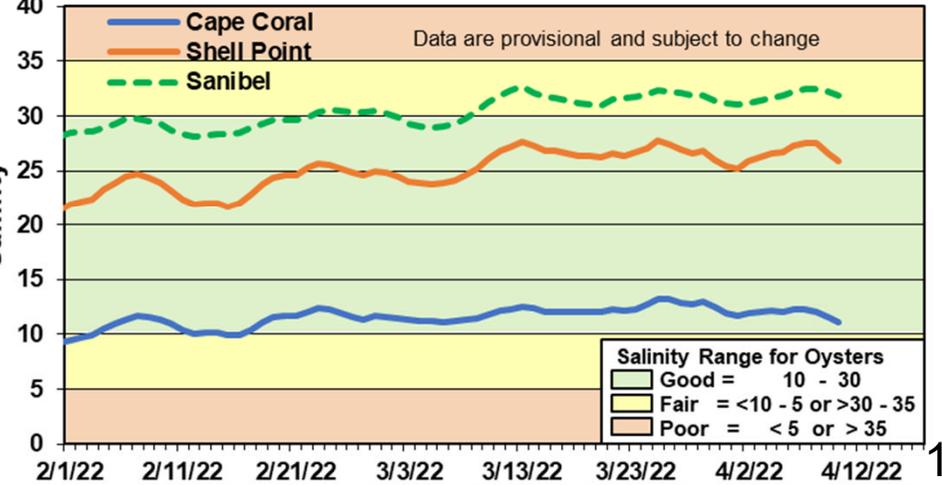
7-Day Mean Inflow Apr. 4, 2022 - Apr. 10, 2022	
Lake Okeechobee (S-77)	1,223 cfs
C-43 Basin (S-79)	579 cfs
Tidal Basin	52 cfs
<b>Total</b>	<b>1,854 cfs</b>



■ Inflow from Lake      ■ C-43 Basin Inflow      ■ Tidal Basin Inflow (downstream of S-79)



## Seven-day moving average surface and bottom salinities at oyster monitoring sites in the Caloosahatchee River Estuary



# Florida Fish and Wildlife Research Institute Red Tide Status

## April 8, 2022



Southwest Coast *Karenia brevis* concentrations  
03/31/2022 - 04/07/2022



- *Karenia brevis* was not observed in any samples collected within the District region
- Respiratory irritation and fish kills (suspected to be related to red tide) were not reported statewide
- On the East coast, red tide was not observed in any samples collected from St. Lucie, Martin or Palm Beach Counties

Statewide *Karenia brevis* concentrations  
03/31/2022 - 04/07/2022



145

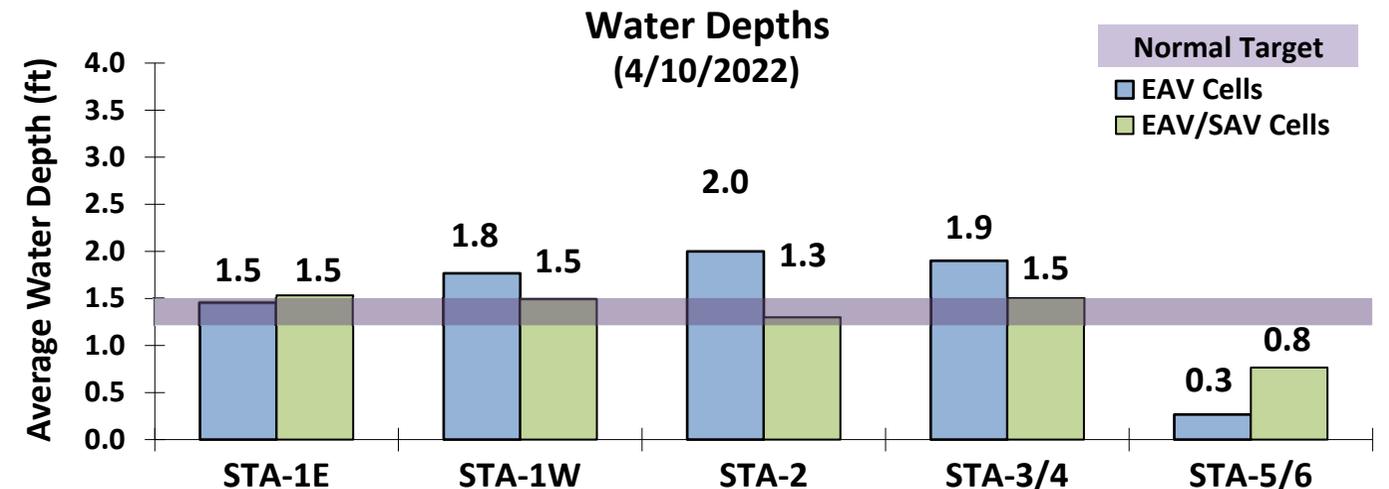
# Everglades Stormwater Treatment Areas (STAs)

- STAs treated basin runoff and Lake Okeechobee releases in March
  - Total inflows to STAs since 5/1/2021 (WY2022): ~1,019,000 ac-ft
  - Lake Okeechobee releases to FEB/ STAs in WY2022: ~105,700 ac-ft
- Extensive vegetation management activities underway to address stressed and highly stressed vegetation especially in EAV cells
- Most treatment cells are at or near target depth except STA-5/6 EAV cells drying out

Water Year 2022 To Date  
5/1/2021 to 4/10/2022

	STA-1E	STA-1W	STA-2	STA-3/4	STA-5/6
Inflow TP Concentration (ppb)	119	158	91	66	243
Outflow TP Concentration (ppb)	22	24	15	15	50
365-day Phosphorus Loading Rate (g/m <sup>2</sup> /yr)	2.4	0.3	0.6	0.7	0.9
Inflow Volume (ac-ft)	171,100	56,500	283,800	342,900	177,800

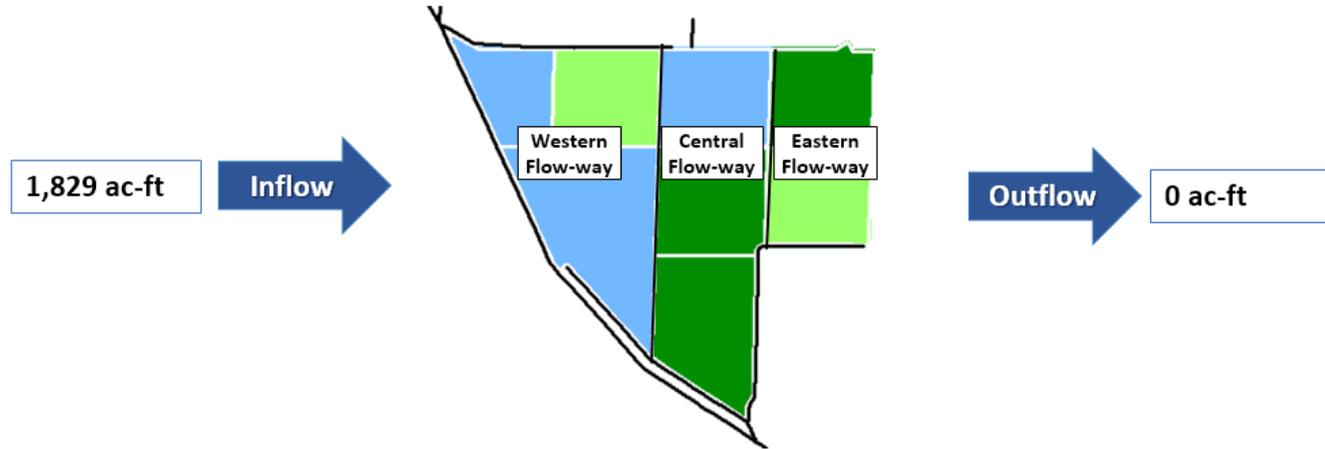
Includes preliminary data; all concentrations are flow-weighted means



Includes preliminary data; Emergent Aquatic Vegetation (EAV); Submerged Aquatic Vegetation (SAV)

# STA-1E

STA-1E Weekly Status Report – 4/4/2022 through 4/10/2022



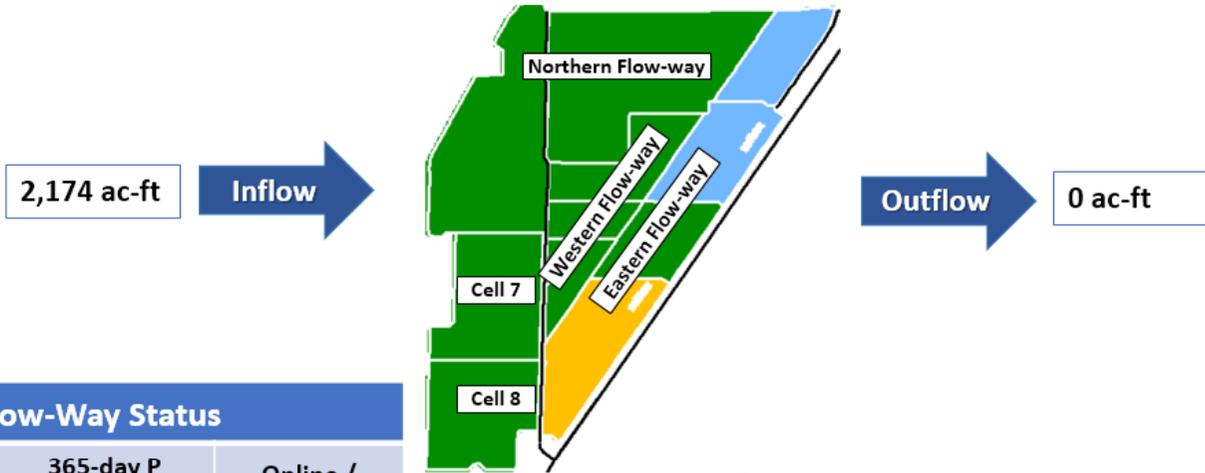
STA-1E Flow-Way Status			
Flow-Way	Vegetation Status <small>Healthy ----- Stressed</small>	365-day P Loading Rate <small>(below 1.0 g P /m<sup>2</sup>/yr is optimal)</small>	Online / Offline / Restrictions
Eastern			Offline, Tropical Storm Eta repairs starting 01/24/2022
Central			Vegetation Rehab
Western			Offline, post-construction grow in starting 3/28/2022

As of 4/10/2022	
Stage Based: Relative to Target Stage (TS)	
	Deep Water Level (> 2.8' above TS)
	High Water Level (1.5' – 2.8' above TS)
	0.2' – 1.5' above TS
	Target Stage (TS +/- 0.2')
	Low Water Level (<0.2' below TS)
Depth / Area Based: Percent of Area Dry	
	0-25% Dry
	25-50% Dry
	50-75% Dry
	75-100% Dry

STA-1E Flow & Phosphorus Concentration			
	7-day	28-day	365-day
Total Inflow, ac-ft	1,829	2,789	178,882
--Lake Inflow, ac-ft	1,000	N/A	4,300
Total Outflow, ac-ft	0	691	148,751
Inflow Conc., ppb	84	79	121
Outflow Conc., ppb	N/A	32	23
Includes Preliminary Data			

# STA-1W

STA-1W Weekly Status Report – 4/4/2022 through 4/10/2022



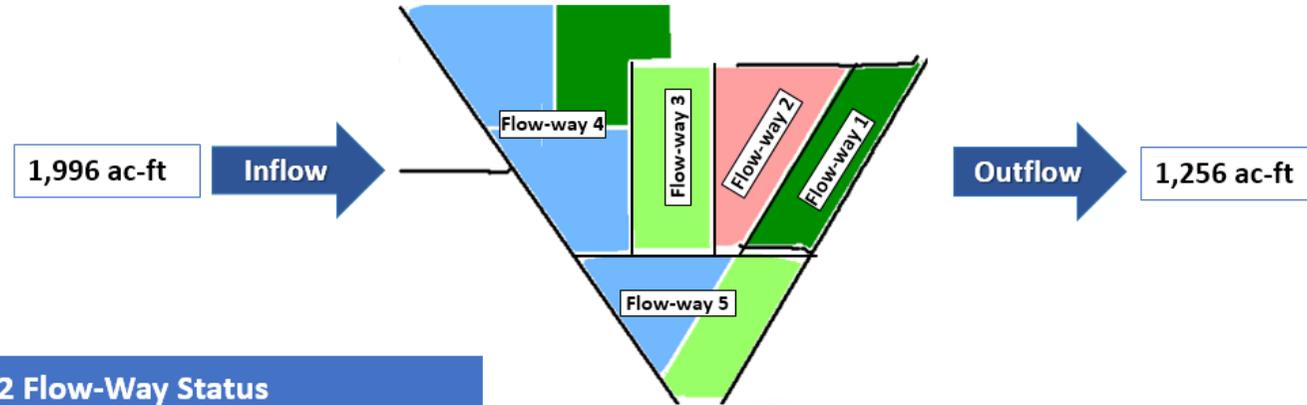
STA-1W Flow-Way Status			
Flow-Way	Vegetation Status Healthy --- Stressed	365-day P Loading Rate (below 1.0 g P / m <sup>2</sup> /yr is optimal)	Online / Offline / Restrictions
Northern	←  →		Construction
Western	←  →		Construction
Eastern	←  →		Construction
Cell 7	←  →	N/A	Online
Cell 8	←  →	N/A	Construction

As of 4/10/2022	
Stage Based: Relative to Target Stage (TS)	
	Deep Water Level (> 2.8' above TS)
	High Water Level (1.5' – 2.8' above TS)
	0.2' – 1.5' above TS
	Target Stage (TS +/- 0.2')
	Low Water Level (<0.2' below TS)
Depth / Area Based: Percent of Area Dry	
	0-25% Dry
	25-50% Dry
	50-75% Dry
	75-100% Dry

STA-1W Flow & Phosphorus Concentration			
	7-day	28-day	365-day
Total Inflow, ac-ft	2,174	5,264	60,541
--Lake Inflow, ac-ft	600	N/A	6,000
Total Outflow, ac-ft	0	0	52,971
Inflow Conc., ppb	75	75	156
Outflow Conc., ppb	N/A	N/A	24
Includes Preliminary Data			

# STA-2

STA-2 Weekly Status Report – 4/4/2022 through 4/10/2022



STA-2 Flow-Way Status			
Flow-Way	Vegetation Status Healthy ----- Stressed	365-day P Loading Rate (below 1.0 g P /m <sup>2</sup> /yr is optimal)	Online / Offline / Restrictions
1	← Healthy →	1.0	Post Dryout
2	Offline, construction activities as of 9/7/2021		
3	← Stressed →	1.0	Vegetation Rehab
4	← Stressed →	1.0	Vegetation Rehab
5	← Healthy →	1.0	Online

As of 4/10/2022	
Stage Based: Relative to Target Stage (TS)	
Deep Water Level (> 2.8' above TS)	0.2' – 1.5' above TS
High Water Level (1.5' – 2.8' above TS)	Target Stage (TS +/- 0.2')
Low Water Level (<0.2' below TS)	Depth / Area Based: Percent of Area Dry
0-25% Dry	50-75% Dry
25-50% Dry	75-100% Dry

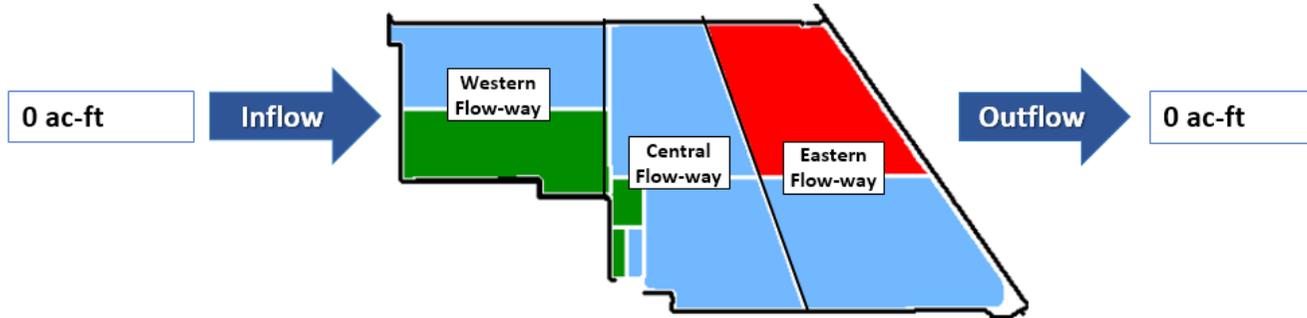
STA-2 Flow & Phosphorus Concentration			
	7-day	28-day	365-day
Total Inflow, ac-ft	1,996	13,451	307,824
--Lake Inflow, ac-ft	0	N/A	51,700
Total Outflow, ac-ft	1,256	4,941	315,422
Inflow Conc., ppb	20	49	89
Outflow Conc., ppb	22	20	15
Includes Preliminary Data			

# Flamingos in STA-2



# STA-3/4

STA-3/4 Weekly Status Report – 4/4/2022 through 4/10/2022



STA-3/4 Flow-Way Status			
Flow-Way	Vegetation Status Healthy ——— Stressed	365-day P Loading Rate (below 1.0 g P /m <sup>2</sup> /yr is optimal)	Online / Offline / Restrictions
Eastern	←————→	📍 1.0	Offline, vegetation management drawdown as of 3/1/2021
Central	←————→ 🍃	📍 1.0	Online
Western	←————→ 🍃	📍 1.0	Online

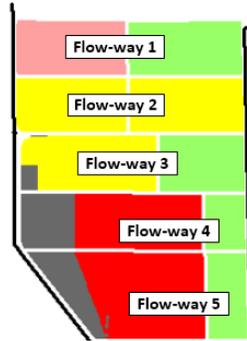
As of 4/10/2022	
Stage Based: Relative to Target Stage (TS)	
🟣	Deep Water Level (> 2.8' above TS)
🟠	High Water Level (1.5' – 2.8' above TS)
🟡	0.2' – 1.5' above TS
🟢	Target Stage (TS +/- 0.2')
🟠	Low Water Level (<0.2' below TS)
Depth / Area Based: Percent of Area Dry	
🟡	0-25% Dry
🟠	25-50% Dry
🟣	50-75% Dry
🔴	75-100% Dry

STA-3/4 Flow & Phosphorus Concentration			
	7-day	28-day	365-day
Total Inflow, ac-ft	0	61	358,597
--Lake Inflow, ac-ft	0	N/A	38,100
Total Outflow, ac-ft	0	0	316,277
Inflow Conc., ppb	N/A	30	65
Outflow Conc., ppb	N/A	N/A	15
Includes Preliminary Data			

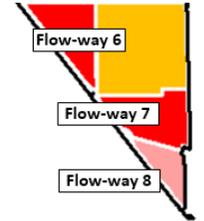
# STA-5/6

## STA-5/6 Weekly Status Report – 4/4/2022 through 4/10/2022

0 ac-ft Inflow



Outflow 0 ac-ft



### STA-5/6 Flow-Way Status

Flow-Way	Vegetation Status Healthy ----- Stressed	365-day P Loading Rate (below 1.0 g P /m <sup>2</sup> /yr is optimal)	Online / Offline / Restrictions
1	← →		Online
2	← →	N/A	Online
3	← →	N/A	Online
4	Offline, vegetation management starting 01/24/2022		
5	← →		Online

As of 4/10/2022

Stage Based: Relative to Target Stage (TS)

- Deep Water Level (> 2.8' above TS)
- High Water Level (1.5' – 2.8' above TS)
- 0.2' – 1.5' above TS
- Target Stage (TS +/- 0.2')
- Low Water Level (<0.2' below TS)

Depth / Area Based: Percent of Area Dry

- 0-25% Dry
- 25-50% Dry
- 50-75% Dry
- 75-100% Dry

### STA-5/6 Flow & Phosphorus Concentration

	7-day	28-day	365-day
Total Inflow, ac-ft	0	0	177,793
--Lake Inflow, ac-ft	0	N/A	8,800
Total Outflow, ac-ft	0	0	168,885
Inflow Conc., ppb	N/A	N/A	243
Outflow Conc., ppb	N/A	N/A	50
Includes Preliminary Data			

### STA-5/6 Flow-Way Status

Flow-Way	Vegetation Status Healthy ----- Stressed	365-day P Loading Rate (below 1.0 g P /m <sup>2</sup> /yr is optimal)	Online / Offline / Restrictions
6	← →		Online
7	← →		Online
8	← →		Online

As of 4/10/2022

Stage Based: Relative to Target Stage (TS)

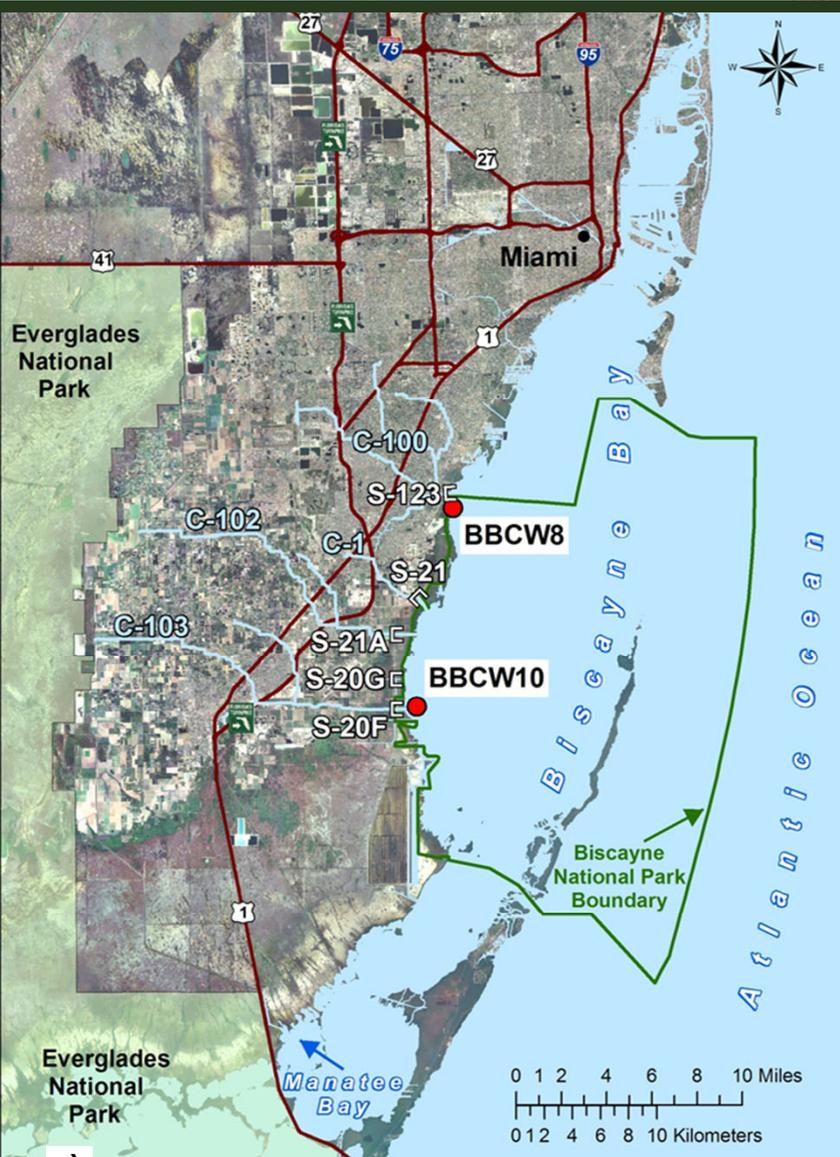
- Deep Water Level (> 2.8' above TS)
- High Water Level (1.5' – 2.8' above TS)
- 0.2' – 1.5' above TS
- Target Stage (TS +/- 0.2')
- Low Water Level (<0.2' below TS)

Depth / Area Based: Percent of Area Dry

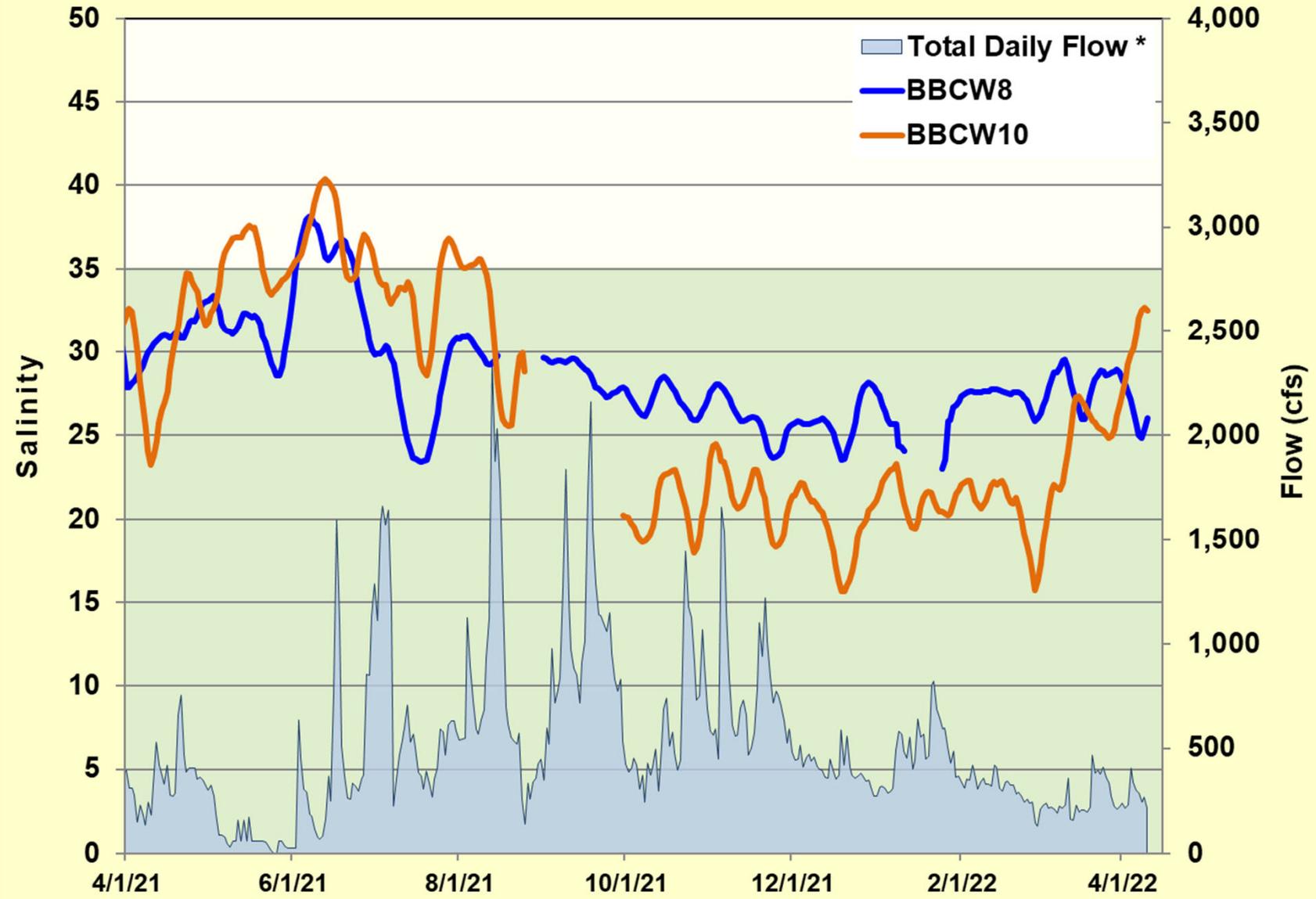
- 0-25% Dry
- 25-50% Dry
- 50-75% Dry
- 75-100% Dry

1523

# Biscayne Bay



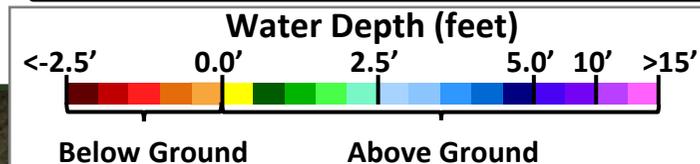
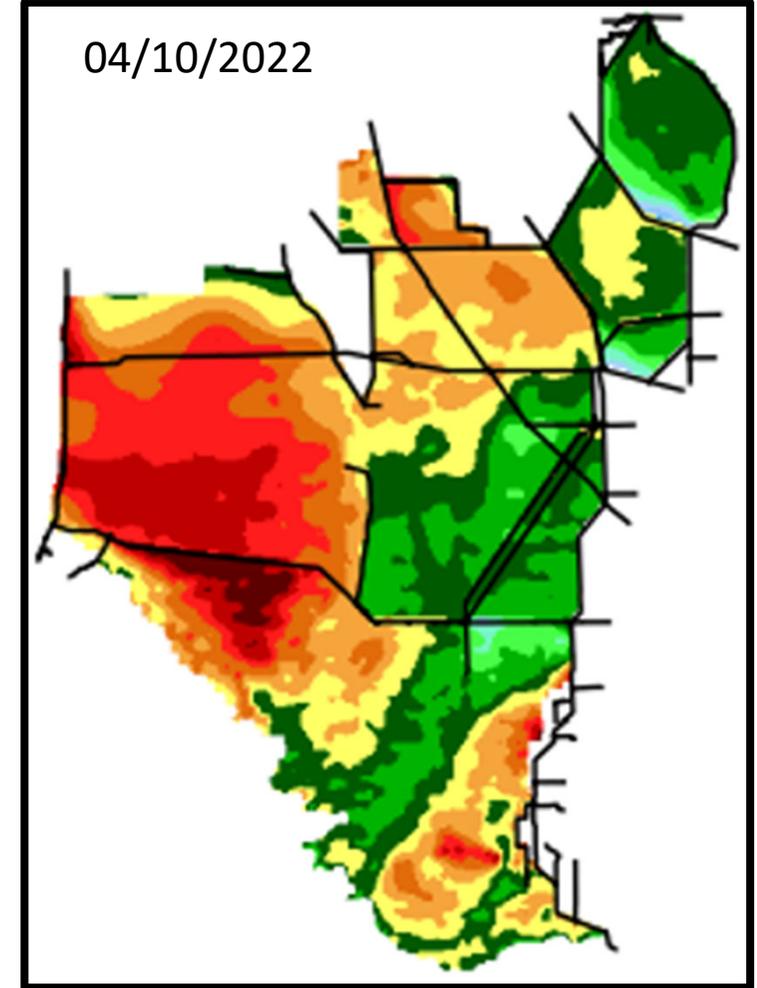
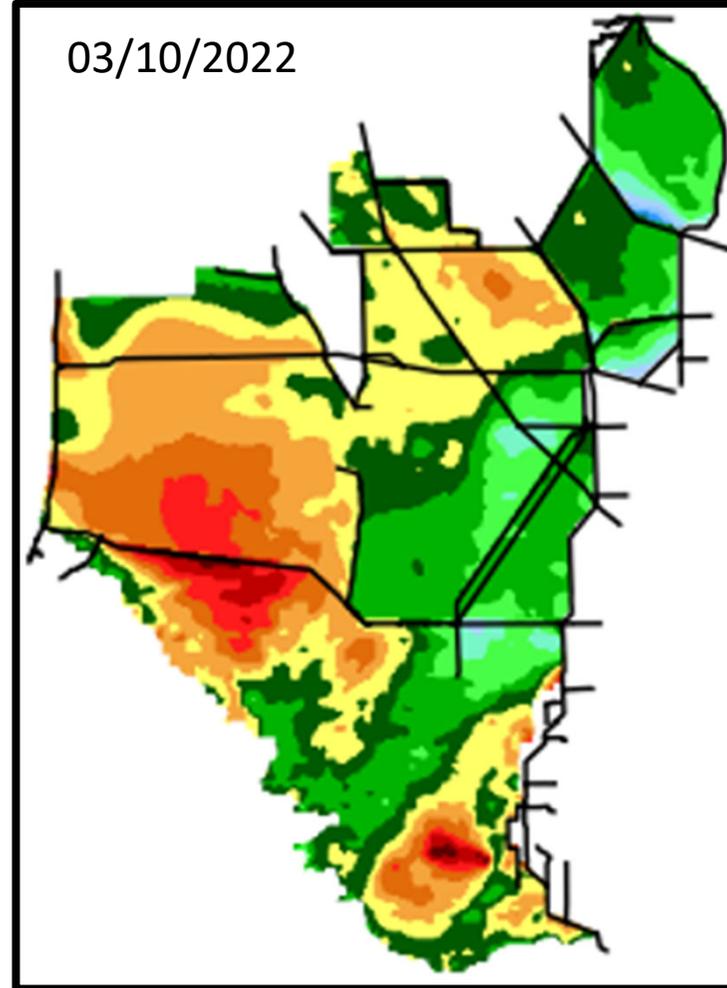
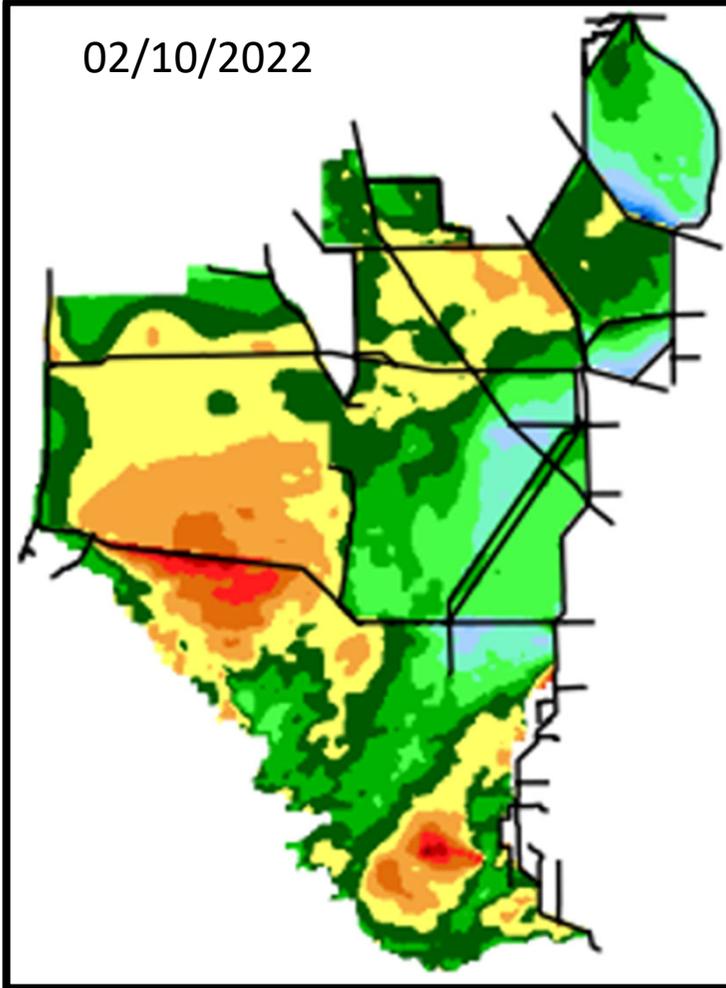
Seven Day Mean Salinity (BBCW8 & BBCW10) & Total Daily Flow



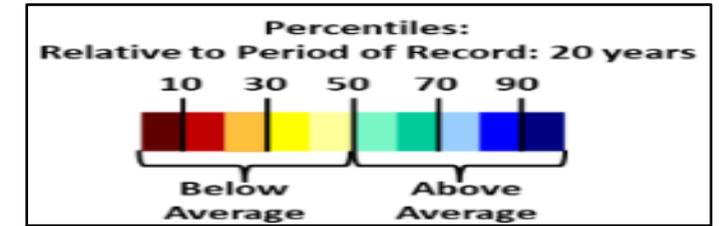
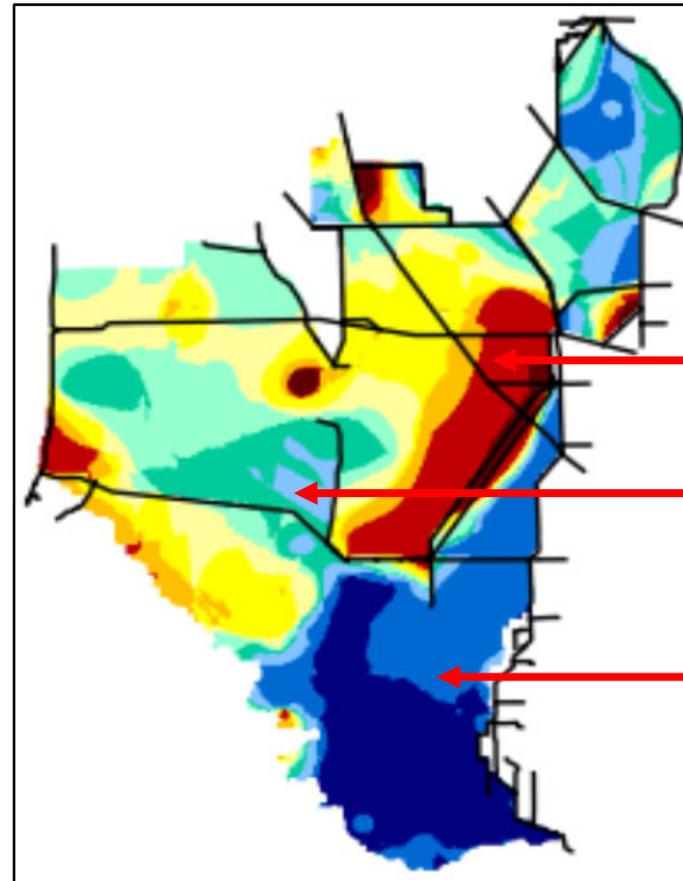
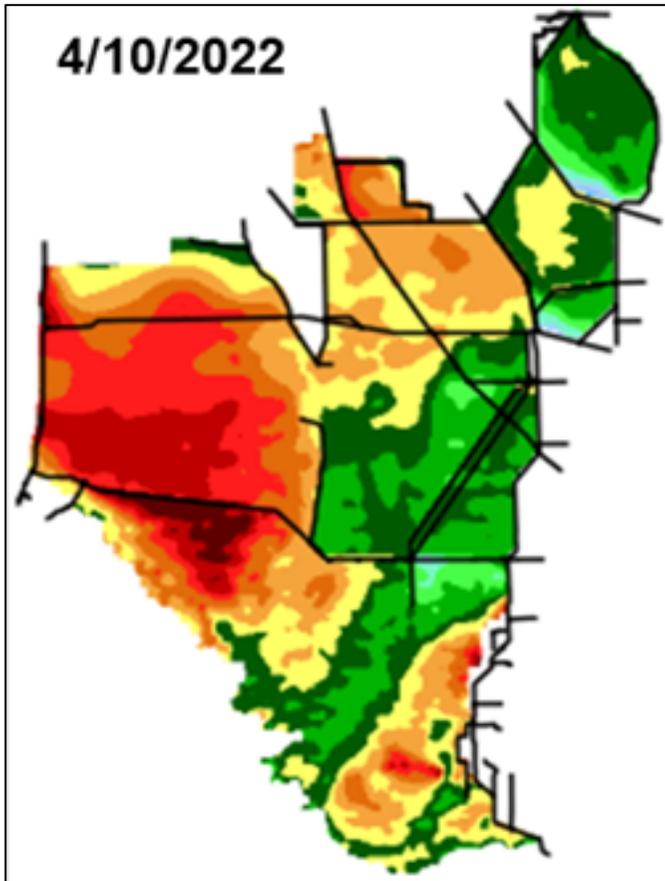
\* Total flow from S20G, S20F, S21, S21A, S123, S700P

153

# Everglades Water Depth Maps



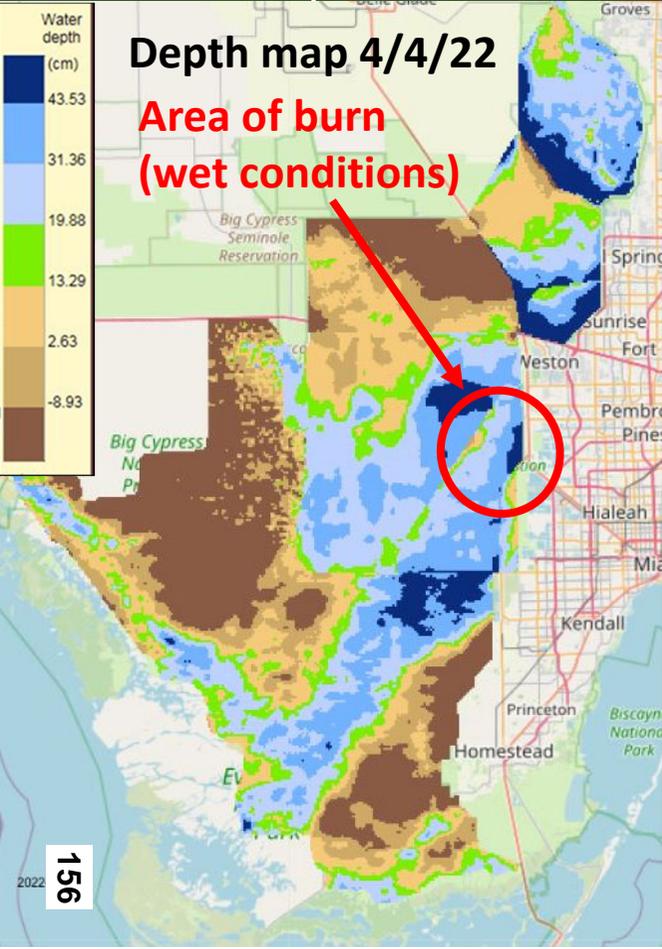
# Everglades Depths Relative to 20-Year Average



- Eastern 3A well below average
- Big Cypress slightly above average
- Everglades National Park well above average

# Everglades: WCA-3B Wildfire

WCA-3B Wildfire  
 Started: 3/30; Out: 4/05  
 Burned 29,478 acres



Map of burn courtesy of FWC



- Relatively wet conditions likely limited ecological harm
- FWC to conduct survey of affected area

# Everglades: April 2022 wading bird nesting compared to Peak 2021 counts

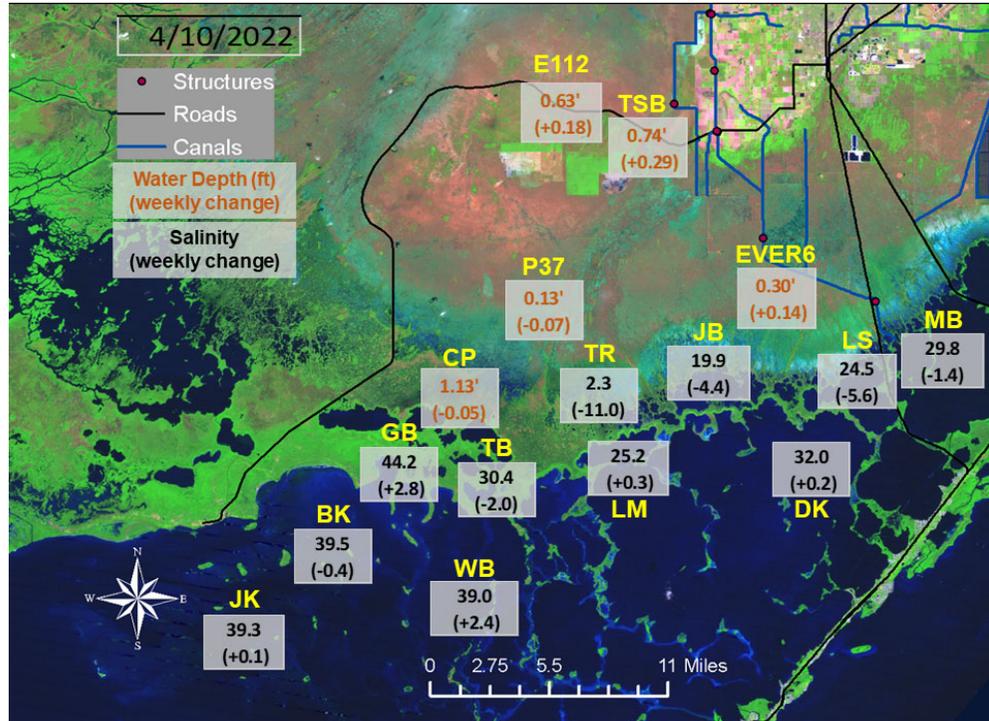


	Peak 2021	April 2022
White Ibis	64,392	16,000
Great Egret	13,099	3,176
Wood Stork	2,640	345
Snowy Egret	2,933	1,972
R. Spoonbill	809	212
<b>Total Nests:</b>	<b>83,064</b>	<b>21,705</b>

Drier conditions in 2022 have resulted in shorter hydroperiods in core foraging habitats, reduced prey production, fewer foraging birds and later nesting compared to 2021.

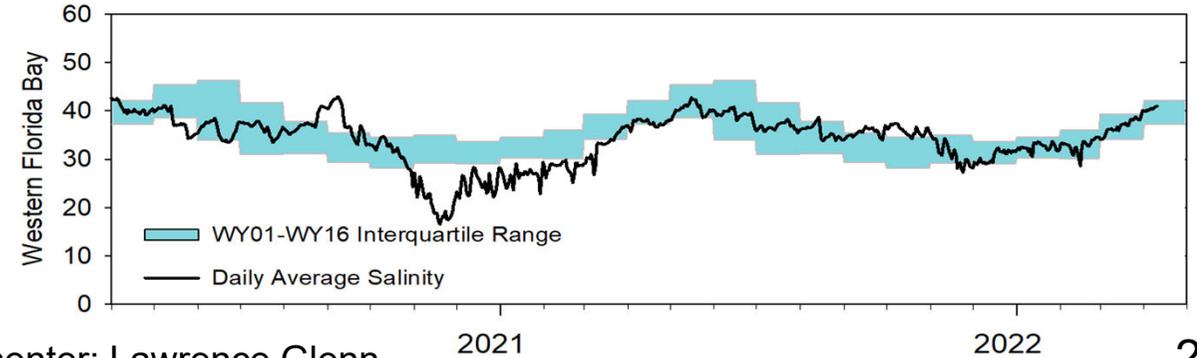
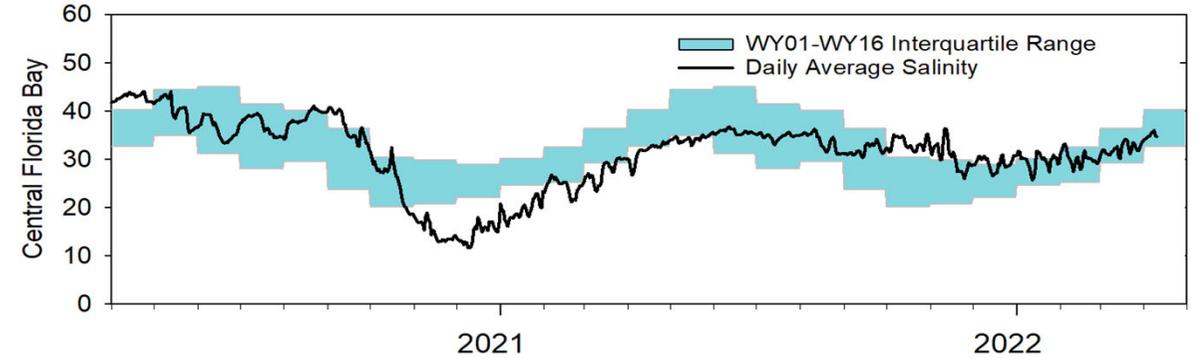
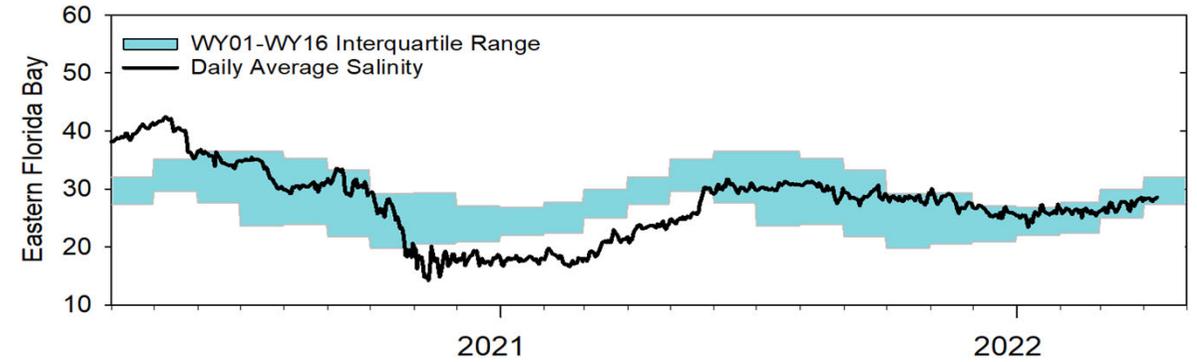
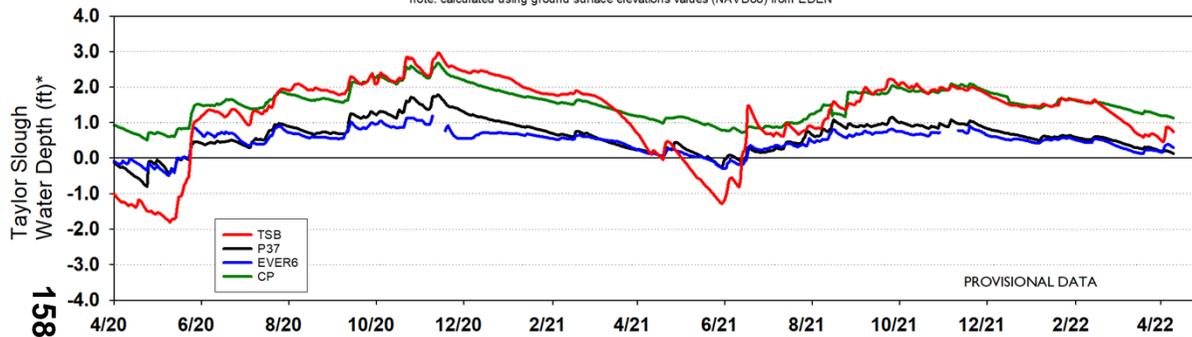
April 2022 (left): Wood Storks have recently started to lay eggs  
 April 2021 (right): Wood stork nestlings were starting to fledge

# Taylor Slough Stages and Florida Bay Salinity

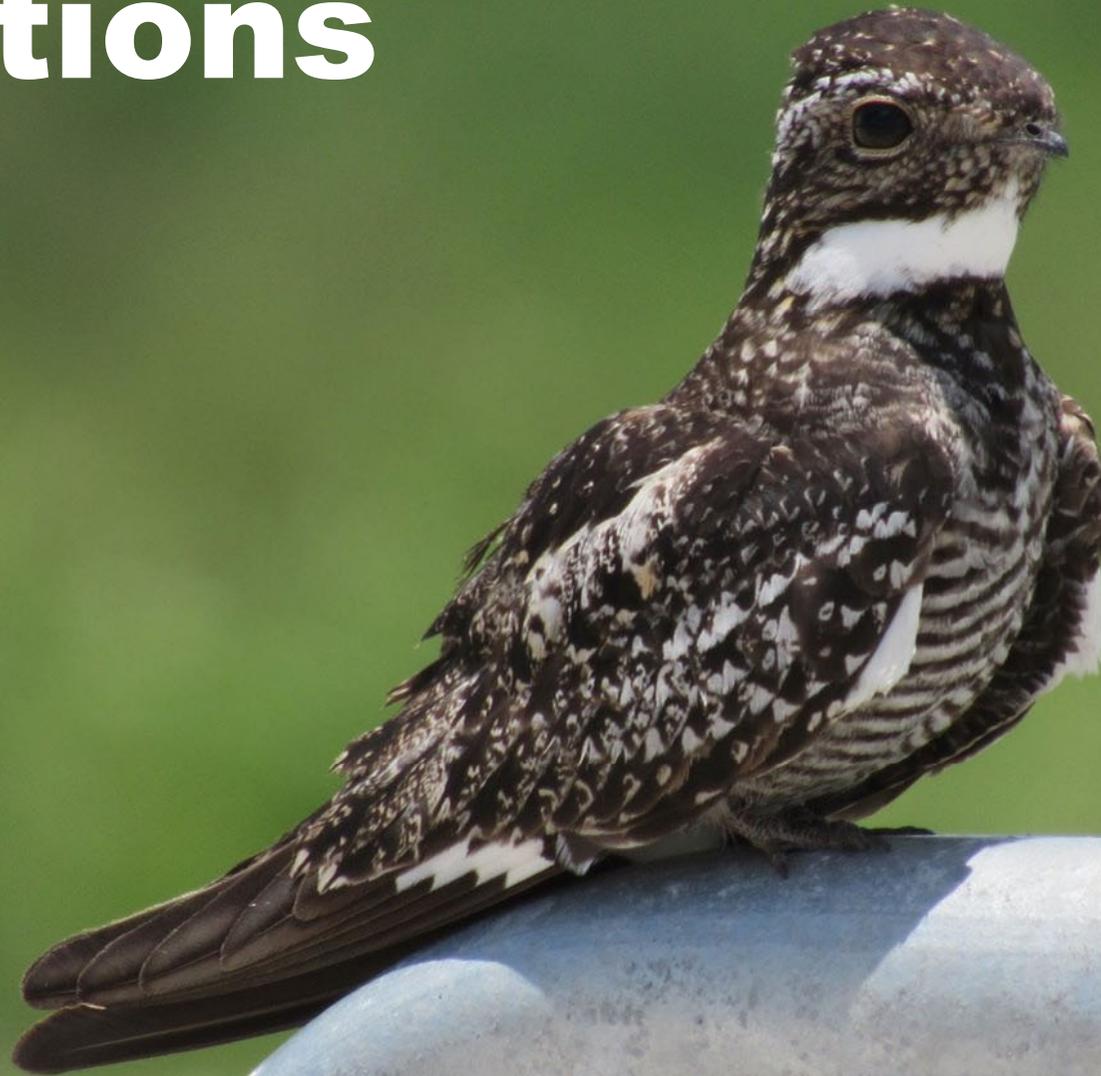


Taylor Slough Water Depths

\*note: calculated using ground surface elevations values (NAVD88) from EDEN



# Questions



*Common Nighthawk at Stormwater Treatment Area 2  
Photograph courtesy of SFWMD staff*

# April is Water Conservation Month



Rosinés Colón, Water Conservation Analyst  
Water Supply Implementation

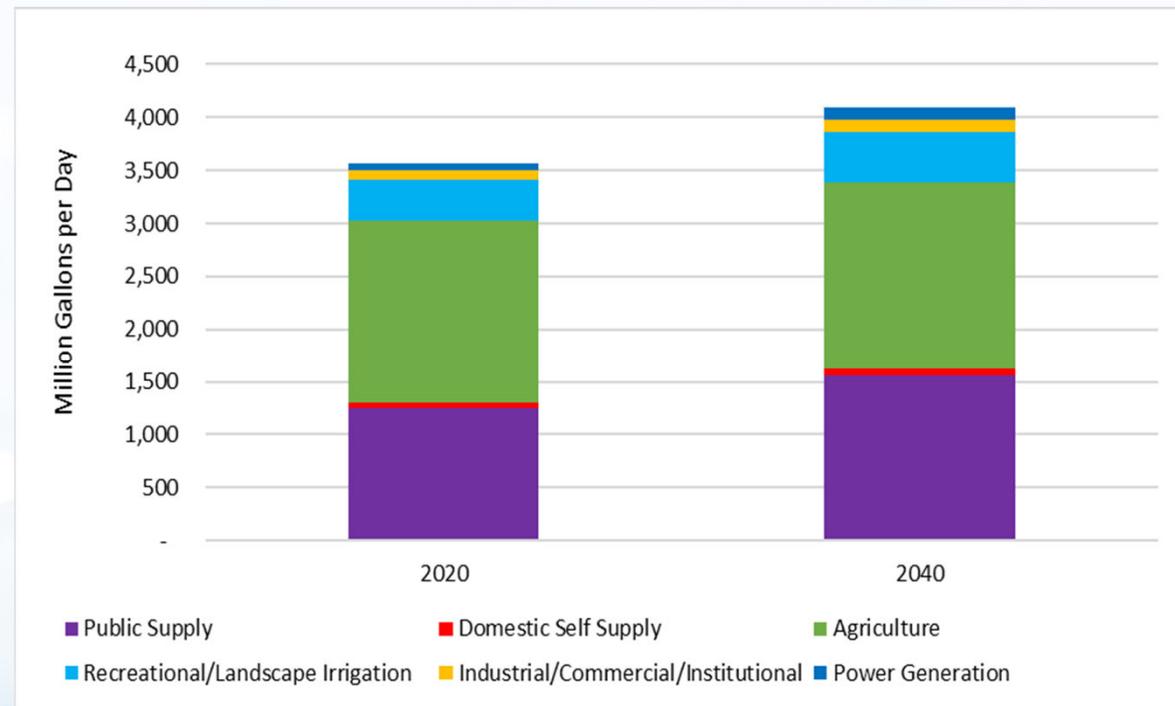
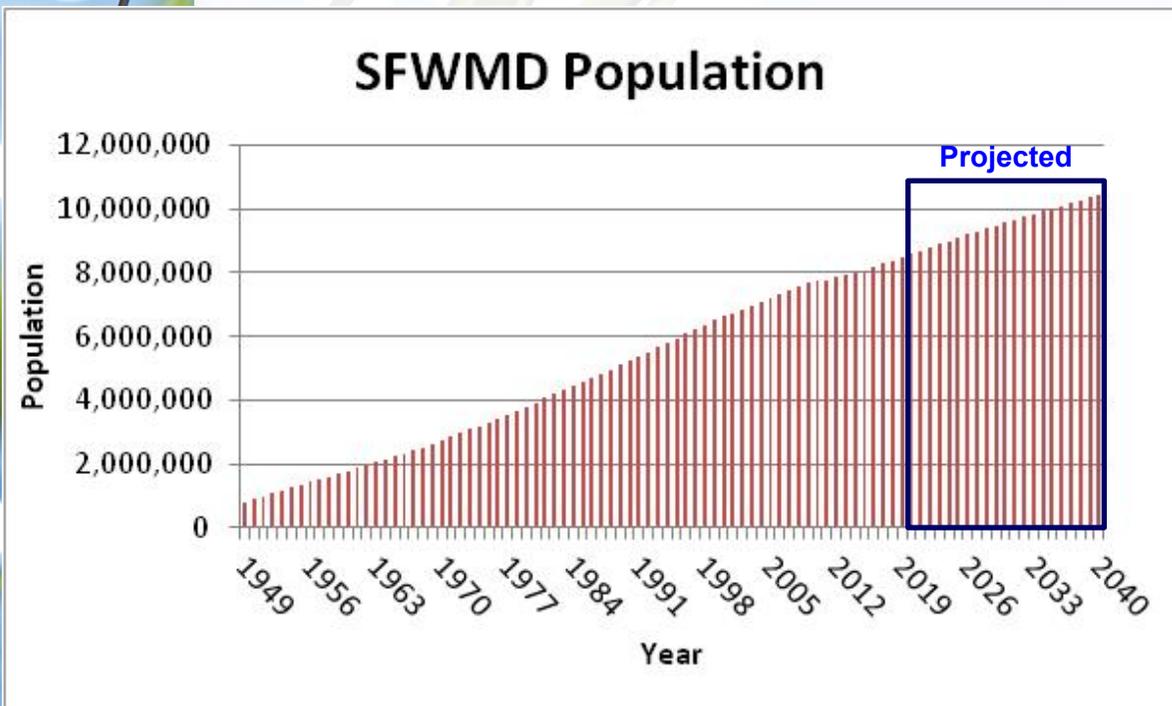
April 14, 2022

# April is Water Conservation Month

- Established in 1998 statewide
- Collaboration between American Water Works Association, Water Management Districts, and FDEP
- Intended to raise public awareness about water conservation



# Districtwide Population Growth and Demands



# Options to Meeting Future Demands

Expand or add new supply sources (increasing capacity)

\$\$\$



Decrease demands through water conservation

\$

OR



# Public Awareness

*Be aware of your water use... Use it wisely*

- ◆ Support the Florida Section of the American Water Works Association by proclaiming April as Water Conservation Month
- ◆ Local governments and other organizations issuing proclamations

**Proclamation**

***Town of Juno Beach of Palm Beach County, Florida***

**WHEREAS**, water is a basic and essential need of every living creature; and

**WHEREAS**, The State of Florida, Water Management Districts and Town of Juno Beach are working together to increase awareness about the importance of water conservation; and

**WHEREAS**, the Town of Juno Beach and the State of Florida has designated April, typically a dry month when water demands are most acute, Florida's Water Conservation Month, to educate citizens about how they can help save Florida's precious water resources; and

**WHEREAS**, Town of Juno Beach has always encouraged and supported water conservation, through various educational programs and special events; and

**WHEREAS**, every business, industry, school and citizen can make a difference when it comes to conserving water; and

**WHEREAS**, every business, industry, school and citizen can help by saving water and thus promote a healthy economy and community; and

**NOW, THEREFORE**, be it resolved that by virtue of the authority vested in me as Mayor of the Town of Juno Beach to hereby proclaim the month of April as

**Water Conservation Month**

The Town of Juno Beach, Florida is calling upon each citizen and business to help protect our precious resource by practicing water saving measures and becoming more aware of the need to save water.

**PASSED AND DULY ADOPTED** in regular session this 23<sup>rd</sup> day of February, 2022.

**TOWN OF JUNO BEACH, FLORIDA**

  
Jason Haselkorn, Mayor

**ATTEST:**

  
Caitlin E. Copeland-Rodriguez, CMC, Town Clerk

# Outdoor Water Conservation

- More than half of all public water supply is used for landscape (lawn) irrigation
- Rain shutoff device – required on all irrigation systems
- Advanced irrigation controllers
  - Soil moisture sensors
  - Weather station
- Irrigation system audits
- Florida-Friendly Landscaping™
- Follow local irrigation ordinances



# Indoor Water Conservation

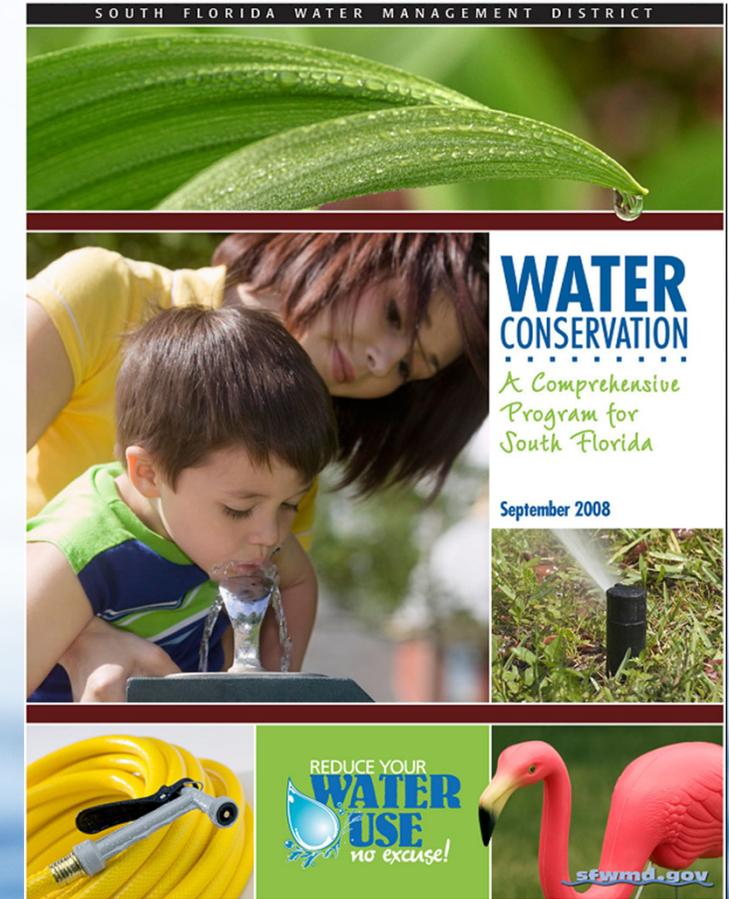
High-efficiency fixtures and appliances:

- Toilets ( $\leq 1.28$  gallons/flush)
- Showerheads ( $\leq 2.0$  gallons/minute)
- Faucets ( $\leq 1.5$  gallons/minute)
- Dishwashers (saves 30% water)
- Washing machines (saves 33% water)



# District Initiatives - Leading by Example

- 💧 Water Audits and Florida-Friendly Landscape certifications for District facilities
- 💧 Dedicated Senior Water Conservation Analyst
- 💧 Comprehensive Water Conservation Program
  - 💧 Voluntary & incentive-based initiatives
  - 💧 Regulatory initiatives
  - 💧 Education & outreach initiatives



# District Initiatives – Year-Round Irrigation Rule

## 💧 Chapter 40E-24, F.A.C.

- 💧 Restricts irrigation to 2 or 3 days per week
- 💧 Prohibits irrigation between 10 AM and 4 PM

## 💧 155 local governments

- 💧 80 have acceptable ordinances
- 💧 17 have ordinance adoption in progress

SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S MODEL WATER CONSERVATION ORDINANCE FOR LANDSCAPE IRRIGATION

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE [COUNTY/CITY], FLORIDA; PROVIDING FOR LOCAL IMPLEMENTATION OF THE MANDATORY YEAR-ROUND LANDSCAPE IRRIGATION CONSERVATION MEASURES RULE OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT (40E-24, F.A.C.); PROVIDING DEFINITIONS; PROVIDING FOR THE APPLICABILITY OF THE ORDINANCE; PROVIDING THE LANDSCAPE IRRIGATION SCHEDULE; PROVIDING EXCEPTIONS TO THE LANDSCAPE IRRIGATION SCHEDULE; PROVIDING FOR A REQUIREMENT TO OPERATE TECHNOLOGY THAT INHIBITS OR INTERRUPTS AN IRRIGATION SYSTEM DURING PERIODS OF SUFFICIENT MOISTURE; PROVIDING FOR VARIANCES FROM THE SPECIFIC DAY OF THE WEEK LIMITATIONS; PROVIDING FOR ENFORCEMENT OF THE ORDINANCE; PROVIDING FOR PENALTIES FOR VIOLATION OF THE ORDINANCE; PROVIDING FOR CODIFICATION OF THE ORDINANCE; PROVIDING FOR THE REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

# District Supported Programs

- 💧 Florida Water Star<sup>SM</sup> – voluntary certification program for new construction
- 💧 Water CHAMP<sup>SM</sup> – voluntary recognition program for hotel and lodging facilities
- 💧 Florida-Friendly Landscaping – voluntary recognition program for landscape
- 💧 Education and Outreach



# Cost-Share Funding Program

- Local implementation of water-saving hardware & technology
- 2020-2021 Cooperative Funding Program
  - 24 conservation projects
  - ~\$2.1 million in funding approved
  - Estimated 963 million gallons per year (2.64 mgd) saved
- FDEP funding for FY22 projects pending allocation



# Education & Outreach (2021)

- 💧 Over 35,000 followers on the District's social media channels (Facebook, Twitter, Instagram and LinkedIn)
- 💧 Over 8,600 website visitors to the District's water conservation webpage
- 💧 1,000+ materials distributed
- 💧 Over 240 speaking engagements
- 💧 Quarterly conservation coordinator meetings

Do your part...  
**WATER WISELY!**

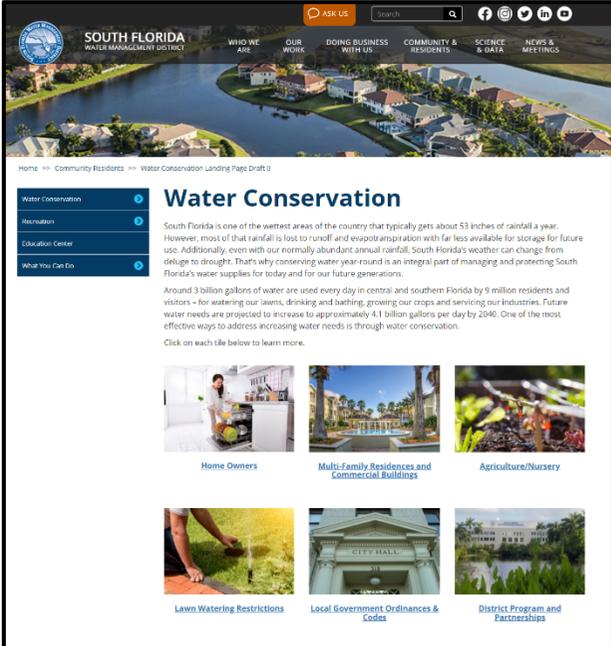
Help conserve water and protect the water supply for future generations by following these local **LAWN-WATERING RULES** in your area:



- 💧 Watering is **NOT PERMITTED** between 10 a.m. and 4 p.m. because that's when evaporation is highest.
- 💧 Properties ending with an **ODD** number address are permitted to water on **WEDNESDAYS** and/or **SATURDAYS**.
- 💧 Properties ending with an **EVEN** number address are permitted to water on **THURSDAYS**, and/or **SUNDAYS**.
- 💧 Hand watering plants, as well as other outdoor activities (such as car and boat washing), are allowed at any time when using a hose with a **SELF-CANCELLING NOZZLE**.

*Did you know?* Watering a landscape (irrigation) can account for up to half of residential water use in South Florida. As a result, many municipalities (including yours!) have adopted year-round landscape watering ordinances which aim to curtail excessive and unnecessary irrigation.

For more information on local landscape watering restrictions and other exempted activities, visit [INSERT LOCAL GOV PAGE HERE].

The screenshot shows the 'Water Conservation' page on the South Florida Water Management District website. It features a navigation menu, a search bar, and a main content area with a title 'Water Conservation'. Below the title, there is introductory text about water conservation in South Florida, followed by a grid of six image-based links: Home Owners, Multi-Family Residences and Commercial Buildings, Agriculture/Nursery, Lawn Watering Restrictions, Local Government Ordinances & Codes, and District Program and Partnerships.



A social media post from the South Florida Water Management District (@SFWMD) dated April 2, 2021. The post promotes water conservation as an effective way to address growing water demands in South Florida. It includes the hashtag #WaterConservationMonth and a link to the website for more information.

# Water Use Permitting and Water Supply Planning

## Water use permits require water conservation to prevent wasteful uses:

- Part of permit application process
- Tailored to water use type

## District's regional water supply plans include:

- Conservation potential estimates
- Recommended activities by water use sector
- Description of District's conservation planning and program support

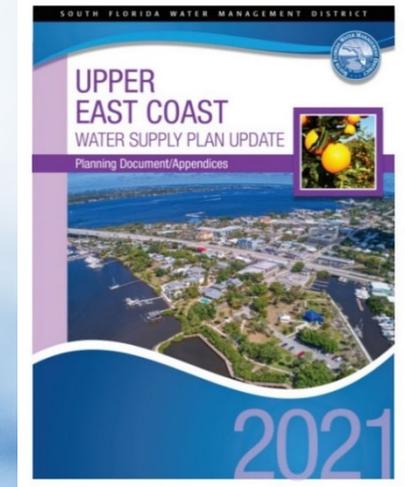
Applicant's Handbook for Water Use  
Permit Applications

WITHIN THE SOUTH FLORIDA WATER  
MANAGEMENT DISTRICT

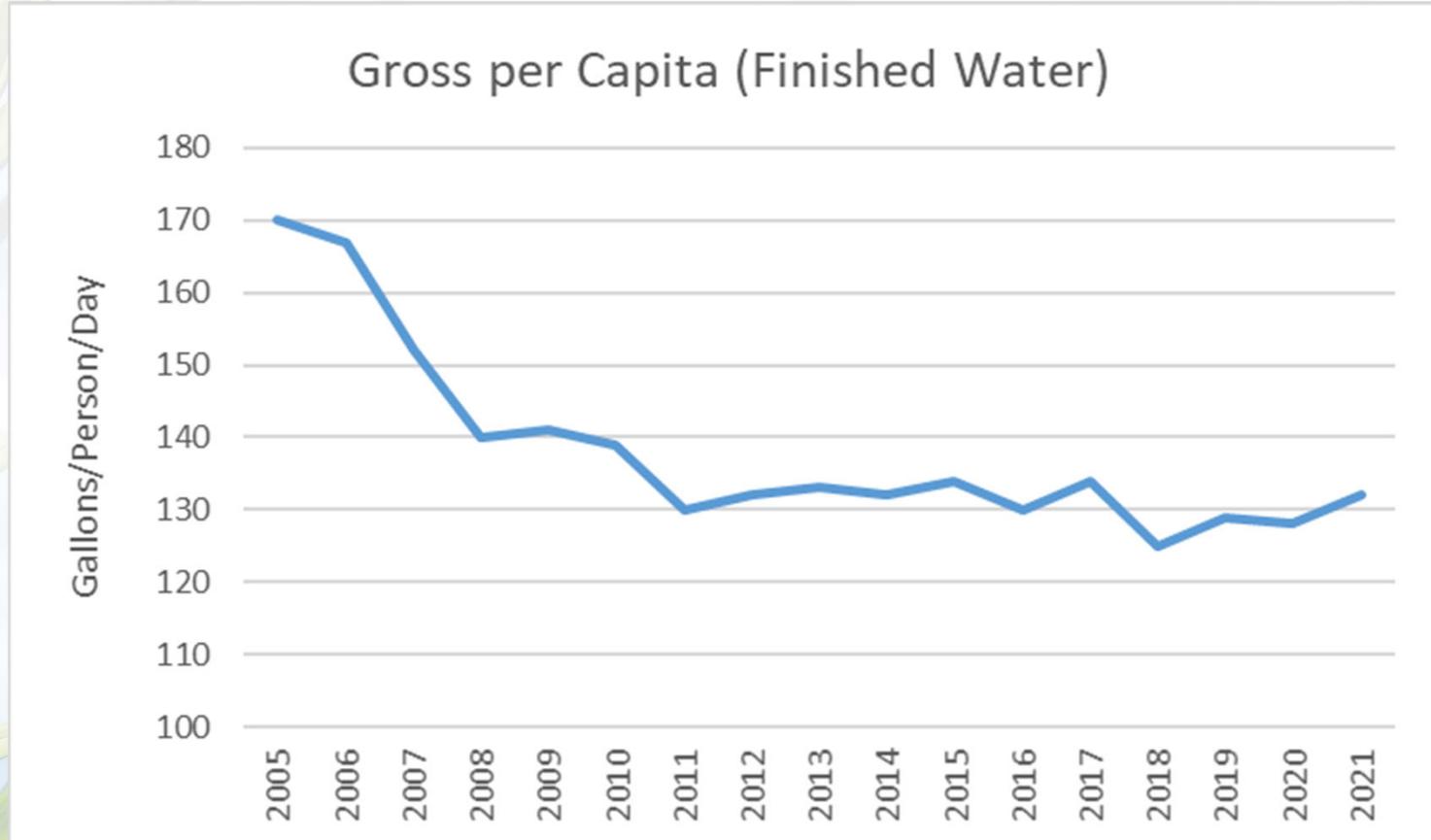
EFFECTIVE SEPTEMBER 7, 2015



[sfwmd.gov](http://sfwmd.gov)



# Is It Working?



Data Source: 1995-2010 USGS; 2011-2021 SFWMD

Simple Steps to

# SAVE WATER

 Outdoors & In**TEST WITH TRACKS**

Water your lawn and landscape only when it is actually needed, such as when footprints are left when you walk across the grass.

**AVOID BUZZ CUTS**

Cut your grass at the highest recommended height for your turf species or the highest setting on your lawn mower. Cut no more than one-third of the grass length at one time to encourage grass roots to grow deeper.

**SPRINKLE WITH CARE**

Apply moderate amounts of water to create a healthy, drought- and stress-tolerant lawn. For most Florida soils, applying no more than three-quarters of an inch of water per application is enough to rehydrate the grass. Use spray heads designed for planting beds. Position the sprinkler so that you water only the lawn and shrubs, not paved areas.



## OUTDOORS

**PLANT FLORIDA-FRIENDLY LAWNS**

Plant native or drought-tolerant vegetation that thrives in the native soil and local weather conditions. Go native, and resist the urge to water it and just let it go brown during the dry season. It will come back, as nature intended, when the rains come.

**FERTILIZE RESPONSIBLY**

Excessive nutrients flowing into our waterways do not only cause harm to big industry or agriculture. The use of fertilizer and pesticides on our yards results in pollutants contaminating the waterways in stormwater runoff when it rains. Residents are encouraged not to use fertilizers or pesticides during the warmer months and to use them in the correct amounts during other times of the year.



## INDOORS

**NOZZLE THE NOSE OF YOUR HOSE**

Equip hoses with automatic shut-off nozzles for car washing, hand watering, etc.

**COLOR YOUR WATER**

Detect a leaking toilet by adding a few drops of food coloring to the tank. If the tank is leaking, color will appear in the bowl within 30 minutes. Replace the bad parts or consider upgrading to water-efficient toilets. Avoid flushing the toilet unnecessarily. Dispose of tissues, tissues and other such waste in a trash can rather than in the toilet.

**CHECK YOUR WATER METER**

Check for leaking pipes by reading your meter before and after a two-hour period when no water is being used. If the readings are different, you have a leak.

**TURN IT OFF**

Turn off the water while brushing your teeth or shaving.

**LOAD IT UP**

Set clothes washing machines that have variable settings for water volume at the minimum amount required per load. If load size cannot be set, operate the washer with full loads only.

**TIME YOUR SHOWERS**

By timing your showers to keep them under five minutes and installing low-flow shower heads, you can save water. The older the shower head, the more water it uses. New low-flow shower heads use only 2 gallons of water per minute or less. Older fixtures use as much as 5 gallons per minute.



1774

sfwmd.gov

# What Citizens Can Do

## Irrigation

- Set timer to run only 2 or 3 days per week pursuant to local irrigation ordinance
- No irrigation 10 AM – 4 PM
- Repair leaks and do not irrigate sidewalks and driveways
- Use properly functioning rain-canceling device(s)

## Indoor

- Repair leaks (e.g., running toilet, dripping faucets)
- Replace older, inefficient fixtures and appliances
- Run only full loads of dishes and clothes

# Conservation Should Be a Way of Life



**“When the well is dry, we know the worth of water.”**

**Benjamin Franklin**

Presenter: Rosinés Colón 16

# Governing Board Resolution

A Resolution of the Governing Board of the South Florida Water Management District proclaiming April as Water Conservation Month.

# Loxahatchee River Watershed Restoration Project

## Notice of Proposed Rule and Rule Adoption

Governing Board Meeting

April 14, 2022



**Sky Notestein**

**Principal Scientist**

**Applied Sciences Bureau**

**Lainhart Dam on  
Loxahatchee River**

# Loxahatchee River Watershed Restoration Project Objectives

- **Objective 1:** Restore wet and dry season flows to the nationally designated Wild and Scenic Northwest Fork of the Loxahatchee River
- **Objective 2:** Restore oysters, seagrass, and other estuarine communities in the Loxahatchee River Estuary
- **Objective 3:** Increase spatial extent and function of wetlands
- **Objective 4:** Restore watershed connections among the Loxahatchee River headwater natural areas to improve hydrology, sheetflow, hydroperiods, natural storage, and vegetative communities
- **Objective 5:** Restore abundance and diversity of native plant and animal species in watershed, natural areas, river, and estuary



# Authorized Plan: Alt 5R

## Flow Way 3

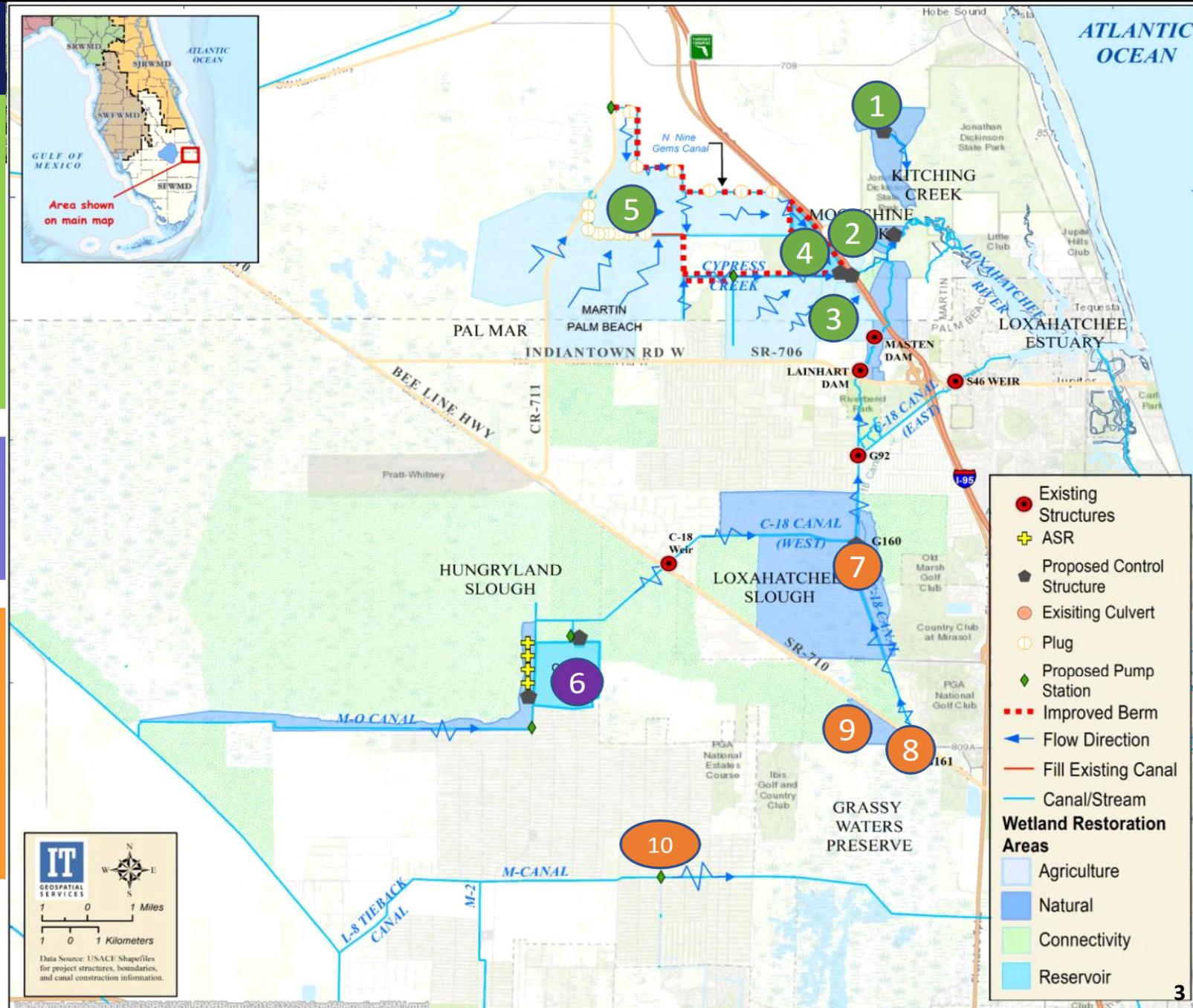
- 1 - Kitching Creek
- 2 - Moonshine Creek/Gulfstream East
- 3 - Cypress Creek Canal
- 4 - Gulfstream West
- 5 - Palmar East

## Flow Way 2

- 6 - C-18W Reservoir (9,500 ac/ft & 4 ASR wells)

## Flow Way 1

- 7 - G-160 Structure
- 8 - G-161 Structure
- 9 - Grassy Waters Triangle
- 10 - M-1 Pump Station



# Loxahatchee River Watershed Restoration Project Benefits

- Northwest Fork of Loxahatchee River target flows
  - 91% dry season
  - 98% wet season
- Promotes recovery of riverine freshwater species and estuarine zones for fish, seagrass, oysters, and other protected species
- Improves watershed wetland hydrology
  - 17,000 acres existing or former agricultural lands
  - 10,000 acres existing natural areas
- Improves/maintains ecological connectivity for ~78,000 acres
- Provides additional recreation opportunities



# Federal/State Integration

- Water Resources Development Act (WRDA) 2000
  - Water made available by a CERP project for the natural system is required to be protected
  - District must use its allocation or reservation authority
- Project Implementation Report (PIR) must identify the increase in water supplies resulting from the project component, Section 373.470(3)(c), F.S.
  - Identify water for the natural system
  - Identify water for other water-related needs
- Water protection must be completed before Project Partnership Agreement (PPA, a cost-share agreement to receive federal funding for project construction and operation) can be executed

# LRWRP Project Status

## Tasks Completed

- ✓ Project Implementation Report (PIR) – January 2020
- ✓ Chief's Report signed – April 2020
- ✓ Project authorized by Congress – WRDA 2020



## Tasks Underway

- Execution of agreements with local partners – Ongoing
- SFWMD to initiate preliminary engineering activities in flow-way 3 (e.g., survey, geotech, additional water level/flow monitoring) – 2022
- SFWMD to complete RAA rule development – Ongoing
- SFWMD to execute Pre-partnership Credit Agreement with USACE – 2022
- Finalize 2021 Integrated Delivery Schedule to reflect LRWRP design/construction schedule – 2022

# LRWRP Rule Development Schedule

Milestone	Date	
Notice of Rule Development* (Publish in FAR)	December 9, 2021 (December 21, 2021)	
Rule Development Workshop #1	January 25, 2022	
Rule Development Workshop #2	February 22, 2022	
Notice of Proposed Rule & Rule Adoption* (Publish in FAR)	April 14, 2022 (April 22, 2022)	
Rule Effective Date**	June 9, 2022	

\* Governing Board action required

\*\* Provided no material changes are made and no request for public hearing is timely received

# Water Protection Overview

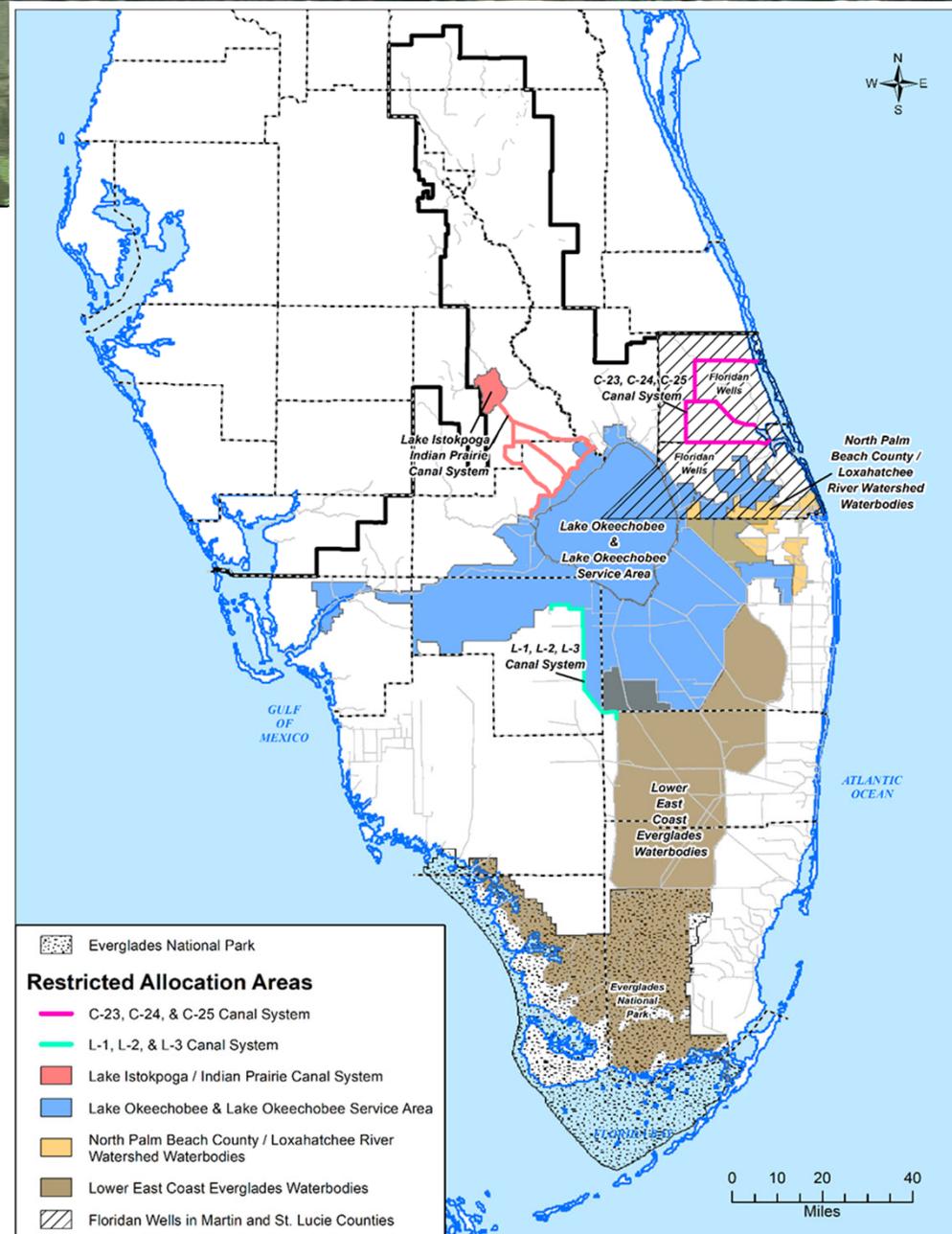
- Water resource protection mechanisms
  - MFLs
  - Water reservations
  - Consumptive use permitting rules
  - Water shortage rules
- WRDA 2000 & Section 373.470, F.S., authorize use of reservation or consumptive use permitting rules

# Restricted Allocation Areas

- RAAs are listed in Section 3.2.1 of the Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District (Applicant's Handbook)
- RAAs are defined geographic areas where use of specific water supply sources is restricted
- RAAs are adopted for a variety of reasons, including:
  - Where there is insufficient water to meet the projected needs of a region
  - To address regional, resource-specific resource concerns
  - As part of MFL recovery or prevention strategies
- Requests for water allocations in these areas must comply with RAA criteria and all other applicable criteria listed in the Applicant's Handbook

# Restricted Allocation Areas

- C-23, C-24, and C-25 Canal System
- Floridan Aquifer Wells in Martin and St. Lucie Counties
- L-1, L-2, and L-3 Canal System
- Lake Istokpoga/Indian Prairie Canal System
- Lake Okeechobee Service Area
- Lower East Coast Everglades Waterbodies and Northern Palm Beach County/Loxahatchee River Watershed Waterbodies



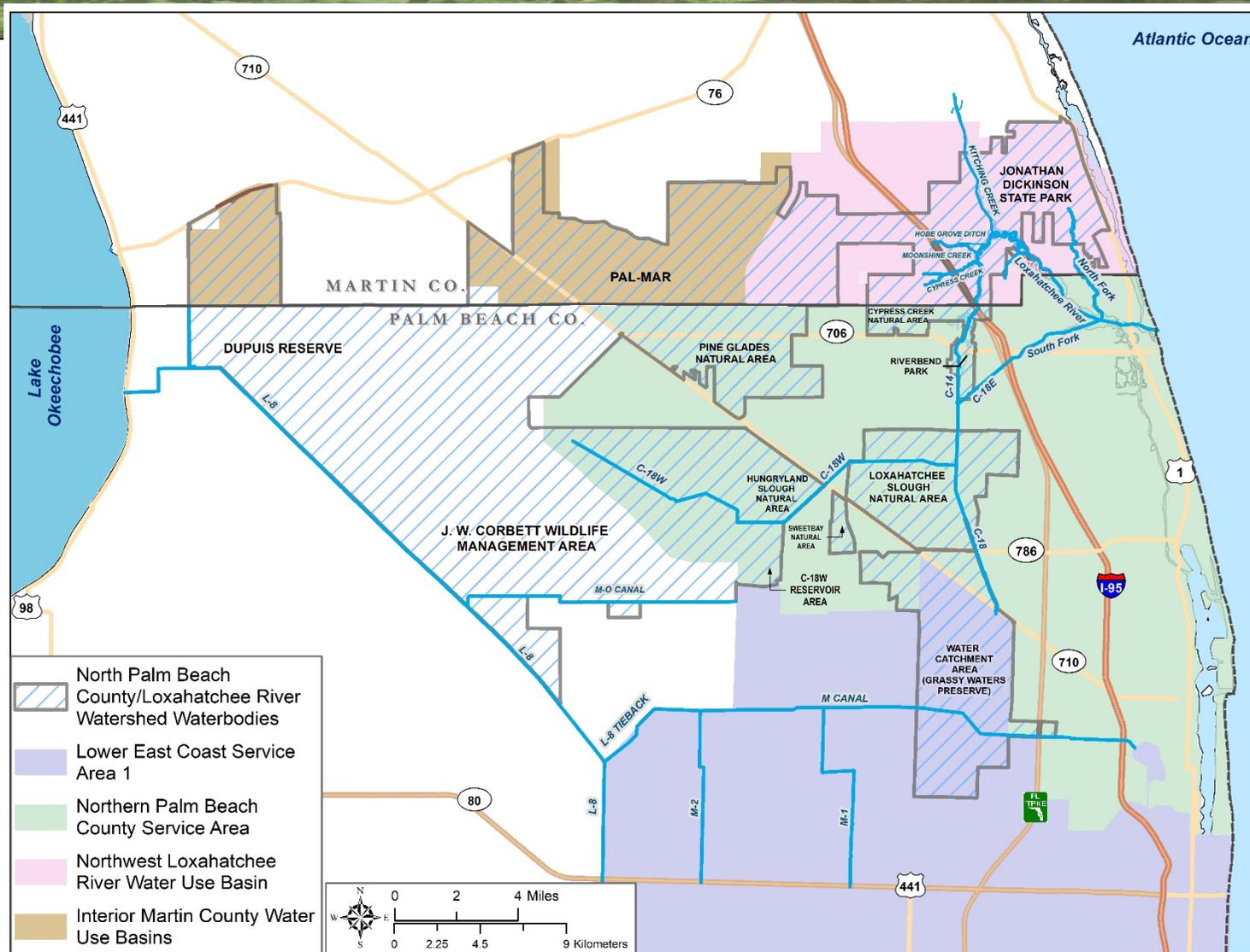
# Surface Waterbody Protection Approach

## 3.2.1 Restricted Allocation Areas

### E. Lower East Coast Regional Water Availability

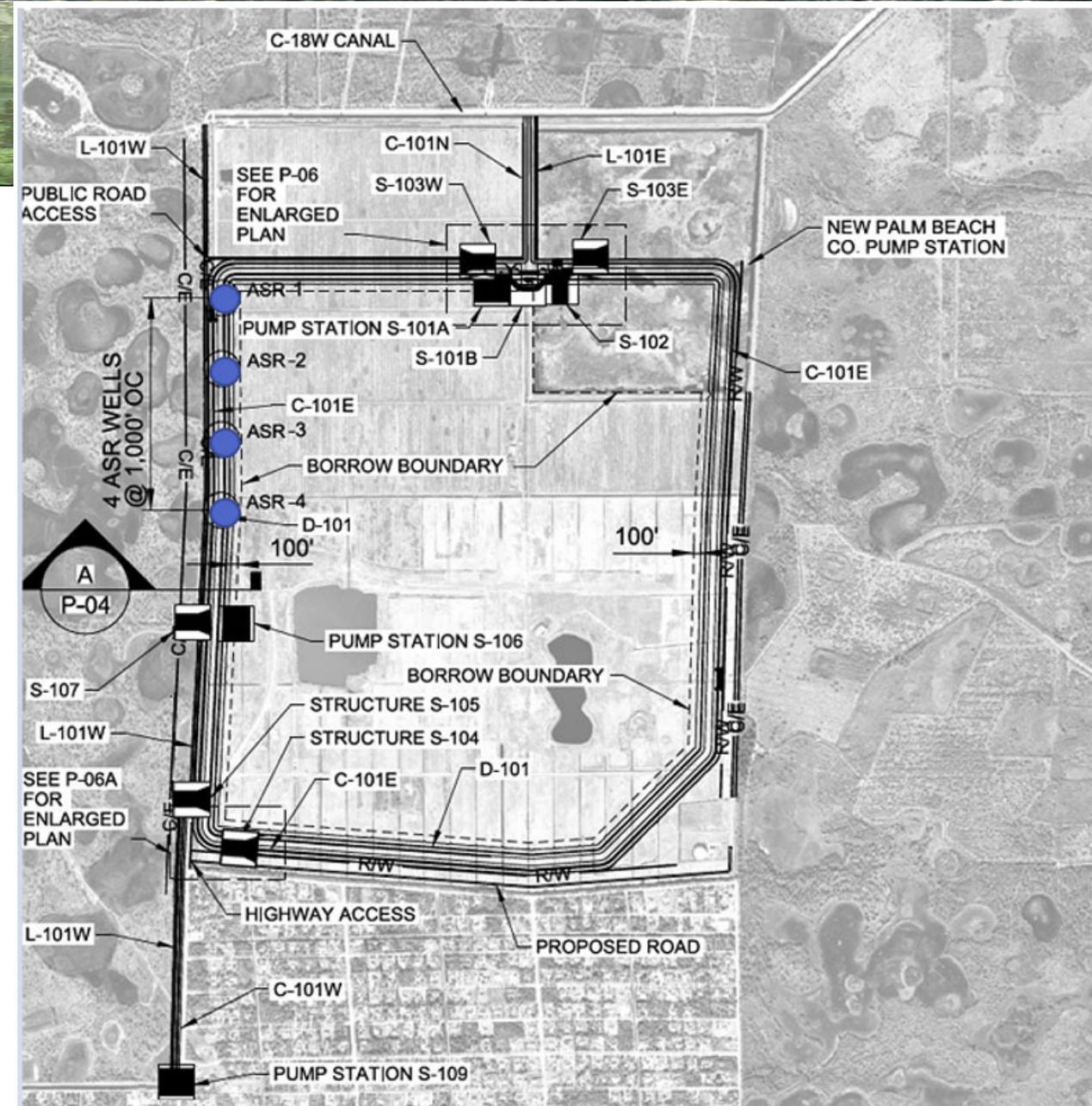
Figure 3-2. North Palm Beach County/Loxahatchee River Watershed Water Bodies and Major Integrated Conveyance Canals.

 LRWRP Restricted Allocation Area



# C-18W Reservoir Design

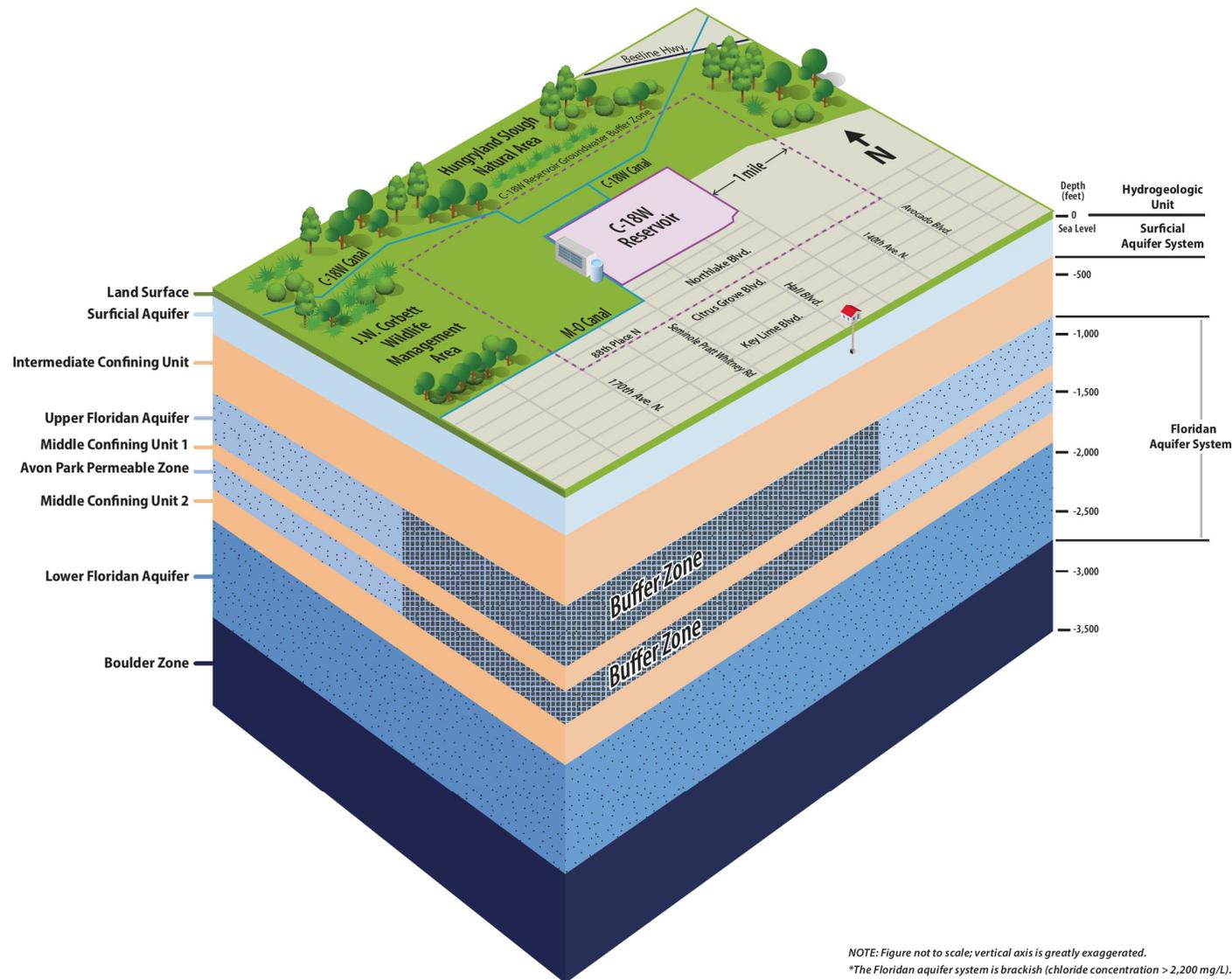
- Includes four ASR wells, 1,000 ft apart
- Each well at 5 mgd, total capacity 20 mgd (32 cfs)
- Completed in the Upper Floridan aquifer system
- Assumes a maximum “bubble” of ~30,000 ac-ft
- Reservoir design is still conceptual, well locations could change
- Exploratory test well has yet to be installed



# ASR Protection Approach

## Groundwater Buffer Zones:

- Only the Upper Floridan Aquifer and the Avon Park Permeable Zone
- Below the future C-18W Reservoir
- Limited to zone necessary to protect ASR operation



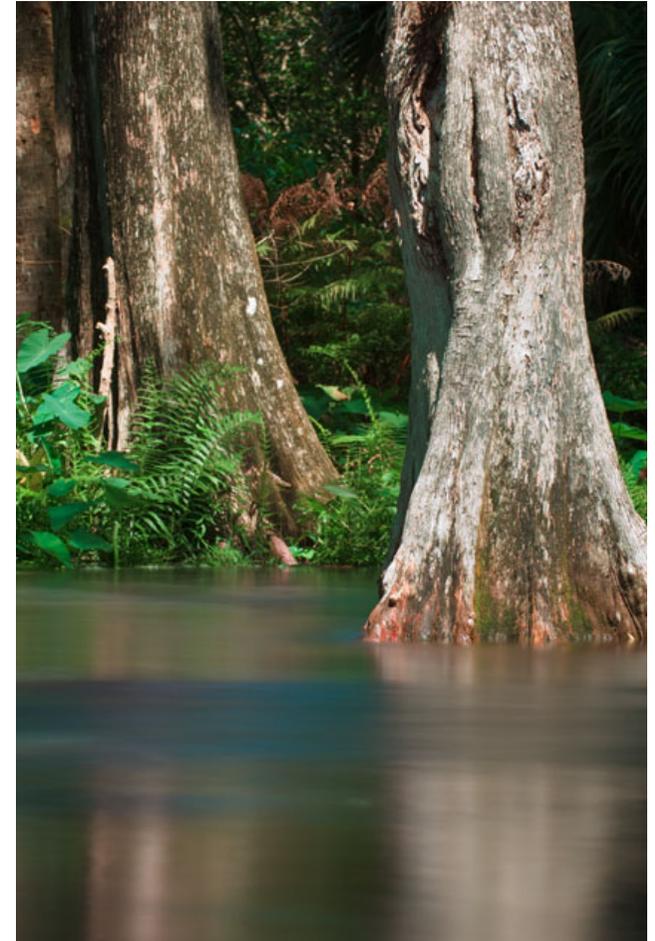
NOTE: Figure not to scale; vertical axis is greatly exaggerated.  
 \*The Floridan aquifer system is brackish (chloride concentration > 2,200 mg/L).

# Stakeholder Comments

- Rule development workshops held on January 25 and February 22, 2022
  
- Received comments from:
  - Palm Beach County
  - City of West Palm Beach
  - Indian Trail Improvement District
  - Southeast Florida Utility Council
  - Residents
  
- General comments
  - RAA instead of water reservation
  - Related figures
  - Technical basis for ASR protection
  - Rule implications beyond the project area
  - Rule specificity to LRWRP
  - Clarification on protecting ASR water

# Revisions and Responses to Comments

- Meetings with all commentors after workshops
  - Listened to concerns
- Revisions made to:
  - Technical Document
  - Applicant's Handbook
- Follow up meetings with commentors
  - Discussed revisions
  - Resulted in more specific water use criteria



# LRWRP Rule Development Schedule

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Rule Effective Date**	June 9, 2022	

\* Governing Board action required

\*\* Provided no material changes are made and no request for public hearing is timely received



## Recommended Action

Publish a Notice of Proposed Rule and adopt rules to amend and establish consumptive use permitting criteria to protect water made available by the Loxahatchee River Watershed Restoration Project.



# THANK YOU

## LRWRP – Rule Development Project Team

- Jennifer Brown
- Jeff Buck
- Devon Daniel
- Nancy Demonstranti
- Toni Edwards
- Beth Kacvinsky
- Natalie Kraft
- Olena Leskova
- Don Medellin
- Savannah Middlebush

- Nicole Miller
- Brenda Mills
- Erika Moylan
- Sky Notestein
- Madelyn Rinka
- Carter Roush
- Janice Sluth
- Karin Smith
- Dina St. Andrews
- Bob Verrastro

### Managers

- Ken Chen
- Tom Colios
- Mark Elsner
- Lawrence Glenn
- Jennifer Leeds
- Julia Lomonico
- Peter Kwiatkowski
- Jill Margolius
- Alberto Naya
- Anushi Obeysekera
- Jennifer Reynolds
- Seán Sculley
- Simon Sunderland
- Leslye Waugh

**South Florida Water Management District Leasing Corp.**

**ANNUAL MEETING AGENDA**

**April 14, 2022**

**3301 Gun Club Road  
West Palm Beach, FL 33406**

1. Call to Order
2. Agenda Revisions
3. Approval of Minutes of May 13, 2021 Meeting
4. Ratification of Officers (Article III, Section 2, Bylaws)
5. Annual Budget Report (Article IV, Section 6, Bylaws)
6. Public Comment
7. Adjournment

**South Florida Water Management District Leasing Corp.**

**ANNUAL MEETING MINUTES**

**May 13, 2021**

**via Communications Media Technology  
www.SFWMD.gov**

1. Call to Order  
Mr. Goss called the meeting to order at approximately 5:20 PM.  
The following individuals were present: Mr. Goss, Mr. Wagner, Mr. Bergeron, Mr. Steinle, and Ms. Thurlow-Lippisch. Ms. Meads attended remotely. Ms. Roman and Mr. Martinez were absent.
2. Agenda Revisions  
Ms. Byrd announced there were no changes to the agenda.
3. Approval of Minutes of May 14, 2020 Meeting  
On a motion by Mr. Wagner, seconded by Mr. Steinle, the Minutes for the May 14, 2020 meeting were unanimously approved.
4. Ratification of Officers (Article III, Section 2, Bylaws)  
Mr. Brown announced the slate of officers. On a motion by Mr. Bergeron, seconded by Mr. Wagner, the ratification of the following officers was unanimously approved:

President – Chauncey Goss  
Vice President – Scott Wagner  
Secretary – Drew Bartlett  
Treasurer – John P. Mitnik

There was no public comment on this item.

5. Annual Budget Report (Article IV, Section 6, Bylaws)  
Mr. Brown provided the Annual Budget Report. The budget amount was \$30,348,000. On a motion by Mr. Wagner, seconded by Ms. Thurlow-Lippisch, the Annual Budget Report was unanimously approved.

There was no public comment on this item.

6. Public Comment  
There was no public comment.

7. Adjournment  
Mr. Goss adjourned the meeting at approximately 5:25 PM.

## South Florida Water Management District Leasing Corp.

### Ratification of Officers Pursuant to Art. III, Sec. 1 and 2, Bylaws

- President: Chauncey Goss
- Vice President: Scott Wagner
- Secretary: Drew Bartlett
- Treasurer: John P. Mitnik

### Article III – Officers

SECTION 1. Officers. The officers of the Corporation shall consist of a President, Vice President, Secretary, and a Treasurer, each of whom shall be Governing Board Members or District staff and shall be ratified by the Board of Directors at its annual meeting, as provided below. The officers of the Corporation shall be as follows: the Chairman of the Board of Directors shall serve as President; the Vice-Chairman of the Board of Directors shall serve as Vice-President; the Executive Director of the District shall serve as Secretary of the Board of Directors; the Assistant Executive Director shall serve as Treasurer. The individuals elected as Chairman and Vice-Chairman and the individuals appointed as Executive Director and Assistant Executive Director shall automatically become the officers of the Corporation upon their election or appointment without any action required by the Board of Directors. The Board of Directors may appoint such other officers and assistant officers from District staff as the Board of Directors may deem desirable from time to time. Any two or more offices may be held by the same person.

SECTION 2. Ratification. The officers of the Corporation shall be ratified annually by the Board of Directors during the annual meeting of the Board of Directors.

**South Florida Water Management District Leasing Corp.**

**Annual Budget Report for Proposed Fiscal Year 2022-2023 Budget Debt Service**

**Debt Service**

**Source**

General Capital Fund	\$13,548,611
Everglades Restoration Trust Capital Fund	<u>\$16,763,514</u>
<b>Total Debt Service</b>	<b>\$30,312,125</b>

# Governing Board

Monthly Meeting

April 14, 2022

9:00 AM

and

SFWMD Leasing Corp. Annual Meeting

(immediately following)

## ***Want to comment?***

If you're participating in person - fill out a comment card and give to a meeting attendant

If you're participating via Zoom - use the Raise Hand feature

If you're participating via Phone - \*9 Raises Hand

\*6 Mutes/Unmutes

[sfwmd.gov](http://sfwmd.gov)

# 1. Call to Order

**Chauncey Goss**



## 2. Agenda Revisions

### **3. Approval of the Minutes of the May 13, 2021 Meeting**

## 4. Ratification of Officers (Art. III, Sec. 2, Bylaws)

- President: Chauncey Goss
- Vice President: Scott Wagner
- Secretary: Drew Bartlett
- Treasurer: John P. Mitnik

# 5. Annual Budget Report (Art. IV, Sec. 6, Bylaws)

**South Florida Water Management District Leasing Corp.**

**Annual Budget Report for Proposed Fiscal Year 2022-2023 Budget Debt Service**

**Debt Service**

**Source**

General Capital Fund	\$13,548,611
Everglades Restoration Trust Capital Fund	<u>\$16,763,514</u>
<b>Total Debt Service</b>	<b>\$30,312,125</b>

## Public Comment

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please fill out a comment card and  
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If you're participating via Zoom –  
use the Raise Hand feature

If you're participating via Phone –  
\*9 Raises Hand  
\*6 Mutes/Unmutes

[sfwmd.gov](http://sfwmd.gov)



## 7. Adjourn

*Thank you for joining the meeting.*