



South Florida Water Management District

GOVERNING BOARD MONTHLY MEETING AGENDA

May 11, 2023

9:00 AM

Conservancy of Southwest Florida
1495 Smith Preserve Way
Naples, FL 34102

FINAL

Governing Board members may visit the Shotwell Wavering Family Filter Marsh area during the lunch break and the Dalton Discovery Center at any time throughout the day.

1. Call to Order - Chauncey Goss, Chairman, Governing Board
2. Pledge of Allegiance
3. Recognition of Elected Officials
4. Agenda Revisions
5. Agenda Item Abstentions by Board Members
6. Big Cypress Basin Board Report - Charlette Roman, Chair
7. Consider Approval of the Minutes for the April 13, 2023 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, Tract SG100-025, Fakahatchee Strand Component of the Picayune Strand Restoration Project, Collier County (Staff contact, Ray Palmer)

Agenda Item Background:

The District, as local sponsor for the United States Army Corps of Engineers (USACE), has previously acquired lands needed for the Fakahatchee Strand State Preserve Component of the Picayune Strand Restoration Project. The proposed acquisition is a 2.5-acre parcel that will complete acquisition of the component lands. Purchase price is \$75,000, which is 30% above the approved appraised value of \$57,500. Staff believes paying the increased purchase price is in the District's best interest to avoid the risks and added expenses associated with a future condemnation process.

Recommended Action:

A. Resolution No. 2023 - 0501 Acquire land interests containing 2.5 acres, more or less, located in the Picayune Strand Restoration Project, Fakahatchee Strand State Preserve Component, in Collier County, in the amount of \$75,000, plus associated costs, for which dedicated funds (Land Acquisition Trust Fund) and/or Ad Valorem funds are budgeted in Fiscal Year 2022-2023.

B. Resolution No. 2023 - 0502 Advise the Florida Department of Environmental Protection of the proposed acquisition of land interests containing 2.5 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 \$75,000 and associated costs from the Land Acquisition Trust Fund for acquisition of such land interests.

[Resolution No. 2023-0501](#)

[Resolution No. 2023-0502](#)

[Resolution Exhibit A](#)

15. Land Acquisition, Tract KE100-263, C-23/C-24 North Reservoir Component of the Indian River Lagoon South Project, St. Lucie County (Staff contact, Ray Palmer)

Agenda Item Background:

Staff is seeking Governing Board approval to acquire an 8.06-acre parcel of land for the C-23/C-24 North Reservoir Component of the Indian River Lagoon South Project. As a part of the Comprehensive Everglades Restoration Plan (CERP) Indian River Lagoon South (IRL-S) project, the C-23/C-24 North Reservoir component will assist with the reduction of harmful discharges to the southern portion of the Indian River Lagoon and St. Lucie River and Estuary. The C-23/C-24 North Reservoir was identified and authorized in the IRL-S Project Implementation Report, completed in 2004 and Congressionally authorized in WRDA 2007. The C-23/C-24 North Reservoir component supports the District's core mission of ecosystem restoration and water

quality improvement. The C-23/C-24 North Reservoir will be capable of storing approximately 30,000 acre/feet of water and will allow stormwater originating in the C-23 and C-24 basins to be directed into the C-23/C-24 STA to be treated before returning to the C-23 or C-24 canals.

The District has previously acquired the lands needed for the construction of the reservoir. The acquisition will provide and serve as required highway access off State Road 70 for the construction of the reservoir and for the future operation and maintenance of the reservoir. The purchase price is \$430,000.

Recommended Action:

A. Resolution No. 2023 - 0503 Acquire land interests containing 8.06 acres, more or less, for the Indian River Lagoon South Project, C-23/C-24 North Reservoir Component, located in St. Lucie County, in the amount of \$430,000, together with \$107,000 for statutory attorneys' fees and associated costs, for which dedicated funds (Land Acquisition Trust Fund) and/or Ad Valorem funds are budgeted in Fiscal Year 2022-2023.

B. Resolution No. 2023 - 0504 Advise the Florida Department of Environmental Protection of the proposed acquisition of land interests containing 8.06 acres, more or less, for the Indian River Lagoon South Project, C-23/C-24 North Reservoir Component, in St. Lucie County, and requesting the release of funds in the amount of \$430,000 and associated costs, together with statutory attorneys' fees, expert fees and costs in the amount of \$107,000 from the Land Acquisition Trust Fund for acquisition of such land interests.

[Resolution No. 2023-0503](#)

[Resolution No. 2023-0504](#)

[Resolution Exhibit A](#)

16. Cano Health, LLC, Parking Lease, Miami-Dade County (Staff contact, Ray Palmer)

Agenda Item Background:

Staff is seeking Governing Board authorization to amend Contract No. 460004560 to extend a parking lease, located on the C-9 Canal right of way in Miami-Dade County, for five years. Cano Health, LLC currently leases 0.15 acres, which provides additional parking for their patients and staff. If approved, the Lease will extend to June 3, 2028. The leased area is not currently needed for operation and maintenance of the C-9 Canal. The Lessee is responsible for maintenance of the entry gate and fencing around the parking area. The Lease has a provision for termination by the District for convenience of 180 days. The approximate annual revenue will be \$10,270.

Recommended Action:

Resolution No. 2023 - 0505 Authorize a five-year parking lease extension to Cano Health, LLC on 0.15 acres, more or less, in Miami-Dade County. (Contract No. 460004560-A01)

[Resolution No. 2023-0505](#)

[Resolution Exhibit A](#)

17. Release of Reservations (Staff contact, Ray Palmer)

Agenda Item Background:

The District has certain reserved rights to construct canal and road right of ways and reserved mineral rights. Applications requesting release of these reservations are received as they constitute a defect on title which must be resolved prior to a property sale, especially when financing is involved. Applications are reviewed to determine if there is a present or future need for the reservations. If it has been determined there is no present or future need, staff recommends that the reservations are released for payment of a value equal to one percent of the appraised value of the land on the Property Appraiser’s website in the County where the property is located. Mineral rights are retained by the District and a Non-Use Commitment is issued.

It has been determined by a District-wide routing that there is no present or future need for the reservations listed below, therefore, staff recommends approval of the following:

Broward County

Release District canal and road reservations, and issue a Non-Use Commitment for KBNP, LLC, a Delaware limited liability company (File No. 18927) for 151.71 +/- acres; subject to payment of release value of \$132,152.00.

Palm Beach County

Release District canal reservations for Soapy Shark SR-7, LLC, a Florida limited liability company (File No. 18929) for 0.18 +/- acre; release value of \$1,256.45 is paid.

Recommended Action:

Resolution No. 2023 - 0506 Release District canal and road reservations and issue a Non-Use Commitment.

- [Maps](#)
- [Memo Exhibit A](#)
- [Resolution No. 2023-0506](#)
- [Resolution Exhibit A](#)

- 18. MuleSoft Upgrade Contractual Services (Staff contact, Duane Piper)

Agenda Item Background:

The District is in the process of upgrading 47 Application Program Interfaces (APIs) from MuleSoft Version 3 to Version 4. These APIs are used for the integration of various applications, data access, and visualizations including DBHYDRO Insights, Site Status, OneParameter, SCADA Projects, various data loaders, and the SAP to Remedy integration. Additional services are required to complete the migration of the APIs, improve the code quality, and increase the APIs security.

This request is to amend Purchase Order No. 4500137000 with UWORK.com, Inc. increasing the amount by \$50,000 for a revised purchase order total of \$298,063 for the MuleSoft software upgrade, using the National Association of State Procurement Officials Contract Number 14PSX0338. This contract was competed by another government agency.

Recommended Action:

Resolution No. 2023 - 0507 Authorize an amendment to Purchase Order No.

4500137000 with UWORK.com, Inc. by increasing the amount of the purchase order by \$50,000 for a revised purchase order total of \$298,063, for the MuleSoft software upgrade, using the National Association of State Procurement Officials Contract Number 14PSX0338, for which \$50,000 in Ad Valorem funds are budgeted in Fiscal Year 2022-2023.

[Resolution No. 2023-0507](#)

19. Project to Reduce Nutrient Sources and Implement Legacy Nutrient Research in the Lake Okeechobee Watershed (Staff contact, Jennifer Reynolds)

Agenda Item Background:

The goal of the Northern Everglades and Estuaries Protection Program (NEEPP) is to restore and protect surface water resources by addressing water quality and storage in the natural system. One of the District's primary responsibilities in implementing NEEPP is to conduct research and water quality monitoring to support the Watershed Protection Plans and Basin Management Action Plans (BMAPs) for the NEEPP watersheds (St. Lucie River Watershed, Caloosahatchee River Watershed, and Lake Okeechobee Watershed). An opportunity to support the Lake Okeechobee Watershed BMAP, remove a nutrient source that contributes to legacy phosphorus in the Lake Okeechobee Watershed, and provide a location for scientific nutrient studies has been presented to the District. The project property is approximately 1,300 acres and uniquely located in the S-65D NEEPP Priority Basin approximately two miles upstream of the Kissimmee River. The property has been managed as a dairy for over 50 years and remains a source of legacy nutrients in the soil.

The landowner, 5 Iron, LLC, has agreed to vacate approximately 950 acres of a profitable dairy farm to allow the Coordinating Agencies (Florida Department of Environmental Protection (DEP), Florida Department of Agriculture & Consumer Services, and the District) to conduct a series of legacy phosphorus, nutrient remediation, and innovative technology studies. The proposed partnership agreement with 5 Iron, LLC includes up to six months for the landowner to remove the phosphorus source from the property, end current operations, relocate assets, and prepare the property for Coordinating Agency use. For an additional four years, the Coordinating Agencies will be allowed to access and use the property to implement a legacy nutrient research and remediation plan.

Staff requests Governing Board approval to enter into a five-year agreement with 5 Iron, LLC, as a sole source exception to standards of competition, for phosphorus source removal, preparatory land activities, access to and use of 950 acres of the property in an amount not-to-exceed \$2,280,000. Subsequent to approval of this agreement, the Coordinating Agencies will finalize a separate scope of work to implement a legacy nutrient research and remediation plan, the first phase of which includes collecting and analyzing nutrients to determine baseline data for the studies.

Recommended Action:

Resolution No. 2023 - 0508 Authorize entering into a five-year agreement with 5 Iron, LLC as a sole source exception to the standards of competition for source removal, preparatory land activities, access to and use of 950 acres on the property uniquely located in a NEEPP priority basin in an amount not-to-exceed \$2,280,000, for which \$600,000 in dedicated funds (Land Acquisition Trust Fund)

are budgeted in Fiscal Year 2022-2023 and the remainder is subject to Governing Board approval of future years budgets. (Contract No. 4600004741)

[Resolution No. 2023-0508](#)

[Maps](#)

20. Algaecide Application Services for Control of Blue-Green Algae Contracts (Staff contact, Rich Virgil)

Agenda Item Background:

These contracts will provide algae application services for control of nuisance blue-green algae for day-to-day and emergency response situations to protect the public from exposure to toxins district-wide. The responsive and responsible firms are Ground Level, Inc., Applied Aquatic Management, Inc., and Aquatic Vegetation Control, Inc. These are 3-year work order contracts with two 1-year renewal options to combat algae blooms in waterbodies within the District. These services target algae aggregations threatening desired species, which are potentially a hazard to human health in the waterbodies of South Florida. District waterbodies include, but are not limited to, Lake Okeechobee and the surrounding canals. Work performed may be eligible for funding through the DEP. Algae blooms can be quickly managed by use of algaecide by trained and licensed individuals employed by these firms.

Recommended Action:

Resolution No. 2023 - 0509 Authorize entering into a 3-year work order contract with two 1-year renewal options with the three responsive and responsible bidders for Algaecide Application Services for Control of Nuisance Blue-Green Algae, in an amount not-to-exceed \$2,500,000 for all three contracts for which up to \$500,000 in Ad Valorem and dedicated funds (State General Revenue and Land Acquisition Trust Fund) are budgeted in Fiscal Year 2022-2023, and the remainder is subject to Governing Board approval of future years budgets.

Firm	Contract Number
Ground Level, Inc.	4600004755
Applied Aquatic Management, Inc.	4600004756
Aquatic Vegetation Control, Inc.	4600004757

[Resolution No. 2023-0509](#)

21. Stormwater Treatment Areas (STA) Right of Way Mowing Services Contract, Clewiston Field Station Area of Responsibility, Palm Beach and Hendry Counties (Staff contact, Rich Virgil)

Agenda Item Background:

Maintenance of District lands is required to ensure that vegetation is controlled at the appropriate height to provide for optimal performance and operational efficiency of the District's flood control system. This is a proposed contract for right of way mowing services of approximately 6,105 acres located in STA-3/4, EAA A-1 FEB, STA-5, and STA-6 within the Clewiston Field Station area of responsibility, including Palm Beach and Hendry counties.

Recommended Action:

Resolution No. 2023 - 0510 Authorize entering into a 3-year contract with two 1-year renewal options with COCO Tree Service Corp., the lowest responsive and responsible bidder, for Stormwater Treatment Areas Right of Way Mowing Services, in the Clewiston Field Station area of responsibility, including Palm Beach and Hendry counties, in an amount not-to-exceed \$705,128 for which \$76,923 in Ad Valorem funds is budgeted in Fiscal Year 2022-2023 and the remainder is subject to Governing Board approval of future years budgets. (Contract No. 4600004758)

[Resolution No. 2023-0510](#)

22. Water Reuse Week, May 14-20, 2023 (Staff contact, Lawrence Glenn)

Agenda Item Background:

May typically marks the end of the dry season and can be a time when water needs are most acute. Amid potentially drier regional conditions, it is important to increase awareness regarding the reuse of our precious water resources. Over the last two decades, water reuse in the District has increased by 60 percent to approximately 310 million gallons per day and has become integral to South Florida's water supply. WaterReuse Florida, the state section of the WaterReuse Association, has designated May 14-20, 2023 as Water Reuse Week in the State of Florida.

With this resolution, the South Florida Water Management District will join WaterReuse Florida, other water management districts, local governments, and other organizations in supporting water reuse with the adoption of similar resolutions throughout Florida.

Recommended Action:

Resolution No. 2023 - 0511 Proclaim May 14-20, 2023, as Water Reuse Week.

[Resolution No. 2023-0511](#)

23. Concurrence on Emergency Order 2023-027-DAO (Staff contact, Jennifer Smith and Maricruz R. Fincher)

Agenda Item Background:

To respond to the flooding caused by record breaking severe and heavy rainfall in Broward County, the District issued Emergency Order 2023-027-DAO. This Order authorized pumping and other measures to ensure the health, safety, and welfare of the community due to flooding from widespread showers and thunderstorms. This item requests the Governing Board's concurrence with issuance of Emergency Order 2023-027-DAO, in compliance with Section 373.119(2), Florida Statutes, and any subsequent termination orders.

Recommended Action:

Concur with Emergency Order 2023-027-DAO and any subsequent amendment or termination of the emergency order.

[2023-027-DAO Emergency Final Order](#)

24. Legal Services Contract Amendment with Kirwin Norris, P.A. (Staff contact, Maricruz R. Fincher)

Agenda Item Background:

Kirwin Norris, P.A. provides ongoing legal counsel to the District in construction law matters. The Office of Counsel is requesting the authority to increase funds in the amount of \$250,000 for the District’s contract with Kirwin Norris, P.A.

Recommended Action:

Resolution No. 2023 - 0512 Amend Contract No. 4600004519 with Kirwin Norris, P.A. to authorize the General Counsel to increase the contract by \$250,000.

[Resolution No. 2023-0512](#)

- 25. Geotechnical Engineering Services Contracts (Staff contact, Alan Shirkey)

Agenda Item Background:

As part of the District’s core missions of flood control, water supply, water quality and ecosystem restoration, the demand for geotechnical engineering services due to legal mandates, restoration programs and the need to maintain existing facilities exceeds the capacity that can be generated by existing District staff.

Contracts will be awarded to Consultants within the Geotechnical Engineering Services industry. The contracts are needed to provide geotechnical engineering data and analysis required for completion of internal design projects and quality assurance during construction. Geotechnical data is an important factor that weighs heavily into the design and construction of structure foundations, seepage management systems, dewatering systems, retaining walls/wing walls, and slope protection for facilities such as gravity structures, pump stations and canals.

Recommended Action:

Resolution No. 2023 - 0513 Authorize the official ranking of firms and enter into 3-year work order contracts, with two 1-year renewal options with the six firms listed below, subject to successful negotiations to provide Geotechnical Engineering Services in an amount not-to-exceed \$4,000,000 for all six work order contracts, for which Ad Valorem and dedicated funds (Land Acquisition Trust Fund and State General Revenue Fund) are subject to Governing Board approval of future years budgets; the District will proceed in ranked order until agreements have been successfully negotiated.

Firm Name	Contract No.
NV5, Inc.	4600004745
H2R Corp	4600004746
WIRX Engineering, LLC	4600004750
GFA International Inc. d/b/a Universal Engineering Sciences	4600004747
Radise International, LC	4600004748
Tierra South Florida, Inc. d/b/a TSFGeo	4600004749

[Resolution No. 2023-0513](#)
[Scoring & Final Ranking Report](#)
[Backup Document](#)

Discussion Agenda

26. Alternative Water Supply Funding Program (Staff contact, Stacey Adams)

Agenda Item Background:

This item includes a presentation of the Fiscal Year 2023-2024 Alternative Water Supply Funding Program (Program) which includes a recap and the final project list for the DEP submittal by May 31, 2023. The Program's purpose is to provide financial incentives through matching grants for local alternative water supply and water conservation projects. 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.

Recommended Action:

A. Resolution No. 2023 - 0514 Approve and authorize submittal of the final project list to the Florida Department of Environmental Protection for the purpose of funding consideration for projects listed for the Florida Department of Environmental Protection Alternative Water Supply Grant Program in dedicated state appropriations from the 2023 State General Appropriations Act.

B. Resolution No. 2023 - 0515 Authorize entering into agreement(s) with cooperating entities for alternative water supply and water conservation projects with dedicated state appropriations from the 2023 General Appropriations and delegating authority to the Executive Director to execute the agreements for identified projects that receive state appropriations.

[Resolution No. 2023-0514](#)

[Resolution No. 2023-0515](#)

27. Land Acquisition - Tracts GU100-012, GU100-013, GU100-014, GU100-015, Green Heart of the Everglades Project, Collier County (Staff contact, Jennifer Reynolds)

Agenda Item Background:

The FY2022-23 Florida Legislature appropriated funds and directed the District to acquire the lands for the Green Heart of the Everglades Project in Collier County (the "Project"). The proposed acquisition consists of approximately 11,053.44 acres owned by four separate entities. The lands represent privately owned lands surrounded by and adjacent to millions of acres of publicly-owned conservation lands including Big Cypress National Preserve, Fakahatchee Strand Preserve State Park, and Everglades National Park. The lands are home to one of the rarest habitats in the U.S. - the mangrove forest habitat - which makes up a quarter of the land. The Project region supports thirty-nine federally listed threatened or endangered species, including Florida Panther, American Crocodile, and Black Bear. The Florida Panther National Wildlife Refuge, which is part of the U.S. Fish and Wildlife Service's National Wildlife Refuge System, is located within the Project region. The rare Ghost Orchid is also known to grow in the area. The purchase price is \$29,850,000. Included in the acquisition and purchase price, are all oil, gas and mineral rights and reservations held by other third-party entities which will permanently prevent oil, gas, and mineral exploration and extraction on the lands.

WildLandscapes International brought all four landowners together under one Agreement, which maximizes the transactional efficiency and assures a comprehensive closing on all of the lands. WildLandscapes is a Florida-based non-profit organization that is dedicated to conserving large and connected landscapes globally significant to wildlife and crucial to local communities. Bringing these lands under public ownership will prevent future development of the properties and provide connectivity between large state and federal conservation lands. The District is in discussion with the Department of Environmental Protection regarding stewardship of these lands and the District will work with stakeholders and partner agencies to discuss a land management plan, ecotourism and public access to these lands.

Recommended Action:

A. Resolution No. 2023 - 0516 Acquire land interests containing 11,053.44 acres, more or less, for the Green Heart of the Everglades Project, in Collier County, in the amount of \$29,850,000, plus associated costs, for which dedicated funds (State General Revenue, Ch. 2022-156 Laws of Florida Section 197) are budgeted.

B. Resolution No. 2023 - 0517 Advise the Florida Department of Environmental Protection of the proposed acquisition of land interests containing 11,053.44 acres, more or less, for the Green Heart of the Everglades Project, in Collier County, and requesting the release of funds in the amount of \$29,850,000 from the State General Revenue, Ch. 2022-156 Laws of Florida Section 197 for acquisition of such land interests, together with associated costs.

[Resolution No. 2023-0516](#)

[Resolution No. 2023-0517](#)

[Resolution Exhibit A](#)

Technical Reports

28. Water Conditions Report - John P. Mitnik
29. Ecological Conditions Report - Lawrence Glenn

Staff Reports

30. Monthly Financial Report - Candida Heater, Division Director - Administrative Services
 - Lake Belt Mitigation Committee Annual Report for 2022
31. General Counsel's Report - Maricruz R. Fincher, General Counsel
32. General Public Comment
33. Board Comment
34. Adjourn

Presentations for item numbers 08, 26, 27, 28, and 29, and back-up document for item number 30.

Agenda Item Background:

- 08 Reynolds NEEP Update
- 26 Payseno(Adams) DEP AWS Funding
- 27 Reynolds Green Heart Acquisition
- 28 Mitnik Water Conditions Report
- 29 Glenn Ecological Conditions Report
- 30 LBMC Annual Report

Public Comment Procedure

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.

MEMORANDUM

TO: Governing Board Members

FROM: Ray Palmer, Real Estate

DATE: May 11, 2023

SUBJECT: Land Acquisition, Tract SG100-025, Fakahatchee Strand Component of the Picayune Strand Restoration Project, Collier County

Agenda Item Background:

The District, as local sponsor for the United States Army Corps of Engineers (USACE), has previously acquired lands needed for the Fakahatchee Strand State Preserve Component of the Picayune Strand Restoration Project. The proposed acquisition is a 2.5-acre parcel that will complete acquisition of the component lands. Purchase price is \$75,000, which is 30% above the approved appraised value of \$57,500. Staff believes paying the increased purchase price is in the District's best interest to avoid the risks and added expenses associated with a future condemnation process.

Additional Item Background:

The parcel is identified as Tract No. SG100-025 as shown on the attached Exhibit "A" map. The Fakahatchee Strand State Preserve Component of the Picayune Strand Restoration Project was established pursuant to the Project Partnership Agreement by and between the District and the Corps, dated August 13, 2009, as amended by the 2015 Limited Reevaluation Report. The Project is a Comprehensive Everglades Restoration Project (CERP) and is included in the District's Five-Year Plan of Acquisition.

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.

Funding Source:

The \$75,000 purchase price and all associated costs will be funded from dedicated funds (Land Acquisition Trust Fund) and/or Ad Valorem funds.

Staff Contact and/or Presenter:

Ray Palmer, rpalmer@sfmwd.gov, 561-682-2246

ATTACHMENTS:

[Resolution No. 2023-0501](#)

[Resolution No. 2023-0502](#)

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2023 - 05XX

A Resolution of the Governing Board of the South Florida Water Management District to acquire land interests containing 2.5 acres, more or less, located in the Picayune Strand Restoration Project, Fakahatchee Strand State Preserve Component, in Collier County, in the amount of \$75,000, plus associated costs, for which dedicated funds (Land Acquisition Trust Fund) and/or Ad Valorem funds are budgeted in Fiscal Year 2022-2023; 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 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 2.5 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 \$75,000; 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 2.5 acres, more or less, identified in the attached Exhibit “A”, for the Picayune Strand Restoration Project, Fakahatchee Strand State Preserve Component, in the amount of \$75,000, together with associated costs, for which dedicated funds (Land Acquisition Trust Fund and/or Ad Valorem funds) are budgeted in Fiscal Year 2022-2023; providing an effective date.

:

Owner	Tract No.	Interest	Acres	Approved Appraised Value	Purchase Price
Angela Volandes	SG100-025	Fee	2.5	\$57,500	\$75,000

Budgeted

Amount	Tract No.	Fund	Fund Center	Functional Area	GL	Account Description
\$75,000	SG100-025	425000/ 404100	3510144000	P130	580020	Acquisition

Section 2. The Governing Board of the South Florida Water Management District hereby authorizes the Chairman or Vice Chairman to execute the Agreement for Sale and Purchase instrument, 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 11th day of May, 2023.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

2023 - 05XX

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 2.5 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 \$75,000 and associated costs from the Land Acquisition Trust Fund for acquisition of such land interests; 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 SG100-025 (the “Tract”), containing 2.5 acres, more or less, from a willing seller at a cost of \$75,000 and associated costs, located in Collier County, Florida, for the Picayune Strand Restoration Project, Fakahatchee Strand State Preserve Component. The Tract is shown on the map attached hereto and made a part hereof as Exhibit “A.”

Section 2. The purchase price of the Tract of \$75,000 exceeds the \$57,500 approved appraised value based on the certified appraisal used to determine the value of the land interests to be purchased, considering the value of improvements, non-cash considerations, defects in title or outstanding interests. Staff has determined that acquiring the Tract at the \$75,000 purchase price, which is 30% over the approved appraised value, is in the District’s best interest to avoid the risks and added expenses associated with a future condemnation process. This is the last tract needed to complete the land acquisition for the component.

Section 3. The lands 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:

259.105(4)(a)(3) - Enhance the coordination and completion of land acquisition projects as measured by the number of shared acquisition projects among Florida Forever funding partners and partners with other funding sources including local governments and the federal government.

259.105(4)(c) - 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; (4) the number of acres acquired that protect natural floodplain functions; and (6) the number of acres identified for acquisition to minimize damage from flooding and the percentage of those acres acquired.

259.105(4)(d)(2) - 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 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.

259.105(4)(e) - 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; (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 April 2023 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 May 11, 2023.

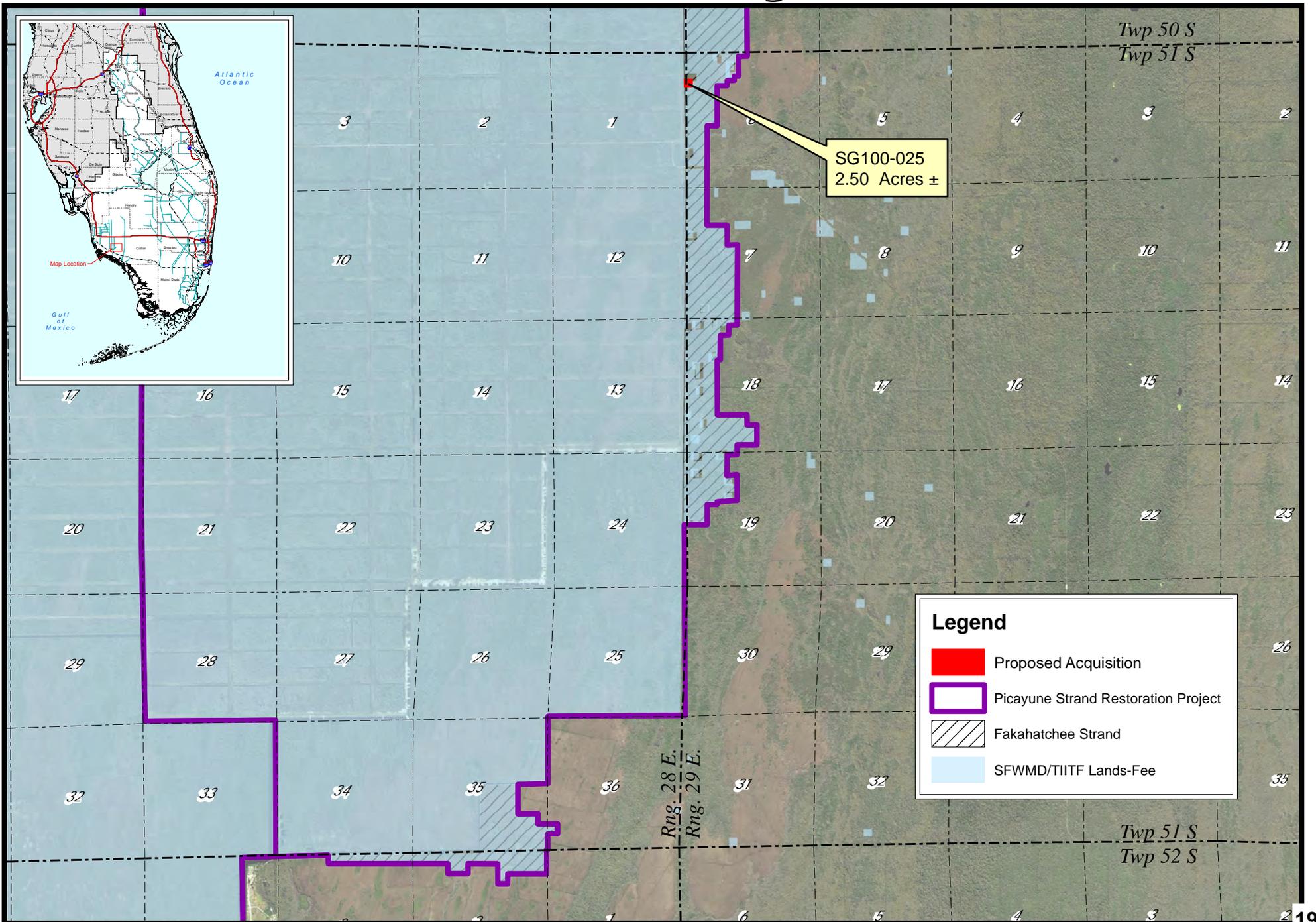
Section 13. The District will utilize funds from the Land Acquisition Trust Fund.

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

PASSED and **ADOPTED** on this 11th day of May, 2023.

Picayune Strand - Fakahatchee Strand Restoration Project Collier County

Exhibit "A"



SG100-025
2.50 Acres ±

Legend

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

MEMORANDUM

TO: Governing Board Members

FROM: Ray Palmer, Real Estate

DATE: May 11, 2023

SUBJECT: Land Acquisition, Tract KE100-263, C-23/C-24 North Reservoir Component of the Indian River Lagoon South Project, St. Lucie County

Agenda Item Background:

Staff is seeking Governing Board approval to acquire an 8.06-acre parcel of land for the C-23/C-24 North Reservoir Component of the Indian River Lagoon South Project. As a part of the Comprehensive Everglades Restoration Plan (CERP) Indian River Lagoon South (IRL-S) project, the C-23/C-24 North Reservoir component will assist with the reduction of harmful discharges to the southern portion of the Indian River Lagoon and St. Lucie River and Estuary.

The C-23/C-24 North Reservoir was identified and authorized in the IRL-S Project Implementation Report, completed in 2004 and Congressionally authorized in WRDA 2007.

The C-23/C-24 North Reservoir component supports the District's core mission of ecosystem restoration and water quality improvement. The C-23/C-24 North Reservoir will be capable of storing approximately 30,000 acre/feet of water and will allow stormwater originating in the C-23 and C-24 basins to be directed into the C-23/C-24 STA to be treated before returning to the C-23 or C-24 canals.

The District has previously acquired the lands needed for the construction of the reservoir.

The acquisition will provide and serve as required highway access off State Road 70 for the construction of the reservoir and for the future operation and maintenance of the reservoir.

The purchase price is \$430,000.

Additional Item Background:

The parcel is identified as Tract No. KE100-263, as shown in the attached Exhibit "A" map, and is owned by Adams Ranch, Inc. As the lands that Adams Ranch, Inc. owns on the east and west sides of the Tract will now be divided by the District's ownership of the Tract, Adams Ranch, Inc. will reserve access to cross from one side to the other. The location of the acquisition lands is at an existing median cut in the divided Highway 70. This provides a major safety benefit for vehicular access during the project construction phase and future maintenance of the new reservoir. The purchase price of \$430,000 is 34% above the \$320,000 appraised value. Additionally, the District will pay \$107,000 of statutory attorneys' fees and costs. This acquisition price avoids the significantly higher cost of condemnation and allows the reservoir construction project to remain on schedule to start in early 2024.

Core Mission and Strategic Priorities:

As a part of the CERP Indian River Lagoon South (IRL-S) Project, the C-23/C-24 North Reservoir Component, located in St. Lucie County, will assist with the reduction of harmful discharges to the southern portion of the Indian River Lagoon and St. Lucie River and Estuary.

The C-23/C-24 North Reservoir component supports the District's core mission of ecosystem restoration and water quality improvement. The C-23/C-24 North Reservoir will be comprised

of an approximately 2,438-acre reservoir capable of storing approximately 30,000 acre/feet of water and will allow stormwater originating in the C-23 and C-24 basins to be directed into the C-23/C-24 STA to be treated, returned to the C-23 or C-24 canals to reclaim storage capacity or meet a water supply demand.

Funding Source:

The \$430,000 purchase price, the \$107,000 statutory attorneys' fees, and all costs associated with the acquisition will be funded from dedicated funds (Land Acquisition Trust Fund) and/or Ad Valorem funds.

Staff Contact and/or Presenter:

Ray Palmer, rpalmer@sfmwd.gov, 561-682-2246

ATTACHMENTS:

[Resolution No. 2023-0503](#)

[Resolution No. 2023-0504](#)

[Resolution Exhibit A](#)

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2023 - 05XX

A Resolution of the Governing Board of the South Florida Water Management District to acquire land interests containing 8.06 acres, more or less, for the Indian River Lagoon South Project, C-23/C-24 North Reservoir Component, located in St. Lucie County, in the amount of \$430,000, together with \$107,000 for statutory attorneys' fees and associated costs, for which dedicated funds (Land Acquisition Trust Fund) and/or Ad Valorem funds are budgeted in Fiscal Year 2022-2023; providing an effective date.

WHEREAS, the South Florida Water Management District has acquired land for the Indian River Lagoon South Project, C-23/C-24 North Reservoir Component (the "Project Component"); and

WHEREAS, the District desires to purchase land interests containing 8.06 acres, more or less, for the Project Component in St. Lucie County, as shown on the location map, Exhibit "A", attached hereto and made a part hereof, in the amount of \$430,000, together with \$107,000 for statutory attorneys' fees and costs, for which dedicated funds (Land Acquisition Trust Fund) and/or Ad Valorem funds are budgeted in Fiscal Year 2022-2023; and

WHEREAS, the landowner will reserve access across the 8.06-acre parcel, as the proposed acquisition will divide the landowner's property into two areas, one east and one west of the 8.06-acre parcel; 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 8.06 acres, more or less, subject to reserved access, identified in the attached Exhibit "A", in the Indian River Lagoon South Project, C-23/C-24 North Reservoir Component, in the amount of \$430,000, together with \$107,000 for statutory attorneys' fees and associated costs, for which dedicated funds (Land Acquisition Trust Fund) and/or Ad Valorem funds are budgeted in Fiscal Year 2022-2023, as follows:

Owner	Tract No.	Interest	Acres	Appraised Value	Purchase Price
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Adams Ranch, Inc.	KE100-263	Fee	8.06	\$320,000	\$430,000
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Amount	Fund	Fund Center	Functional Area	GL	Account Description
\$430,000	425000	3510144000	P107	580020	Acquisition
\$107,000	425000	3510144000	P107	580022	Attorney Fees

Section 2. The Governing Board of the South Florida Water Management District hereby authorizes the Chairman or Vice Chairman to execute the Agreement for Sale and Purchase, 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 11th day of May, 2023.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2023 - 05XX

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 8.06 acres, more or less, for the Indian River Lagoon South Project, C-23/C-24 North Reservoir Component, in St. Lucie County, and requesting the release of funds in the amount of \$430,000 and associated costs, together with statutory attorneys' fees, expert fees and costs in the amount of \$107,000 from the Land Acquisition Trust Fund for acquisition of such land interests; providing an effective date.

WHEREAS, the South Florida Water Management District is acquiring land for the Indian River Lagoon South Project, C-23/C-24 North Reservoir Component ("Project"); and

WHEREAS, the District desires to purchase land interests for the Project in St. Lucie County, containing 8.06 acres, more or less, identified as Tract No. KE100-263, and as shown on the location map Exhibit "A", attached hereto and made a part hereof, in the amount of \$430,000 and associated costs, together with \$107,000 for statutory attorneys' fees, expert fees and costs; 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.

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 title to Tract KE100-263 (the "Tract"), containing 8.06 acres, more or less, in St. Lucie County, Florida, for the Indian River Lagoon South Project, C-23/C-24 North Reservoir Component, at a cost of \$430,000 and associated costs. The District has a contract to acquire the Tract. The Tract is shown on the map attached hereto and made a part hereof as Exhibit "A."

Section 2. It does hereby advise the Secretary of the Florida Department of Environmental Protection of its intent to pay \$107,000 for the owner's statutory attorneys' fees, expert fees and costs pursuant to Chapter 73, Florida Statutes.

Section 3. The purchase price of the Tract of \$430,000 exceeds the \$320,000 appraised value based on the certified appraisal used to determine the value of the land interests to be purchased, together with severance and cost to cure damages, taking into account the value of improvements, non-cash considerations, defects in title or outstanding interests. The District staff has determined that it will be cost effective and beneficial to the implementation of the Project, and in the District's best interest to avoid the risks and added expenses associated with a future condemnation process, to acquire the land interests for a purchase price of \$430,000 or 34% over the approved appraised value.

Section 4. The lands 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 5. 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 6. Acquisition of this land furthers the following Florida Forever goals set forth in Section 259.105(4), Florida Statutes:

259.105(4)(a) Enhance the coordination and completion of land acquisition projects as measured by:

3. The number of shared acquisition projects among Florida Forever funding partners and partners with other funding sources including local governments and the federal government.

259.105(4)(c) 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 of publicly owned land identified as needing restoration, enhancement, and management, acres undergoing restoration or enhancement, 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 percentage of water segments that fully meet, partially meet, or do not meet their designated uses as reported in the Department of Environmental Protection's State Water Quality Assessment 305(b) Report;
4. The number of acres acquired that protect natural floodplain functions;
5. The number of acres acquired that protect surface waters of the state;

259.105(4)(d) 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 number of acres acquired which provide retention and storage of surface water in naturally occurring storage areas, such as lakes and wetlands, consistent with the maintenance of water resources or water supplies and consistent with district water supply plans.
2. 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.

259.105(4)(e) 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;
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 7. 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 8. The land interests being acquired shall be maintained in an environmentally acceptable manner.

Section 9. 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 10. A Phase I/II environmental assessment of the property is being conducted. If any environmental concerns are discovered they will be remediated, as necessary, and any risks will be borne by the District.

Section 11. 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(4), Florida Statutes.

Section 12. 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.

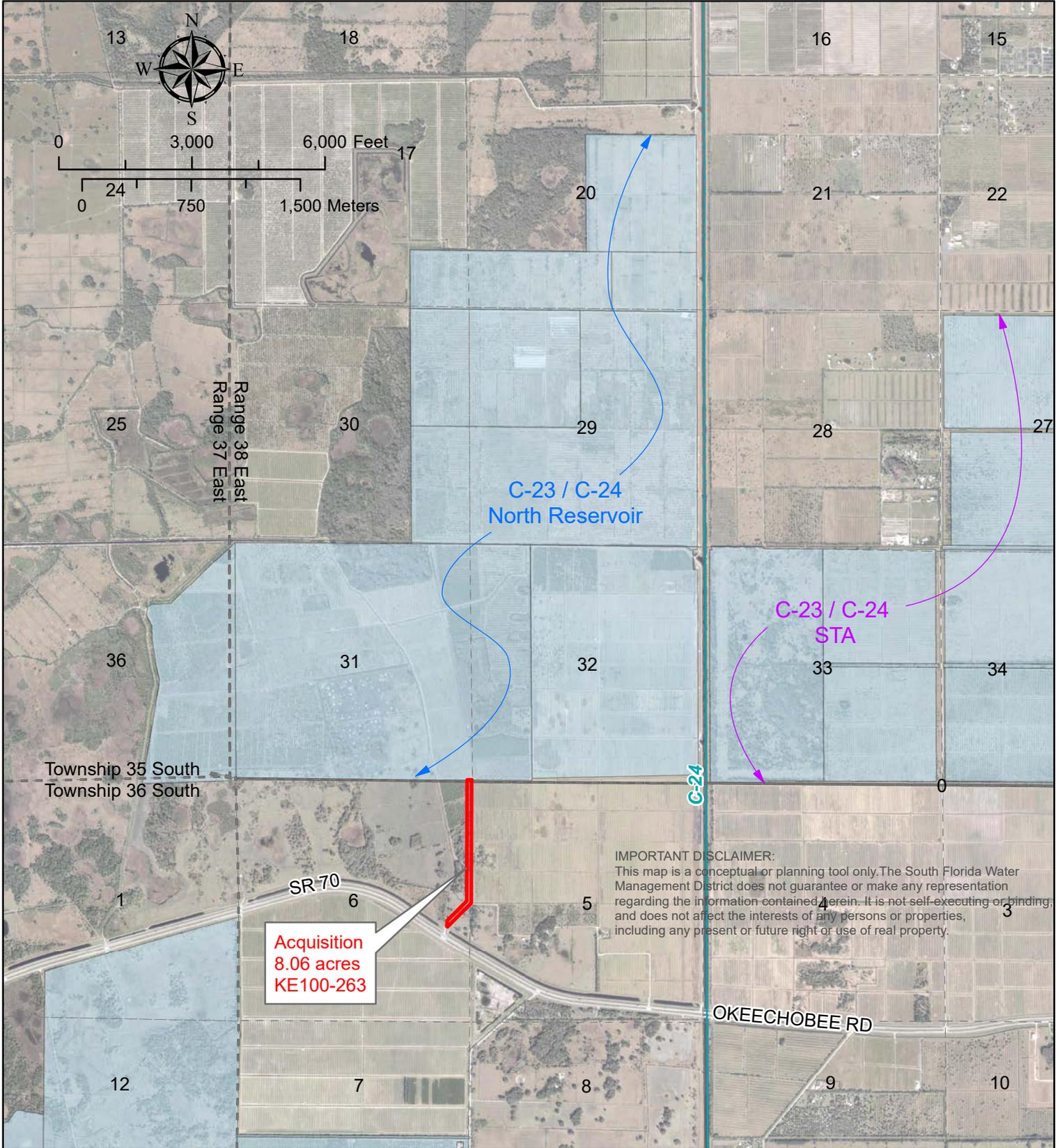
Section 13. The Resolution to approve the acquisition of these land interests was approved by the Governing Board of the District on May 11, 2023.

Section 14. The District will utilize funds from the Land Acquisition Trust Fund.

Section 15. This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED on this 11th day of May, 2023.

Exhibit "A"



IMPORTANT DISCLAIMER:
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South Florida Water Management District
 3301 Gun Club Rd, West Palm Beach, FL 33406
 (561) 686-8800; www.sfwmd.gov

IRL South C23 / C24 Reservoir St. Lucie County

BASE CREDITS:
 • Base map from South Florida Water Mgmt. District, February 2023
 • State Plane Projection, Florida East Zone, NAD 83-HARN, US feet
 • St. Lucie 2021 6IN Aerial

MEMORANDUM

TO: Governing Board Members

FROM: Ray Palmer, Real Estate

DATE: May 11, 2023

SUBJECT: Cano Health, LLC, Parking Lease, Miami-Dade County

Agenda Item Background:

Staff is seeking Governing Board authorization to amend Contract No. 460004560 to extend a parking lease, located on the C-9 Canal right of way in Miami-Dade County, for five years. Cano Health, LLC currently leases 0.15 acres, which provides additional parking for their patients and staff. If approved, the Lease will extend to June 3, 2028. The leased area is not currently needed for operation and maintenance of the C-9 Canal. The Lessee is responsible for maintenance of the entry gate and fencing around the parking area. The Lease has a provision for termination by the District for convenience of 180 days. The approximate annual revenue will be \$10,270.

Additional Item Background:

The District initially acquired this portion of the C-9 Canal right of way in Miami-Dade County on June 13, 1952. The current parking lease began June 13, 2013. The Lessee will be responsible for removal of the fence at the end of the Lease. This Lease is set to expire on June 3, 2023. The District and the Lessee wish to extend the term of the lease for five years. All leased lands are inspected on a semi-annual basis and the annual rent is based on a market rent appraisal.

Core Mission and Strategic Priorities:

The objective of this Lease is to obtain assistance in the stewardship and maintenance of this land. The Lessee will maintain the fence and keep the property free of debris. The revenues generated from this Lease will assist Land Stewardship in managing this and other District-owned lands.

Funding Source:

There are no District costs associated with this item other than the cost of administering the Lease. The Lease is estimated to bring in anticipated revenue of approximately \$51,350 over the five-year term.

Staff Contact and/or Presenter:

Ray Palmer, rpalmer@sfmwd.gov, 561-682-2246

ATTACHMENTS:

[Resolution No. 2023-0505](#)

[Resolution Exhibit A](#)

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2023 - 05XX

A Resolution of the Governing Board of the South Florida Water Management District authorizing a five-year parking lease extension to Cano Health, LLC on 0.15 acres, more or less, in Miami-Dade County, as more particularly described herein; providing an effective date. (Contract No. 4600004560-A01)

WHEREAS, the Governing Board, pursuant to Section 373.093, Florida Statutes, may lease lands or interests in land under terms and conditions determined by the Governing Board; and

WHEREAS, the District and the Lessee desire to extend the Lease Contract No. 4600004560, Lease Encumbrance ID AR10E-001, for five years; and

WHEREAS, the Lessee's main use of the premises is to provide additional parking for the patients and staff; and

WHEREAS, the District's current lease to Cano Health, LLC, began June 4, 2013 and the current amendment expires June 3, 2023. The proposed amendment will be for a lease extension for five years, with an expiration date of June 3, 2028; and

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize the five-year extension for parking on 0.15 acres, more or less, in Miami-Dade County, see Exhibit "A", with five-year anticipated revenue in the amount of approximately \$51,350.

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 a five-year extension for Contract No. 4600004560-A01, a parking lease with Cano Health, LLC on 0.15 acres, more or less, in Miami-Dade County.

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

PASSED and ADOPTED this 11^h day of May, 2023.



EXHIBIT "A"

NW 202ND TER

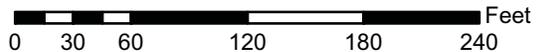
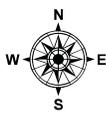
**AR10E-001
.15 Acres**

NW 2ND AVE/ SR -7/ US-441



C-9 Canal

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sfwmd.gov
South Florida Water Management District
Land Resources - GIS SECTION
3301 Gun Club Road, West Palm Beach, Florida 33406
561-686-8800 - FL WATS 1-800-432-2045 - www.sfwmd.gov
MAILING ADDRESS: P.O. Box 24680 - West Palm Beach, FL 33416-4680

AR10E-001
Miami-Dade County
Township 51 South
Range 41 East

UPDATED
14 SEP 2012



MEMORANDUM

TO: Governing Board Members
FROM: Ray Palmer, Real Estate
DATE: May 11, 2023
SUBJECT: Release of Reservations

Agenda Item Background:

The District has certain reserved rights to construct canal and road right of ways and reserved mineral rights. Applications requesting release of these reservations are received as they constitute a defect on title which must be resolved prior to a property sale, especially when financing is involved. Applications are reviewed to determine if there is a present or future need for the reservations. If it has been determined there is no present or future need, staff recommends that the reservations are released for payment of a value equal to one percent of the appraised value of the land on the Property Appraiser's website in the County where the property is located. Mineral rights are retained by the District and a Non-Use Commitment is issued.

It has been determined by a District-wide routing that there is no present or future need for the reservations listed below, therefore, staff recommends approval of the following:

Broward County

Release District canal and road reservations, and issue a Non-Use Commitment for KBNP, LLC, a Delaware limited liability company (File No. 18927) for 151.71 +/- acres; subject to payment of release value of \$132,152.00.

Palm Beach County

Release District canal reservations for Soapy Shark SR-7, LLC, a Florida limited liability company (File No. 18929) for 0.18 +/- acre; release value of \$1,256.45 is paid.

Additional Item Background:

See Memorandum Exhibit "A" and maps attached hereto and made a part hereof, which contain the details and locations of the releases and non-use commitment to be issued.

Core Mission and Strategic Priorities:

Pursuant to Section 373.096 of the Florida Statutes, the Governing Board of the District may release any reservation for which it has no present or apparent use under terms and conditions determined by the Board.

Staff Contact and/or Presenter:

Ray Palmer, rpalmer@sfmwd.gov, 561-682-2246

ATTACHMENTS:

Maps

Memo Exhibit A

Resolution No. 2023-0506

Resolution Exhibit A



18927



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



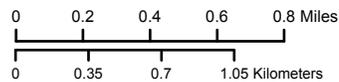
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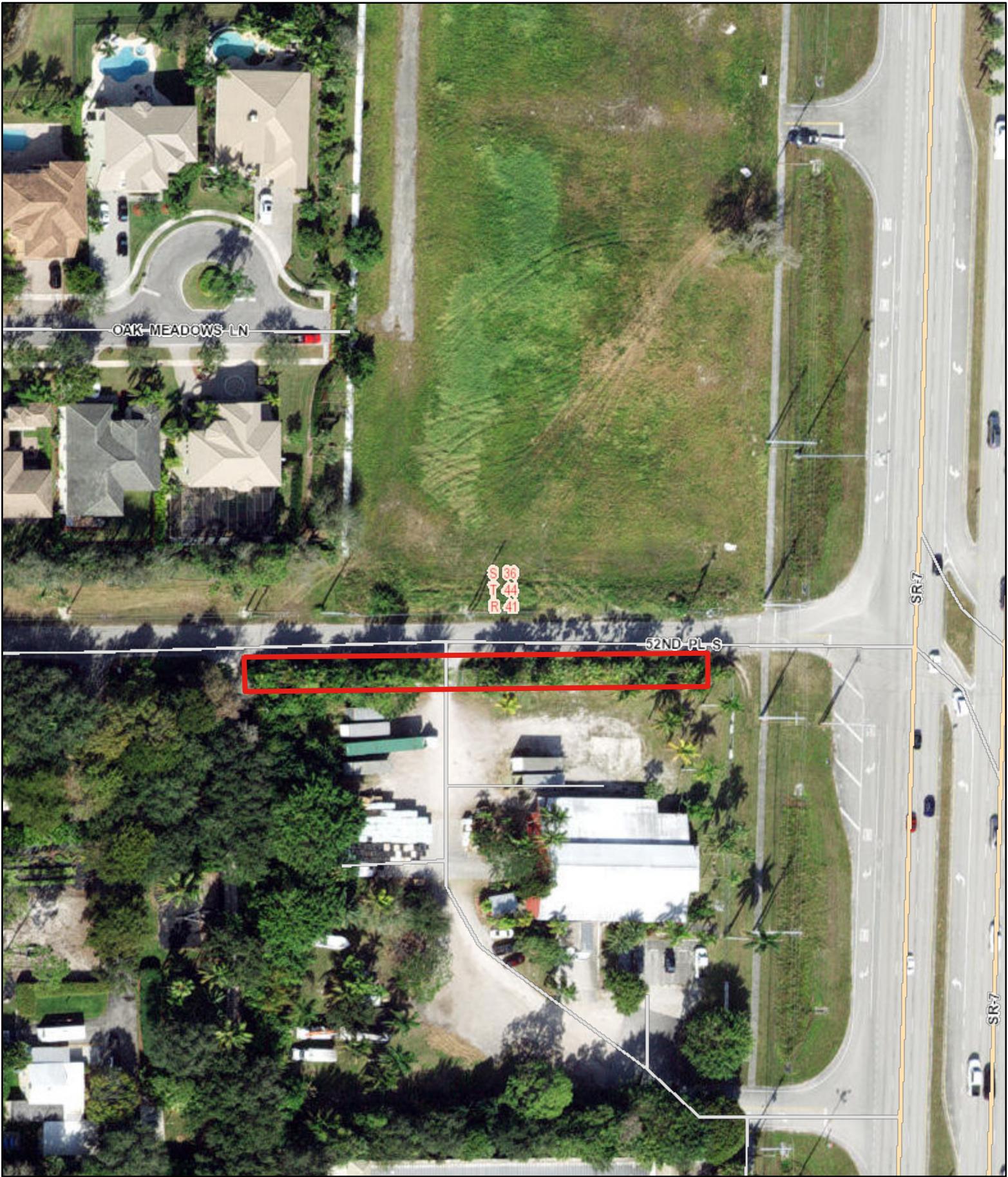
18927



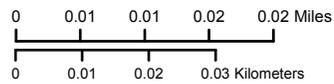
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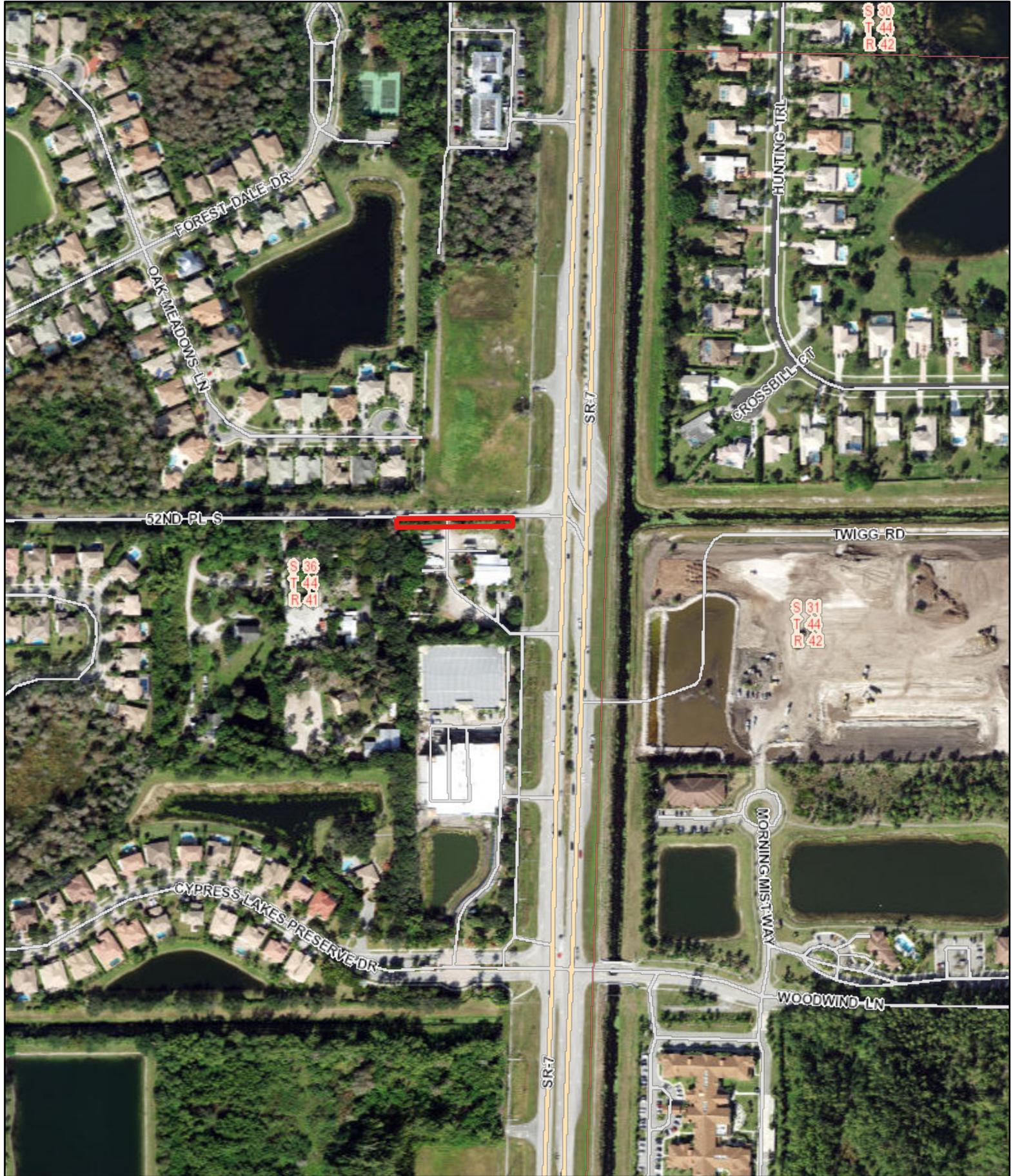
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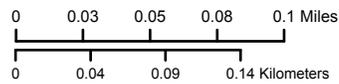
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18929



South Florida Water Management District
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MEMORANDUM – EXHIBIT “A”

Broward County

File No: 18927
Applicant: KBNP, LLC, a Delaware limited liability company
Reserving Deed: E-1255 (DB 455-230, 7/17/1944)
Application Fee Paid: \$250.00
Release Value: \$132,152.00 (unpaid)
Action: Release District canal and road reservations, and issue a Non-Use Commitment, subject to payment of \$132,152.00 for release of District real property interests
Acres: 151.71 acres, more or less
Legal Description: Portion of the Southwest one-quarter (SW ¼), Section 16, Township 50 South, Range 40 East
Location: Vacant land at the Southwest corner of SW 154th Avenue and SW 20th Street, Davie, Broward County
Reviewed By: Field Operations Division, Water Supply Development Section, Right of Way Section, Environmental Recourse Permitting Bureau, Ecosystem Restoration and Capital Projects Division, and Central Broward Water Control District

Palm Beach County

File No: 18929
Applicant: Soapy Shark SR-7, LLC, a Florida limited liability company
Reserving Deed: T-588 (DB 188-38, 8/15/1923)
Application Fee Paid: \$250.00
Release Value: \$1,256.45 (paid)
Action: Release District canal reservations
Acres: 0.18 acre, more or less
Legal Description: Portion of Tract 9, Block 35, PALM BEACH FARMS CO. PLAT NO. 3, PB 2-45, Section 36, Township 44 South, Range 41 East
Location: 5301 South State Road 7, Lake Worth, Palm Beach County
Reviewed By: No routing due to size

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2023 - 05XX

A Resolution of the Governing Board of the South Florida Water Management District to release District canal and road reservations and issue a Non-Use Commitment; providing an effective date.

WHEREAS, the applicants have requested that the South Florida Water Management District release certain District canal and road reservations and issue a Non-Use Commitment as to the District mineral reservations; and

WHEREAS, the District is empowered to grant such releases and issue a Non-Use Commitment pursuant to Section 373.096, 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 release of District canal and road reservations, and the issuance of a Non-Use Commitment, as described in Resolution Exhibit "A" attached hereto and made a part hereof.

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

PASSED and ADOPTED this 11th day of May, 2023.

RESOLUTION – EXHIBIT “A”

Broward County

File No: 18927
Applicant: KBNP, LLC, a Delaware limited liability company
Reserving Deed: E-1255 (DB 455-230, 7/17/1944)
Release Value: \$132,152.00 (unpaid)
Action: Release District canal and road reservations, and issue a Non-Use Commitment, subject to payment of \$132,152.00 for release of District real property interests
Acres: 151.71 acres, more or less
Legal Description: Portion of the Southwest one-quarter (SW ¼), Section 16, Township 50 South, Range 40 East
Location: Vacant land at the Southwest corner of SW 154th Avenue and SW 20th Street, Davie, Broward County

Palm Beach County

File No: 18929
Applicant: Soapy Shark SR-7, LLC, a Florida limited liability company
Reserving Deed: T-588 (DB 188-38, 8/15/1923)
Release Value: \$1,256.45 (paid)
Action: Release District canal reservations
Acres: 0.18 acre, more or less
Legal Description: Portion of Tract 9, Block 35, PALM BEACH FARMS CO. PLAT NO. 3, PB 2-45, Section 36, Township 44 South, Range 41 East
Location: 5301 South State Road 7, Lake Worth, Palm Beach County

MEMORANDUM

TO: Governing Board Members
FROM: Duane Piper, Information Technology
DATE: May 11, 2023
SUBJECT: MuleSoft Upgrade Contractual Services

Agenda Item Background:

The District is in the process of upgrading 47 Application Program Interfaces (APIs) from MuleSoft Version 3 to Version 4. These APIs are used for the integration of various applications, data access, and visualizations including DBHYDRO Insights, Site Status, OneParameter, SCADA Projects, various data loaders, and the SAP to Remedy integration. Additional services are required to complete the migration of the APIs, improve the code quality, and increase the APIs security.

This request is to amend Purchase Order No. 4500137000 with UWORK.com, Inc. increasing the amount by \$50,000 for a revised purchase order total of \$298,063 for the MuleSoft software upgrade, using the National Association of State Procurement Officials Contract Number 14PSX0338. This contract was competed by another government agency.

Staff Contact and/or Presenter:

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

ATTACHMENTS:

[Resolution No. 2023-0507](#)

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2023 - 05XX

A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to Purchase Order 4500137000 with UWORK.com, Inc. by increasing the amount of the purchase order by \$50,000 for a revised purchase order total of \$298,063, for the MuleSoft software upgrade, using the National Association of State Procurement Officials Contract Number 14PSX0338, for which \$50,000 of Ad Valorem funds are budgeted in Fiscal Year 2022-2023; providing an effective date. (Purchase Order Number 4500137000)

WHEREAS, Information Technology requires technical expertise for the MuleSoft software upgrade; and

WHEREAS, the District obtained this purchase order through a special procurement using the National Association of State Procurement Officials Contract Number 14PSX0338; 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 4500137000 with UWORK.com, Inc. by increasing the amount of the purchase order by \$50,000 for a revised purchase order total of \$298,063.

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 4500137000 with UWORK.com, Inc. by increasing the amount of the purchase order by \$50,000 for a revised purchase order total of \$298,063, for the MuleSoft software upgrade, using the National Association of State Procurement Officials Contract Number 14PSX0338. (Purchase Order 4500137000)

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

PASSED and ADOPTED this 11th day of May, 2023.

MEMORANDUM

TO: Governing Board Members

FROM: Jennifer Reynolds, Ecosystem Restoration & Capital Projects

DATE: May 11, 2023

SUBJECT: Project to Reduce Nutrient Sources and Implement Legacy Nutrient Research in the Lake Okeechobee Watershed

Agenda Item Background:

The goal of the Northern Everglades and Estuaries Protection Program (NEEPP) is to restore and protect surface water resources by addressing water quality and storage in the natural system. One of the District's primary responsibilities in implementing NEEPP is to conduct research and water quality monitoring to support the Watershed Protection Plans and Basin Management Action Plans (BMAPs) for the NEEPP watersheds (St. Lucie River Watershed, Caloosahatchee River Watershed, and Lake Okeechobee Watershed). An opportunity to support the Lake Okeechobee Watershed BMAP, remove a nutrient source that contributes to legacy phosphorus in the Lake Okeechobee Watershed, and provide a location for scientific nutrient studies has been presented to the District. The project property is approximately 1,300 acres and uniquely located in the S-65D NEEPP Priority Basin approximately two miles upstream of the Kissimmee River. The property has been managed as a dairy for over 50 years and remains a source of legacy nutrients in the soil.

The landowner, 5 Iron, LLC, has agreed to vacate approximately 950 acres of a profitable dairy farm to allow the Coordinating Agencies (Florida Department of Environmental Protection (DEP), Florida Department of Agriculture & Consumer Services, and the District) to conduct a series of legacy phosphorus, nutrient remediation, and innovative technology studies. The proposed partnership agreement with 5 Iron, LLC includes up to six months for the landowner to remove the phosphorus source from the property, end current operations, relocate assets, and prepare the property for Coordinating Agency use. For an additional four years, the Coordinating Agencies will be allowed to access and use the property to implement a legacy nutrient research and remediation plan.

Staff requests Governing Board approval to enter into a five-year agreement with 5 Iron, LLC, as a sole source exception to standards of competition, for phosphorus source removal, preparatory land activities, access to and use of 950 acres of the property in an amount not-to-exceed \$2,280,000. Subsequent to approval of this agreement, the Coordinating Agencies will finalize a separate scope of work to implement a legacy nutrient research and remediation plan, the first phase of which includes collecting and analyzing nutrients to determine baseline data for the studies.

Additional Item Background:

The NEEPP requires the Coordinating Agencies to develop and implement Watershed Protection Plans for the Lake Okeechobee, St. Lucie, and Caloosahatchee watersheds. The purpose of the Watershed Protection Plans is to identify and implement programs and projects necessary to achieve water quality and quantity objectives for the watersheds. Water quality

objectives are based on Total Maximum Daily Loads (TMDLs) established by the DEP.

Core Mission and Strategic Priorities:

This project supports the District's core mission of ecosystem restoration.

Funding Source:

A total of \$600,000 in dedicated funds (Land Acquisition Trust Fund) was provided by the Florida Legislature and is budgeted in Fiscal Year 2022-2023. The remainder is subject to future legislative funding and Governing Board approval of future year budgets.

Staff Contact and/or Presenter:

Megan Jacoby, mjacoby@sfwmd.gov, 561-682-6517

ATTACHMENTS:

[Resolution No. 2023-0508](#)

[Maps](#)

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2023 - 05XX

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a five-year agreement with 5 Iron, LLC as a sole source exception to the standards of competition for source removal, preparatory land activities, access to and use of 950 acres on the property uniquely located in a NEEPP priority basin in an amount not-to-exceed \$2,280,000, for which \$600,000.00 in dedicated funds (Land Acquisition Trust Fund) are budgeted in Fiscal Year 2022-2023 and the remainder is subject to Governing Board approval of future years budgets; providing an effective date. (Contract No. 4600004741)

WHEREAS, the Northern Everglades and Estuaries Protection Program (NEEPP) (Section 373.4595, Florida Statutes) has established the Lake Okeechobee Watershed Protection Plan to improve the hydrology, water quality, and aquatic habitat within the watershed;

WHEREAS, the property owned by 5 Iron, LLC is uniquely located in the S-65D NEEPP Priority Basin, is approximately 2 miles upstream of the Kissimmee River, and is a source of legacy phosphorus;

WHEREAS, the landowner, 5 Iron, LLC, is willing to partner with the South Florida Water Management District, Florida Department of Environmental Protection, and Florida Department of Agriculture and Consumer Services on a project to remove a source of nutrients from the watershed by providing a location for scientific studies investigating the removal and remediation of legacy phosphorus to occur over a period of 5 years;

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 5-year agreement in an amount not-to-exceed \$2,280,000, for which \$600,000 in dedicated funds from the Land Acquisition Trust Fund are budgeted in Fiscal Year 2022-2023; and

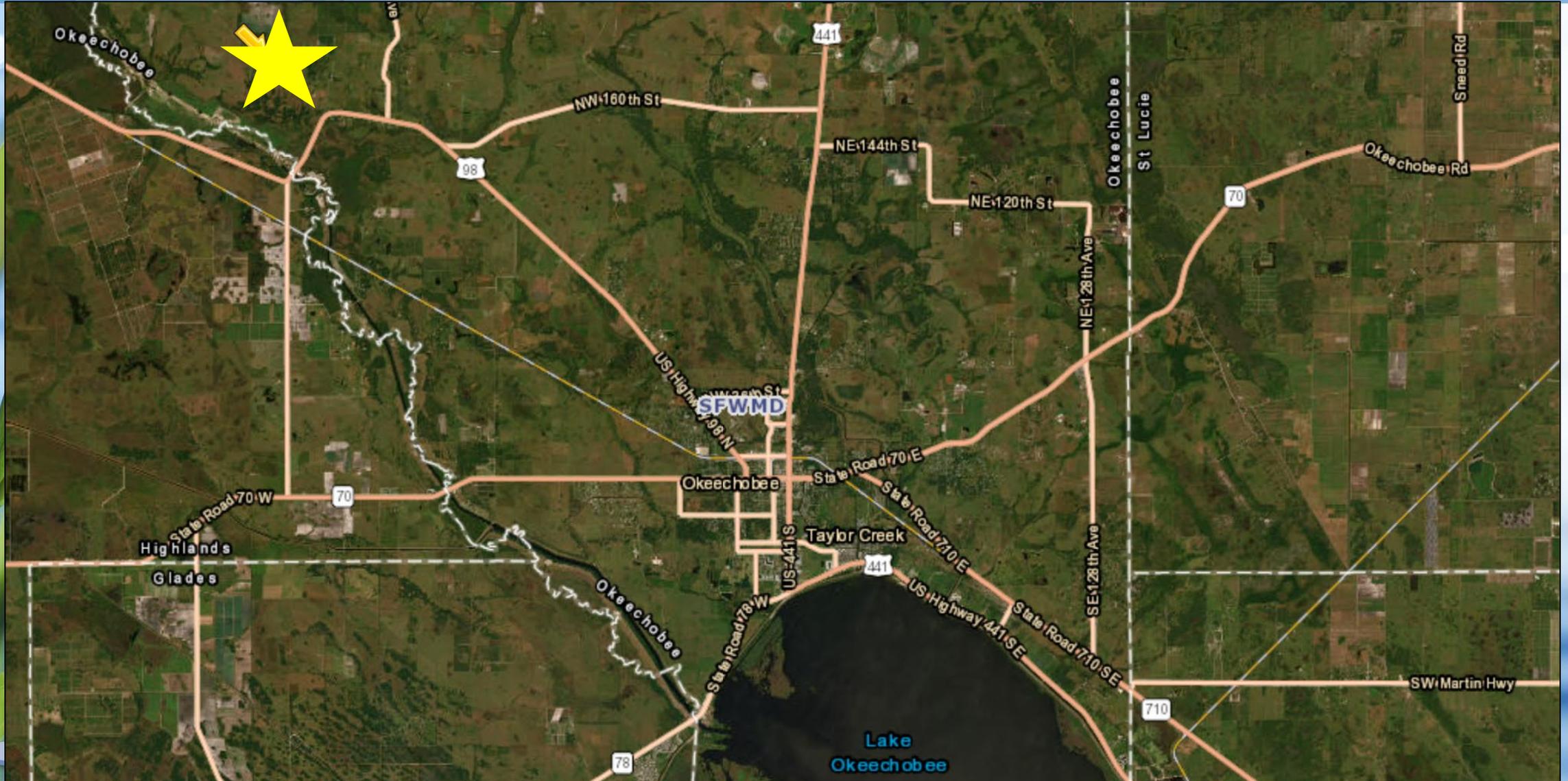
NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby authorizes SFWMD staff to enter into a 5-year agreement with 5 Iron, LLC, as a sole source exception to the standards of competition, for source removal, preparatory activities, access to and use of property uniquely located in a NEEPP priority basin, for an amount not to exceed \$2,280,000.

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

PASSED and ADOPTED this 11th day of May, 2023.

Project Location – Lake Okeechobee Watershed



Basinger Dairy Location



MEMORANDUM

TO: Governing Board Members

FROM: Rich Virgil, Field Operations Division

DATE: May 11, 2023

SUBJECT: Algaecide Application Services for Control of Blue-Green Algae Contracts

Agenda Item Background:

These contracts will provide algae application services for control of nuisance blue-green algae for day-to-day and emergency response situations to protect the public from exposure to toxins district-wide. The responsive and responsible firms are Ground Level, Inc., Applied Aquatic Management, Inc., and Aquatic Vegetation Control, Inc. These are 3-year work order contracts with two 1-year renewal options to combat algae blooms in waterbodies within the District. These services target algae aggregations threatening desired species, which are potentially a hazard to human health in the waterbodies of South Florida. District waterbodies include, but are not limited to, Lake Okeechobee and the surrounding canals. Work performed may be eligible for funding through the DEP. Algae blooms can be quickly managed by use of algaecide by trained and licensed individuals employed by these firms.

Additional Item Background:

Core Mission and Strategic Priorities:

These contracts support protection of South Florida water resources and human health.

Funding Source:

For Fiscal Year 2022-2023, up to \$500,000 in Ad Valorem and dedicated funds (State General Revenue and Land Acquisition Trust Fund) are budgeted, and the remainder is subject to Governing Board approval of future years budgets.

Staff Contact and/or Presenter:

Richard Virgil, rvirgil@sfwmd.gov, 561-682-6759

ATTACHMENTS:

[Resolution No. 2023-0509](#)

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2023 - 05XX

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 3-year work order contract with two 1-year renewal options with the three responsive and responsible bidders for Algaecide Application Services for Control of Nuisance Blue-Green Algae, in an amount not-to-exceed \$2,500,000 for all three contracts for which up to \$500,000 in Ad Valorem and dedicated funds (State General Revenue and Land Acquisition Trust Fund) are budgeted in Fiscal Year 2022-2023, and the remainder is subject to Governing Board approval of future years budgets; providing an effective date.

Firm	Contract Number
Ground Level, Inc.	4600004755
Applied Aquatic Management, Inc.	4600004756
Aquatic Vegetation Control, Inc.	4600004757

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 3-year work order contract with two 1-year renewal options with Ground Level, Inc., Applied Aquatic, Inc and Aquatic Vegetation Control, Inc. the three responsive and responsible bidders, for Algaecide Application Services for Control of Nuisance Blue-Green Algae, in an amount not-to-exceed \$2,500,000 for all three contracts for which up to \$500,000 in Ad Valorem and dedicated funds (State General Revenue and Land Acquisition Trust Fund) are budgeted in Fiscal Year 2022-2023, and the remainder is subject to Governing Board approval of future years budgets.

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 3-year work order contract with two 1-year renewal options with Ground Level, Inc. (Contract No. 4600004755), Applied Aquatic Management, Inc. (Contract No. 4600004756), and Aquatic Vegetation Control (Contract No. 4600004757), the three responsive and responsible bidders for Algaecide Application Services for Control of Nuisance Blue-Green Algae, in an amount not-to-exceed \$2,500,000 for all three contracts, for which up to \$500,000 in Ad Valorem and dedicated funds (State General Revenue and Land Acquisition Trust Fund) are budgeted in Fiscal Year 2022-2023, and the remainder is subject to Governing Board approval of future years budgets.

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

PASSED and **ADOPTED** this 11th day of May, 2023.

MEMORANDUM

TO: Governing Board Members

FROM: Rich Virgil, Field Operations Division

DATE: May 11, 2023

SUBJECT: Stormwater Treatment Areas (STA) Right of Way Mowing Services Contract, Clewiston Field Station Area of Responsibility, Palm Beach and Hendry Counties

Agenda Item Background:

Maintenance of District lands is required to ensure that vegetation is controlled at the appropriate height to provide for optimal performance and operational efficiency of the District's flood control system. This is a proposed contract for right of way mowing services of approximately 6,105 acres located in STA-3/4, EAA A-1 FEB, STA-5, and STA-6 within the Clewiston Field Station area of responsibility, including Palm Beach and Hendry counties.

Additional Item Background:

Core Mission and Strategic Priorities:

Mowing the District's rights of way reduces and controls vegetative growth along canal banks which can impede operations, inspections and access to the District's water control facilities.

Staff Contact and/or Presenter:

Richard Virgil, rvirgil@sfwmd.gov, 561-682-6759

ATTACHMENTS:

[Resolution No. 2023-0510](#)

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2023 - 05XX

A Resolution of the Governing Board of the South Florida Water Management District authorizing entering into a 3-year contract with two 1-year renewal options with COCO Tree Service Corp., the lowest responsive and responsible bidder, for Stormwater Treatment Areas Right of Way Mowing Services, in the Clewiston Field Station area of responsibility, including Palm Beach and Hendry counties, in an amount not-to-exceed \$705,128 for which \$76,923 in Ad Valorem funds is budgeted in Fiscal Year 2022-2023 and the remainder is subject to Governing Board approval of future years budgets; providing an effective date. (Contract No. 4600004758)

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 3-year contract with two 1-year renewal options with COCO Tree Service Corp. for Stormwater Treatment Areas Right of Way Mowing Services, in the Clewiston Field Station area of responsibility, including Palm Beach and Hendry counties, in an amount not-to-exceed \$705,128 for which \$76,923 in Ad Valorem funds is budgeted in Fiscal Year 2022-2023 and the remainder is subject to Governing Board approval of future years budgets.

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 3-year contract with two 1-year renewal options with COCO Tree Service Corp. for Stormwater Treatment Areas Right of Way Mowing Services, in the Clewiston Field Station area of responsibility, including Palm Beach and Hendry counties, in an amount not-to-exceed \$705,128 for which \$76,923 in Ad Valorem funds is budgeted in Fiscal Year 2022-2023 and the remainder is subject to Governing Board approval of future years budgets. (Contract No. 4600004758)

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

PASSED and ADOPTED this 11th day of May, 2023.

MEMORANDUM

TO: Governing Board Members

FROM: Lawrence Glenn, Water Resources Division

DATE: May 11, 2023

SUBJECT: Water Reuse Week, May 14-20, 2023

Agenda Item Background:

May typically marks the end of the dry season and can be a time when water needs are most acute. Amid potentially drier regional conditions, it is important to increase awareness regarding the reuse of our precious water resources. Over the last two decades, water reuse in the District has increased by 60 percent to approximately 310 million gallons per day and has become integral to South Florida's water supply. WateReuse Florida, the state section of the WateReuse Association, has designated May 14-20, 2023 as Water Reuse Week in the State of Florida.

With this resolution, the South Florida Water Management District will join WateReuse Florida, other water management districts, local governments, and other organizations in supporting water reuse with the adoption of similar resolutions throughout Florida.

Additional Item Background:

Core Mission and Strategic Priorities:

This item supports the District's core mission and five-year strategic goals through the diversification of water supply sources by developing alternative sources including the use of reclaimed water and water reuse.

Staff Contact and/or Presenter:

Robert Wanvestraut, rowanves@sfwmd.gov, 561-682-6615

ATTACHMENTS:

[Resolution No. 2023-0511](#)

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
Resolution No. 2023 - 05XX

A Resolution of the Governing Board of the South Florida Water Management District proclaiming May 14-20, 2023 as Water Reuse Week; providing an effective date.

WHEREAS, safe, clean, and sustainable water resources are essential to Florida's environment, economy, citizens, and visitors, and

WHEREAS, water reuse provides a means for conserving and augmenting Florida's precious water resources, and

WHEREAS, Florida has established the encouragement and promotion of water reuse as state objectives in Chapters 373 and 403, Florida Statutes, and

WHEREAS, Florida has become a national leader in water reuse, reusing nearly 820 million gallons per day (mgd) of reclaimed water to conserve freshwater supplies and recharge our freshwater resources, and

WHEREAS, the District implements a cooperative funding program to provide financial assistance to entities developing alternative water supplies including water reuse; has funded studies and pilot programs to promote innovative treatment technologies; has engaged in innovative uses and application of reclaimed water; and promotes and encourages efficient and effective use of reclaimed water, and

WHEREAS, there are over 100 reuse facilities in the South Florida Water Management District (District) reusing approximately 310 mgd of reclaimed water for a beneficial purpose including irrigation of golf courses, residential lots and other green space, ground water recharge, environmental enhancement, and industrial purposes, and

WHEREAS, there is approximately 570 mgd of potentially reusable water that is currently being disposed, primarily through ocean discharge or down deep injection wells, within the boundaries of the District, and

WHEREAS, May is typically a dry month when water demands are high, and is a good time to educate residents about how they can help save Florida's precious water resources through water reuse; and

WHEREAS, the District is joining Water Reuse Florida, other water management districts, local governments, and other organizations in designating May 14-20, 2023, as Water Reuse Week.

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 proclaims May 14-20, 2023 as **WATER REUSE WEEK.**

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 takes effect immediately upon adoption.

PASSED and **ADOPTED** this 11th day of May, 2023.

MEMORANDUM

TO: Governing Board Members

FROM: Jennifer Smith and Maricruz R. Fincher, Office of Counsel

DATE: May 11, 2023

SUBJECT: Concurrence on Emergency Order 2023-027-DAO

Agenda Item Background:

To respond to the flooding caused by record breaking severe and heavy rainfall in Broward County, the District issued Emergency Order 2023-027-DAO. This Order authorized pumping and other measures to ensure the health, safety, and welfare of the community due to flooding from widespread showers and thunderstorms. This item requests the Governing Board's concurrence with issuance of Emergency Order 2023-027-DAO, in compliance with Section 373.119(2), Florida Statutes, and any subsequent termination orders.

Staff Contact and/or Presenter:

Jennifer Smith, jsmith@sfwmd.gov, 561-682- 6285
Maricruz Fincher, mfincher@sfwmd.gov, 561-682-6457

ATTACHMENTS:

[2023-027-DAO Emergency Final Order](#)

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

IN THE MATTER OF:

SFWMD ORDER NO. 2023-027-DAO

**EMERGENCY AUTHORIZATION FOR
PUMPING AND OTHER MEASURES
TO ADDRESS FLOODING IN BROWARD
COUNTY CAUSED BY WIDESPREAD
SHOWERS AND THUNDERSTORMS**
_____ /

**RECEIVED
DISTRICT CLERK'S OFFICE**

3:08 pm Apr 15, 2023

**SOUTH FLORIDA
WATER MANAGEMENT DISTRICT**



EMERGENCY FINAL ORDER

Under the authority of the State of Florida Executive Order No. 23-65, incorporated herein by reference, and sections 373.119(2) and 120.569(2)(n), Florida Statutes, the South Florida Water Management District ("SFWMD"), enters this Order authorizing pumping and other emergency measures to address impacts associated with record breaking severe and heavy rainfall ("the rain event").

FINDINGS OF FACT

1. On April 12, 2023, the rain event occurred overnight producing significant rainfall totals with certain areas of Broward County, including the City of Fort Lauderdale, receiving over 25 inches resulting in consequential flooding. The rainfall and flooding may continue to impact the operational capability of critical infrastructure, including major state and county roadways, airports, hospitals, schools, and other critical infrastructure throughout Broward County.

2. On April 13, 2023, the Governor of Florida issued Executive Order 23-65 ("the Executive Order") declaring a state of emergency based upon the rain event. Broward County is within the SFWMD's jurisdiction and the focus of the Executive Order.

2. This rain event poses an immediate danger to the lives and property of persons throughout Broward County and conditions threaten the public health, safety, and welfare.

3. The Executive Order found that the special duties and responsibilities of some agencies, including the SFWMD, in responding to disasters may require them to deviate from the statutes and rules they administer. Moreover, the Executive Order permits agencies, including the SFWMD, to suspend the provisions of any regulatory statute prescribing the procedures for conducting state business, or the orders or rules of the agency, if strict compliance with the provisions of any such statute, order, or rule would, in any way, prevent, hinder, or delay necessary action in coping with the rain event and its effects.

4. 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.

ULTIMATE FACTS AND CONCLUSIONS OF LAW

5. The SFWMD issues this Order to carry out the directives in the Executive Order. Additionally, the SFWMD has authority to issue this Order under Sections 120.569(2)(n), 252.46, 373.119(2), and 373.439, Florida Statutes.

6. Based on the above findings of fact, and in order to protect the public's immediate health, safety, and welfare, it is both reasonable and appropriate that the SFWMD suspend statutes and rules described herein that would otherwise prevent, hinder, or delay necessary action in coping with the rain event and its effects.

ORDER

THEREFORE, IT IS ORDERED that the following activities may be undertaken to address emergency flooding situations resulting from the rain event that require immediate action, subject to the limitations in this Order:

1. *On-Site Discharges – No Notice Required*

Internal movement of water from flooded areas within a project site to other areas within the same project site shall be allowed in the Broward County during the course of this Order. No notice to the SFWMD is required. Examples of activities authorized by this paragraph include moving water from internal roadways, parking lots, swales, or other on-site areas to on-site surface water management ponds or lakes, or other areas on-site that would not directly discharge off-site. This Order does not authorize pumping or discharging of flood waters to off-site property, canals, or water bodies not completely on-site other than through permitted facilities, subject to permit requirement.

2. *Off-Site Discharges – Field Authorization Required*

Moving water from flooded project areas to areas off-site may be temporarily allowed only if approved by the SFWMD through a field authorization. A field inspection may be deemed necessary either before or after the field authorization. Field authorizations shall be granted only if:

a. The off-site discharge is necessary to relieve flooding resulting from the Storm that poses an immediate threat to public health, safety, or welfare. Minor inconvenience flooding, such as standing water in roads, swales or yards, is not considered an immediate threat.

b. Field authorizations may be requested by providing a notice to the local office of the SFWMD containing a description of the discharge requested, the facilities and the water stages, the rate of discharge and the discharge location of the flooded areas and receiving body, the location of the discharge, and the name, address, and telephone number of the owner or representative of the owner who may be contacted concerning the discharge. SFWMD staff may also issue field authorizations without prior notice. SFWMD staff shall create and maintain written records of all field authorizations.

3. *Operational Changes by Local Governments or 298 Districts – Notice Required*

Water Control Districts authorized under Chapter 298 of the Florida Statutes and local governments may, during the course of this Order, discharge water on-site or off-site in excess of SFWMD-permitted operational schedules to prepare for the impacts of the Storm and to mitigate flooding impacts resulting from the rain event if:

- a. Notice is provided to the SFWMD's Regulation Division. The notice shall:
- (1) identify a responsive and responsible representative of the water control district or local government, including title and emergency contact information; and
 - (2) describe the facilities and the water stages, rate of discharge, and the discharge location of the flooded areas and receiving body.
- b. Authorization for the excess discharges is granted, either orally or in writing, by SFWMD staff assigned by the SFWMD Regulation Division to this function.

Local governments or 298 Districts operating under the emergency provisions of this Order shall immediately cease the excess discharge upon notification by the SFWMD to do so.

4. General Conditions

All activities authorized under paragraphs 1, 2, and 3 shall be conducted in accordance with the following conditions and requirements:

a. All activities shall be performed in a manner which minimizes adverse water quality and water quantity impacts. This includes properly installed and maintained erosion and turbidity control devices to prevent erosion and shoaling and to control turbidity, nutrient loading, and sedimentation in off-site receiving waters.

b. Entities operating under this Order shall immediately correct any erosion, shoaling, or water quality problems that result from the activities authorized under this Order.

c. This Order does not convey any property rights or any rights or privileges other than those specified in this Order.

d. This Order serves as relief for the duration of the Order from the specified regulatory requirements of the SFWMD only, and does not provide relief from the requirements of other federal, state, water management districts, or local agencies. This Order therefore does not negate the need for the property owner to obtain any other required permits or authorizations, nor does it negate the need to comply with all the requirements of those permits.

5. General Limitations

The SFWMD issues this Order solely to address the emergency created by the rain event. This Order shall not be construed to authorize any activity within the jurisdiction of the SFWMD except in accordance with the express terms of this Order.

6. Suspension of Statutes and Rules

The following provisions of statutes and rules are hereby suspended for the activities authorized by this Order for the duration of this Order:

a. All requirements for permits, leases, consent of uses or other authorizations, including, but not limited to, provisions in chapters 120, 161, 253, 258, 373, 376 and 403, Florida Statutes, and Rules adopted thereunder; and

b. All notice requirements, including, but not limited to, provisions in chapters 120, 161, 253, and 373, Florida Statutes, and chapters 18-18, 18-20, 18-21, 40E-0, 40E-1, 40E-6, and 62-330, Florida Administrative Code.

7. Expiration Date

This Order shall take effect immediately upon execution by the Executive Director of the SFWMD, and shall expire on June 13, 2023, unless otherwise extended or terminated by the Executive Director or Governing Board.

8. Violation of Conditions of Emergency Final Order

Failure to comply with any condition set forth in this Order shall constitute a violation of chapters 120, 161, 253, 258, 373, 376, and 403, Florida Statutes, and enforcement proceedings may be brought in any appropriate administrative or other judicial forum.

DONE AND ORDERED on this 15th day of April, 2023, in West Palm Beach, Florida.

SOUTH FLORIDA WATER
MANAGEMENT DISTRICT

By: 

Drew Bartlett
Executive Director

NOTICE OF RIGHTS

Any party substantially affected by this Order has the right to seek judicial review under section 120.68, 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.

MEMORANDUM

TO: Governing Board Members

FROM: Maricruz R. Fincher, Office of Counsel

DATE: May 11, 2023

SUBJECT: Legal Services Contract Amendment with Kirwin Norris, P.A.

Agenda Item Background:

Kirwin Norris, P.A. provides ongoing legal counsel to the District in construction law matters.

The Office of Counsel is requesting the authority to increase funds in the amount of \$250,000 for the District's contract with Kirwin Norris, P.A.

Additional Item Background:

Kirwin Norris P.A., a law firm with seven (7) Florida Bar Board Certified Construction Lawyers specializing in construction law, currently provides advice and counsel to the District.

Core Mission and Strategic Priorities:

This item will allow the District to continue to obtain targeted legal counsel in the area of construction law.

Staff Contact and/or Presenter:

Maricruz R. Fincher, mfincher@sfwmd.gov, 561-682-6457

ATTACHMENTS:

[Resolution No. 2023-0512](#)

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2023 - 05XX

A Resolution of the Governing Board of the South Florida Water Management District to amend Contract No. 4600004519 with Kirwin Norris, P.A. to authorize the General Counsel to increase the contract by \$250,000.

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest, to authorize the General Counsel to increase the contract spending amount of Contract No. 4600004519 with Kirwin Norris, P.A. by \$250,000.

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 the General Counsel to increase Contract No. 4600004519 with Kirwin Norris, P.A., for legal services by \$250,000.

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

PASSED and **ADOPTED** this 11th day of May, 2023.

MEMORANDUM

TO: Governing Board Members

FROM: Alan Shirkey, Ecosystem Restoration & Capital Projects

DATE: May 11, 2023

SUBJECT: Geotechnical Engineering Services Contracts

Agenda Item Background:

As part of the District's core missions of flood control, water supply, water quality and ecosystem restoration, the demand for geotechnical engineering services due to legal mandates, restoration programs and the need to maintain existing facilities exceeds the capacity that can be generated by existing District staff.

Contracts will be awarded to Consultants within the Geotechnical Engineering Services industry. The contracts are needed to provide geotechnical engineering data and analysis required for completion of internal design projects and quality assurance during construction. Geotechnical data is an important factor that weighs heavily into the design and construction of structure foundations, seepage management systems, dewatering systems, retaining walls/wing walls, and slope protection for facilities such as gravity structures, pump stations and canals.

Additional Item Background:

Core Mission and Strategic Priorities:

This contract supports multiple District programs and services in all 16 counties under the jurisdiction of the South Florida Water Management District and will continue to be an integral component in achieving the District's core missions of water supply, water quality, flood control and ecosystem restoration.

Funding Source:

Subject to Governing Board budget approval of future years budgets.

Staff Contact and/or Presenter:

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

ATTACHMENTS:

[Resolution No. 2023-0513](#)

[Scoring & Final Ranking Report](#)

[Backup Document](#)

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2023 - 05XX

A Resolution of the Governing Board of the South Florida Water Management District to authorize the official ranking of firms and enter into 3-year work order contracts, with two 1-year renewal options with the six (6) firms listed below, subject to successful negotiations to provide Geotechnical Engineering Services in an amount not to exceed \$4,000,000 for all six (6) work order contracts, for which Ad Valorem and dedicated funds (Land Acquisition Trust Fund and State General Revenue Fund) are subject to Governing Board approval of future years budgets; the District will proceed in ranked order until agreements have been successfully negotiated; providing an effective date.

<u>FIRM Name</u>	<u>CONTRACT NUMBER</u>
NV5, Inc.*	4600004745
H2R Corp*	4600004746
WIRX Engineering, LLC*	4600004750
GFA International Inc. d/b/a Universal Engineering Sciences	4600004747
Radise International, LC	4600004748
Tierra South Florida, Inc. d/b/a TSFGeo	4600004749

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize the official ranking of firms and enter into 3-year work order contracts, with two 1-year renewal options, with six (6) firms: NV5, Inc.*; H2R Corp*; WIRX Engineering, LLC*; GFA International Inc. d/b/a Universal Engineering Sciences; Radise International, LC; Tierra South Florida, Inc. d/b/a TSFGeo subject to successful negotiations to provide Geotechnical Engineering Services in an amount not to exceed \$4,000,000 for all six (6) work order contracts, for which ad valorem funds and dedicated funds (Land Acquisition Trust Fund and State General Revenue Fund) are subject to Governing Board approval of future years budget; the District will proceed in ranked order until contracts have been successfully negotiated.

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 contracts with the following subject to successful negotiations provide Geotechnical Engineering Services in an amount not to exceed \$4,000,000 for all six (6) work order contracts: if negotiations are unsuccessful with any of the firms, the District may proceed with negotiations in ranked order until contracts are successfully negotiated.

<u>FIRM Name</u>	<u>CONTRACT NUMBER</u>
NV5, Inc.*	4600004745
H2R Corp*	4600004746
WIRX Engineering, LLC*	4600004750
GFA International Inc. d/b/a Universal Engineering Sciences	4600004747
Radise International, LC	4600004748
Tierra South Florida, Inc. d/b/a TSFGeo	4600004749

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

PASSED and **ADOPTED** this 11th day of May, 2023.

Scoring & Final Ranking Report for RFP 6000001393

Vendor	hgao				tanbarne				cguerrie				kgur				dpurdy				A+B+E	C Total	Final Rank
	A Written	B Oral	A+B Total	C Rank	A Written	B Oral	A+B Total	C Rank	A Written	B Oral	A+B Total	C Rank	A Written	B Oral	A+B Total	C Rank	A Written	B Oral	A+B Total	C Rank			
NV5 INC	85.00	17	102.00	1	91.00	13	104.00	3	67.00	17	84.00	7	98.00	19	117.00	1	77.00	15	92.00	1	499	13	1
H2R CORP	80.00	17	97.00	2	87.00	15	102.00	4	85.00	19	104.00	2	93.00	18	111.00	3	55.00	11	66.00	7	480	18	2
WIRX ENGRG LLC	78.00	17	95.00	4	96.00	17	113.00	1	86.00	17	103.00	3	74.00	13	87.00	7	74.00	17	91.00	3	489	18	2
GFA INTRNTL INC DBA UNIVERSAL ENGRG SCIENCES	57.00	9	66.00	7	96.00	13	109.00	2	86.00	19	105.00	1	98.00	15	113.00	2	72.00	11	83.00	6	476	18	2
RADISE INTRNTL LC	78.00	19	97.00	2	79.00	15	94.00	7	81.00	19	100.00	4	86.00	20	106.00	4	71.00	17	88.00	4	485	21	5
TIERRA SOUTH FLORIDA INC DBA TSFGEO	68.00	15	83.00	6	79.00	16	95.00	5	80.00	19	99.00	5	84.00	19	103.00	5	76.00	16	92.00	1	472	22	6
PROFESSIONAL SVC INDUSTRIES INC	72.00	12	84.00	5	83.00	12	95.00	5	77.00	16	93.00	6	88.00	13	101.00	6	73.00	12	85.00	5	458	27	7

Scoring Report for RFP 600001393

Issue Date: 02/17/2023

Type: CCNA

Title: Geotechnical Engineering Services

Description: Solicit technical proposals for Geotechnical Engineering Services to support the District's capital and development programs within the sixteen (16) contiguous counties.

Max Contract Specialist Points / Technical Points: 15 / 85

Orals	Vendor	hgao	tanbarne	cguerrie	kgur	dpurdy	Total	Rank
Y	NV5 INC	85.00	91.00	67.00	98.00	77.00	418	1
Y	GFA INTRNTL INC DBA UNIVERSAL ENGRG SCIENCES	57.00	96.00	86.00	98.00	72.00	409	2
Y	WIRX ENGRG LLC	78.00	96.00	86.00	74.00	74.00	408	3
Y	H2R CORP	80.00	87.00	85.00	93.00	55.00	400	4
Y	RADISE INTRNTL LC	78.00	79.00	81.00	86.00	71.00	395	5
Y	PROFESSIONAL SVC INDUSTRIES INC	72.00	83.00	77.00	88.00	73.00	393	6
Y	TIERRA SOUTH FLORIDA INC DBA TSFGEO	68.00	79.00	80.00	84.00	76.00	387	7
N	WSP USA ENVIRON & INFRASTRUCTURE INC	57.00	87.00	86.00	75.00	77.00	382	8
N	ARDAMAN & ASSOCS INC	64.00	85.00	56.00	98.00	77.00	380	9
N	TERRACON CONSULTANTS INC	55.00	79.00	75.00	86.00	76.00	371	10
N	MC SQUARED LLC	61.00	88.00	67.00	80.00	53.00	349	11
N	THOMAS GEOTECHNICAL SVCS LLC	49.00	72.00	59.00	77.00	64.00	321	12
N	HP CONSULTANTS INC	49.00	83.00	44.00	69.00	64.00	309	13
N	DYNAMIC EARTH LLC	49.00	66.00	39.00	61.00	60.00	275	14

Geotechnical Engineering Services Contracts

Purpose:

Perform professional geotechnical engineering services to support design and construction of Restoration and Operations & Maintenance Capital Projects.

Summary of current contract:

- Seven (7) firms originally but now six (6) firms on current contracts
- Duration = 5 years (FY18 – FY22)
- Expenditures (to-date) = \$2,447,409
- Contract financial threshold = \$4,000,000

Request for Proposal Process

- Request for Proposals was issued January 17, 2023
- 15 Firms responded by the due date of February 17, 2023

1. NV5, Inc.
2. GFA International Inc. d/b/a Universal Engineering Sciences
3. WIRX Engineering, LLC
4. H2R Corp.
5. Radise International, LC
6. Professional Services Industries, Inc.
7. Tierra South Florida Inc. d/b/a TSF Geo
8. WSP USA Environment & Infrastructure, Inc.
9. Ardaman & Associates, Inc.
10. Terracon Consultants, Inc.
11. MC Squared, LLC
12. Thomas Geotechnical Services, LLC
13. HP Consultants, Inc.
14. Dynamic Earth, LLC
15. Environmental & Geological Specialist*

*Environmental & Geological Specialist was found to be non-responsive and, therefore, was not included in the evaluation process.

Presenter: Alan Shirkey 2

Request for Proposal Process

- Fourteen (14) firms were evaluated based on the following criteria:
 - Qualifications of firm including experience and expertise
 - Understanding the Scope of Work
 - Proposed approach and methodology
 - Equipment and personnel capacity to accomplish the work
 - Quality Assurance/Quality Control Plan
 - Quality of similar projects
- Committee shortlisted the top seven (7) firms based on evaluation scoring
- Oral Presentations were held on April 3, 2023

Request for Proposal Process

➤ Based on Written and Oral Information, Committee Recommends Final Ranking and Selection of the following 6 Teams: * New firm to contract (3)

1. NV5, Inc.*
2. H2R Corp*
3. WIRX Engineering, LLC*
4. GFA International Inc. d/b/a Universal Engineering Sciences
5. Radise International, LC
6. Tierra South Florida, Inc. d/b/a TSFGeo

MEMORANDUM

TO: Governing Board Members

FROM: Stacey Adams, Water Resources Division

DATE: May 11, 2023

SUBJECT: Alternative Water Supply Funding Program

Agenda Item Background:

This item includes a presentation of the Fiscal Year 2023-2024 Alternative Water Supply Funding Program (Program) which includes a recap and the final project list for the DEP submittal by May 31, 2023. The Program's purpose is to provide financial incentives through matching grants for local alternative water supply and water conservation projects. 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.

Additional Item Background:

Staff is seeking Governing Board authorization for the upcoming Fiscal Year 2023-2024 Program to:

- A. Approve and submit the final project list in Exhibit A to the FDEP for funding consideration for the FDEP Alternative Water Supply Grant Program in dedicated state appropriations from the 2023 State General Appropriations Act.
- B. Authorization to enter into agreement(s) with cooperating entities for alternative water supply and water conservation projects that receive state appropriations from the 2023 General Appropriations Act.

Additional Background:

The State has recognized the importance of AWS development and over the last four fiscal year budgets have included a combined \$170 million in statewide cost-share funding to support development of alternative water supply projects. The DEP administers this funding and relies on a priority list of projects submitted by each of the State's water management districts for consideration. The DEP issued an Alternative Water Supply Funding Guidance document in August 2022 that requests the water management districts provide a list of projects to them for funding consideration by May 2023, in anticipation of Alternative Water Supply funding being approved in the State's FY2023-2024 budget. Currently, the State's FY2023-2024 budget has not been finalized but the tentative amount is \$50 million in statewide funding.

For FY2023-2024, a total of 24 alternative water supply and water conservation applications were received by the District. Staff reviewed the applications based on Governing Board guidelines and potential FDEP funding considerations including: regional benefits, shovel readiness, resource protection, and complementary benefits such as flood protection and recreation. The District's final project list to be submitted for funding consideration has total capital/project costs of \$499.5 million and eligible phase/implementation costs over \$106.3 million with a total funding request of \$36.2 million.

Core Mission and Strategic Priorities:

This program supports the District’s water supply core mission, and alternative water supply and water conservation strategic priorities.

Funding Source:

Fiscal Year 2023-2024: Anticipated recurring state appropriation as outlined in Executive Order 23-06 (Achieving Even More Now for Florida’s Environment) for alternate water supply and water conservation projects in the State’s Fiscal Year 2023-2024 budget. If there are no state appropriations for alternative water supply funding, there will be no required match on behalf of the District.

Staff Contact and/or Presenter:

Stacey Payseno, sadams@sfwmd.gov, 561-682-2577

ATTACHMENTS:

[Resolution No. 2023-0514](#)

[Resolution No. 2023-0515](#)

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2023 - 05XX

A Resolution of the Governing Board of the South Florida Water Management District to approve and authorize submittal of the final project list to the Florida Department of Environmental Protection for the purpose of funding consideration for projects listed in Exhibit A for the Florida Department of Environmental Protection Alternative Water Supply Grant Program in dedicated state appropriations from the 2023 State General Appropriations Act; providing an effective date.

WHEREAS, the Governor and Legislature have recognized the importance of alternative water supply and the protection of Florida's natural systems with a statewide investment during the 2023 legislative session; and

WHEREAS, 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; and

WHEREAS, the District may receive one-time funding from the 2023 State General Appropriations Act; and

WHEREAS, District staff have determined that all applicable requirements set forth by the Florida Department of Environmental Protection have been met and complied with in order to accept potential funds.

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 determines that it is necessary, appropriate, and in the public interest to approve and authorize submittal of the final project list in Exhibit A to the Florida Department of Environmental Protection for funding consideration from potential dedicated state appropriations.

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

PASSED and ADOPTED this 11th day of May, 2023.

DRAFT
Exhibit A

Cooperating Entity	Project Name	County	Project Type	Phase Quantity of Water Made Available	Total Quantity of Water Made Available	Total Capital/Project Costs	Phase Construction or Total Project Cost (WC)	DEP AWS Funding Request
Miramar, City of	Reclaimed Water Main Extension west of I-75	Broward	Reclaimed	3.50 [a]	12.00 [a]	\$8,624,000	\$5,800,000	\$2,320,000
Palm Beach County Water Utilities Department	Palm Beach-Broward Interconnect Phase 1B: South Reclaimed Water Transmission and System Extension in southern Palm Beach County	Palm Beach	Reclaimed	2.00 [a]	10.51 [a]	\$58,500,000	\$6,765,550	\$2,706,200
Pompano Beach, City of	Reclaimed Water Main Extension Phase V - N Federal Hwy to Lighthouse Point and communities along the intracoastal waterway	Broward	Reclaimed	0.0166 [a]	0.0166 [a]	\$1,071,510	\$1,000,000	\$400,000
Toho Water Authority	Cypress Lake Wellfield: Concentrate Disposal Well IW-1 and Monitor Well, LFA Production Well CL-1 Retrofit, and Raw Water Piping	Osceola	Brackish	15.00 [b]	15.00 [b]	\$15,009,750	\$12,924,750	\$5,169,900
Fort Pierce Utilities Authority	8 mgd Regional Water Reclamation Facility, Phase 2a	St. Lucie	Reclaimed	8.00	8.00	\$147,000,000	\$7,838,000	\$3,135,200
Palm Beach Soil and Water Conservation District	Nursery Overhead Efficiency Project #4	Palm Beach	Agricultural Conservation	0.00	0.15	\$72,860	\$72,860	\$36,430
Bonita Springs Utilities, Inc.	Irrigation Residential Rebate FY24 Program	Lee	PS and CII Conservation	0.00	0.03	\$15,000	\$15,000	\$7,500
Orange County Utilities	Commercial Waterwise Neighbor Program	Orange	PS and CII Conservation	0.00	0.06	\$103,005	\$103,005	\$51,500
Broward County Natural Resources Division	Residential Irrigation Rebate FY24 Program	Broward	PS and CII Conservation	0.00	0.02	\$52,500	\$52,500	\$26,250

DRAFT
Exhibit A

Cooperating Entity	Project Name	County	Project Type	Phase Quantity of Water Made Available	Total Quantity of Water Made Available	Total Capital/ Project Costs	Phase Construction or Total Project Cost (WC)	DEP AWS Funding Request
Toho Water Authority	High Efficiency Toilet (HET) Rebate Program	Osceola	PS and CII Conservation	0.00	0.03	\$120,000	\$120,000	\$60,000
West Palm Beach, City of	Community Water Conservation Strategies Phase X - HET	Palm Beach	PS and CII Conservation	0.00	0.01	\$62,500	\$62,500	\$31,250
Osprey Cove Condominium Master Association	Osprey Cove HET Retrofit Program	Lee	PS and CII Conservation	0.00	0.00	\$41,400	\$41,400	\$20,700
Cape Coral, City of	North 1 Reclaimed Water Main Extension (~7.5 miles), Phase 1B	Lee	Reclaimed	2.516 [a]	2.664 [a]	\$26,670,110	\$6,333,939	\$2,533,500
Lee County Utilities	North Lee County Reverse Osmosis Water Treatment Plant 5 mgd (Phase 3B) Expansion - Floridan Aquifer System wells PW-37, PW-38, PW-39, PW-40, and PW-41	Lee	Brackish	5.04	9.50	\$40,147,310	\$2,494,000	\$997,600
Palm Beach County Water Utilities Department	Green Cay Wetlands 2 mgd Indirect Potable Reuse Project - Water Purification Treatment Plant, 2.3 miles Purified Water Pipeline, and 4 Surficial Aquifer Wells, Phase 2	Palm Beach	Reclaimed	2.00 [b]	2.00 [b]	\$95,000,000	\$12,958,750	\$5,183,500
Seminole Improvement District (SID)	Reclaimed Water 2 mg Storage Tank and Pumps	Palm Beach	Reclaimed	2.00	2.00	\$3,500,000	\$3,250,000	\$1,300,000
Toho Water Authority	Judge Farms Reservoir 6.0 MGD Reclaimed Water Augmentation Pump Station Project	Osceola	Reclaimed	6.00 [b]	6.00 [b]	\$76,657,980	\$26,030,900	\$4,000,000
Martin County	North Jensen Reverse Osmosis Water Treatment Plant Floridan Aquifer System Well NRO-5 and Raw Water Piping	Martin	Brackish	2.00 [b]	2.00 [b]	\$5,075,000	\$5,075,000	\$2,030,000

DRAFT
Exhibit A

Cooperating Entity	Project Name	County	Project Type	Phase Quantity of Water Made Available	Total Quantity of Water Made Available	Total Capital/ Project Costs	Phase Construction or Total Project Cost (WC)	DEP AWS Funding Request
Port St. Lucie, City of	James E Anderson Water Treatment Facility Expansion, Phase III - Floridan Aquifer System Well F-39 and 30-inch Raw Water Main	St. Lucie	Brackish	2.66 [b]	2.66 [b]	\$5,800,000	\$5,389,700	\$2,155,800
Fort Myers, City of	Eastwood Floridan Aquifer System Wells P-3S, P-4S, and P-29, and Raw Water Piping	Lee	Brackish	2.16 [a]	2.16 [a]	\$12,000,000	\$6,000,000	\$2,400,000
St. Lucie County BOCC	Holiday Pines Water Reclamation Expansion from 0.30 mgd to 0.60 mgd	St. Lucie	Reclaimed	0.30	0.30	\$4,000,000	\$4,000,000	\$1,600,000
Totals for Resolution A and B – eligible for state appropriation				15.34	20.10	\$499,522,925	\$106,327,854	\$36,165,330
Miramar, City of	West Water Reverse Osmosis (RO) Treatment Plant 2.5 mgd Expansion - RO membranes and associated upgrades	Broward	Brackish	0.00	2.50 [b]	\$7,589,740	\$0	\$0
NOAH WATER SOLUTIONS (US) INC	Noah Septic Treatment at Lapin Services Facility	Orange	Other	0.25 [a]	2.00 [a]	\$1,868,000	\$0	\$0
Davie Utilities Department, Town of	Reclaimed Water system Extension along SW 30th St from 75th Ave to College Ave [withdrawn FY22 funded project]	Broward	Reclaimed	0.00	0.00	\$0	\$0	\$0
Totals for projects not eligible for state appropriation				0.00	0.00	\$9,457,740	\$0	\$0

[a] Distribution/use type project; water made available accounted for in treatment plant capacity

[b] Phased project, water accounted for previously or in future year upon completion of project

PS – Public Supply

CII – Commercial/Industrial/Institutional

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2023 - 05XX

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into agreement(s) with cooperating entities for alternative water supply and water conservation projects with dedicated state appropriations from the 2023 General Appropriations and delegating authority to the Executive Director to execute the agreements for identified projects listed in Exhibit A that receive state appropriations; providing an effective date.

WHEREAS, the Governor and Legislature have recognized the importance of alternative water supply and the protection of Florida's natural systems with a statewide investment during the 2023 Legislative Session; and

WHEREAS, 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.

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 determines that it is necessary, appropriate, and in the public interest to approve the final project list in Exhibit A and authorize the Executive Director or his designee to execute agreements with cooperating entities for alternative water supply and water conservation projects that receive state appropriations.

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

PASSED and ADOPTED this 11th day of May, 2023.

MEMORANDUM

TO: Governing Board Members

FROM: Jennifer Reynolds, Ecosystem Restoration & Capital Projects

DATE: May 11, 2023

SUBJECT: Land Acquisition - Tracts GU100-012, GU100-013, GU100-014, GU100-015, Green Heart of the Everglades Project, Collier County

Agenda Item Background:

The FY2022-23 Florida Legislature appropriated funds and directed the District to acquire the lands for the Green Heart of the Everglades Project in Collier County (the "Project"). The proposed acquisition consists of approximately 11,053.44 acres owned by four separate entities. The lands represent privately owned lands surrounded by and adjacent to millions of acres of publicly-owned conservation lands including Big Cypress National Preserve, Fakahatchee Strand Preserve State Park, and Everglades National Park. The lands are home to one of the rarest habitats in the U.S. - the mangrove forest habitat - which makes up a quarter of the land. The Project region supports thirty-nine federally listed threatened or endangered species, including Florida Panther, American Crocodile, and Black Bear. The Florida Panther National Wildlife Refuge, which is part of the U.S. Fish and Wildlife Service's National Wildlife Refuge System, is located within the Project region. The rare Ghost Orchid is also known to grow in the area. The purchase price is \$29,850,000. Included in the acquisition and purchase price, are all oil, gas and mineral rights and reservations held by other third-party entities which will permanently prevent oil, gas, and mineral exploration and extraction on the lands.

WildLandscapes International brought all four landowners together under one Agreement, which maximizes the transactional efficiency and assures a comprehensive closing on all of the lands. WildLandscapes is a Florida-based non-profit organization that is dedicated to conserving large and connected landscapes globally significant to wildlife and crucial to local communities. Bringing these lands under public ownership will prevent future development of the properties and provide connectivity between large state and federal conservation lands.

The District is in discussion with the Department of Environmental Protection regarding stewardship of these lands and the District will work with stakeholders and partner agencies to discuss a land management plan, ecotourism and public access to these lands.

Additional Item Background:

The 11,053.44 acres are comprised of Tracts GU100-012, GU100-013, GU100-014, and GU100-015, (collectively, the "Tracts") as shown in the attached Exhibit "A" map, and are owned, respectively, by PHU Properties, LLC, a Florida limited liability company, CDC Investment Properties, LLC, a Florida limited liability company ("CDC"), Barron Collier Partnership, LLLP, a Florida limited liability limited partnership and Collier Land Holdings, LTD., a Florida limited partnership. The \$29,850,000 purchase price exceeds the \$18,000,000 appraised value by \$11,850,000 but is less than the sellers appraised value of \$36,880,100.

Core Mission and Strategic Priorities:

The location of this assemblage of lands is unique and irreplaceable. Unlike other District projects where there can be a preferred site as well as one or more alternates, in this situation, there is no comparable alternate in terms of location and functional value. The ecological values of these lands are extraordinary, along with the ecosystem services provided by these lands. This site contains several habitat structures that may create opportunities for species mitigation that are required as the result of the implementation of a District project.

This acquisition has broad-based public support, and is an incredible opportunity to improve water quality, enhance habitat connectivity, coordinate management with adjacent conservation lands, and protect these lands forever.

Funding Source:

The \$29,850,000 acquisition cost and all costs associated with the acquisition of the Tracts will be funded from dedicated State funds (General Revenue Fund).

Staff Contact and/or Presenter:

Jennifer Reynolds, jreynolds@sfwmd.gov, 561-682-6672

ATTACHMENTS:

[Resolution No. 2023-0516](#)

[Resolution No. 2023-0517](#)

[Resolution Exhibit A](#)

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2023 - 05XX

A Resolution of the Governing Board of the South Florida Water Management District to acquire land interests containing 11,053.44 acres, more or less, for the Green Heart of the Everglades Project, in Collier County, in the amount of \$29,850,000, plus associated costs, for which dedicated funds (State General Revenue, Ch. 2022-156 Laws of Florida Section 197) are budgeted; providing an effective date.

WHEREAS, the South Florida Water Management District is currently acquiring land for the Green Heart of the Everglades Project (the “Project”); and

WHEREAS, the District desires to purchase land interests collectively containing 11,053.44 acres, more or less, for the Project in Collier County, and as shown on the location map Exhibit “A”, attached hereto and made a part hereof, in the amount of \$29,850,000; 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, collectively containing 11,053.44 acres, more or less, is identified in the attached Exhibit “A”, for the Green Heart of the Everglades Project, in Collier County, in the amount of \$29,850,000, for which dedicated funds (State General Revenue, Ch. 2022-156 Laws of Florida Section 197) are budgeted, as follows:

Owners	Tract Nos.	Interest	Acres	Appraised Value	Purchase Price
PHU Properties, LLC	GU100-012	Fee	453.16		
CDC Investment Properties, LLC	GU100-013	Fee	4,975.78		
Barron Collier Partnership, LLC	GU100-014	Fee	2,114.39		
Collier Land Holdings, LTD.	GU100-015	Fee	3,510.11		
Totals			11,053.44	\$18,000,000	\$29,850,000

Amount	Fund	Fund Center	Functional Area	GL	Account Description
\$29,850,000	40_____	3510144000	P107	580020	Acquisition

Section 2. The Governing Board of the South Florida Water Management District hereby authorizes the Chairman or Vice Chairman to execute the Agreement for Sale and Purchase, 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 11th day of May, 2023.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2023 - 05XX

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 11,053.44 acres, more or less, for the Green Heart of the Everglades Project, in Collier County, and requesting the release of funds in the amount of \$29,850,000 from the State General Revenue, Ch. 2022-156 Laws of Florida Section 197 for acquisition of such land interests, together with associated costs; providing an effective date.

WHEREAS, the South Florida Water Management District is acquiring land for the Green Heart of the Everglades Project (“Project”); and

WHEREAS, the District desires to purchase land interests for the Project in Collier County, containing 11,053.44 acres, more or less, identified as Tract Nos. GU100-012, GU100-013, GU100-014, and GU100-015 (collectively, the “Property”), and as shown on the location map Exhibit “A”, attached hereto and made a part hereof, in the amount of \$29,850,000; 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 or general fund, including the State General Revenue, Ch. 2022-156 Laws of Florida Section 197.

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 title to Tracts GU100-012, GU100-013, GU100-014, and GU100-015 (the “Tracts”) at a cost of \$29,850,000, containing 11,053.44 acres, more or less, in Collier County, Florida, for the Green Heart of the Everglades Project. The District has a contract to acquire the Tracts. The Tracts are shown on the map attached hereto and made a part hereof as Exhibit “A.”

Section 2. The purchase price of the Tracts of \$29,850,000 exceeds the \$18,000,000 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. The District staff has determined that it will be cost effective and beneficial to the implementation of the Project, and in the District’s best interest to avoid other risks and potential added expenses, to acquire the

land interests for a purchase price of \$29,850,000 or \$11,850,000 over the approved appraised value.

Section 3. The lands being acquired have been reviewed for the presence of State Sovereign submerged lands and contain an estimated 963 acres of State Sovereign submerged lands which represent approximately \$438,000 or 2.4 percent of the \$18,000,000 appraised value. Otherwise, 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:

259.105(4)(a) Enhance the coordination and completion of land acquisition projects as measured by:

3. The number of shared acquisition projects among Florida Forever funding partners and partners with other funding sources including local governments and the federal government.

259.105(4)(c) 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 of publicly owned land identified as needing restoration, enhancement, and management, acres undergoing restoration or enhancement, 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;
4. The number of acres acquired that protect natural floodplain functions;

6. The number of acres identified for acquisition to minimize damage from flooding and the percentage of those acres acquired.

259.105(4)(d) 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:

2. 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.

259.105(4)(e) 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;
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 District project.

Section 9. A Phase I/II environmental assessment of the property is being conducted. 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(4), 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 May 11, 2023.

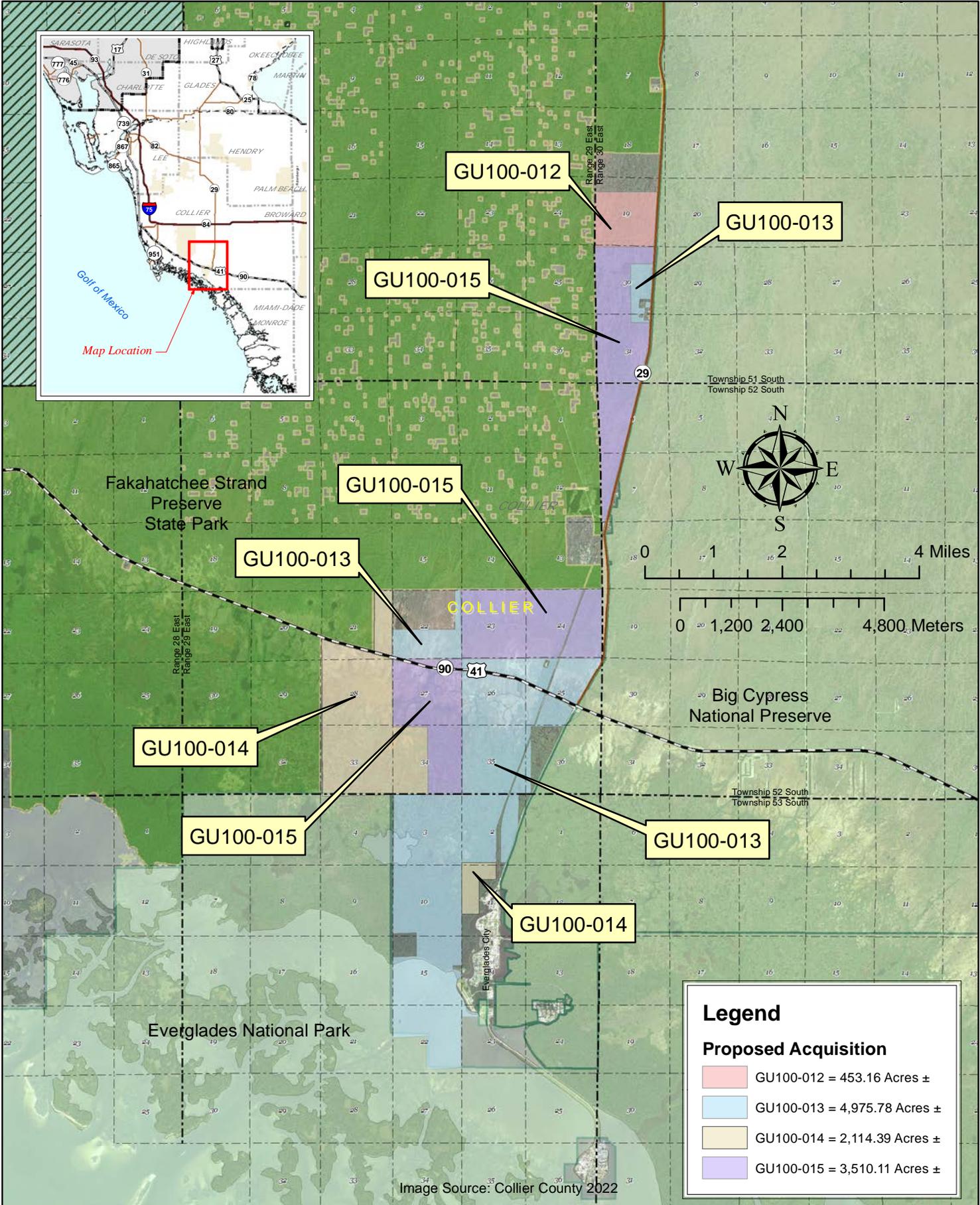
Section 13. The District will utilize funds from the State General Revenue, Ch. 2022-156 Laws of Florida Section 197.

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

PASSED and **ADOPTED** on this 11th day of May, 2023.

Green Heart of the Everglades Proposed Acquisition Collier County, Florida

Exhibit "A"



MEMORANDUM

TO: Governing Board Members

FROM: , Administrative Services, Finance Bureau

DATE: May 11, 2023

SUBJECT: Presentations for item numbers 08, 26, 27, 28, and 29, and back-up document for item number 30.

Agenda Item Background:

Staff Contact and/or Presenter:

ATTACHMENTS:

[08 Reynolds NEEP Update](#)

[26 Payseno\(Adams\) DEP AWS Funding](#)

[27 Reynolds Green Heart Acquisition](#)

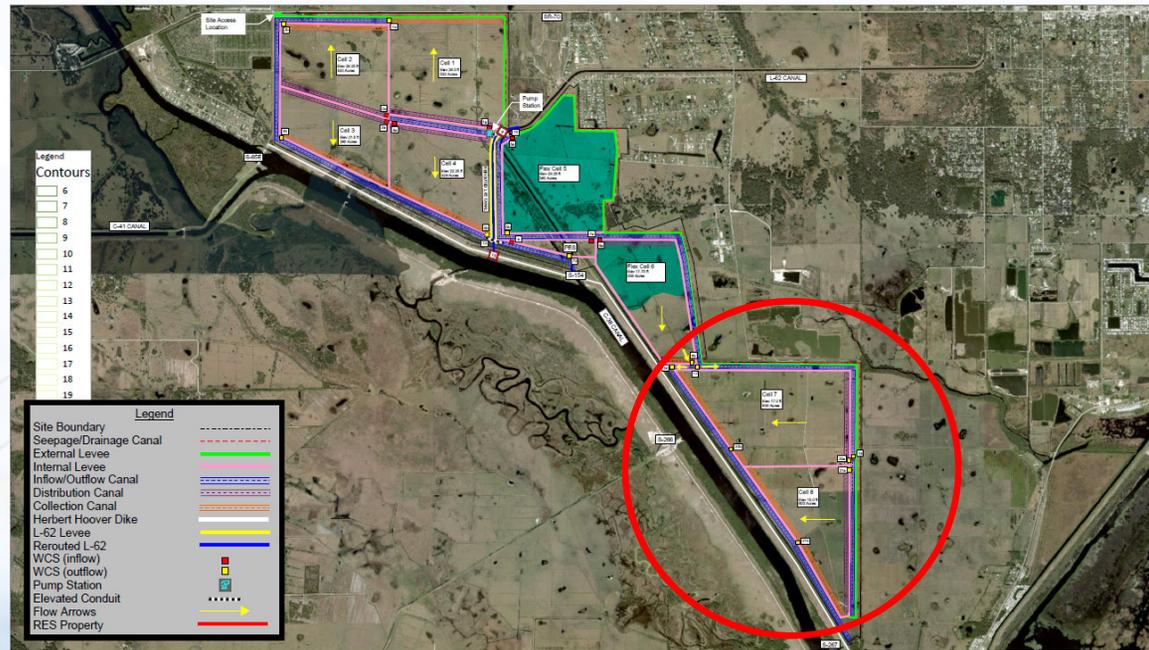
[28 Mitnik Water Conditions Report](#)

[29 Glenn Ecological Conditions Report](#)

[30 LBMC Annual Report](#)

Additional Storage & Treatment Opportunity

- 1,400 acres southeast of the existing LKBSTA are available for project expansion
 - Increased storage
 - Existing: 5,200 ac-ft
 - Proposed: 9,600 ac-ft
 - Increased TP reduction
 - Existing: 12-15 mt/yr
 - Proposed: 18-24 mt/yr

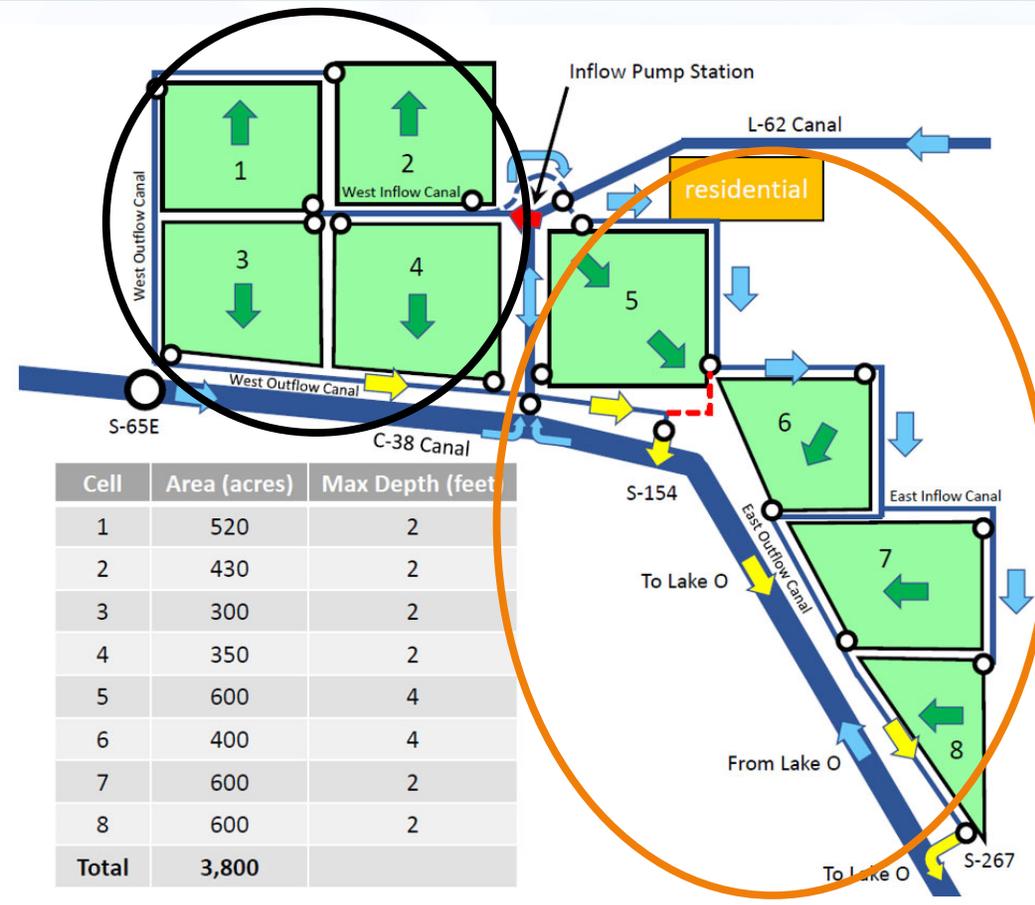


Presenter: Jennifer Reynolds

LKBSTA-E & LKBSTA-W

➤ LKBSTA will be split into 2 parts (LKBSTA-W and LKBSTA-E) with 2 timelines

- LKBSTA-W: Cells 1-4
- LKBSTA-E: Cells 5-8



Presenter: Jennifer Reynolds

FY24 FDEP Alternative Water Supply Grant Program Update



Stacey Payseno, PMP
Lead Project Manager
Water Supply Bureau
May 11, 2023

Alternative Water Supply

- Alternative water supply (AWS) is needed to sustain our natural resources, economic growth, and economic viability.
- Source diversification to supplement traditional water sources is critical to meet current and future water demands.
- AWS helps avoid adverse effects of water supply competition.
- Water conservation reduces water demands.



Reclaimed water distribution main

FDEP Alternative Water Supply Funding

- Recurring funding per Executive Order 23-06 (Achieving *Even More* Now for Florida's Environment)
- FY2023-24 tentative state budget includes up to \$60 million
- FDEP administers AWS funding
 - Requests water management districts provide list of projects for state funding consideration each May



EXECUTIVE ORDER 23-06

Achieving *Even More* Now for Florida's Environment

WHEREAS, on January 10, 2019, I signed Executive Order 19-12, which laid out a bold plan to achieve more now for Florida's environment, and in the last four years, we have made incredible progress, entering into a golden era for conservation and protection of our treasured natural resources; and

WHEREAS, we secured unprecedented funding for the protection of our natural resources, including over \$3.3 billion in state funding for Everglades restoration and protection of our water resources, far surpassing our goal of \$2.5 billion; and

WHEREAS, we expedited Everglades restoration to reduce harmful discharges and send more water south, with more than 50 Everglades restoration projects being completed, breaking ground, or hitting a major milestone, and helped Florida Bay reach salinity goals for the first time in decades; and

WHEREAS, in 2020, I signed into law Senate Bill 712, which was the most consequential environmental legislation in decades and included a wide range of water quality protections aimed at minimizing the impact of known nutrient pollution sources, realigning the State's resources to better protect Florida's environment, and strengthening our environmental regulatory requirements; and

WHEREAS, we invested \$1.6 billion in water quality improvements, created the Wastewater Grant Program to construct, upgrade, or expand wastewater facilities, provide advanced wastewater treatment, and convert septic-to-sewer, and dedicated historic funding to increase alternative water supply and restore and protect Florida's springs; and

WHEREAS, we dedicated funding to enhance our state's water quality monitoring and identify new and innovative ways to treat, predict, and respond to blue-green algal blooms, including more than \$45 million to the Innovative Technology Grant Program and funding 20 different innovative technology projects to date; and

WHEREAS, the State, with the coordination of the Chief Science Officer, ensured that science is at the forefront of environmental protection and policy, with enhanced monitoring, innovative research, and modern data analytics to support water quality restoration and ensure that high quality, scientific data are readily available to citizens and state agencies; and

WHEREAS, we provided support to local governments for red tide cleanup efforts and established the Center for Red Tide Research within the Florida Fish and Wildlife Conservation Commission's (FWC) Fish and Wildlife Research Institute, which brings together state and local governments, universities, private sector partners, and community scientists to enhance statewide red tide monitoring and conduct applied research associated with tracking, predicting, and mitigating the effects of red tide; and

WHEREAS, the State, with the coordination of the Chief Resilience Officer, invested more than \$1.1 billion in resilience projects to protect our communities from flooding and sea level rise; and

WHEREAS, we established the Florida Wildlife Corridor and committed more than \$600 million to the Florida Forever Program and acquired more than 170,000 acres for conservation, nearly four times that acquired in the previous four years; and

WHEREAS, while the achievements of the first four years are historic, protecting our water resources, investing to make our communities more resilient, and preserving our conservation lands are essential to our economy and way of life, and we must continue the momentum of the last four years to achieve even more now for Florida's environment and ensure that we leave Florida to God better than we found it.



Signing of Executive Order 19-12 on January 10, 2019.



Gov. DeSantis signs Senate Bill 712.



Dr. Mark Rains, Chief Science Officer.



Dr. Wes Brooks, Chief Resilience Officer.

Recap – FDEP Funding Considerations

➤ Project funding considerations

- Provides regional benefits
- Benefits MFL water bodies
- Dual benefits to water supply and water quality
- Benefits environment, resource, and community
- Readiness to proceed (“shovel-ready” and partner funding available)
- Capital costs per 1,000 gallons and return on investment

Recap – Additional District Considerations

➤ Alternative Water Supply

- Supports goals and objectives of regional water supply plan
- Reduces dependence on traditional sources
- Supports ocean outfall legislation
- Contributes to AWS development in resource-limited area



Reverse osmosis membranes

➤ Water Conservation

- Water source being conserved
- Quantity of water saved
- Cost effectiveness
- Quality and detail of project proposal
- Environmental/community benefits
- Past performance



Agricultural irrigation system retrofit

Recap – Governing Board Priorities

➤ Current considerations and eligibility:

- Must be within the District boundaries or provide benefits to the District
- Must be an AWS or water conservation project
- Construction/implementation only
- Supports mission of the District and/or approved plan
- Prioritize regional projects based on resource areas
- Year-round irrigation ordinance status

➤ New consideration:

- Water Supply Facilities Work Plan status



Irrigation system retrofit

Fiscal Year 2023-2024 FDEP AWS Funding

- Two Zoom webinars in January
- SFWMD application
 - December 15, 2022 – March 2, 2023
 - 24 applications received
 - 17 Alternative Water Supply
 - 7 Water Conservation
 - Phase Construction/Project Costs ~\$106.3 million

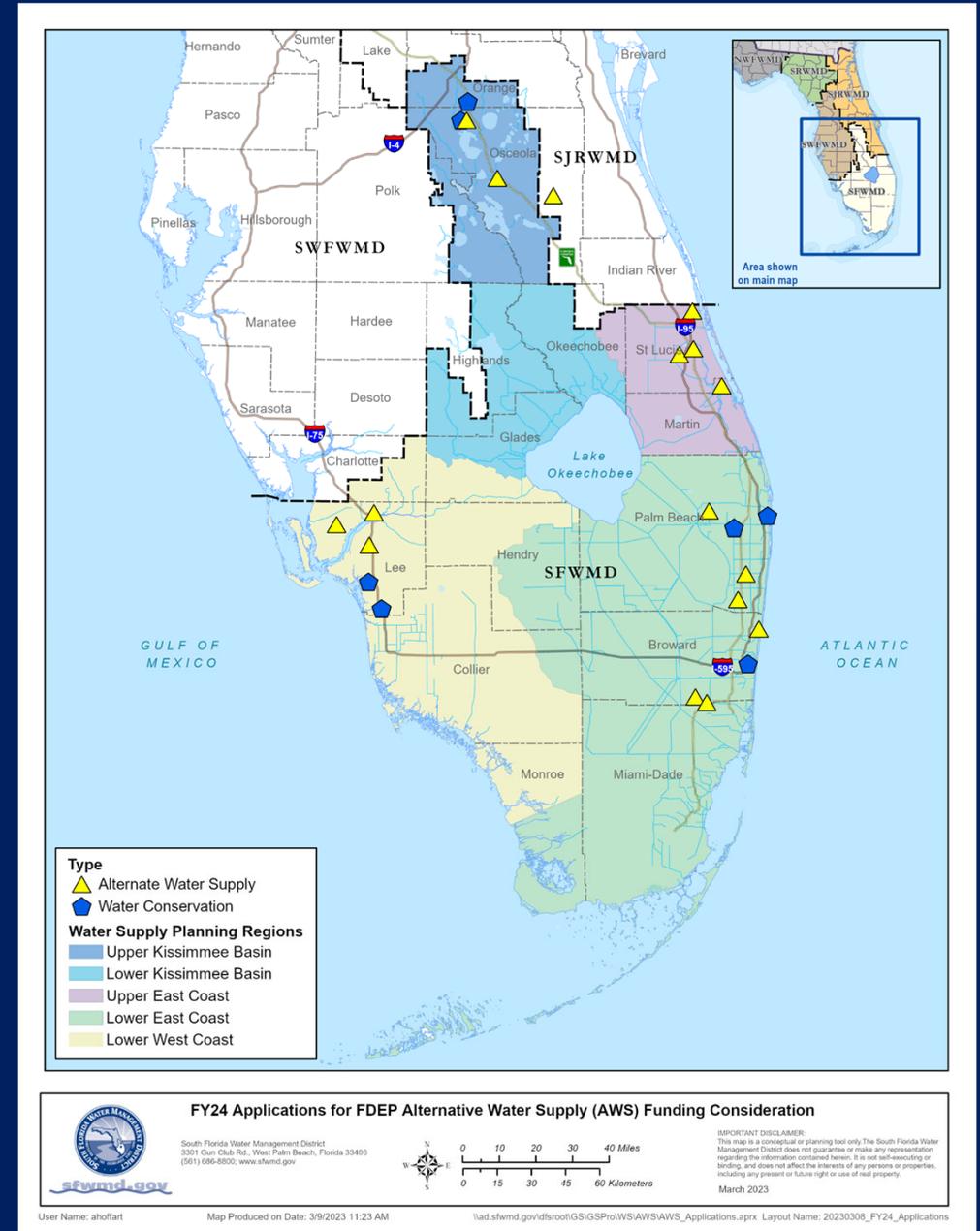


Exhibit A

Cooperating Entity	Project Name	County	Project Type	Phase Construction/ Project Cost	FDEP AWS Funding Request
Miramar, City of	Reclaimed Water Main Extension west of I-75	Broward	Reclaimed	\$5,800,000	\$2,320,000
Palm Beach County Water Utilities	Palm Beach-Broward Interconnect Phase 1B: South Reclaimed Water Transmission and System Extension in southern Palm Beach County	Palm Beach	Reclaimed	\$6,765,550	\$2,706,200
Pompano Beach, City of	Reclaimed Water Main Extension Phase V - N Federal Hwy to Lighthouse Point and communities along the Intracoastal Waterway	Broward	Reclaimed	\$1,000,000	\$400,000
Toho Water Authority	Cypress Lake Wellfield: Concentrate Disposal Well IW-1 and Monitor Well, LFA Production Well CL-1 Retrofit, and Raw Water Piping	Osceola	Brackish	\$12,924,750	\$5,169,900
Fort Pierce Utilities Authority	8 mgd Regional Water Reclamation Facility, Phase 2a	St. Lucie	Reclaimed	\$7,838,000	\$3,135,200
Palm Beach Soil and Water Conservation District	Nursery Overhead Efficiency Project #4	Palm Beach	Agricultural Conservation	\$72,860	\$36,430
Bonita Springs Utilities, Inc.	Irrigation Residential Rebate FY24 Program	Lee	PS and CII Conservation	\$15,000	\$7,500
Orange County Utilities	Commercial Waterwise Neighbor Program	Orange	PS and CII Conservation	\$103,005	\$51,500
Broward County Natural Resources Division	Residential Irrigation Rebate FY24 Program	Broward	PS and CII Conservation	\$52,500	\$26,250
Toho Water Authority	High Efficiency Toilet (HET) Rebate Program	Osceola	PS and CII Conservation	\$120,000	\$60,000

mgd = million gallons per day

PS = Public Supply

CII = Commercial/Industrial/Institutional

Exhibit A

Cooperating Entity	Project Name	County	Project Type	Phase Construction/ Project Cost	FDEP AWS Funding Request
West Palm Beach, City of	Community Water Conservation Strategies Phase X - HET	Palm Beach	PS and CII Conservation	\$62,500	\$31,250
Osprey Cove Condominium Master Association	Osprey Cove HET Retrofit Program	Lee	PS and CII Conservation	\$41,400	\$20,700
Cape Coral, City of	North 1 Reclaimed Water Main Extension (~7.5 miles), Phase 1B	Lee	Reclaimed	\$6,333,939	\$2,533,500
Lee County Utilities	North Lee County Reverse Osmosis Water Treatment Plant 5 mgd (Phase 3B) Expansion - Floridan Aquifer System wells PW-37, PW-38, PW-39, PW-40, and PW-41	Lee	Brackish	\$2,494,000	\$997,600
Palm Beach County Water Utilities Department	Green Cay Wetlands 2 mgd Indirect Potable Reuse Project - Water Purification Treatment Plant, 2.3 miles Purified Water Pipeline, and 4 Surficial Aquifer Wells, Phase 2	Palm Beach	Reclaimed	\$12,958,750	\$5,183,500
Seminole Improvement District	Reclaimed Water 2 mg Storage Tank and Pumps	Palm Beach	Reclaimed	\$3,250,000	\$1,300,000
Toho Water Authority	Judge Farms Reservoir 6.0 mgd Reclaimed Water Augmentation Pump Station Project	Osceola	Reclaimed	\$26,030,900	\$4,000,000
Martin County	North Jensen Reverse Osmosis Water Treatment Plant Floridan Aquifer System Well NRO-5 and Raw Water Piping	Martin	Brackish	\$5,075,000	\$2,030,000
Port St. Lucie, City of	James E Anderson Water Treatment Facility Expansion, Phase III - Floridan Aquifer System Well F-39 and 30-inch Raw Water Main	St. Lucie	Brackish	\$5,389,700	\$2,155,800
Fort Myers, City of	Eastwood Floridan Aquifer System Wells P-3S, P-4S, and P-29, and Raw Water Piping	Lee	Brackish	\$6,000,000	\$2,400,000

mgd = million gallons per day

PS = Public Supply

CII = Commercial/Industrial/Institutional

Exhibit A

Cooperating Entity	Project Name	County	Project Type	Phase Construction/ Project Cost	FDEP AWS Funding Request
St. Lucie County BOCC	Holiday Pines Water Reclamation Expansion from 0.30 mgd to 0.60 mgd	St. Lucie	Reclaimed	\$4,000,000	\$1,600,000
Totals for Resolution A and B – eligible for state appropriations				\$106,327,854	\$36,165,330
Miramar, City of	West Water Reverse Osmosis (RO) Treatment Plant 2.5 mgd Expansion - RO membranes and associated upgrades	Broward	Brackish	\$7,589,740	\$0
Noah Water Solutions (US) Inc.	Noah Septic Treatment at Lapin Services Facility	Orange	Other	\$1,868,000	\$0
Davie Utilities Department, Town of	Reclaimed Water System Extension along SW 30th St from 75th Ave to College Ave [withdrawn – FY22 funded project]	Broward	Reclaimed	\$0	\$0
Total of projects not eligible for state appropriations				\$9,457,740	\$0

mgd = million gallons per day

PS = Public Supply

CII = Commercial/Industrial/Institutional

Resolution A

A Resolution of the Governing Board of the South Florida Water Management District to approve and authorize submittal of the final project list to the Florida Department of Environmental Protection for the purpose of funding consideration for projects listed in Exhibit A for the Florida Department of Environmental Protection Alternative Water Supply Grant Program in dedicated state appropriations from the 2023 State General Appropriations Act.

Resolution B

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into agreement(s) with cooperating entities for alternative water supply and water conservation projects with dedicated state appropriations from the 2023 General Appropriations and delegating authority to the Executive Director to execute the agreements for identified projects listed in Exhibit A that receive state appropriations.

Thank You





Proposed Collier County Acquisition Green Heart of the Everglades

Governing Board Meeting

May 11, 2023

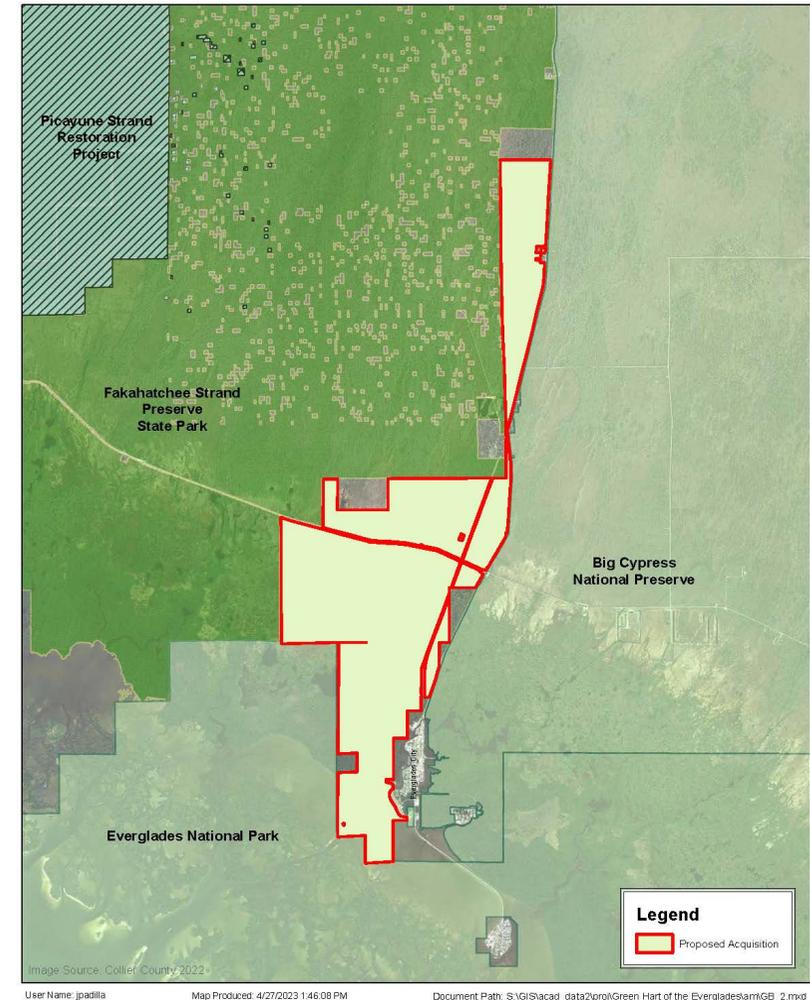
Jennifer Reynolds

Division Director, Ecosystem Restoration

Green Heart of the Everglades Connects Public Parks and Preserves

Completes a connection between millions of acres of publicly owned preservation lands including:

- Everglades National Park
- Big Cypress National Preserve
- Fakahatchee Strand Preserve State Park
- Picayune Strand Restoration Project



Green Heart of the Everglades Habitats

Cypress Forests



Wetland Prairies

Green Heart of the Everglades Habitats



Coastal Marshes



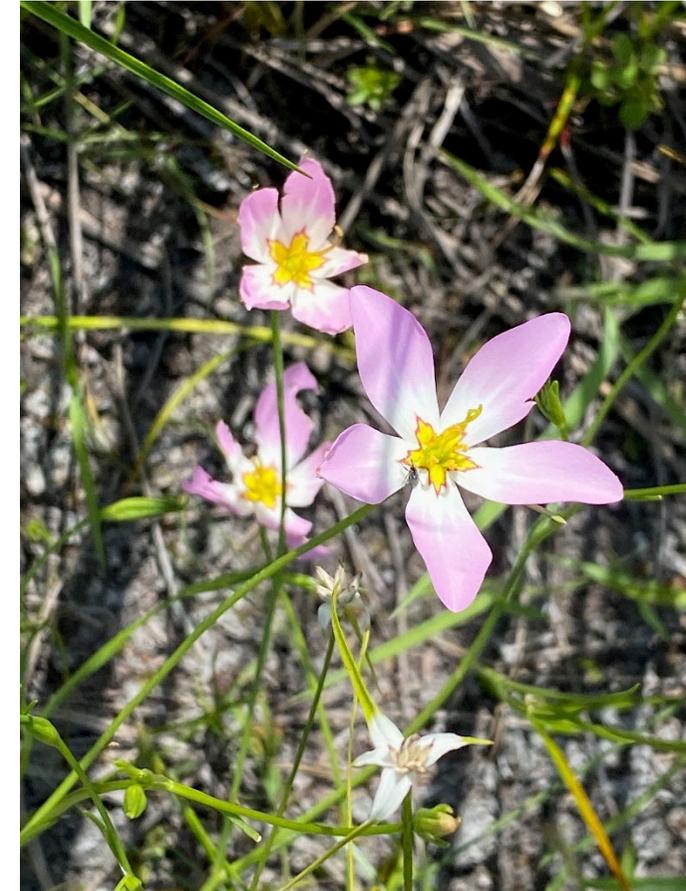
Mangrove Swamps

Green Heart of the Everglades Plant Communities

Saltmarsh Morning Glory



Swamp Milkweed

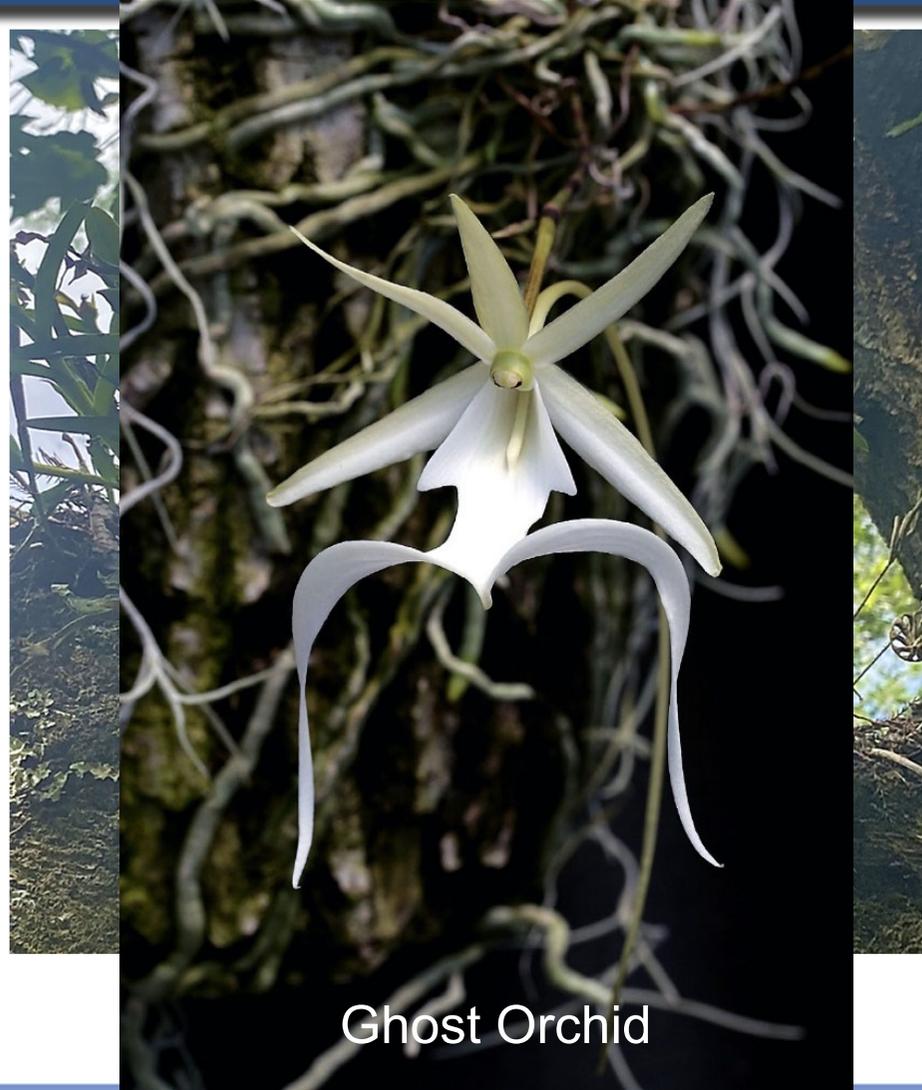


Marsh flowers

Green Heart of the Everglades Plant Communities



Epidendrum anceps
(Dingy-flowered Star Orchid)



Ghost Orchid



Dendrophylax porrectus
(Jingle Bell Orchid)

112

Green Heart of the Everglades Animals



Florida Panther

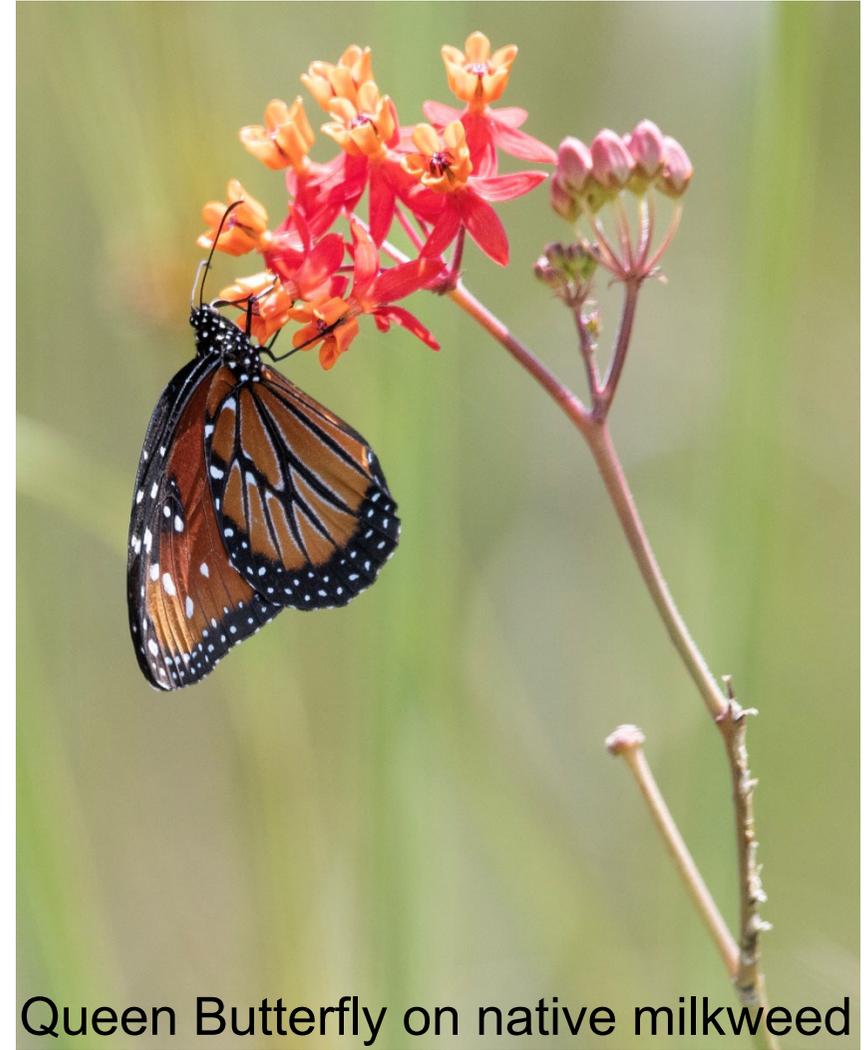


Black Bear

Green Heart of the Everglades Animals



Halloween Pennant Dragonfly



Queen Butterfly on native milkweed

Green Heart of the Everglades Animals



Black & White Warbler



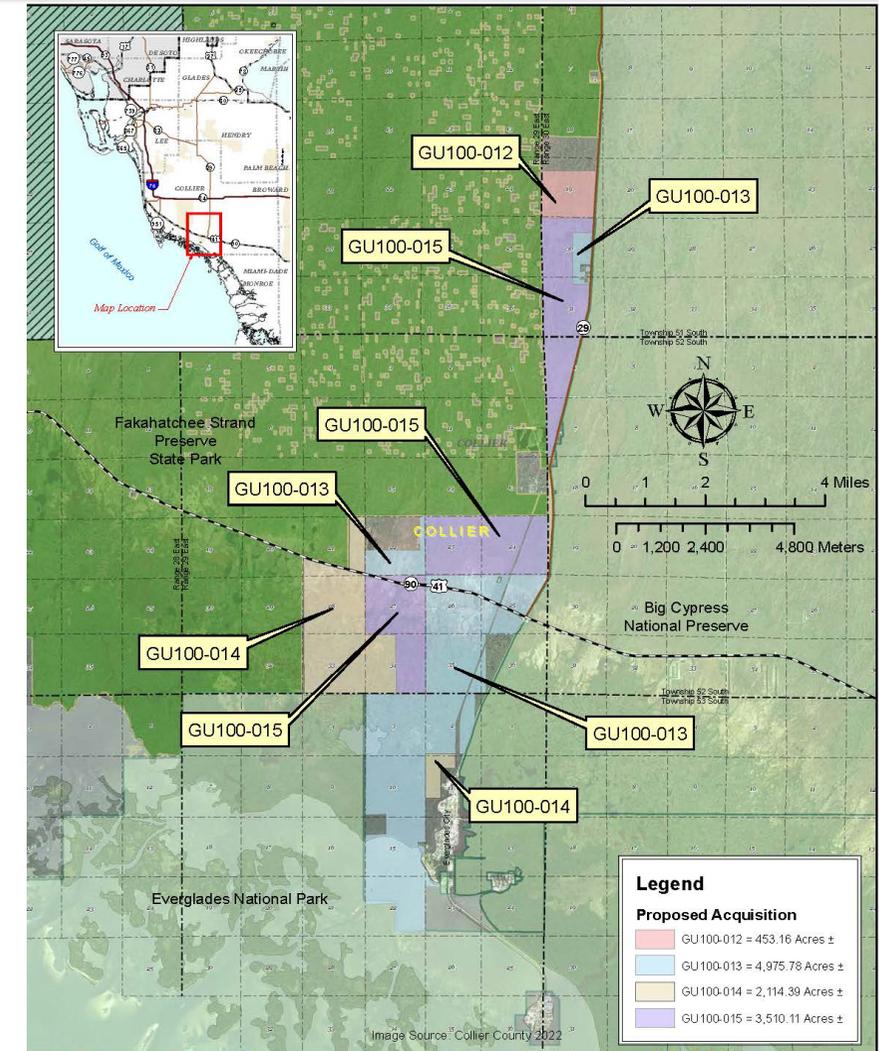
Great Crested Flycatcher



White-eyed vireo

Green Heart of the Everglades Land Acquisition

- 11,053 Acres
- Purchase price \$29,850,000
- Aggregation of 4 private property owners
- Includes underlying oil & mineral rights
- Enhances habitat connectivity
- Preserves exceptional Florida lands



Resolution - A

A Resolution of the Governing Board of the South Florida Water Management District to acquire land interests containing 11,053.44 acres, more or less, for the Green Heart of the Everglades Project, in Collier County, in the amount of \$29,850,000, plus associated costs, for which dedicated funds (State General Revenue, Ch. 2022-156 Laws of Florida Section 197) have been budgeted.

Resolution - B

A Resolution of the Governing Board of the South Florida Water Management District to advise the Florida Department of Environmental Protection of the proposed acquisition of land interests containing 11,053.44 acres, more or less, for the Green Heart of the Everglades Project, in Collier County, and requesting the release of funds in the amount of \$29,850,000 from the State General Revenue, Ch. 2022-156 Laws of Florida Section 197 for acquisition of such land interests, together with associated costs.

Questions?



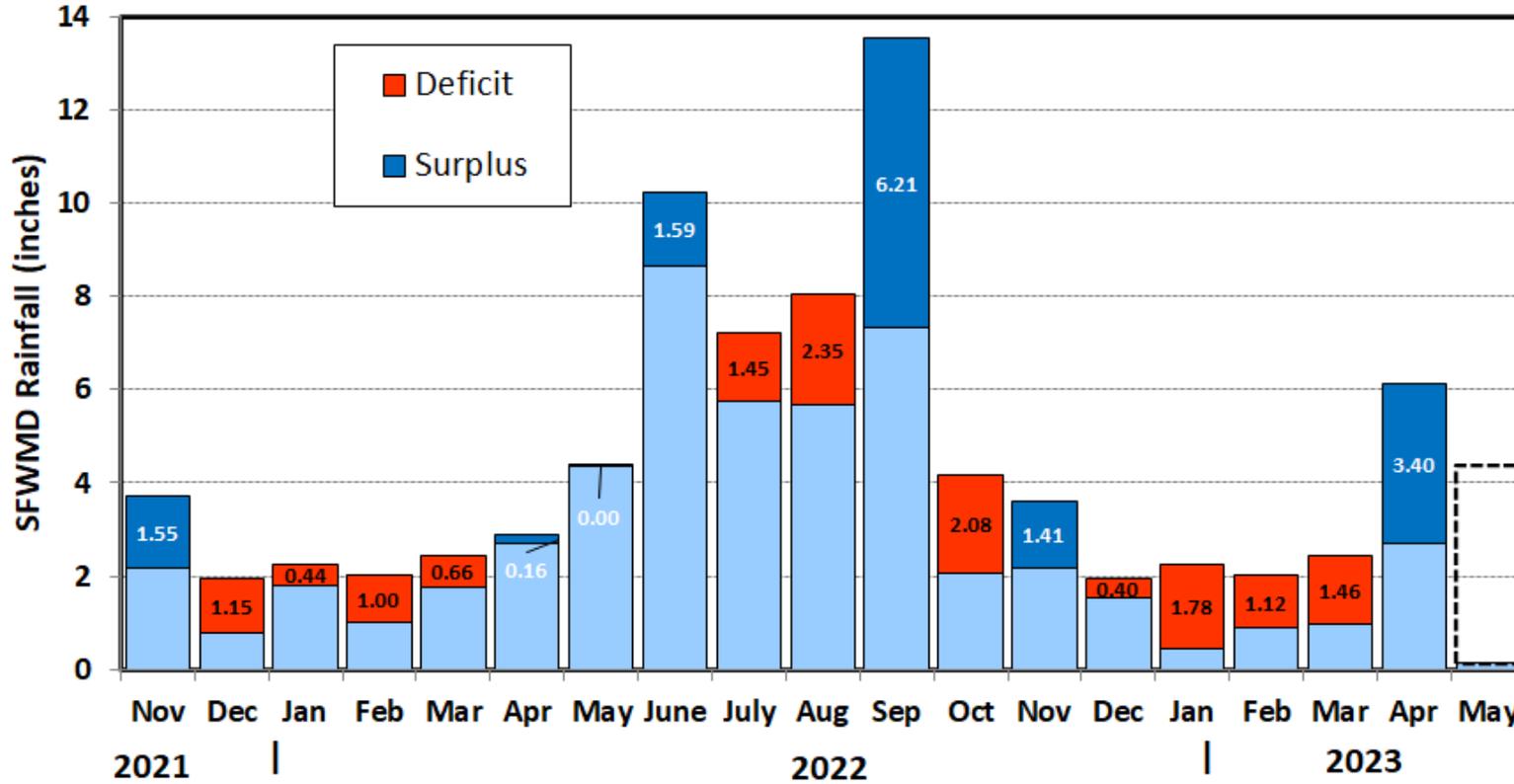
Water Conditions Summary

**South Florida Water Management District
Governing Board Meeting
May 11, 2023**



John P. Mitnik, PE
Chief District Engineer
Assistant Executive Director

SFWMD Rainfall Distribution Comparison (November 2021- May 2023)



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

2021-2022 DRY SEASON

- Started 10/18/2021 and ended 5/12/2022.
- Dec 2021 to Mar 2022 all below average.
- April ended up slightly above average (106%).
- May was about average.

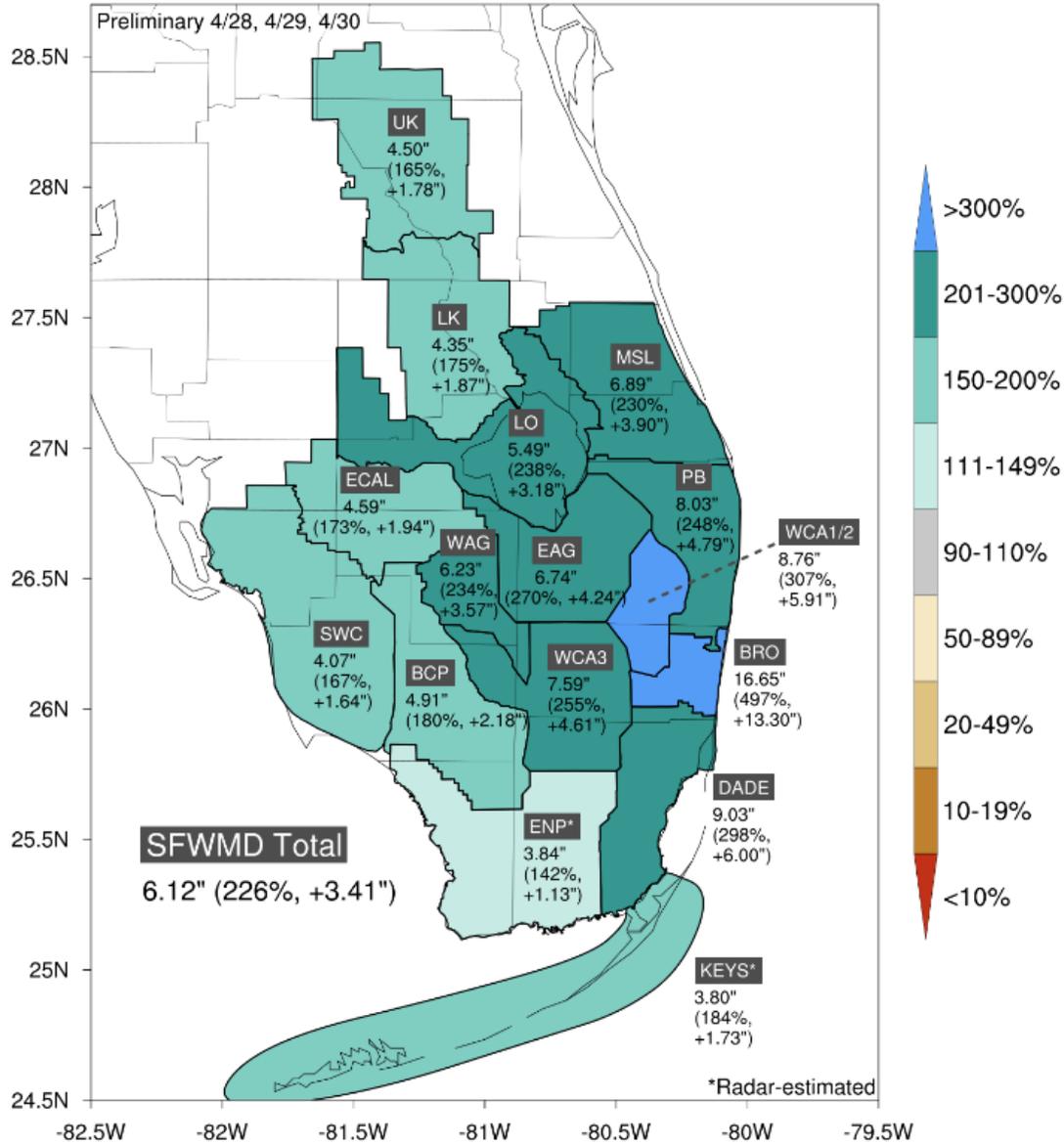
2022 WET SEASON

- Started 5/13/2022 – Ended 9/28/2022
- May ~ 100%, Jun ~ 120%, Jul ~ 80%, Aug ~ 65%
- Sep 2022 total 13.52", 191% of Normal
- Sep 26-29, Hurricane Ian ~ 5.3"

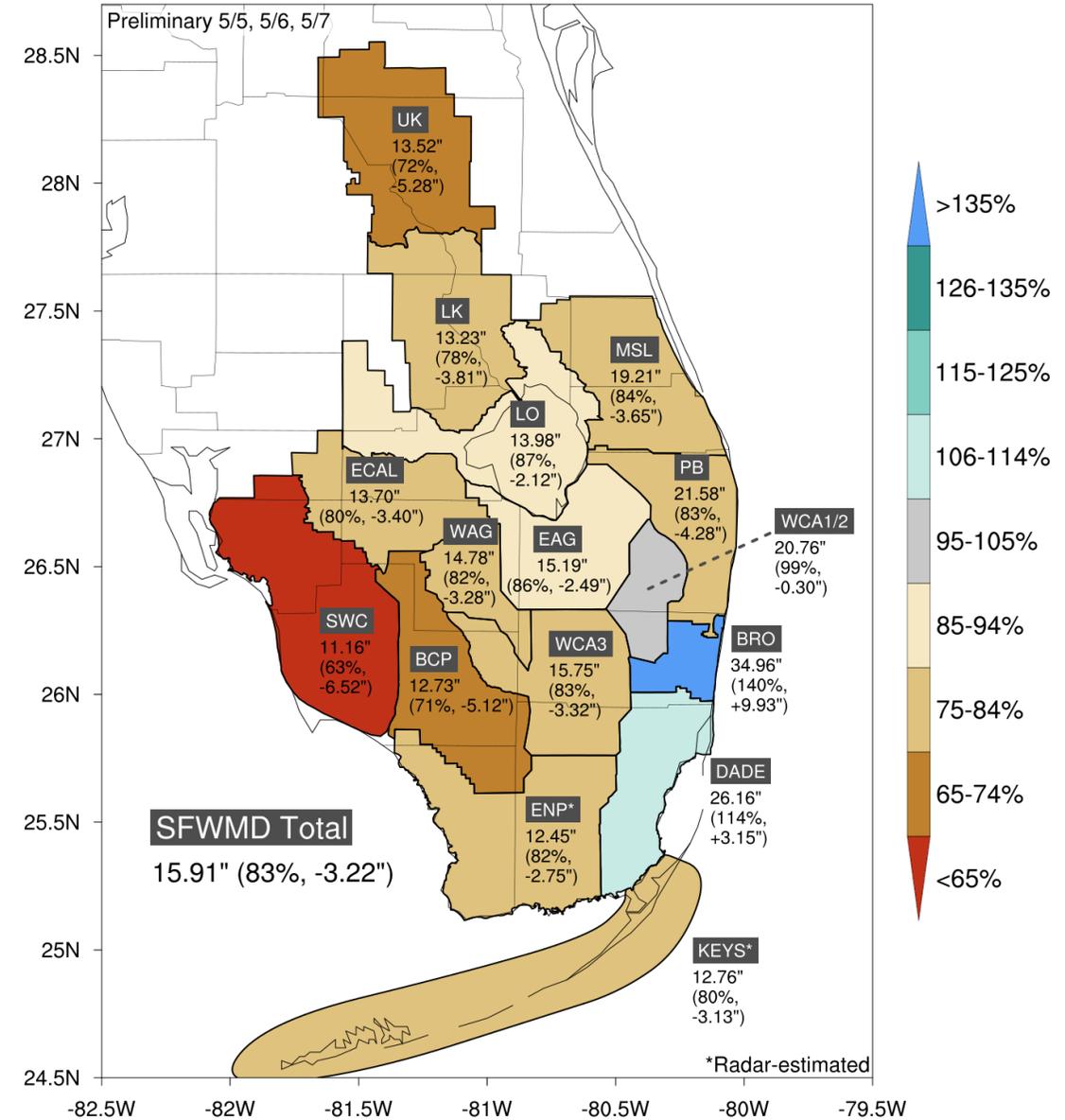
2022-2023 DRY SEASON

- Started 9/29/2022.
- Including October, 5/6 full months are below Normal
- 4/6 full months are more than 50% below Normal
- April was much above normal.

April 2023 (4/1/23 to 4/30/23) Rainfall, Percent of Normal, and Departures

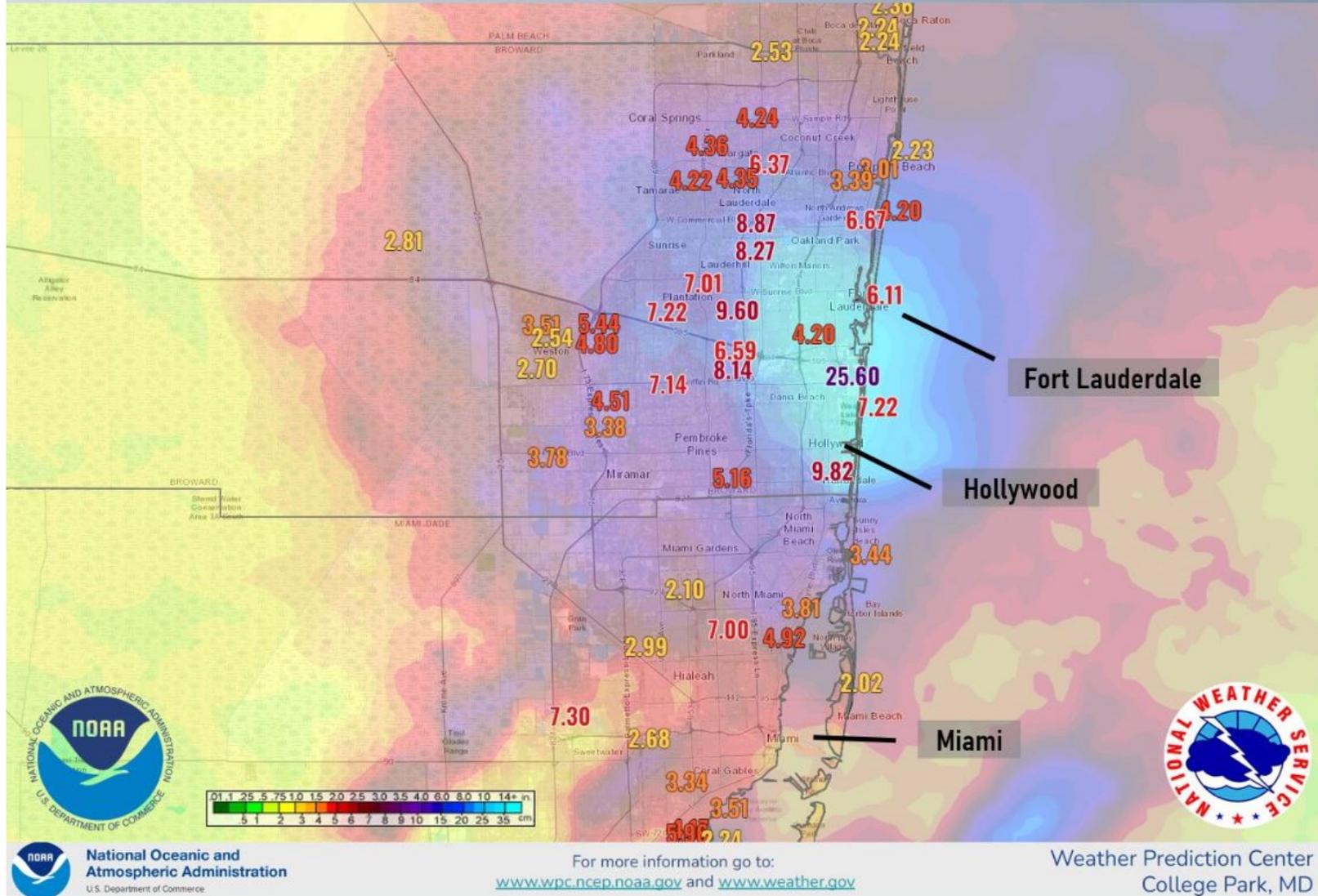


2022-2023 Dynamic Dry Season (9/29/22 to 5/7/23) Rainfall, Percent of Normal, and Departures



NWS Preliminary 24-hr Estimated Rainfall, Observed Precipitation

April 12, 2023



12 April 2023: The Most Extreme

Eastern Broward*

Wettest Days

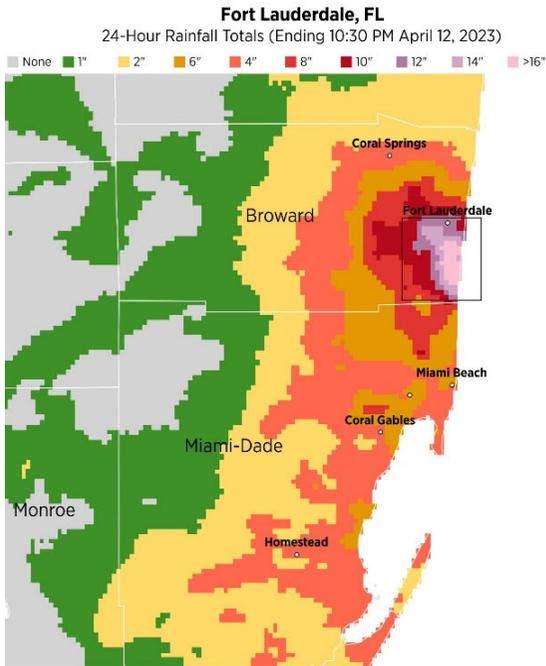
Rank	Date	Rainfall (in.)
1	4/12/2023	8.53
2	6/6/2017	6.99
3	10/3/2000	6.72
4	6/3/2022	6.51
5	11/4/1998	5.97
6	11/8/2020	5.96
7	5/27/2003	5.38
8	6/7/1999	4.69
9	8/26/2012	4.59
10	10/15/1999	4.52

Wettest Aprils

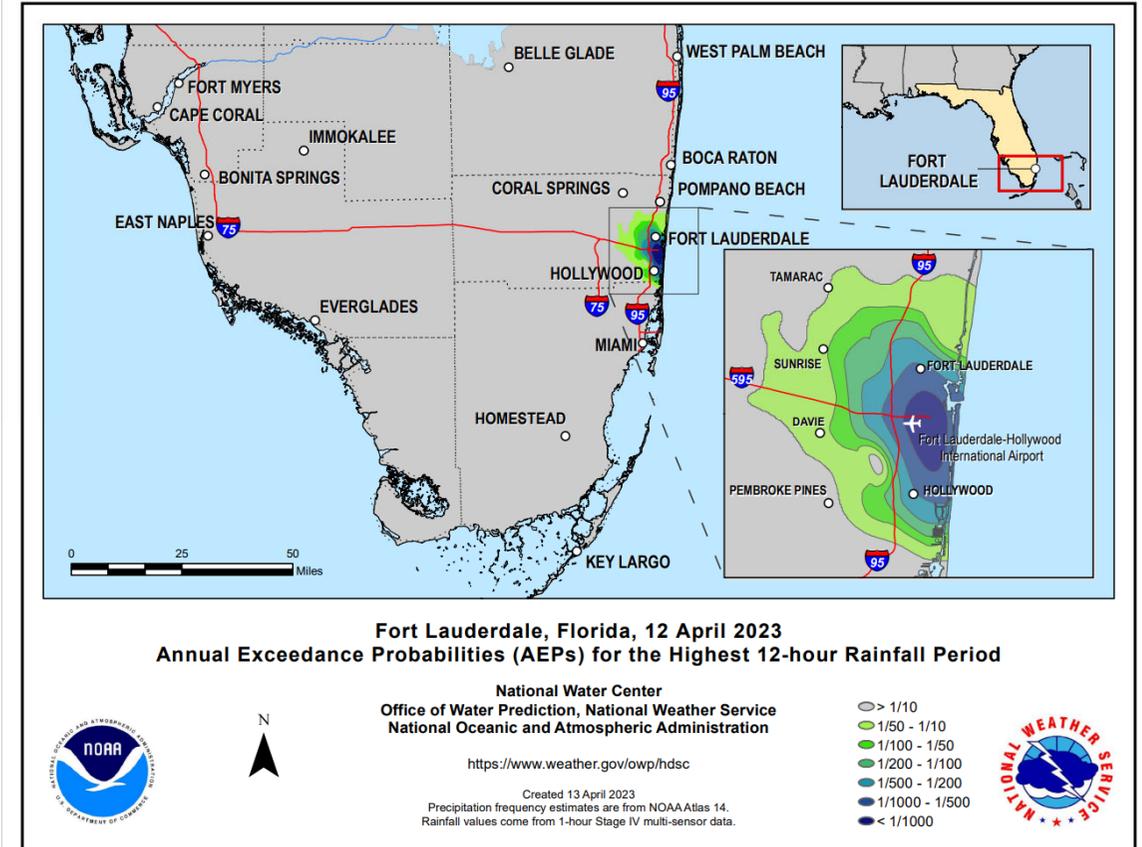
Rank	Year	Rainfall (in.)
1	2023	14.96
2	2012	8.46
3	2010	8.19
4	2013	6.21
5	1997	6.13
6	1994	4.86
7	2015	4.8
8	2018	4.28
9	2017	4.14
10	2014	3.76

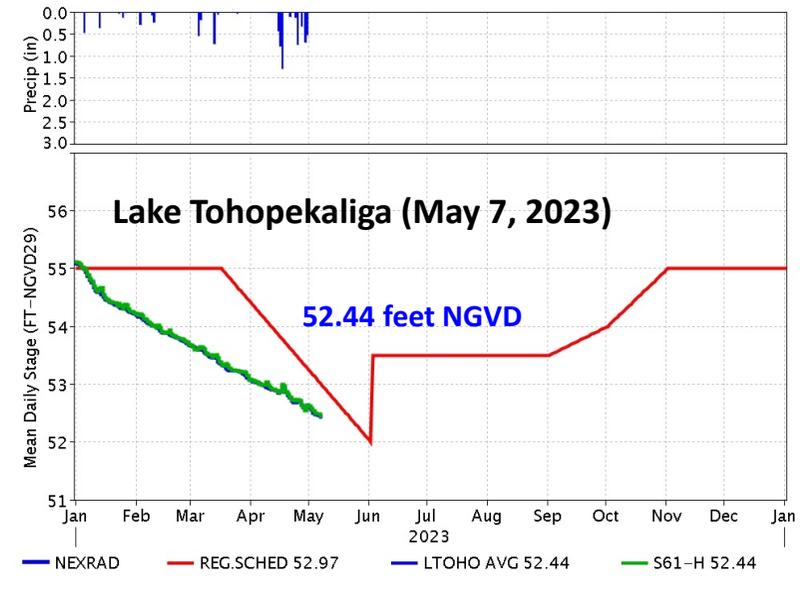
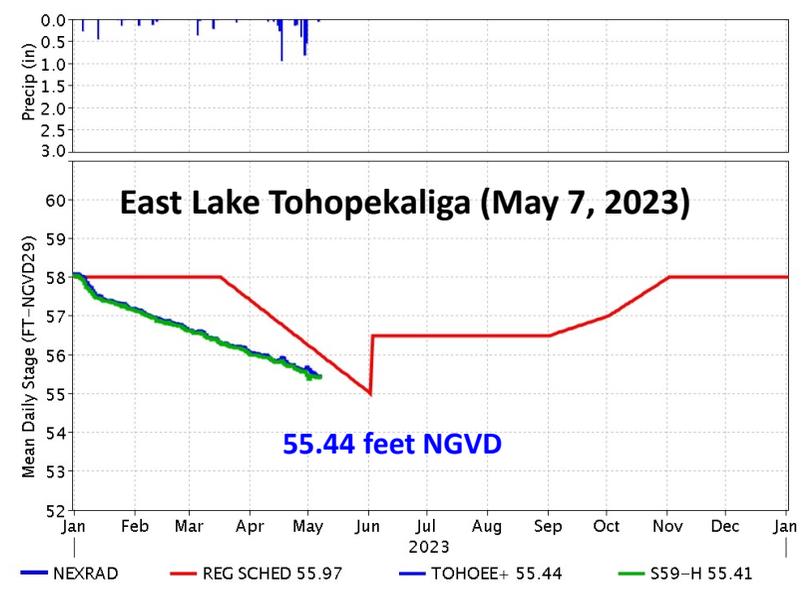
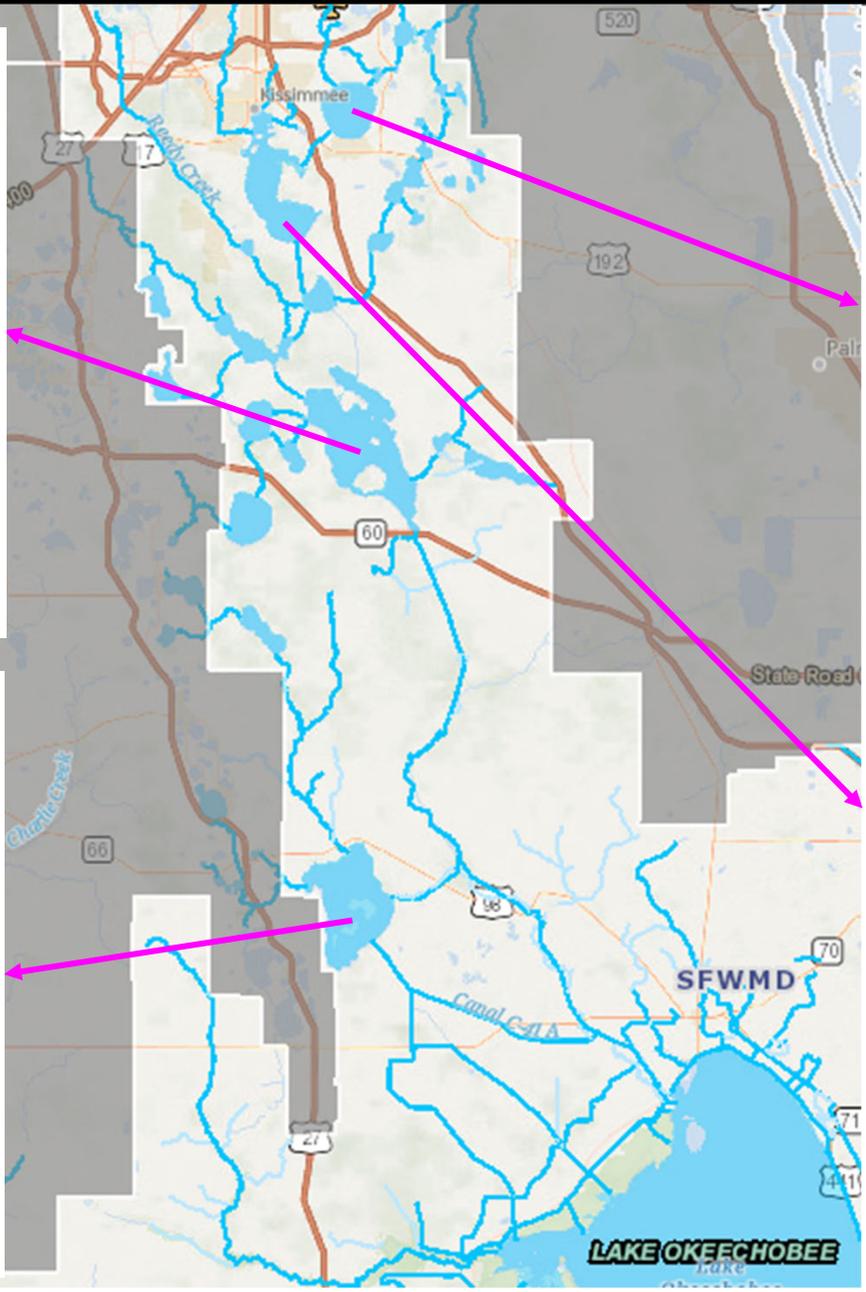
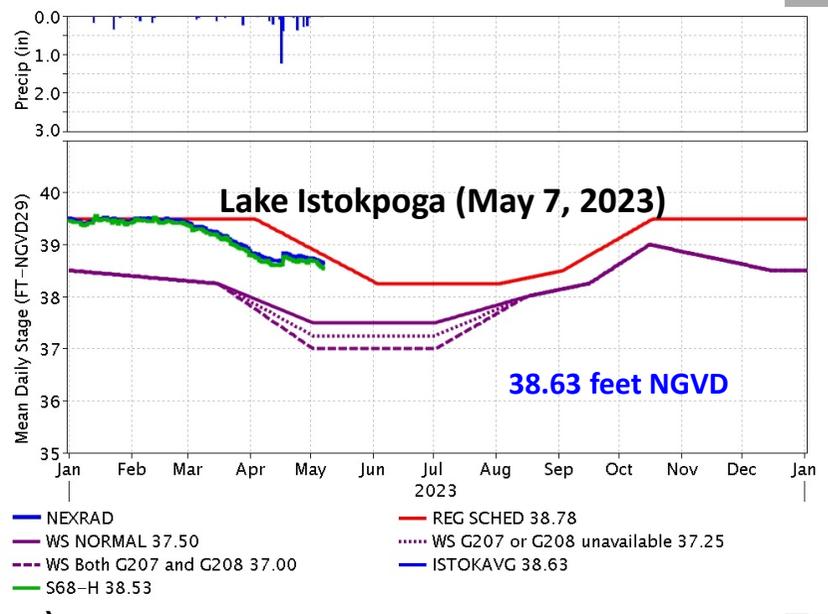
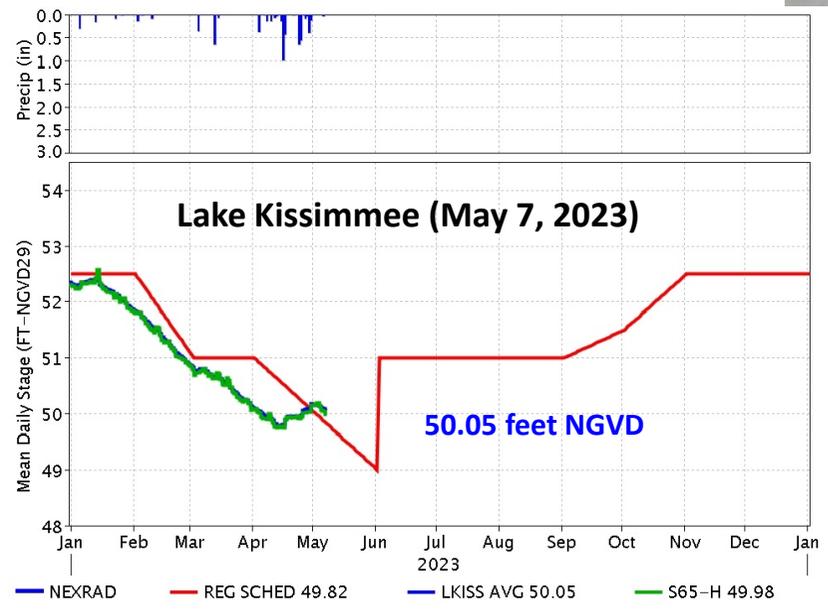
*Based on the 1993-2023 time period in the Daily Rainfall Report

Recurrence Intervals



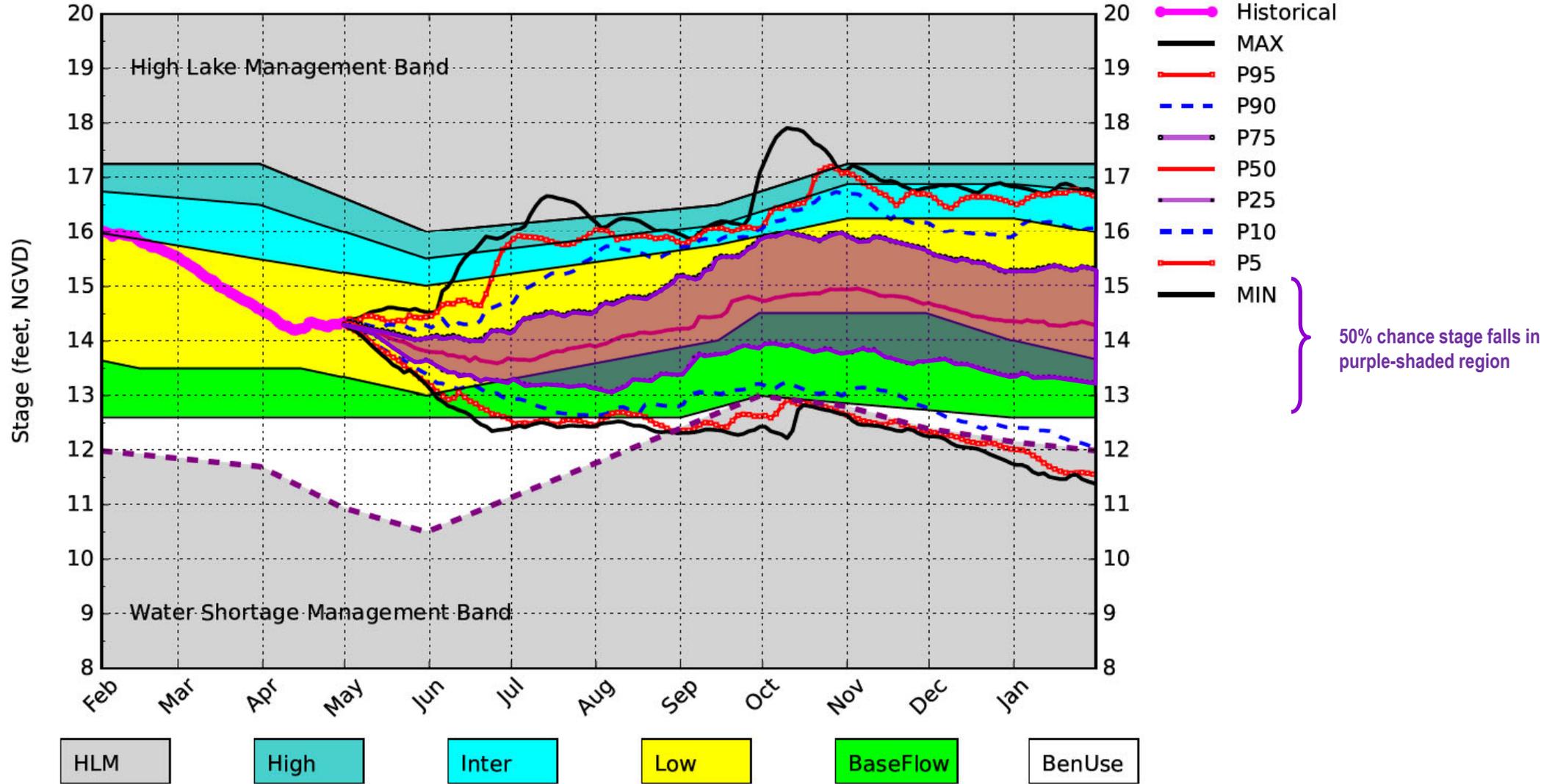
Data: NOAA Graphic: @SteveBowenWx





Lake Okeechobee SFWMM May 2023 Position Analysis

Percentiles PA



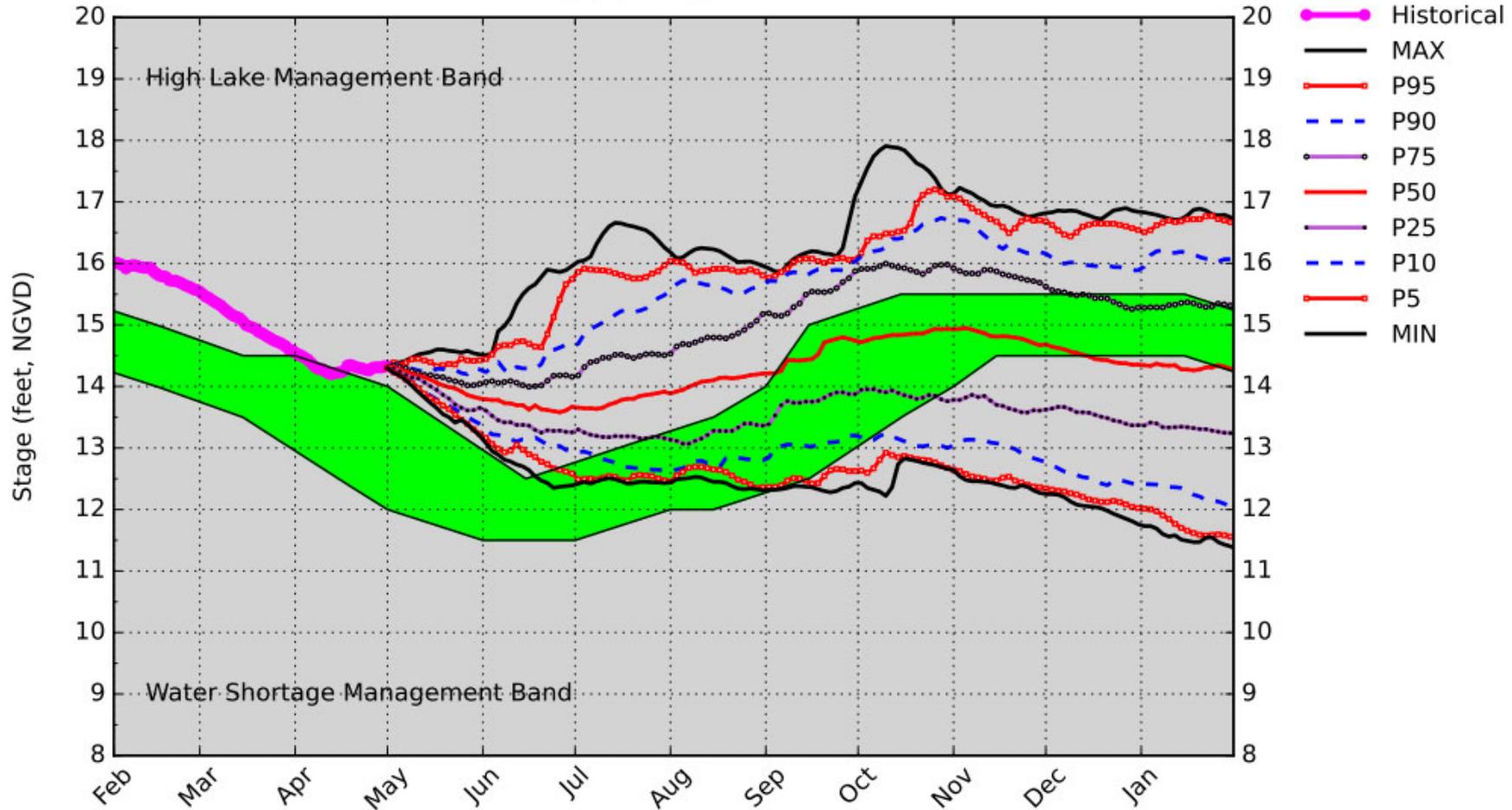
(See assumptions on the Position Analysis Results website)

05/05/23 12:01:58

Presenter: John Mitnik

Lake Okeechobee SFWMM May 2023 Position Analysis

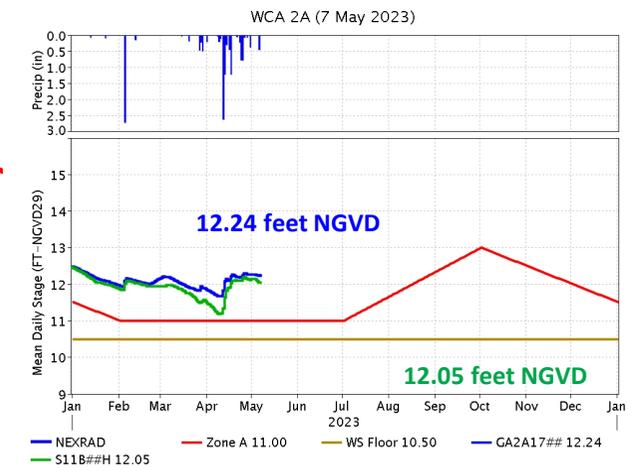
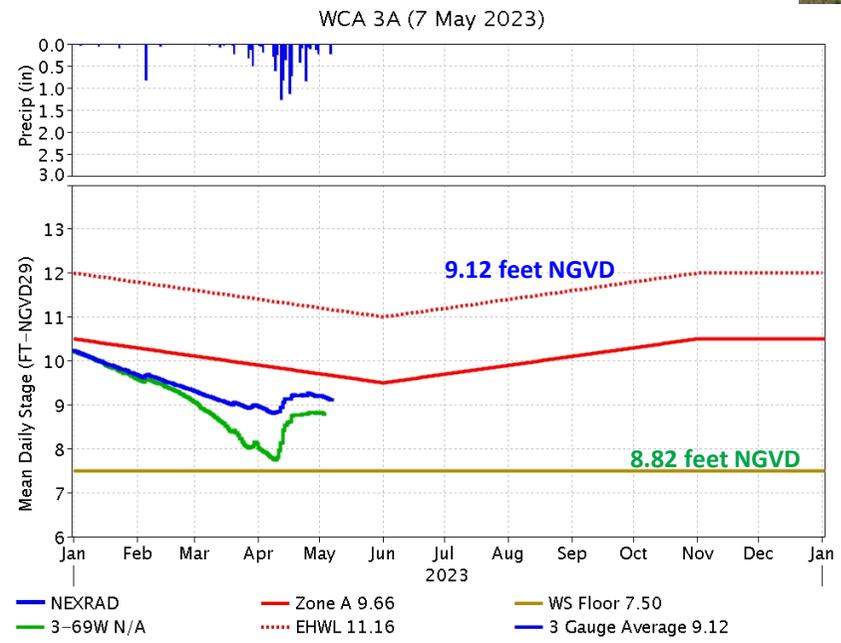
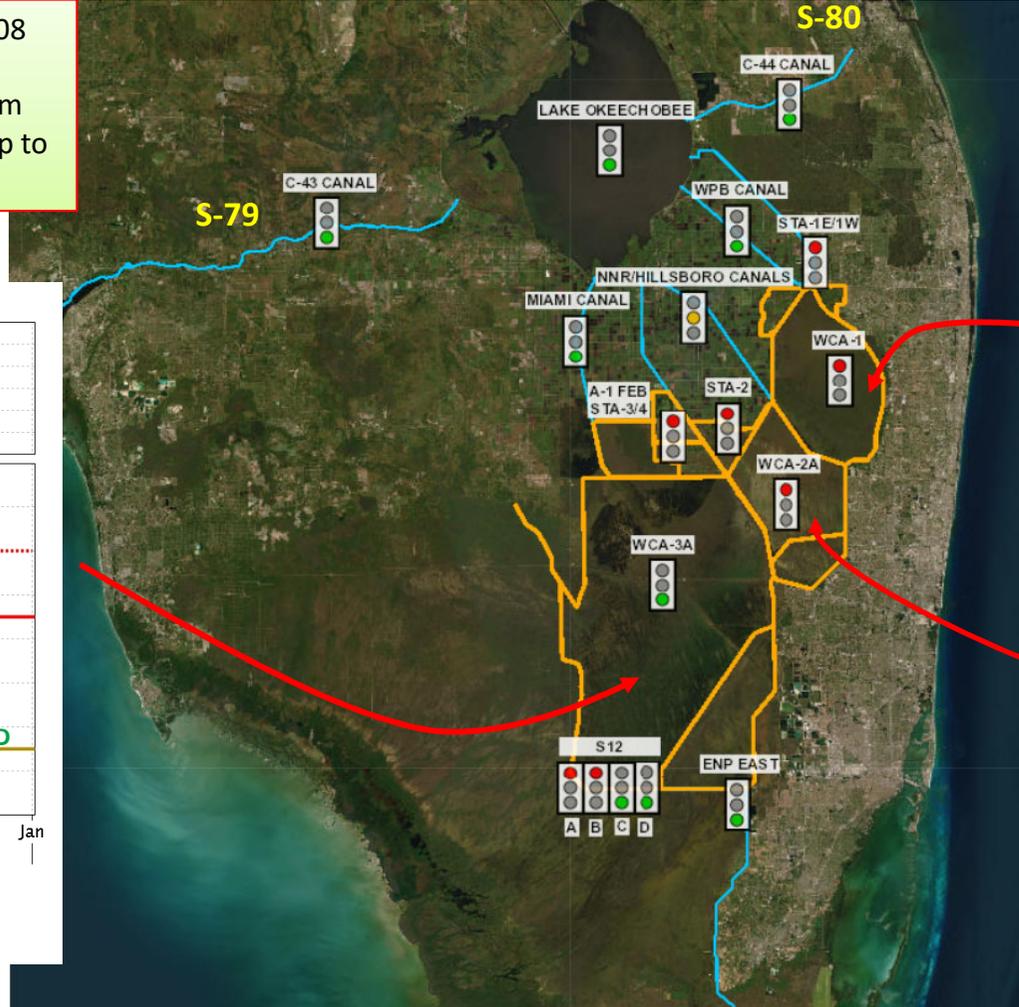
Percentiles PA



(See assumptions on the Position Analysis Results website)

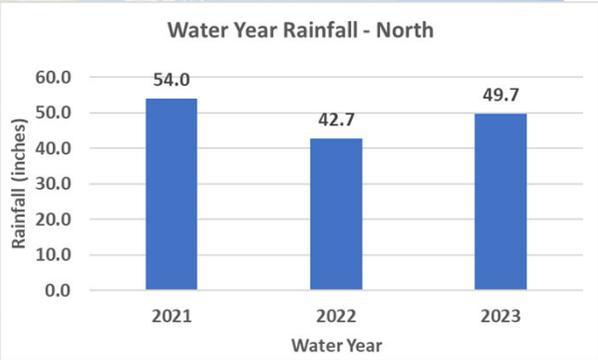
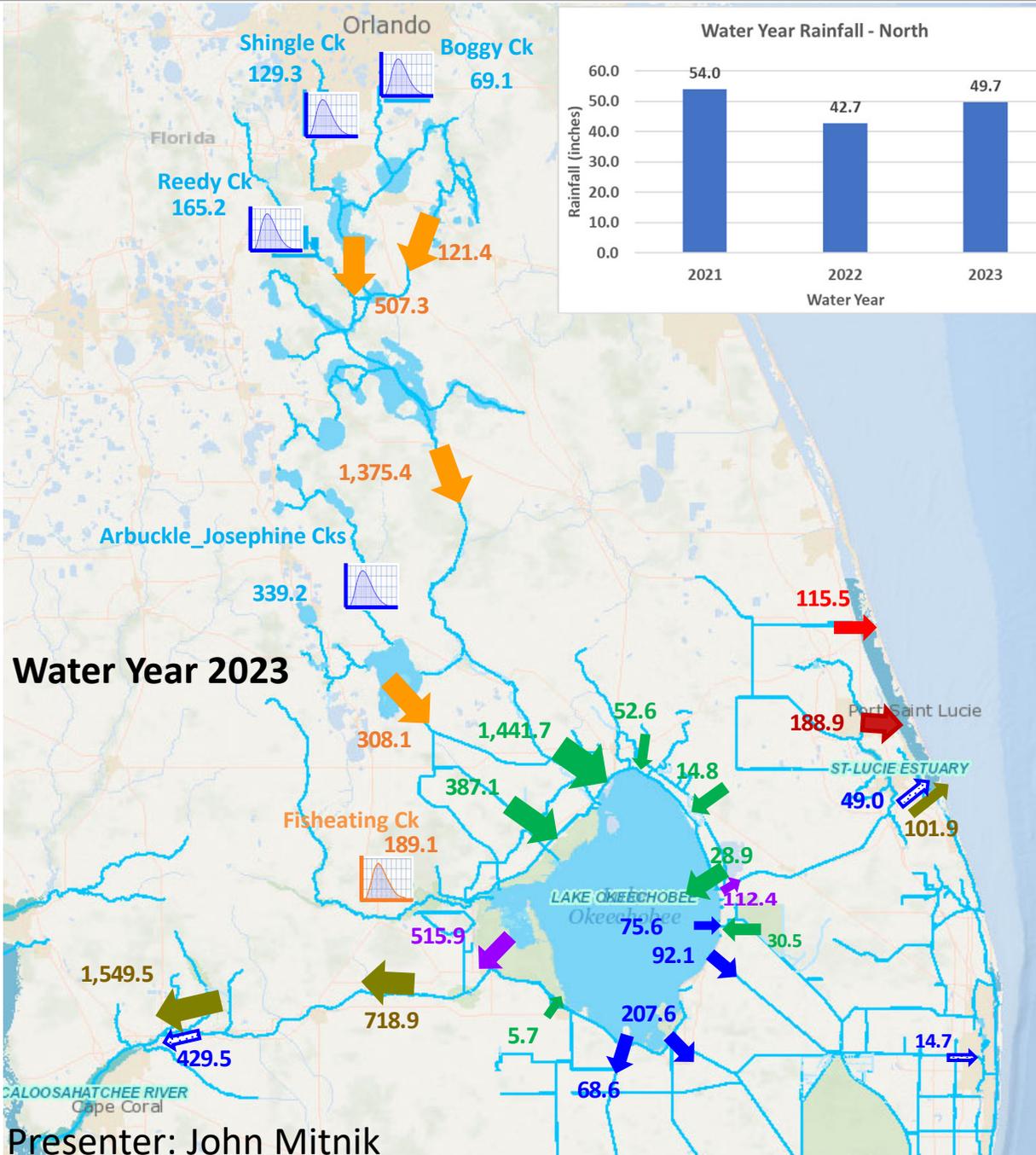
05/05/23 12:02:00

Lake Okeechobee stage is in the Low Sub-band of the LORS-2008 Regulation schedule. LORS release guidance suggests up to Maximum Practicable to the WCAs if desirable or with minimum Everglades impact; otherwise no releases to WCAs, and S-79 up to 3,000 cfs and S-80 up to 1,170 cfs.



For this week, the Tamiami Trail Flow Formula calls for 859 cfs releases from WCA-3A to NESRS. Current L-29 stage constraint is at 8.3 feet NGVD. South Dade Conveyance System is stable. S-356 is pumping 1-2 units. S-332D is pumping as needed. S-176 and S-177 are closed. S-18C is currently closed and S-197 is closed. LPG-2 stage at 8.5 SMA is below ground. S-357 is pumping as needed to maintain stages 5.0 to 5.5 ft NGVD in the C-357 canal. S-199 and S-200 are pumping as needed.

WCA-1 stage is above regulation schedule in Zone A; WCA-2A stage is above regulation schedule; WCA-3A stage is below regulation schedule in Zone B. S-10s and S-11s are open. S-12A and S-12 B are closed. S-12C and S-12D are fully open passing ~260 cfs. S-333 and S-333N total flow ~ 680 cfs. S-343 A and B are closed, and so is S-344. Water Supply deliveries to the lower east coast are being implemented as needed.



SFWMD – Selected Release Volumes for Water Years 2021, 2022 and 2023
 (volumes in 1,000 acre-feet)
 (Water Year is May 1 through April 30)

Symbol	Description	Volume (1,000 acre-feet)		
		WYR 2021	WYR 2022	WYR 2023
	Upper Kissimmee to Lower Kissimmee	1,055.4	703.5	1,375.4
	Inflows to Lake Okeechobee (including Fisheating Creek)	2,675.9	1,523.3	2,150.3
	Lake Releases and Basin Runoff	2,135.2	1,609.6	1,651.4
	Lake Releases East and West	1,067.7	807.6	628.3
	Lake Flood Control to Estuaries	949.7	570.2	478.5
	Total Lake Releases South	474.6	569.0	443.9
	Releases to Indian River Lagoon	173.9	102.8	115.5
	Upper East Coast discharges to St. Lucie Estuary	461.3	251.7	188.9
	Uncontrolled flows - Creeks (does not include Fisheating Creek)	606.1	461.3	702.9

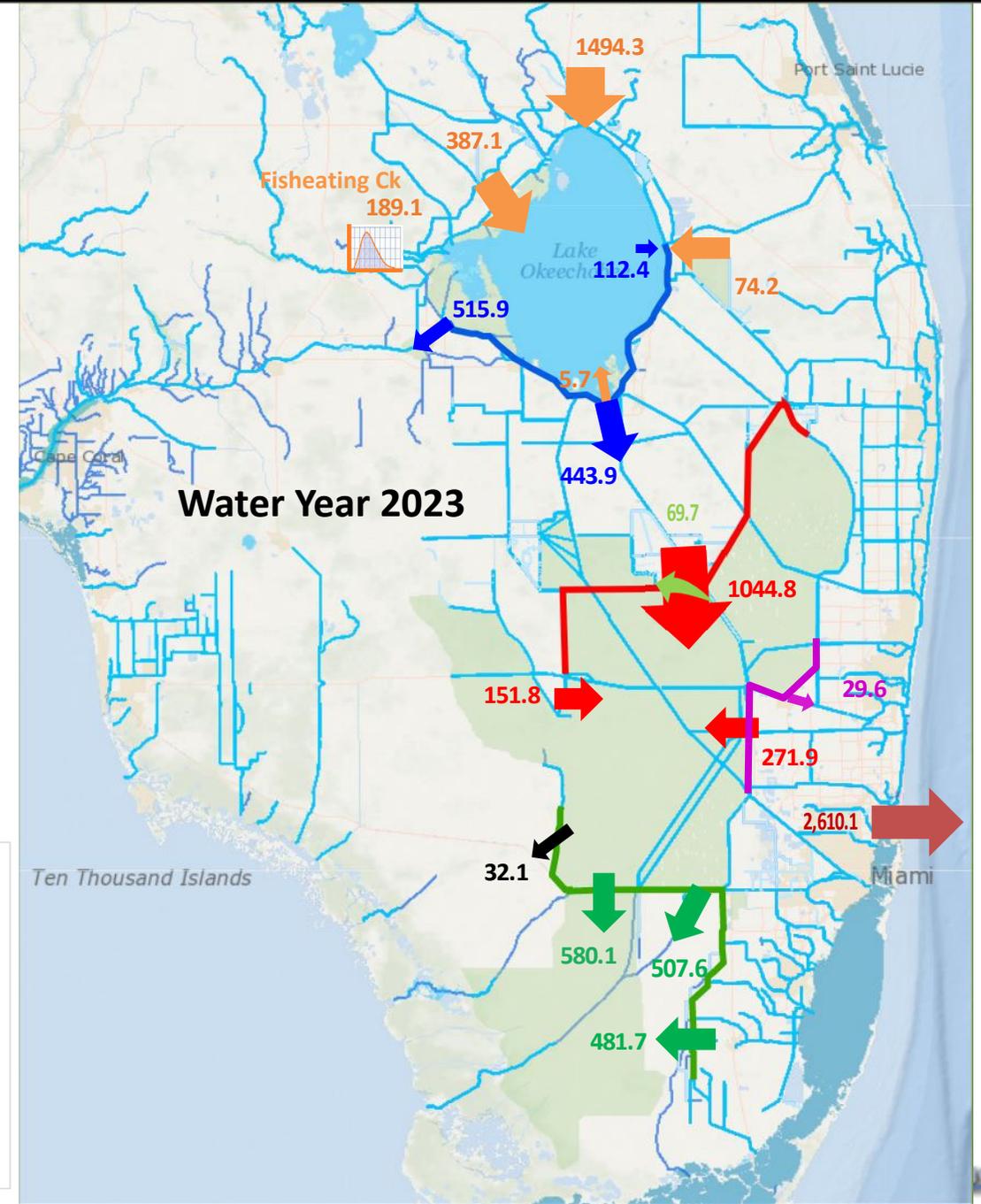
1,000 acre-feet = 325.9 Million Gallons

District-wide Rainfall

Water Year	Rainfall (inches)	Compared to Normal
2021	60.3	Above
2022	47.9	Below
2023	55.3	Above

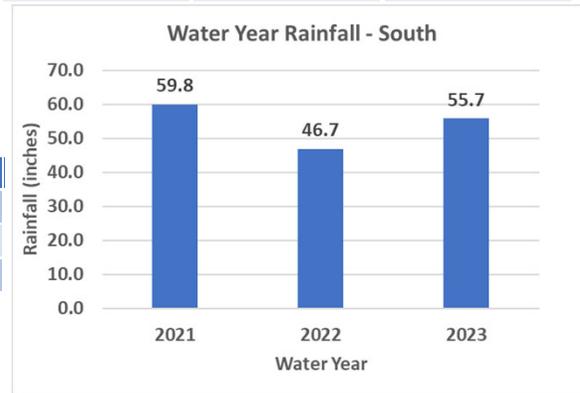
**SFWMD –Volumes Flowing
Down the System
for Water Years 2021, 2022 and 2023**
(volumes in 1,000 acre-feet)
(Water Year is May 1 through April 30)

Symbol	Description	Volume (1,000 acre-feet)		
		WYR 2021	WYR 2022	WYR 2023
	Lake Okeechobee Inflows	2,657.9	1523.3	2150.3
	Lake Okeechobee Outflows	1,542.3	1376.6	1072.2
	WCAs Inflows	2,257.6	1301.7	1468.6
	ENP / Detention Cell Inflows	2,703.1	1471.1	1569.4
	WCAs to East	268.4	26.9	29.6
	Flows to Intracoastal	3,803.2	1723.5	2610.1

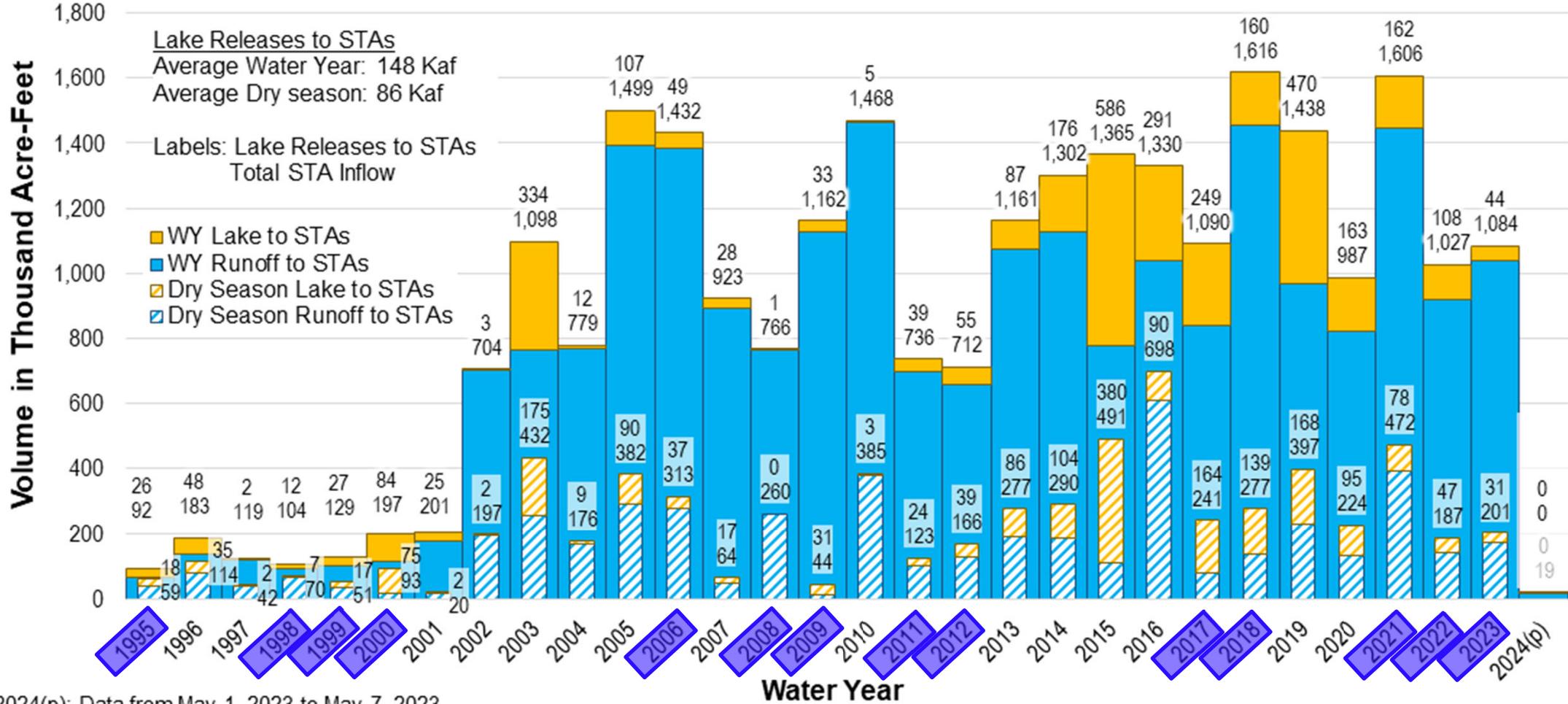


District-wide Rainfall

Water Year	Rainfall (inches)	Compared to Normal
2021	60.3	Above
2022	47.9	Below
2023	55.3	Above



Total STA Inflow and Lake Releases to STAs



2024(p): Data from May 1, 2023 to May 7, 2023.

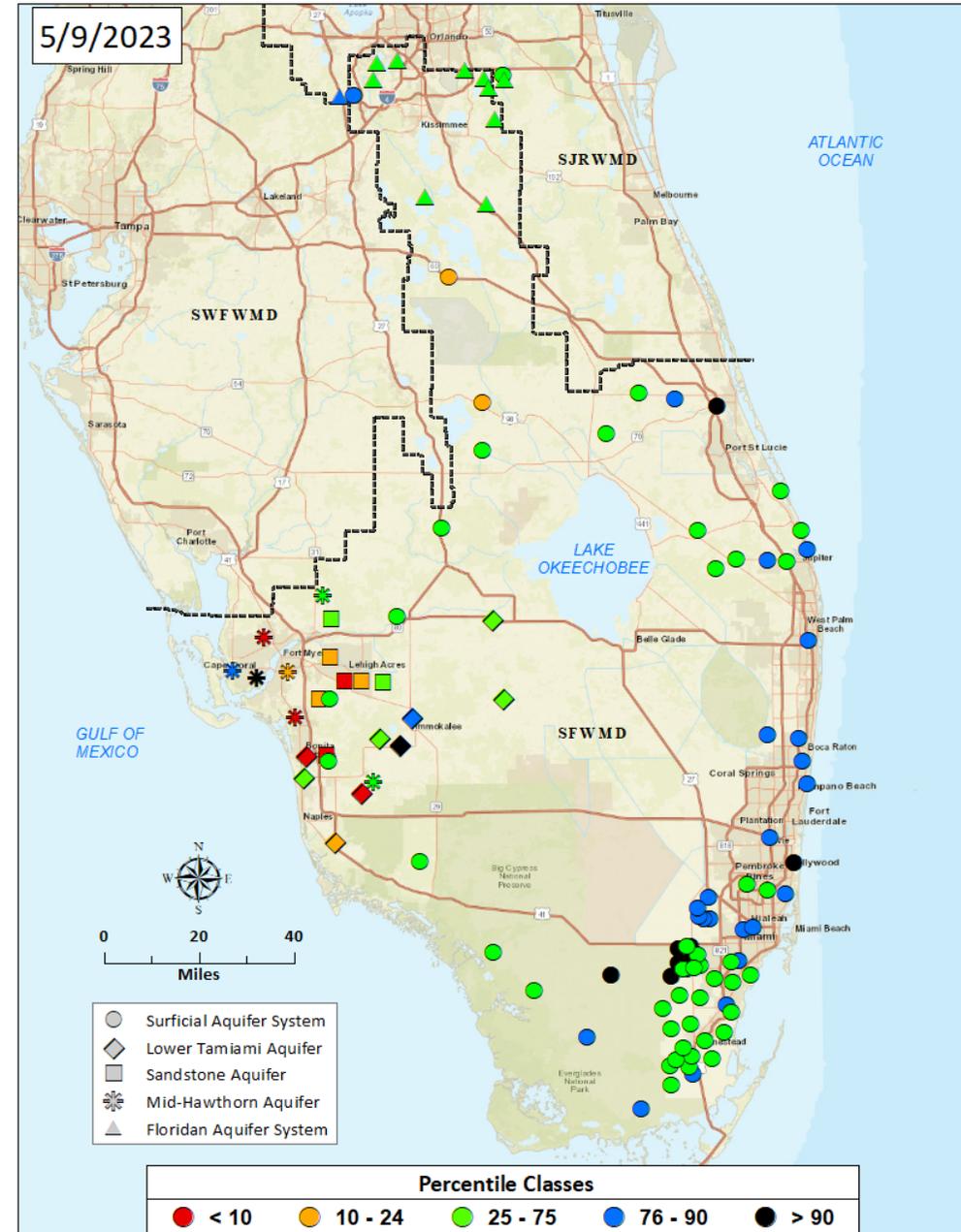
La Niña Water Years

Status of Groundwater Conditions

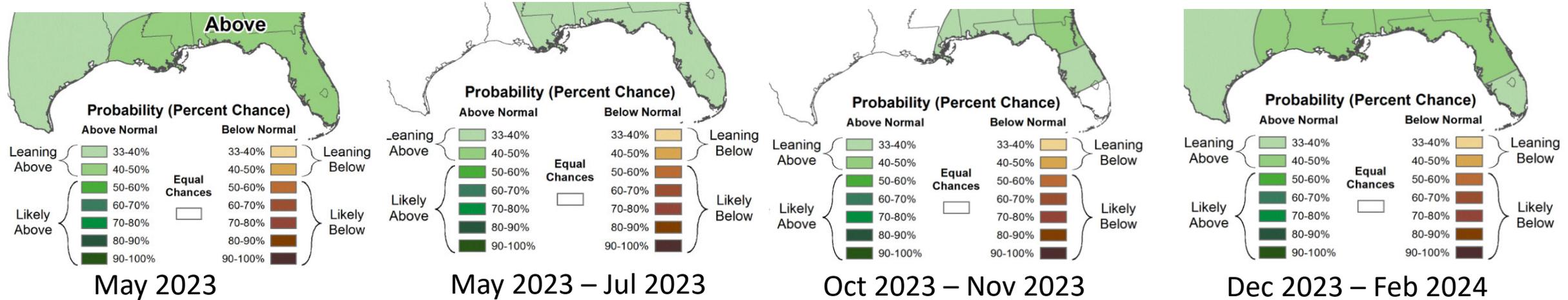
- All the Floridan aquifer wells in the upper Kissimmee Basin are in the median and upper percentile ranges. 70 percent of the surficial aquifer wells in the Lower Kissimmee are in the median percentile range for this time of year.
- Upper East Coast groundwater levels declined and surface water levels increased during the last week. All the UEC wells are at median and higher levels for this time of year.
- About 70 percent of the surface and groundwater stations in the Lower East Coast recorded decreasing water levels over the last week. All the LEC surficial aquifer system stations are in the median and upper percentile ranges for this time of year.
- Groundwater levels decreased in all the Lower West Coast (LWC) stations over the last week. All the Surficial aquifer system wells are in the median percentile range for this time of year. About 40 percent of the Lower Tamiami aquifer wells and 70 percent of the Sandstone aquifer wells are in the lower percentile ranges for this time of year. About 40 percent of the Mid-Hawthorn aquifer wells are in the lower percentile ranges.

The map to the right shows a statistical comparison between current groundwater levels and long term monthly average groundwater levels:

- Each colored symbol represents a monitoring well that continuously records groundwater levels.
- Color coding represents a statistical comparison of current water levels to long-term monthly historical water levels for this time of the year. The percentile rankings are based on monthly long-term groundwater level averages. The red symbols represents water levels that are in the lowest 10th percentile range, orange 10th to 24th percentile range, green the median range, blue is the 76th to 90th percentile range and black shows those stations about the 90th percentile range.



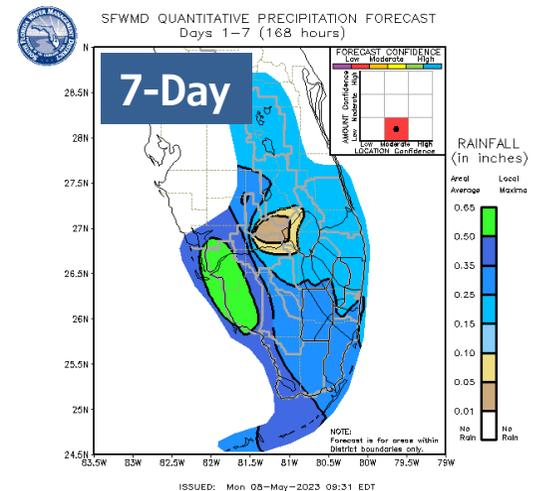
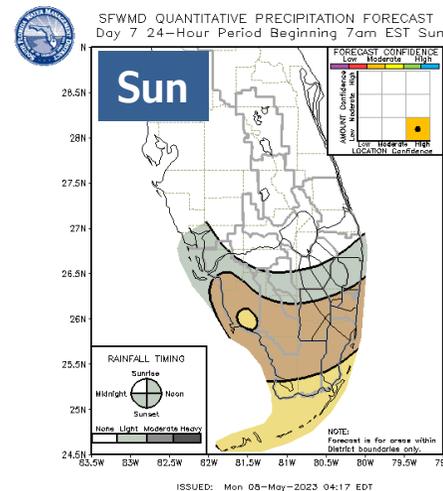
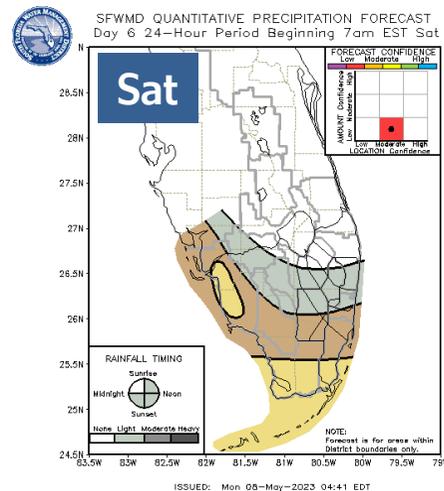
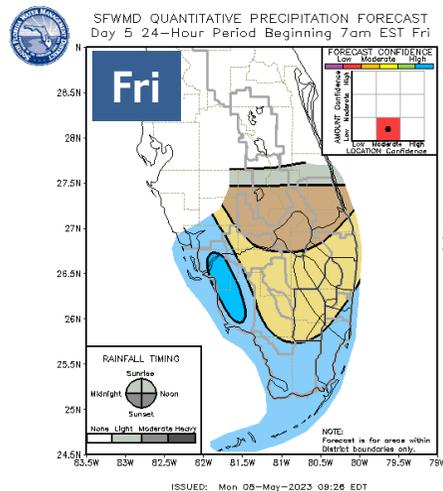
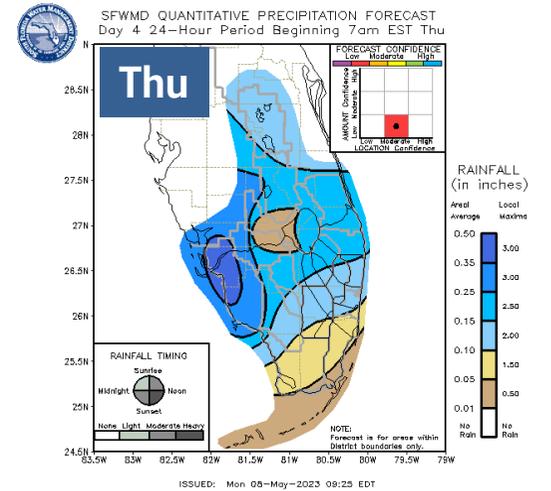
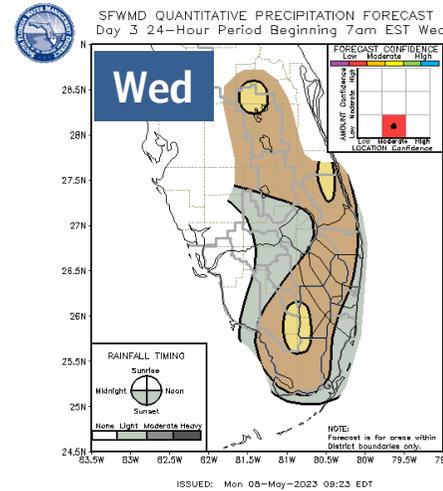
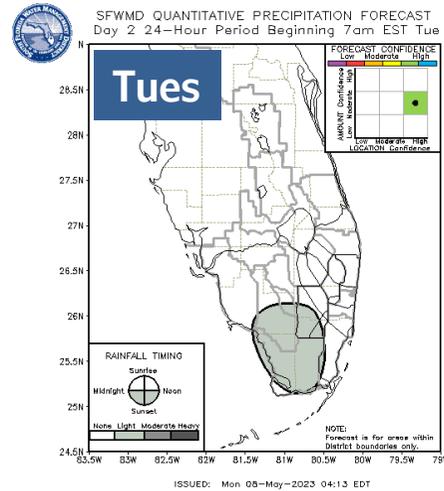
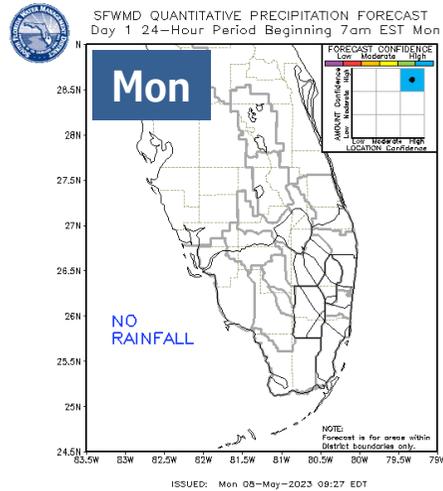
CPC Precipitation Outlook for South Florida



- The most recent CPC precipitation outlooks for South Florida for May 2023 is for increased chances of above normal rainfall. The 3-month windows of May-Jul and Jun-Aug are for slightly increased chances of above normal rainfall.
- The 3-month windows of Jul-Sep to Sep-Nov indicate equal chances of below normal, normal and above normal rainfall for south Florida.
- The 3-month windows Oct-Dec and Nov-Jan 2024 show slightly increased chances of above normal rainfall for Lake Okeechobee and areas north, and equal chances of below normal, normal and above normal rainfall for the rest of the District.
- The 3-month window Dec-Feb 2024 indicate increased chances of above normal rainfall for areas north of Lake Okeechobee and slightly increased chances of above normal rainfall for the remainder of the District.

Updated April 30, 2023

Short-, Medium-, & Extended-Range Outlooks



Total Weekly SFWMD Rainfall

Week 1 (Historical Avg: 0.66"): Below normal
 Week 2 (Historical Avg: 0.66"): Above normal

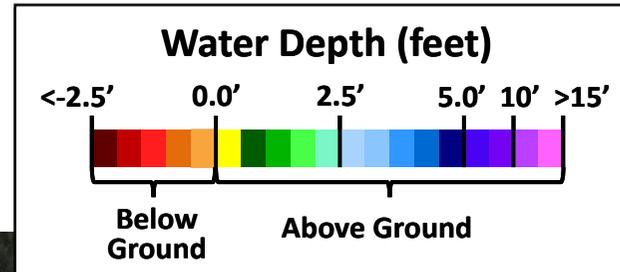
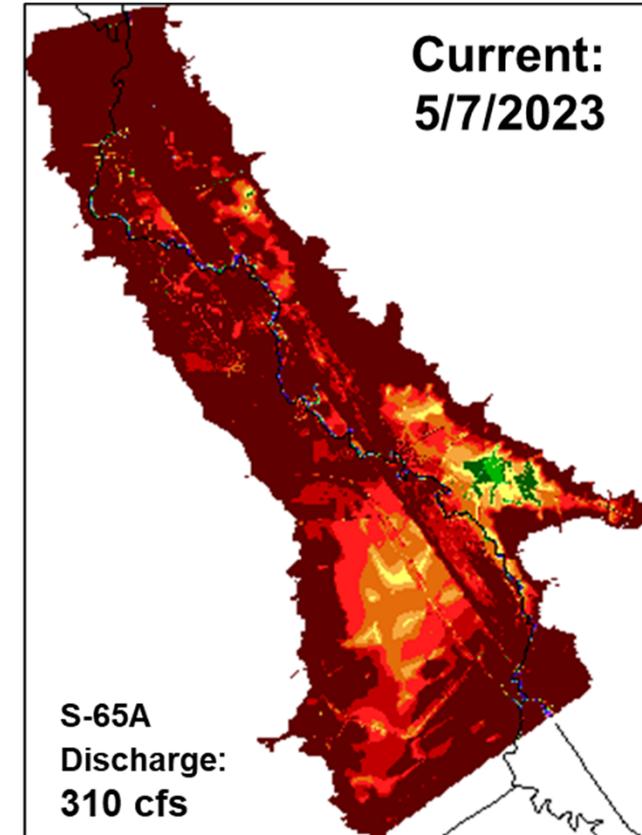
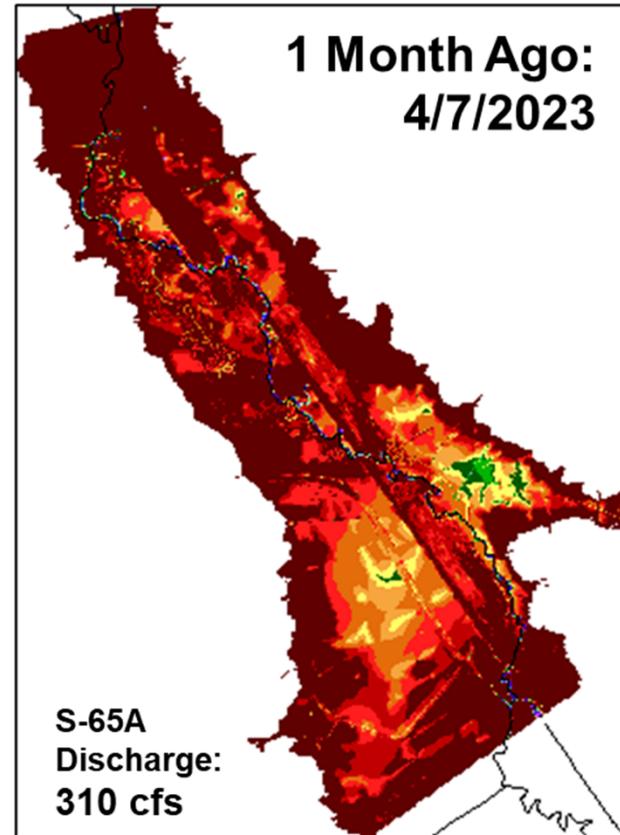
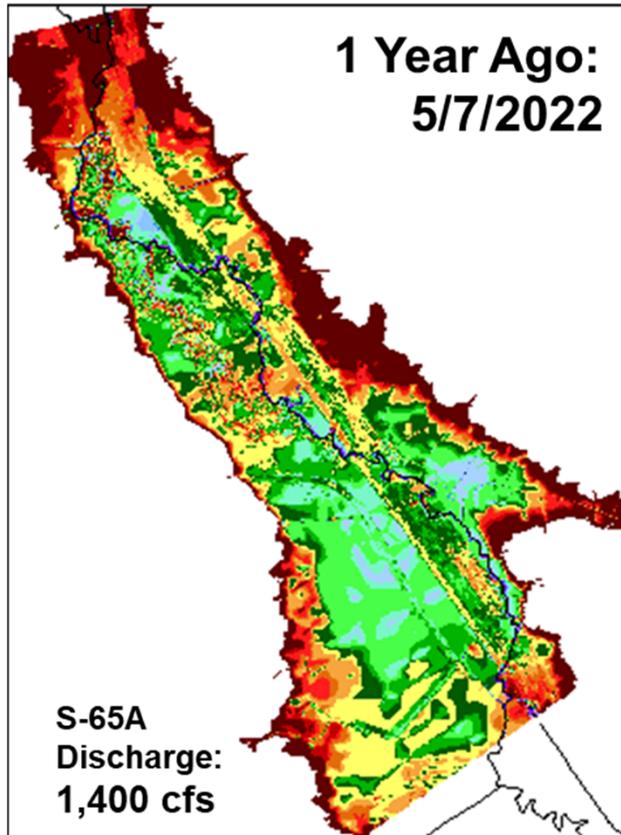
Ecological Conditions Update

Governing Board Meeting
May 11, 2023

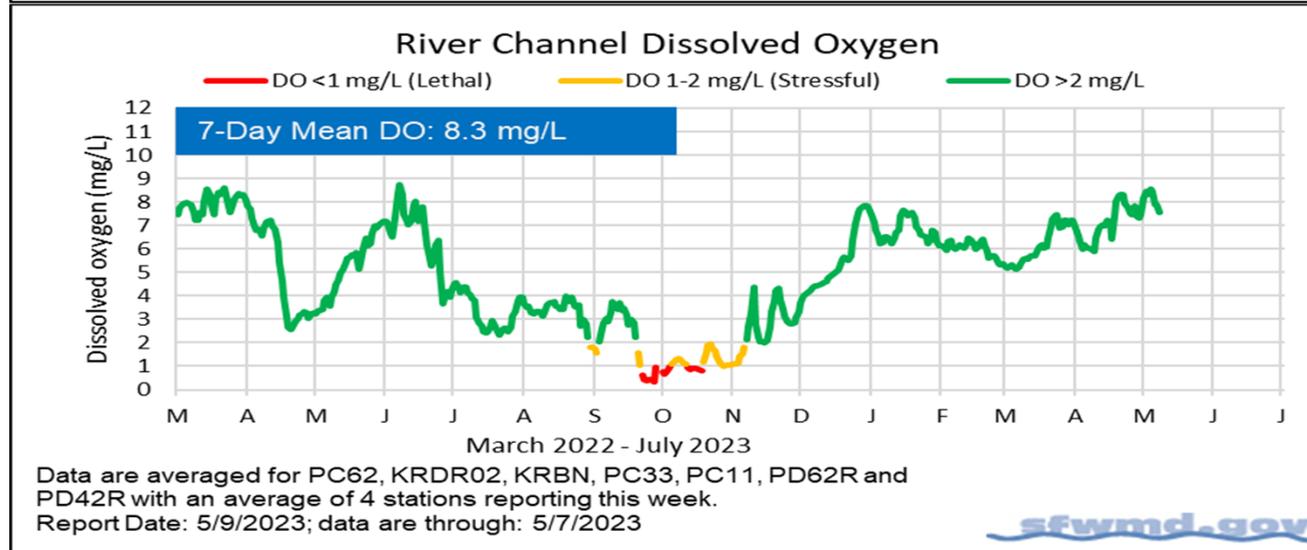
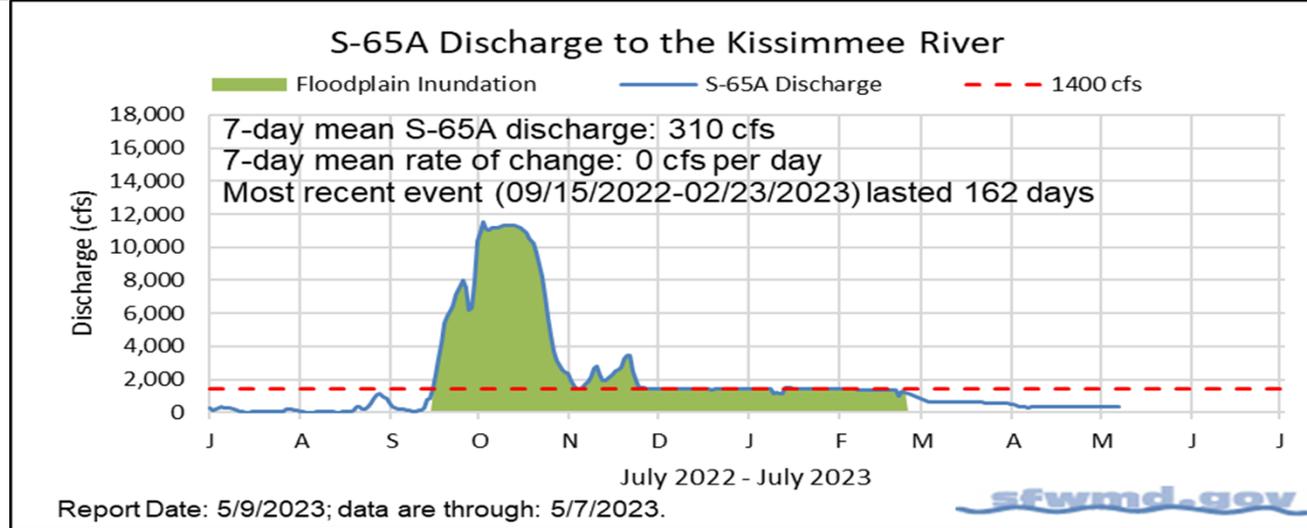


Lawrence Glenn
Division Director
Water Resources

Kissimmee River (Phase I) Floodplain Water Depth Maps



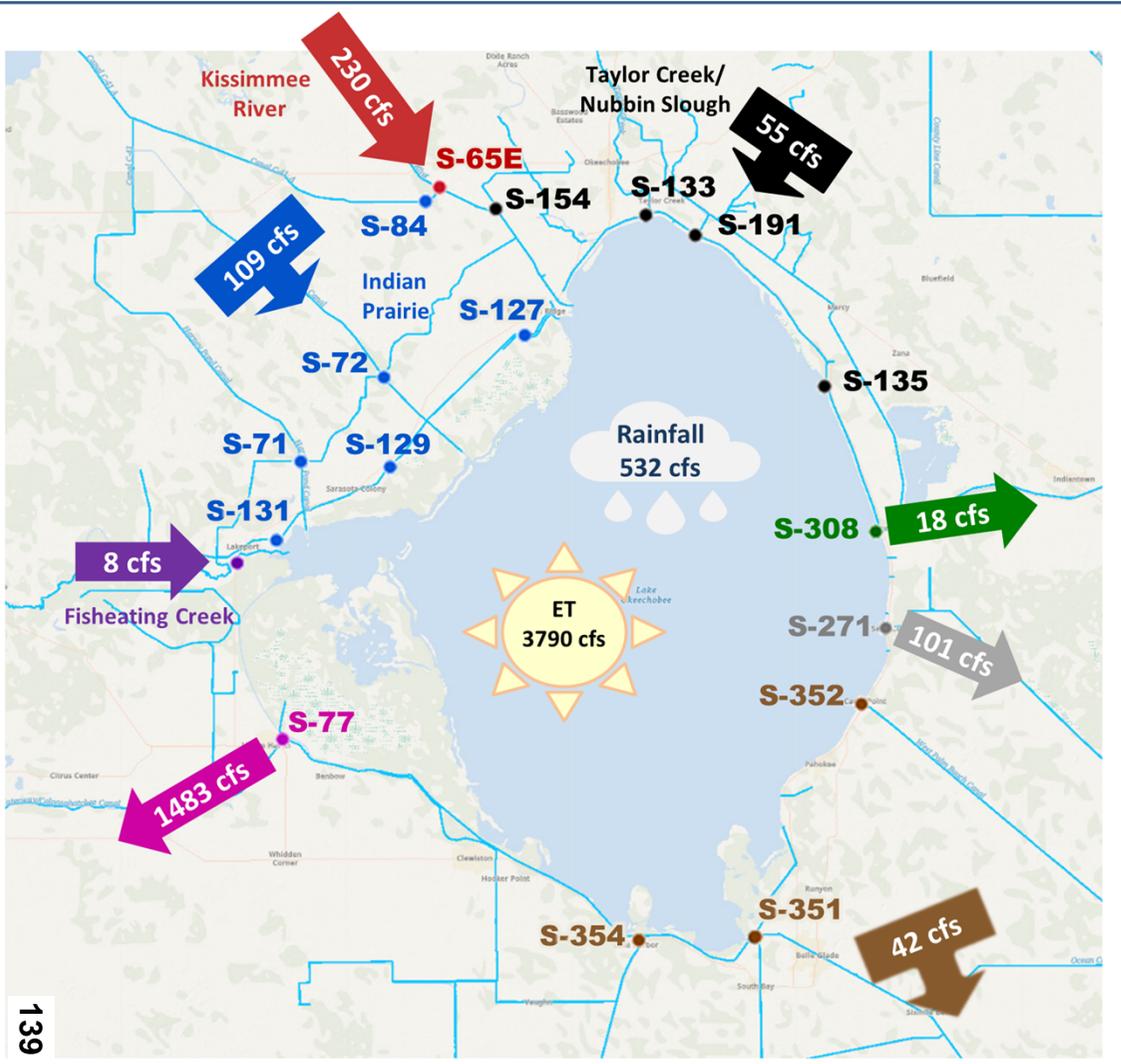
Kissimmee River Discharge and Dissolved Oxygen



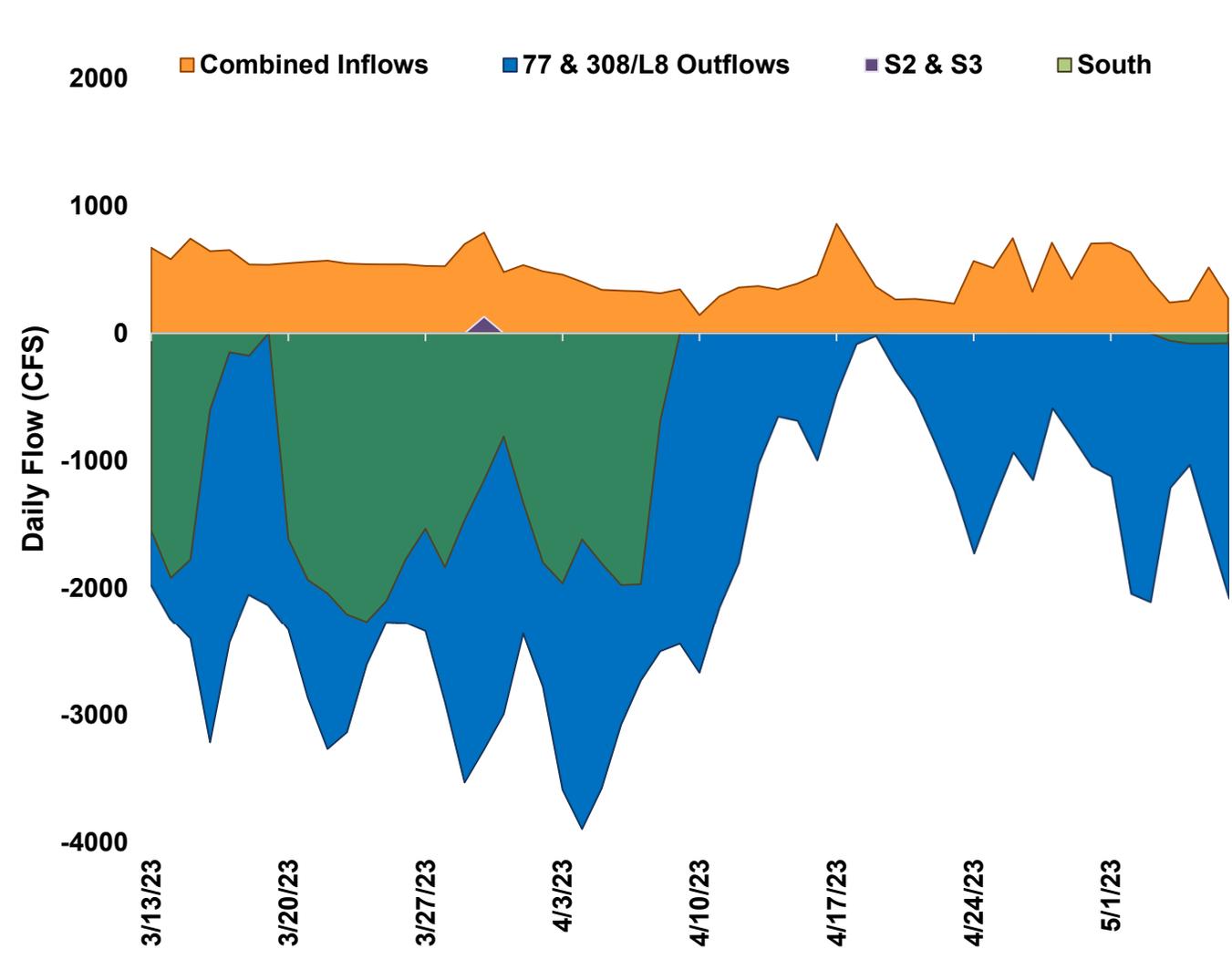
Lake Okeechobee Hydrology

(*Provisional Data)

May 1 – 7, 2023 Inflows and Outflows

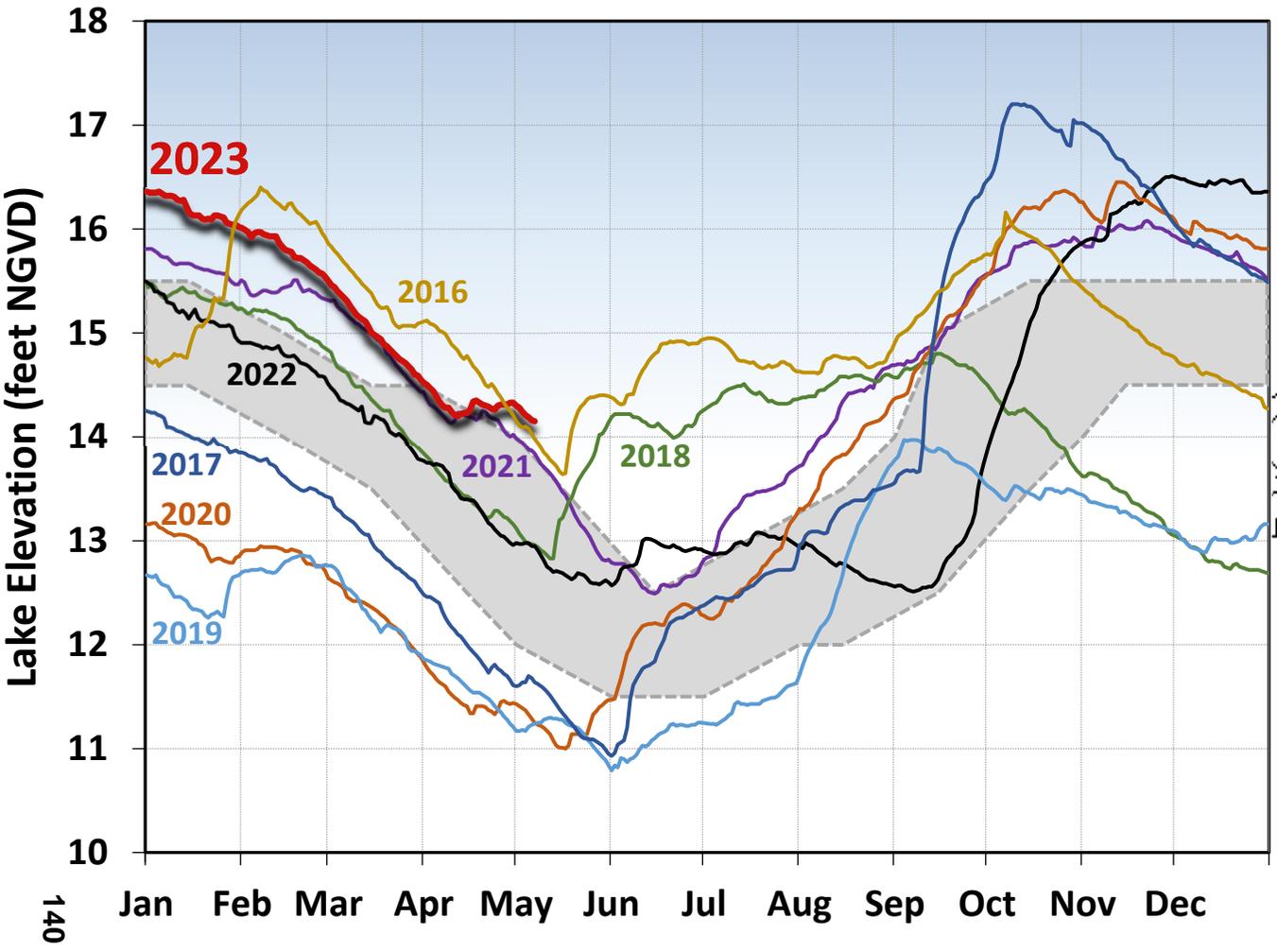


Prior 8 Weeks Inflows and Outflows

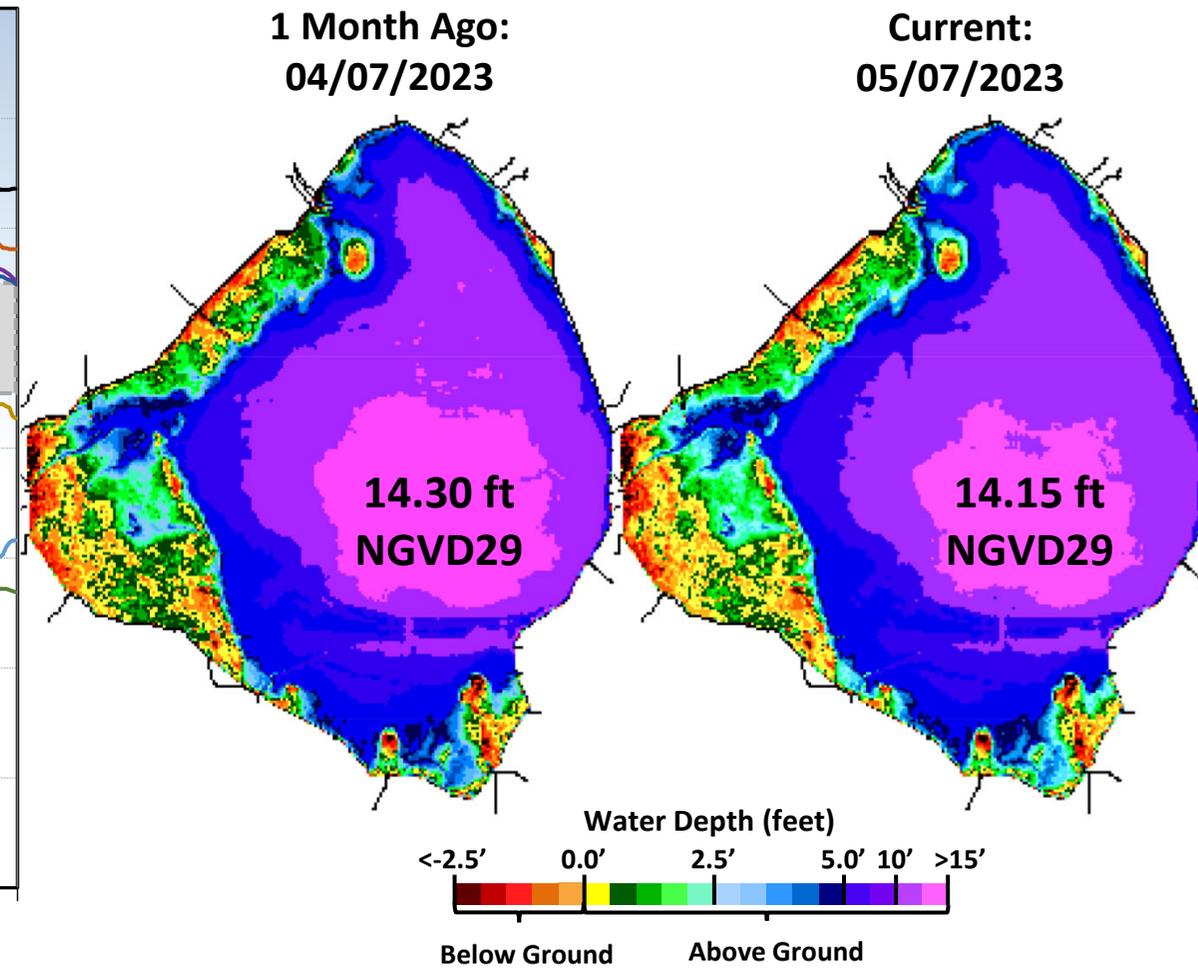


Ecological Envelope and Water Depths

Lake Okeechobee Stage vs Ecological Envelope



Changes in Water Depth



Lake Okeechobee Cyanobacteria Bloom Potential

2021

Stage = 13.99 ft. NGVD

2022

Stage = 12.98 ft. NGVD

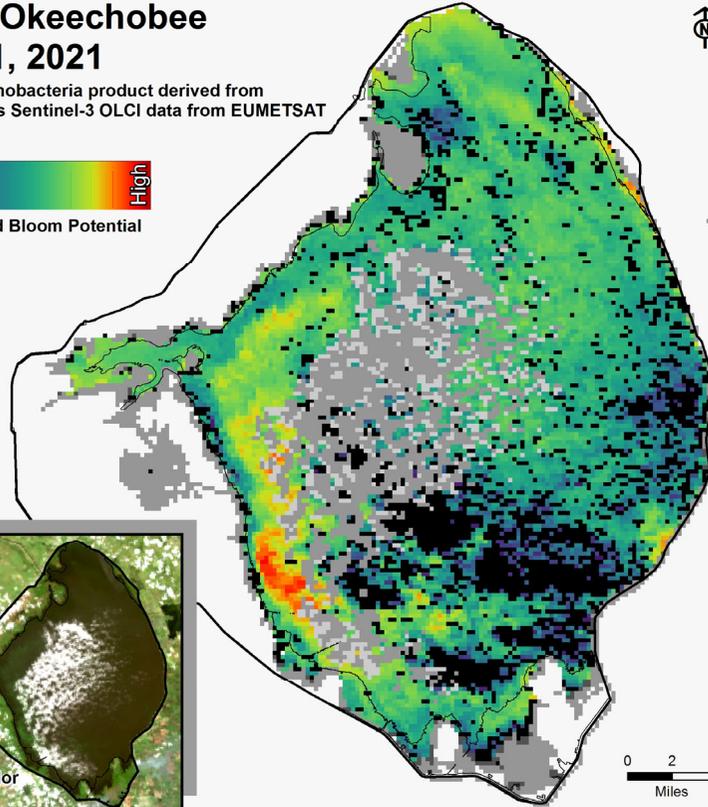
2023

Stage = 14.28 ft. NGVD

Lake Okeechobee
May 1, 2021

NOAA cyanobacteria product derived from Copernicus Sentinel-3 OLCI data from EUMETSAT

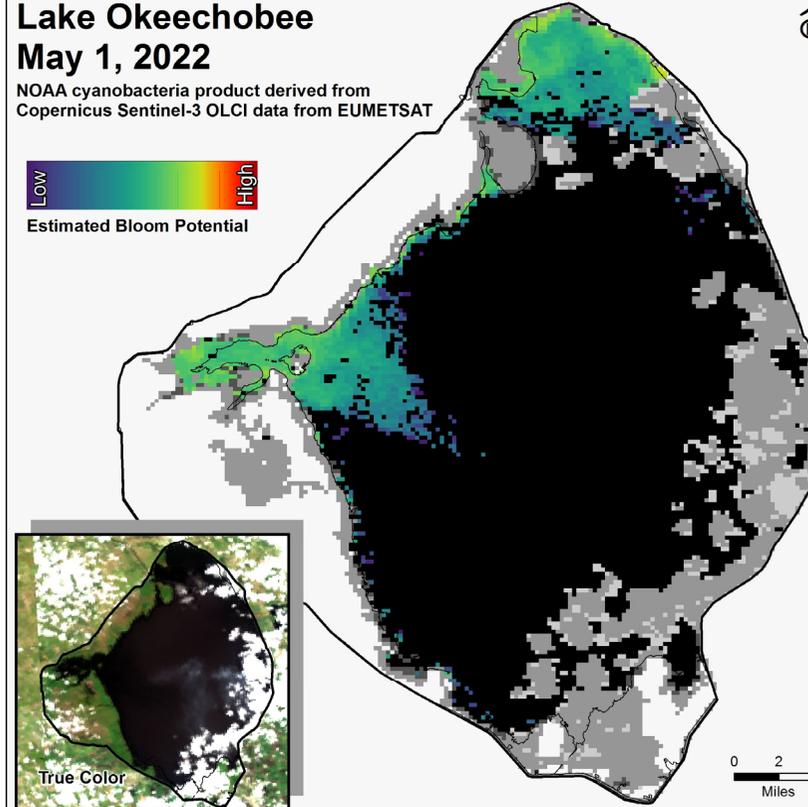
Low High
Estimated Bloom Potential



Lake Okeechobee
May 1, 2022

NOAA cyanobacteria product derived from Copernicus Sentinel-3 OLCI data from EUMETSAT

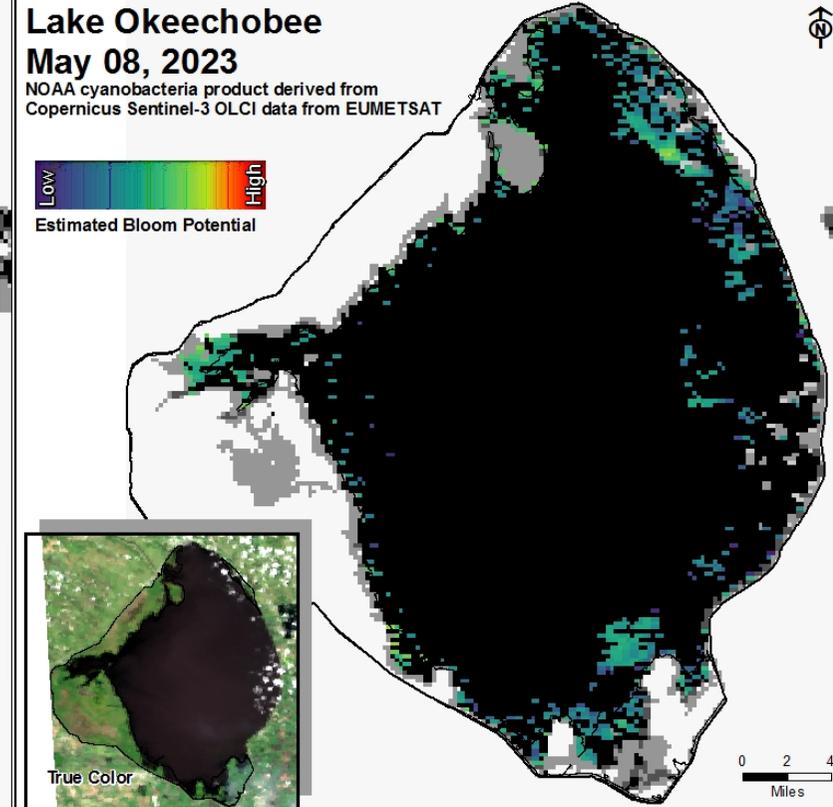
Low High
Estimated Bloom Potential



Lake Okeechobee
May 08, 2023

NOAA cyanobacteria product derived from Copernicus Sentinel-3 OLCI data from EUMETSAT

Low High
Estimated Bloom Potential



NOAA cyanobacteria product derived from Copernicus Sentinel-3 OLCI data from EUMETSAT

Lake Okeechobee

Chlorophyll *a*, Total Microcystins, and Dominant Taxa

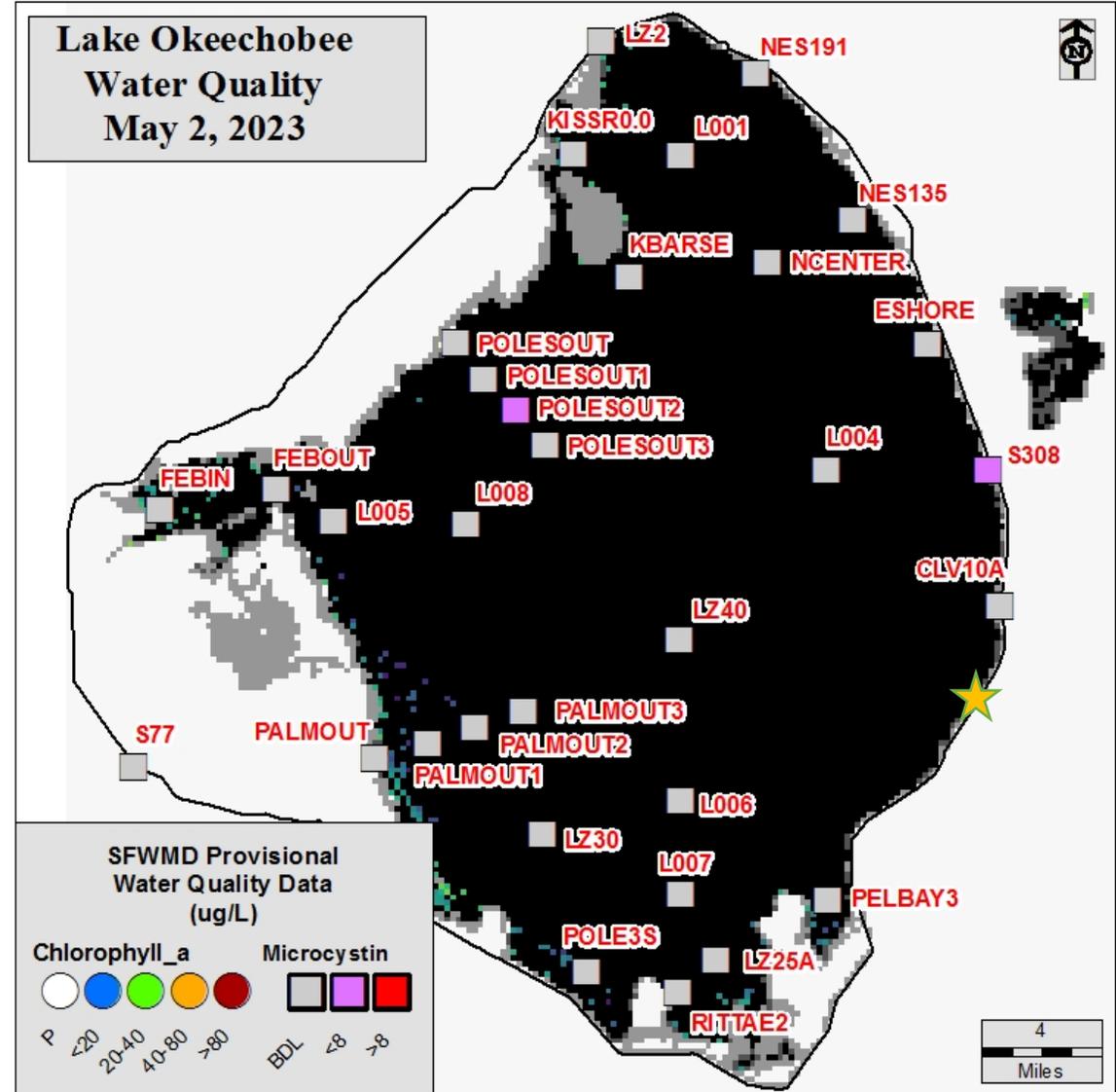
*Provisional Data

Collection Date: May 1-3, 2023

Station	CHLa (ug/L)	TOXIN (ug/L)	TAXA
FEBIN	P	BDL	mixed
FEBOUT	P	BDL	mixed
KISSR0.0	P	BDL	mixed
L005	P	BDL	mixed
LZ2	P	BDL	mixed
KBARSE	P	BDL	<i>Microcys</i>
RITTAE2	P	BDL	mixed
PELBAY3	P	BDL	<i>Microcys</i>
POLE3S	P	BDL	<i>Microcys</i>
LZ25A	P	BDL	<i>Microcys</i>
PALMOUT	P	BDL	mixed
PALMOUT1	P	BDL	mixed
PALMOUT2	P	BDL	mixed
PALMOUT3	P	BDL	mixed
POLESOUT	P	BDL	mixed
POLESOUT1	P	BDL	mixed
POLESOUT2	P	0.9	mixed
POLESOUT3	P	BDL	mixed
EASTSHORE	P	BDL	mixed
JES135	P	BDL	<i>Microcys</i>
NES191	P	BDL	mixed

Station	CHLa (ug/L)	TOXIN (ug/L)	TAXA
L001	P	BDL	mixed
L004	P	BDL	mixed
L006	P	BDL	mixed
L007	P	BDL	mixed
L008	P	BDL	mixed
LZ30	P	BDL	mixed
LZ40	P	BDL	mixed
CLV10A	P	BDL	mixed
NCENTER	P	BDL	mixed
S308C	P	2.8	<i>Microcys</i>
S77	P	BDL	mixed

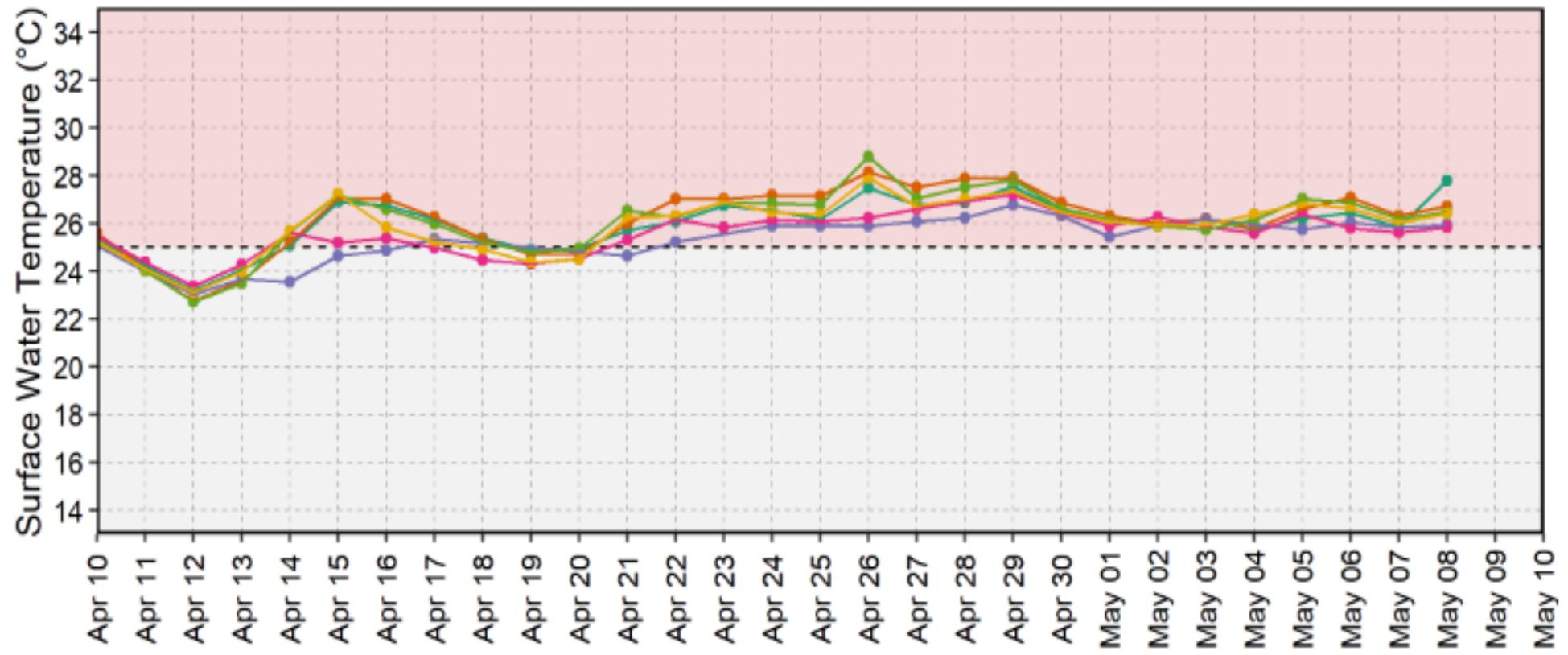
- SFWMD considers >40 µg/L Chlorophyll *a* (Chla) an algal bloom
- BDL – Below Detectable Limit of 0.25 µg/L
- ND – No Dominant taxa
- P – Pending
- NS – Not Sampled
- Station bold font – crew observed possible BGA
- Chlorophyll *a* analyzed by SFWMD
- Toxin and Taxa analyzed by FDEP:
Microcys = *Microcystis*;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



Lake Okeechobee Daily mean Surface Water Temperature (°C)

Lake Okeechobee Water Quality Time Series 2017-Present (Provisional Data)

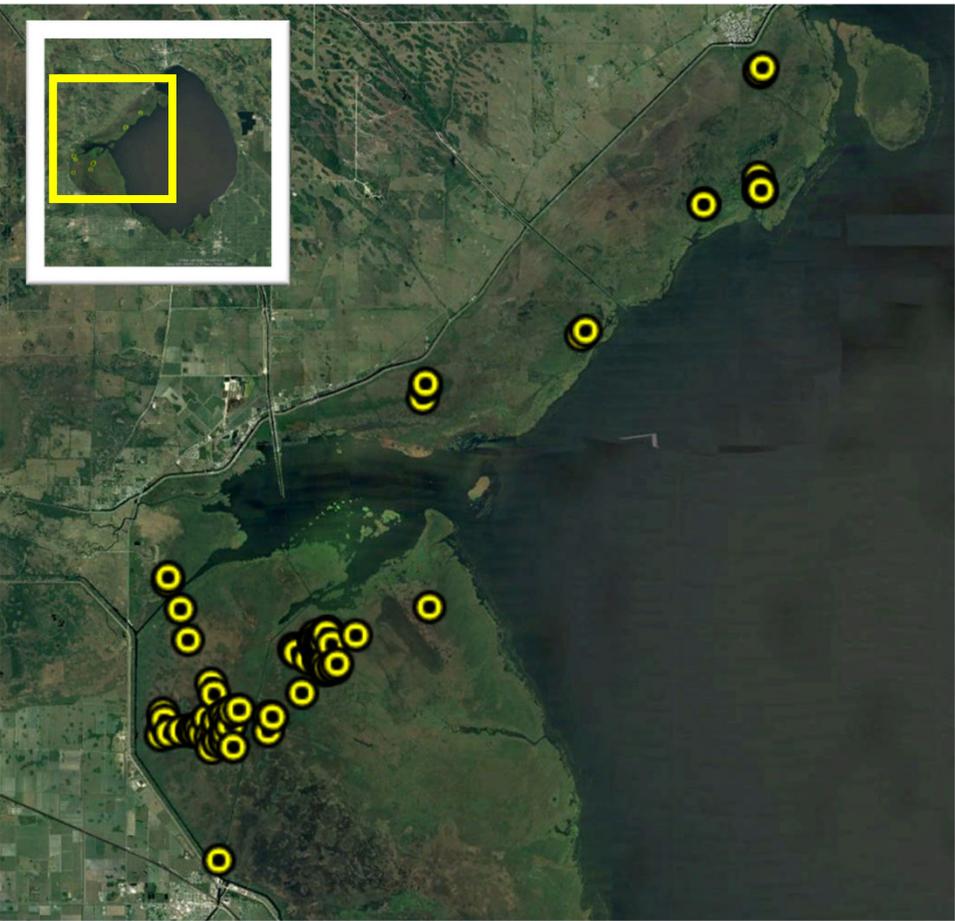
● L001 ● L006 ● POLESOUT1
● L005 ● LZ40 ● POLESOUT3



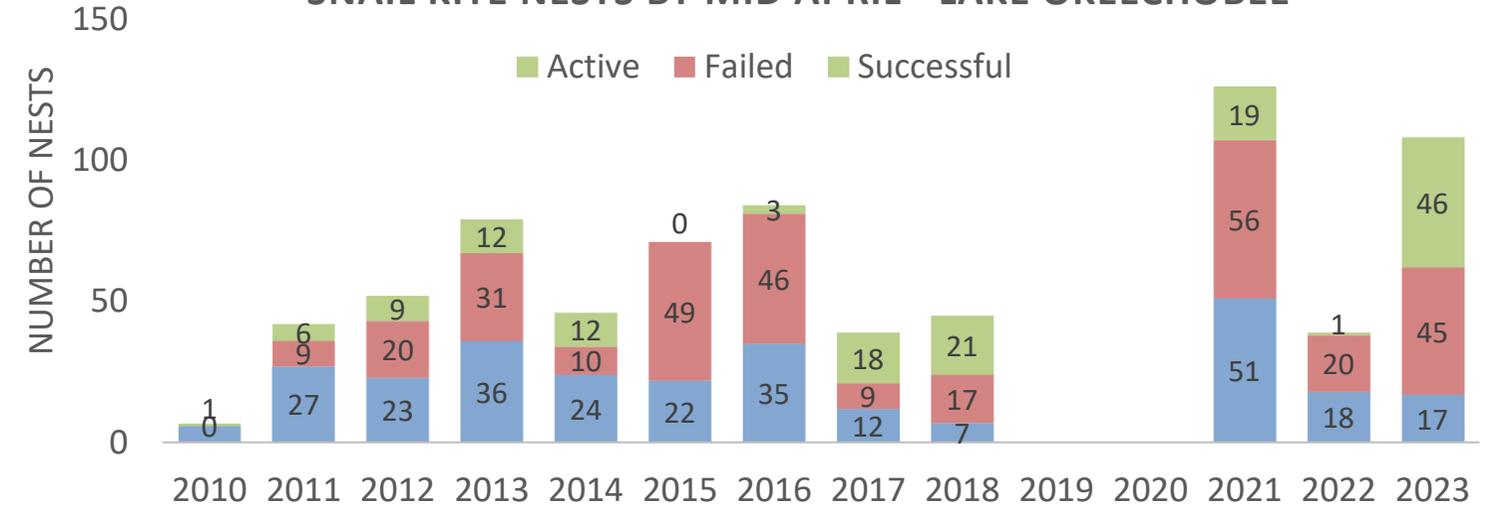
Current time period (Jan-Apr)

Lake Okeechobee Snail kite Nesting

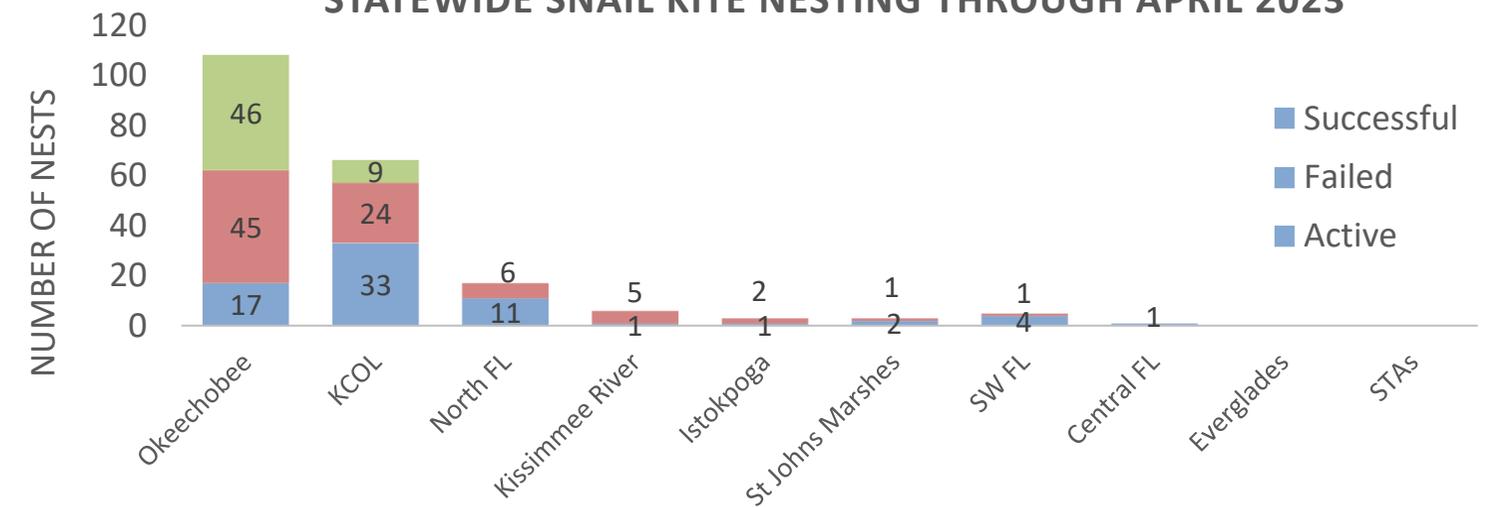
Snail Kite Nest Locations 2023



SNAIL KITE NESTS BY MID APRIL - LAKE OKEECHOBEE

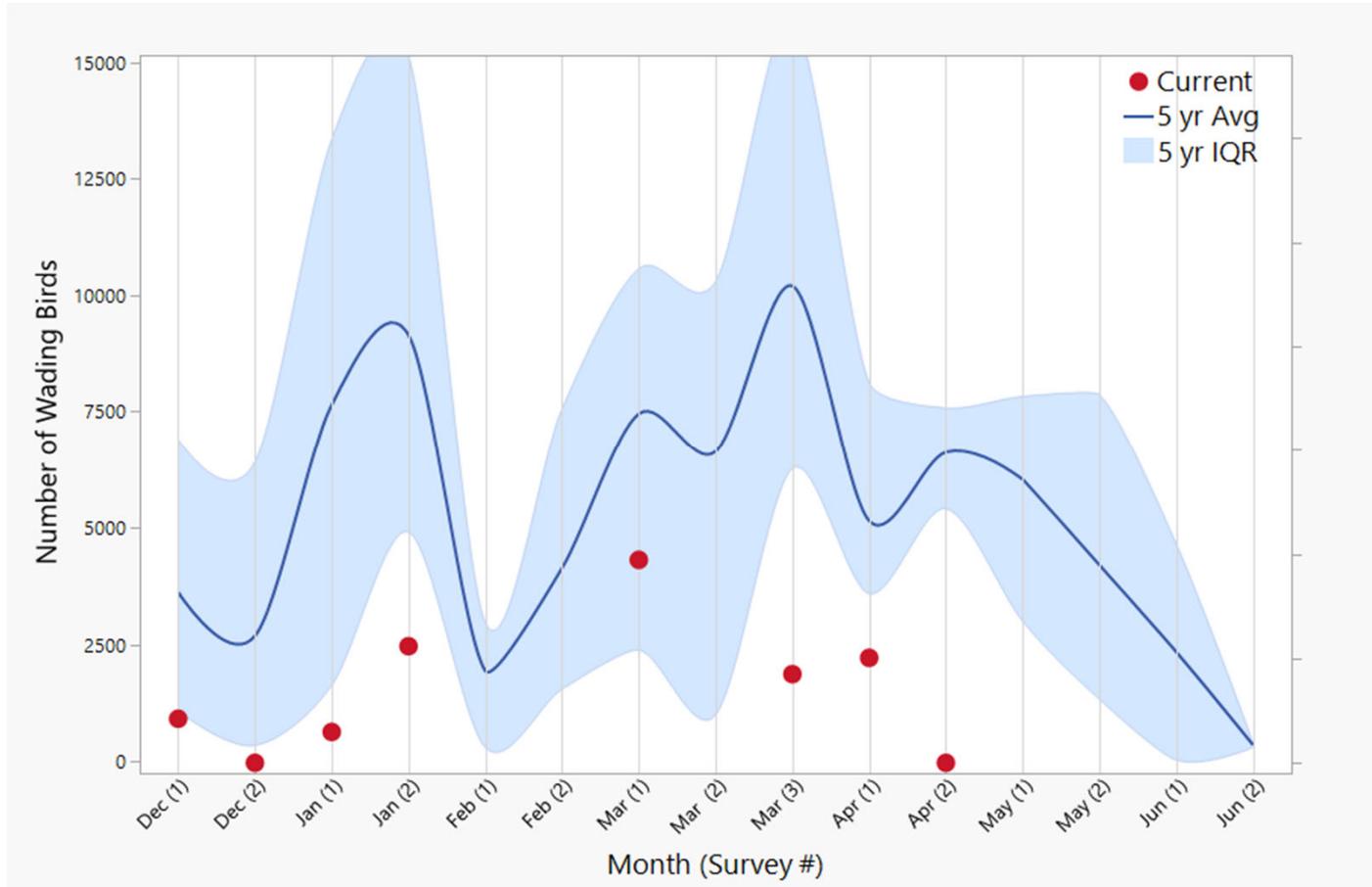
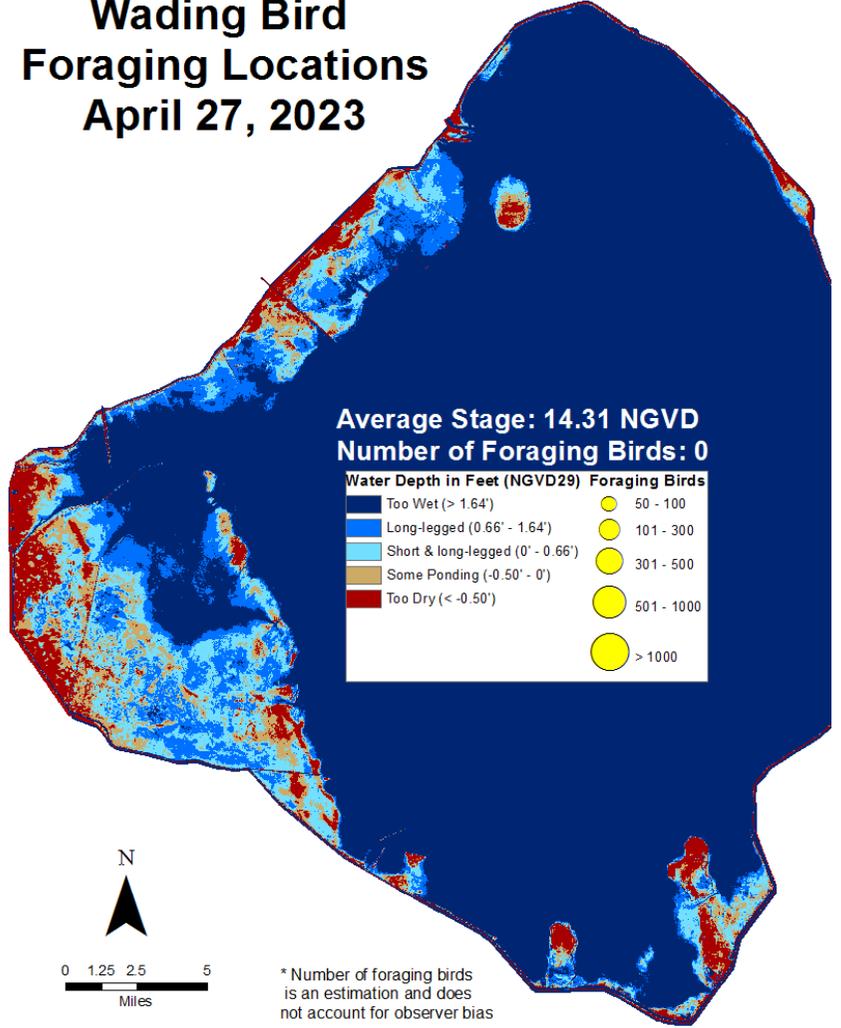


STATEWIDE SNAIL KITE NESTING THROUGH APRIL 2023

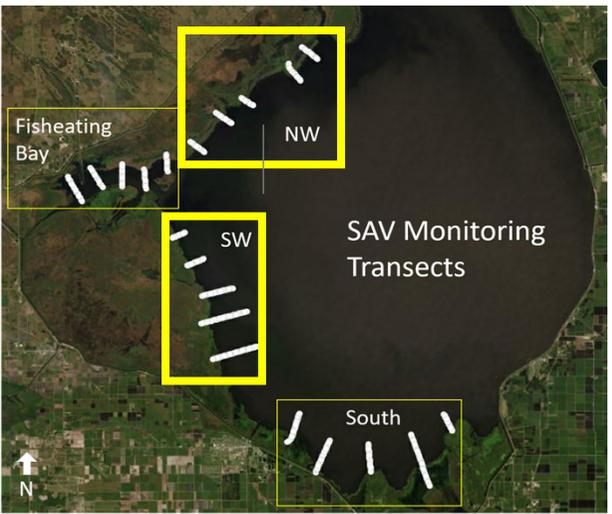


Lake Okeechobee Foraging Wading Birds

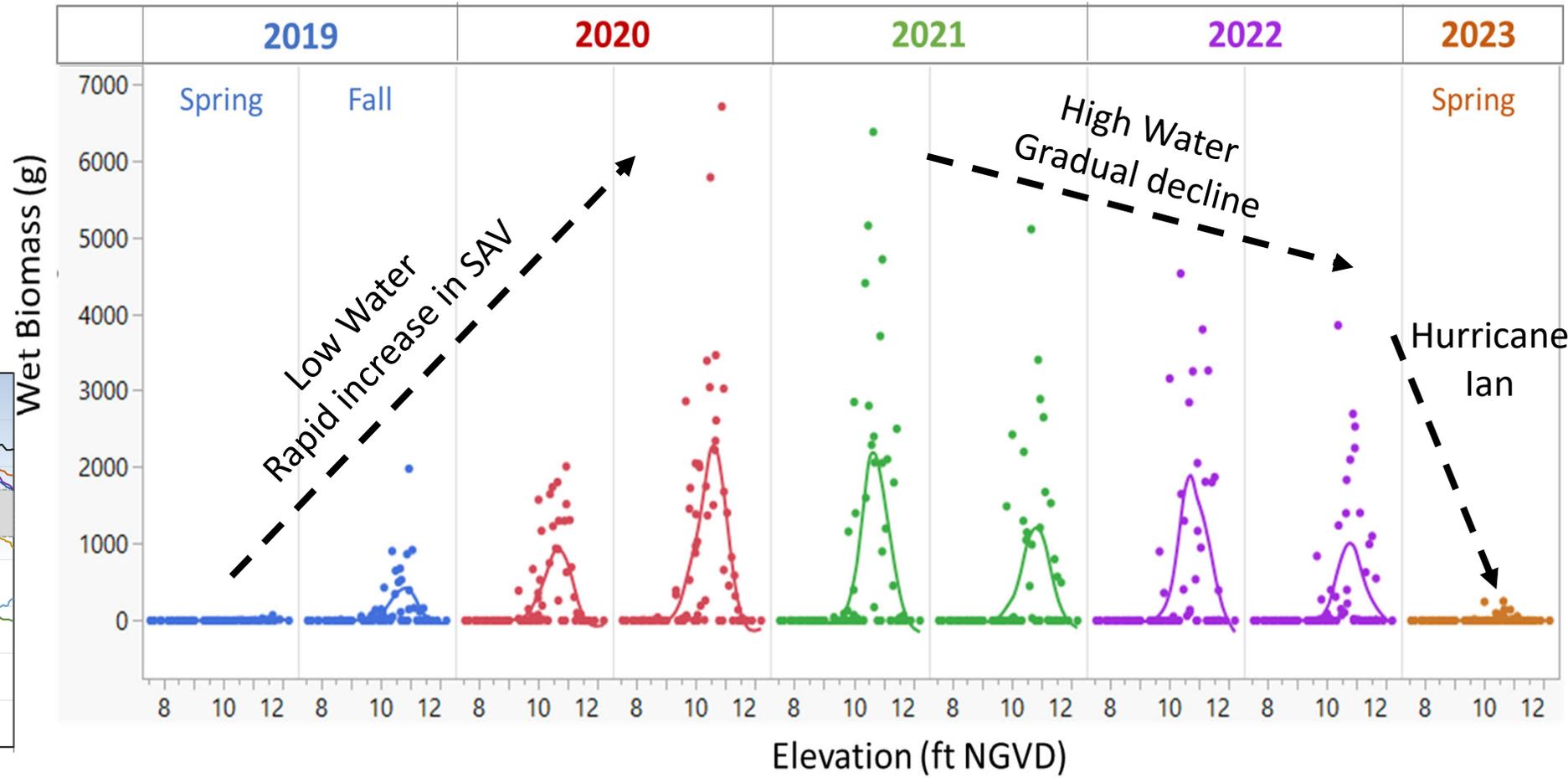
**Wading Bird
Foraging Locations
April 27, 2023**



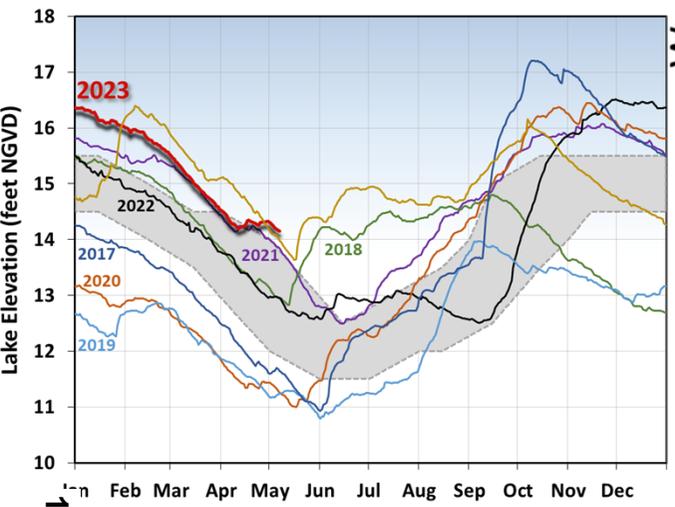
Lake Okeechobee – Submerged Aquatic Vegetation



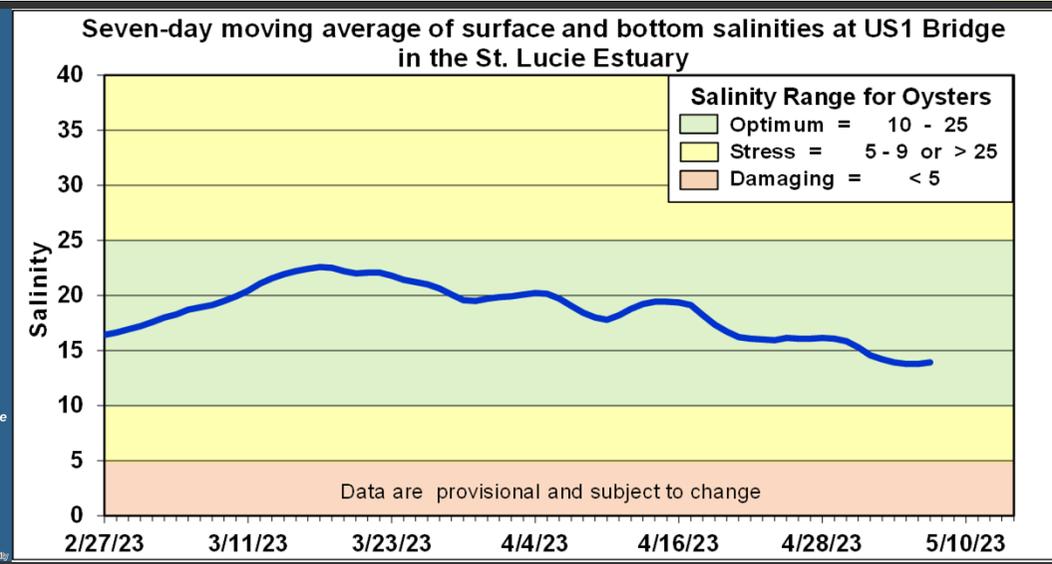
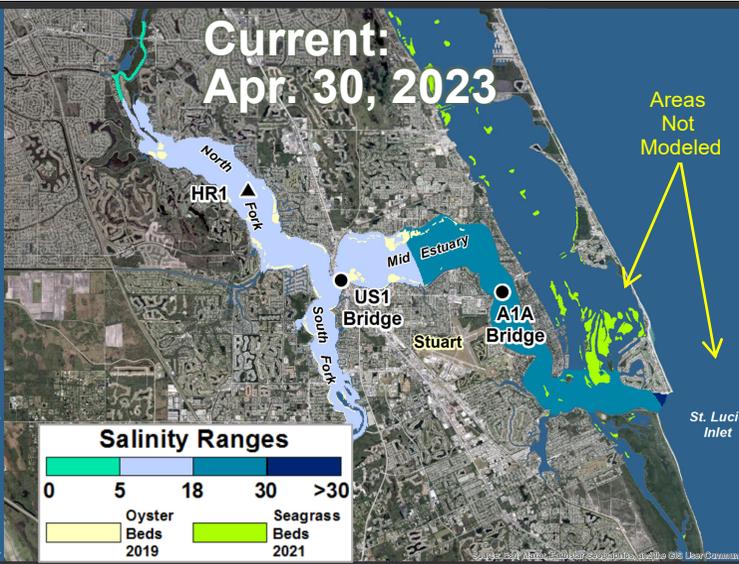
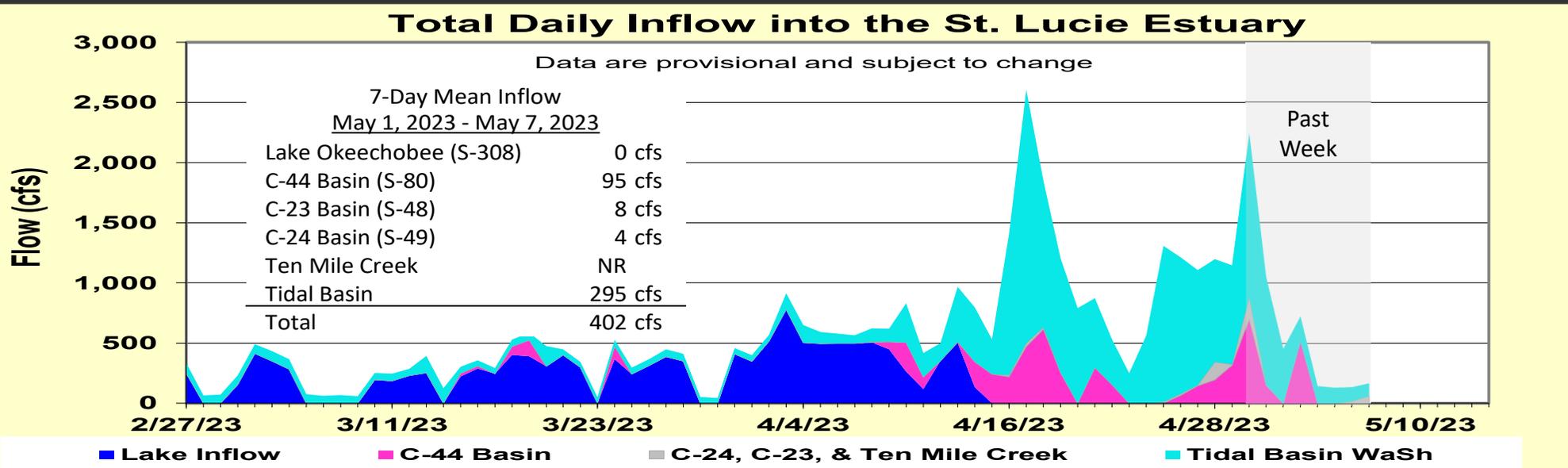
SAV Biomass on Transects Over Time



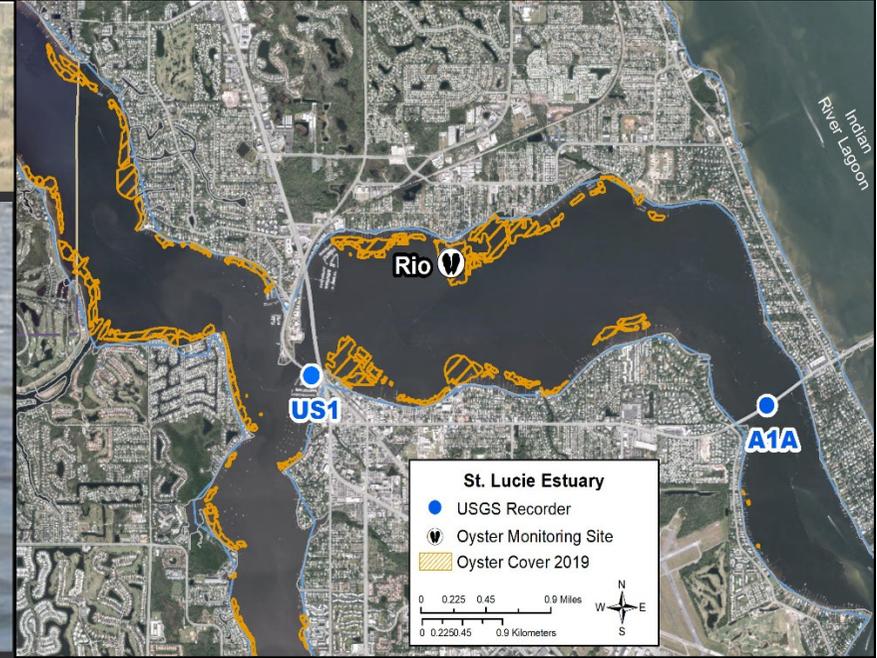
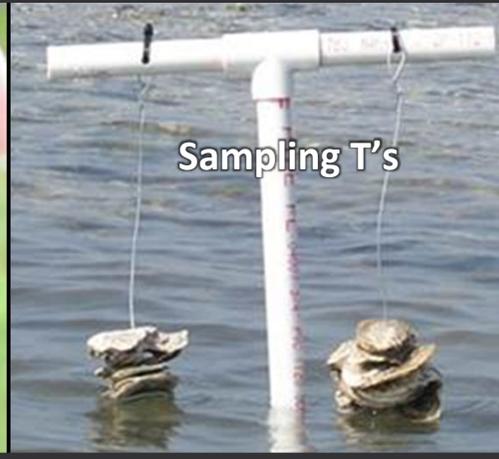
Lake Okeechobee Stage vs Ecological Envelope



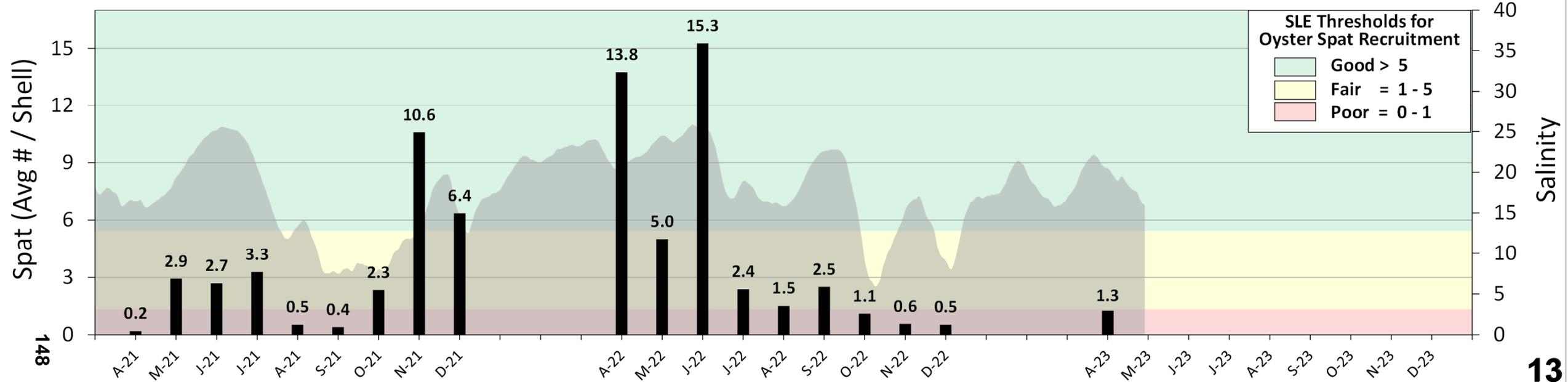
St. Lucie Inflows and Salinity Conditions



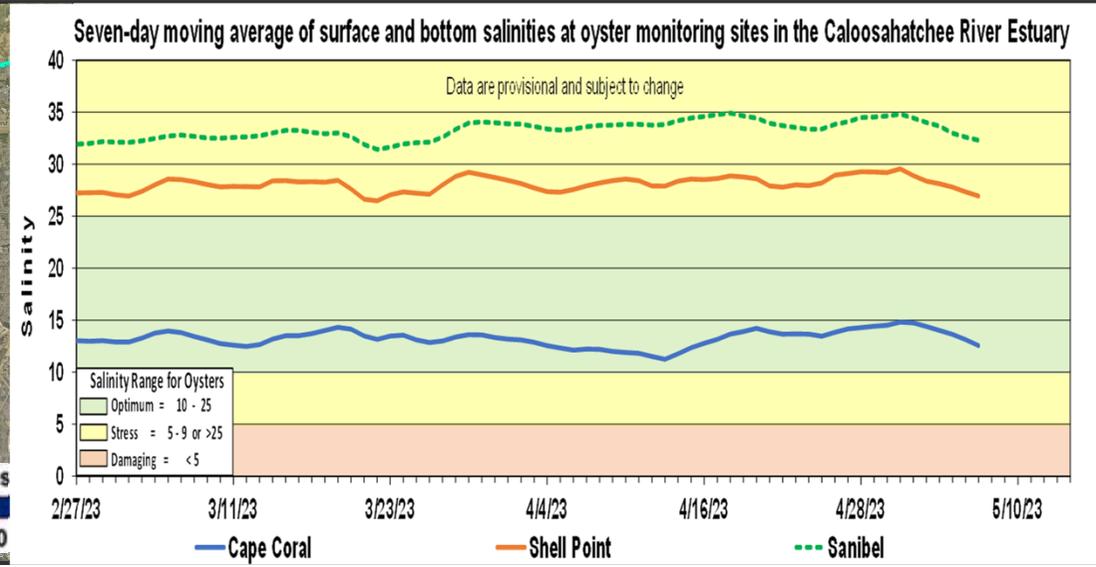
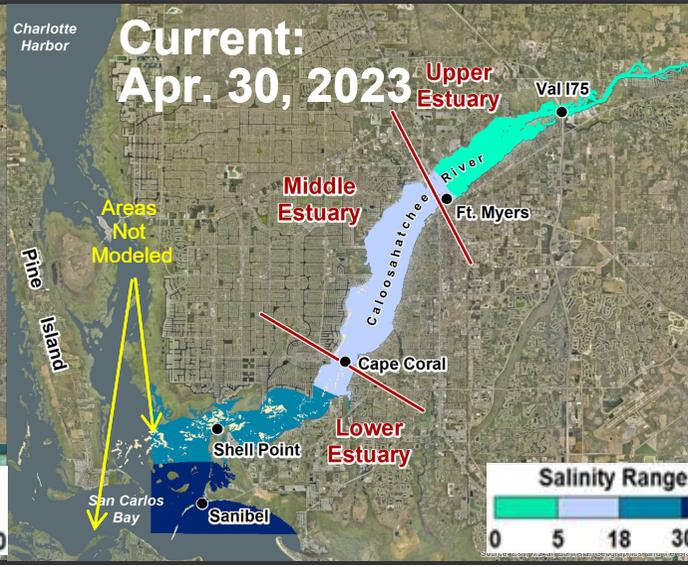
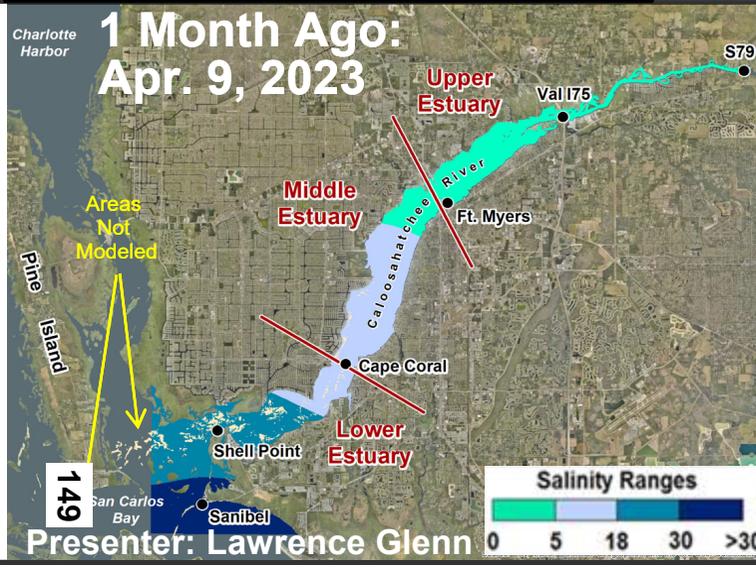
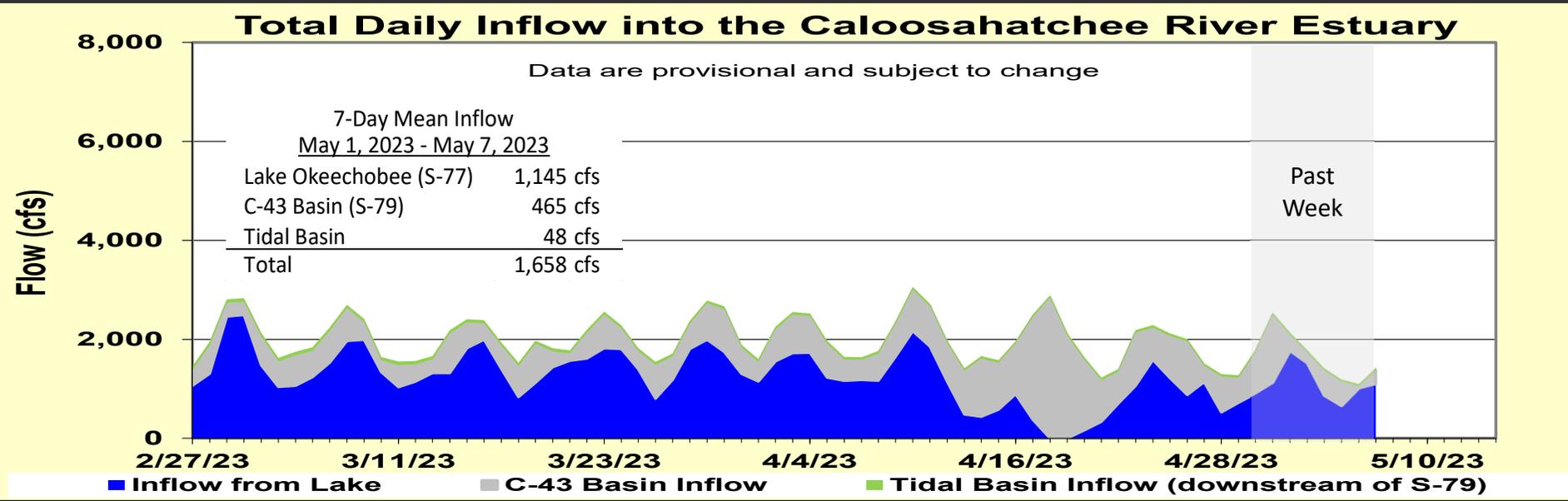
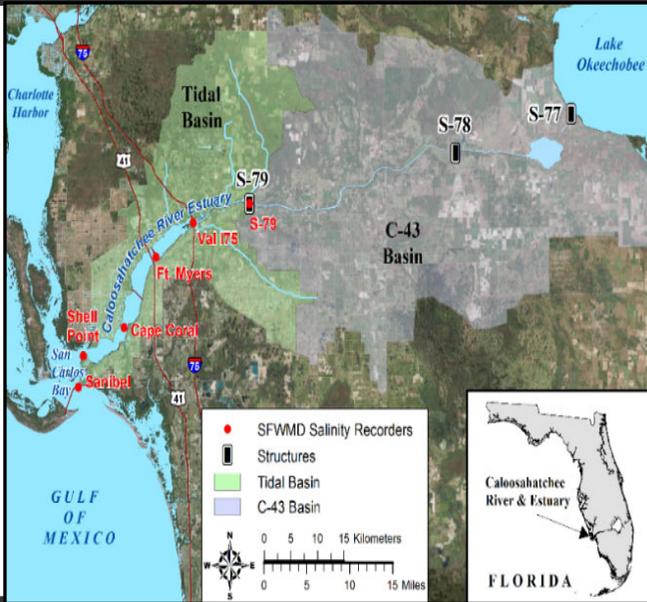
St. Lucie Estuary – Oyster Recruitment



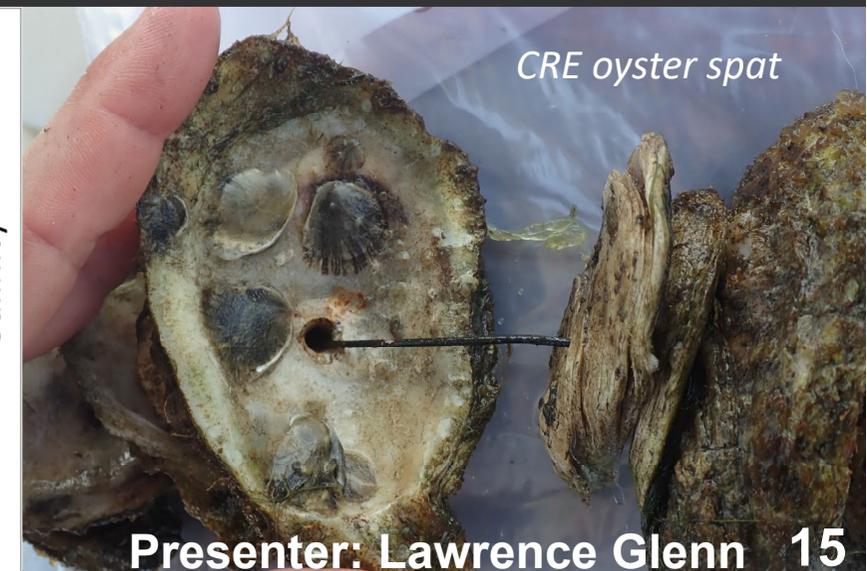
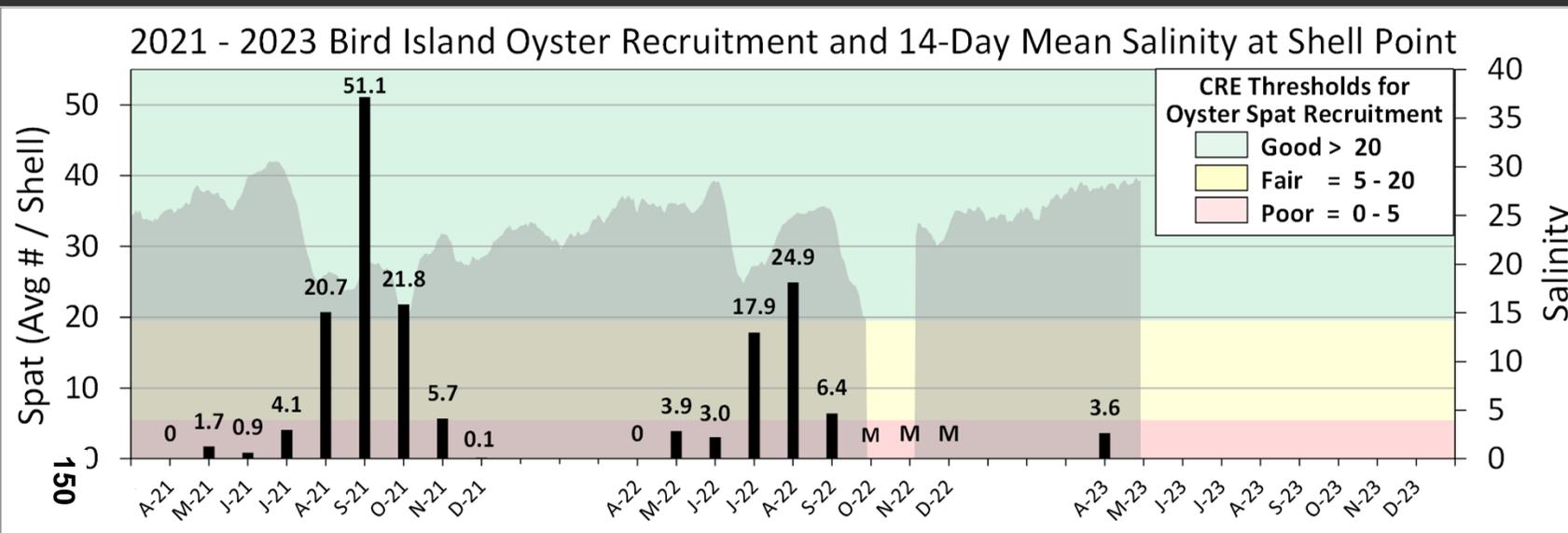
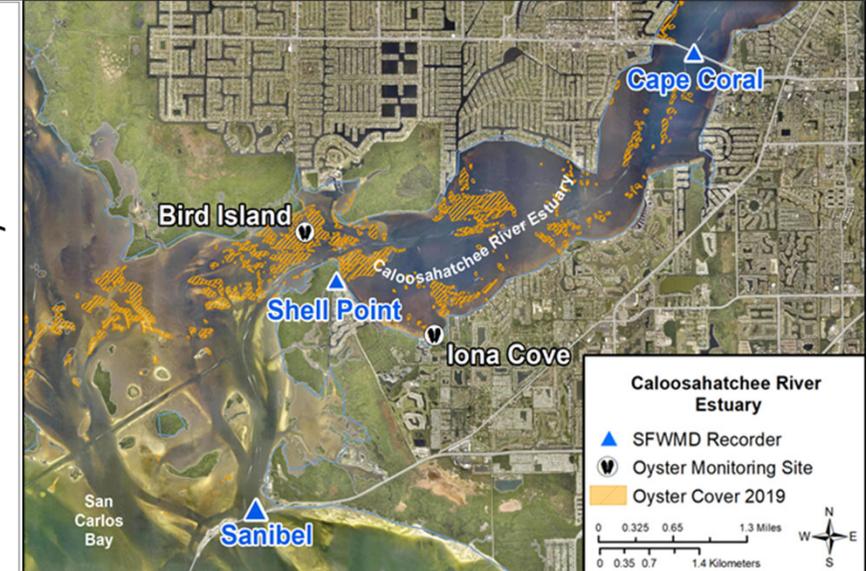
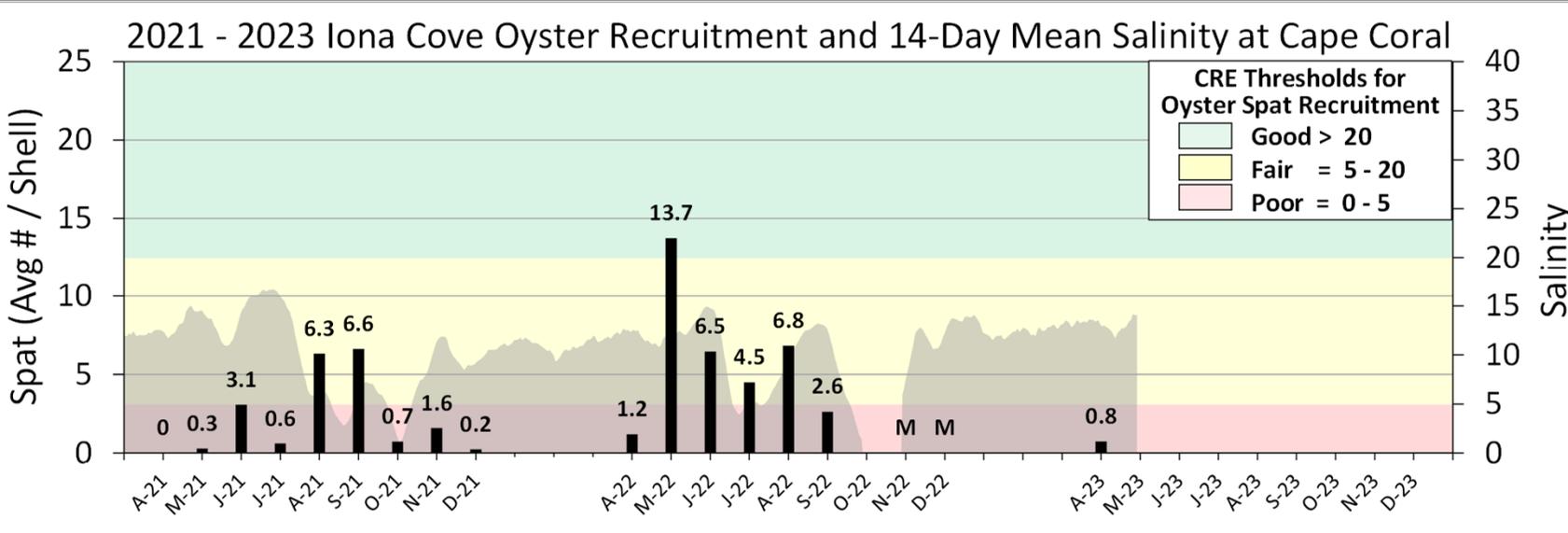
2021 - 2023 Rio Oyster Recruitment and 14-Day Mean Salinity at US1 Bridge



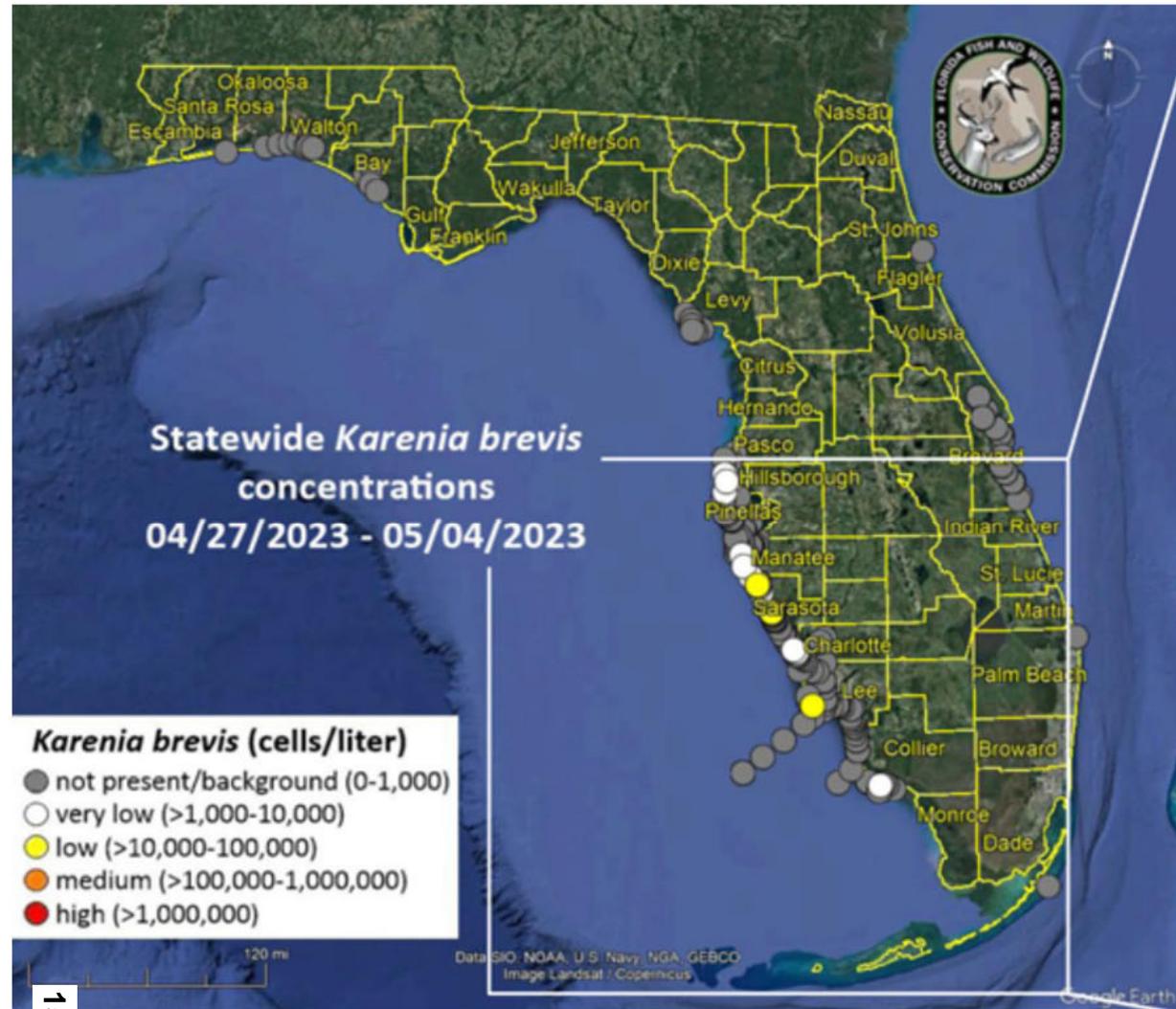
Caloosahatchee Inflows and Salinity Conditions



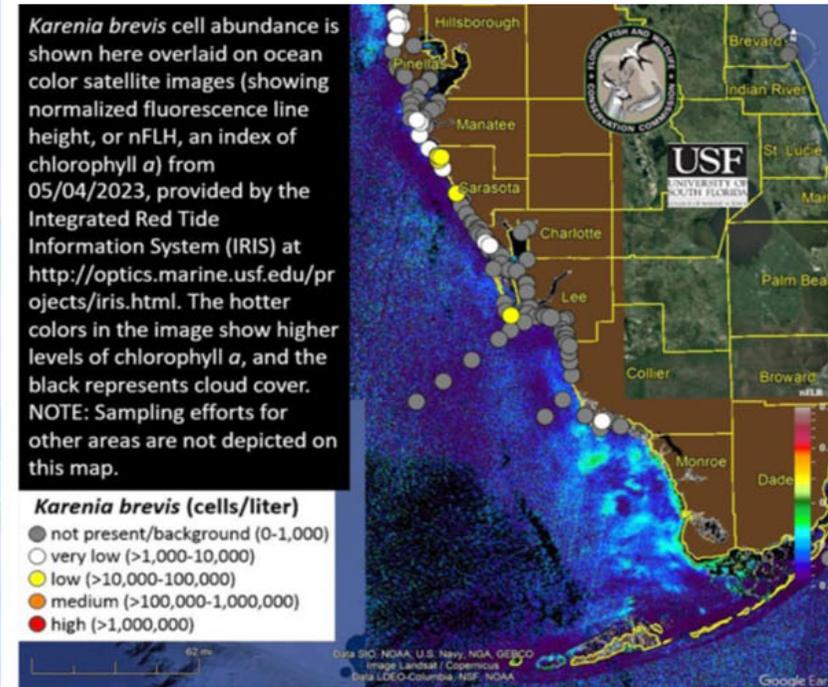
Caloosahatchee Estuary – Oyster Recruitment



Florida Fish And Wildlife Research Institute Red Tide Status 5/4/2023

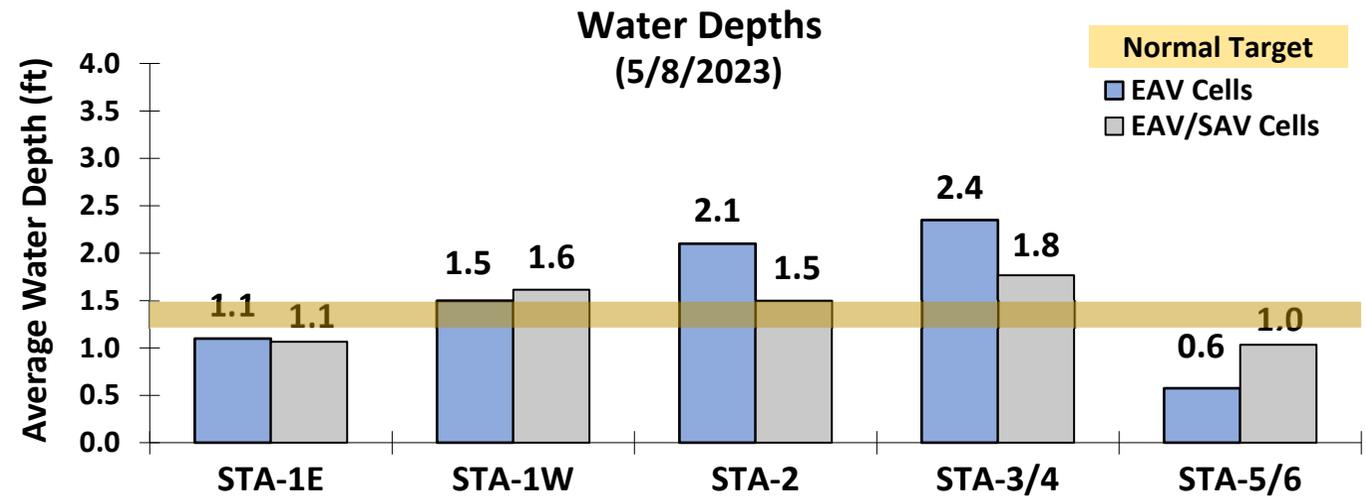
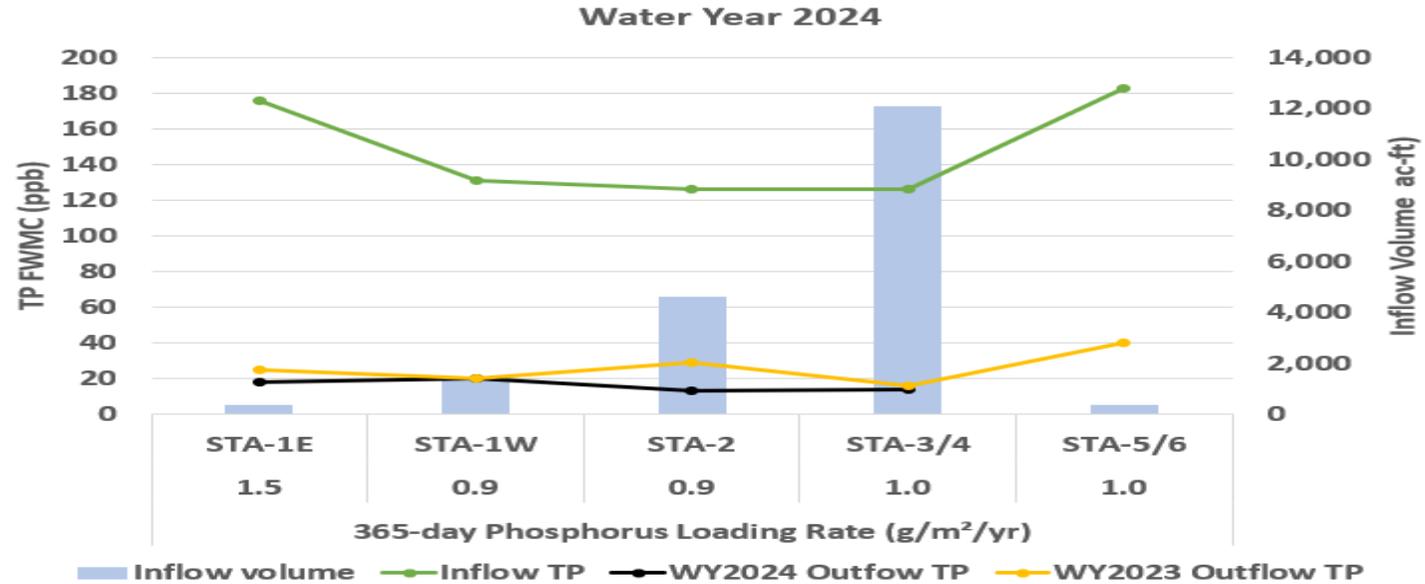


- *Karenia brevis* was not observed at bloom concentrations (>100,000 cells/liter) within the District region.
- Respiratory irritation was reported in Lee County.
- On the East coast, red tide was not observed in any samples collected from Palm Beach County



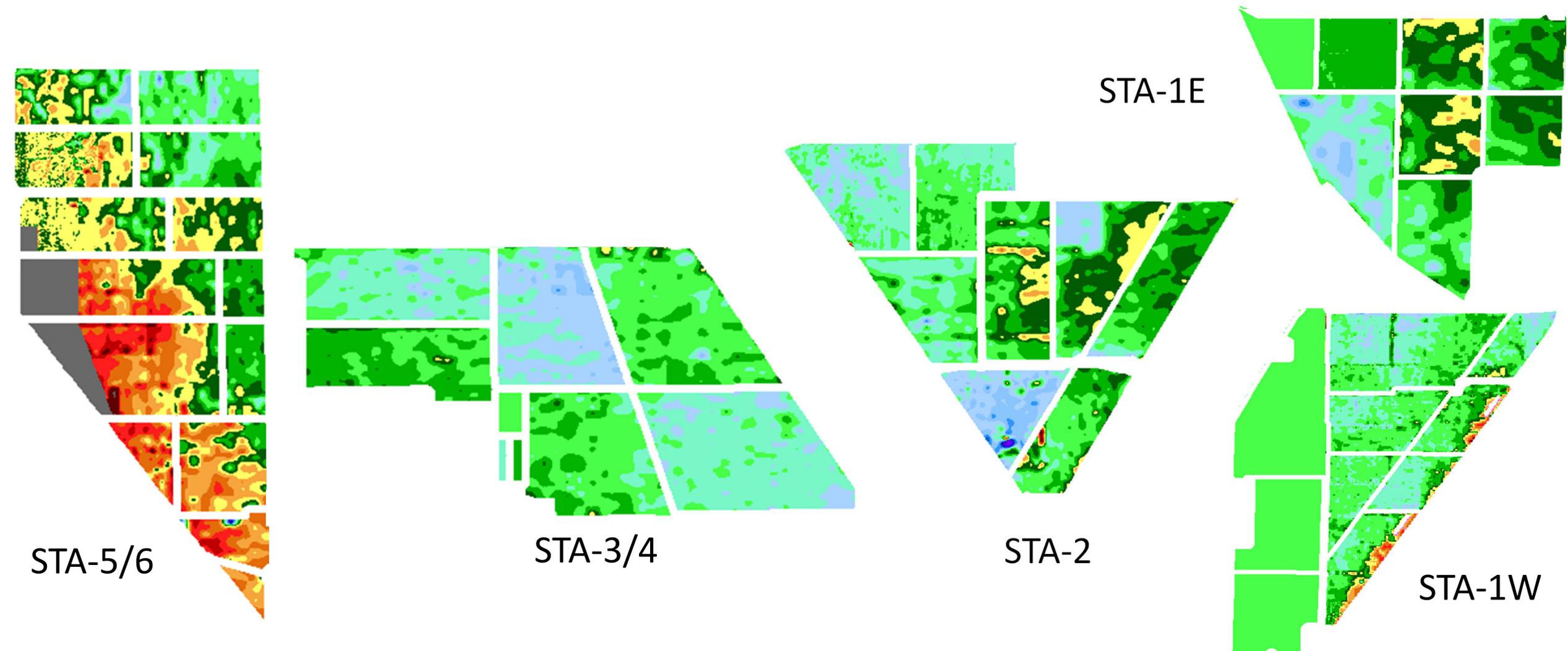
Everglades Stormwater Treatment Areas (STAs)

- STAs treated basin runoff and Lake Okeechobee releases in April
- Total WY2024 inflows to STAs (5/1/2023 to 5/7/2023): ~19,000 ac-ft
- Lake Okeechobee releases to FEB/STAs in WY2024: ~200 ac-ft
- Extensive vegetation management activities underway to address stressed and highly stressed vegetation especially in EAV cells
- Most treatment cells are near or above target depth except STA-5/6 cells that are dry



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

Stormwater Treatment Area Water Depths



STA-5/6

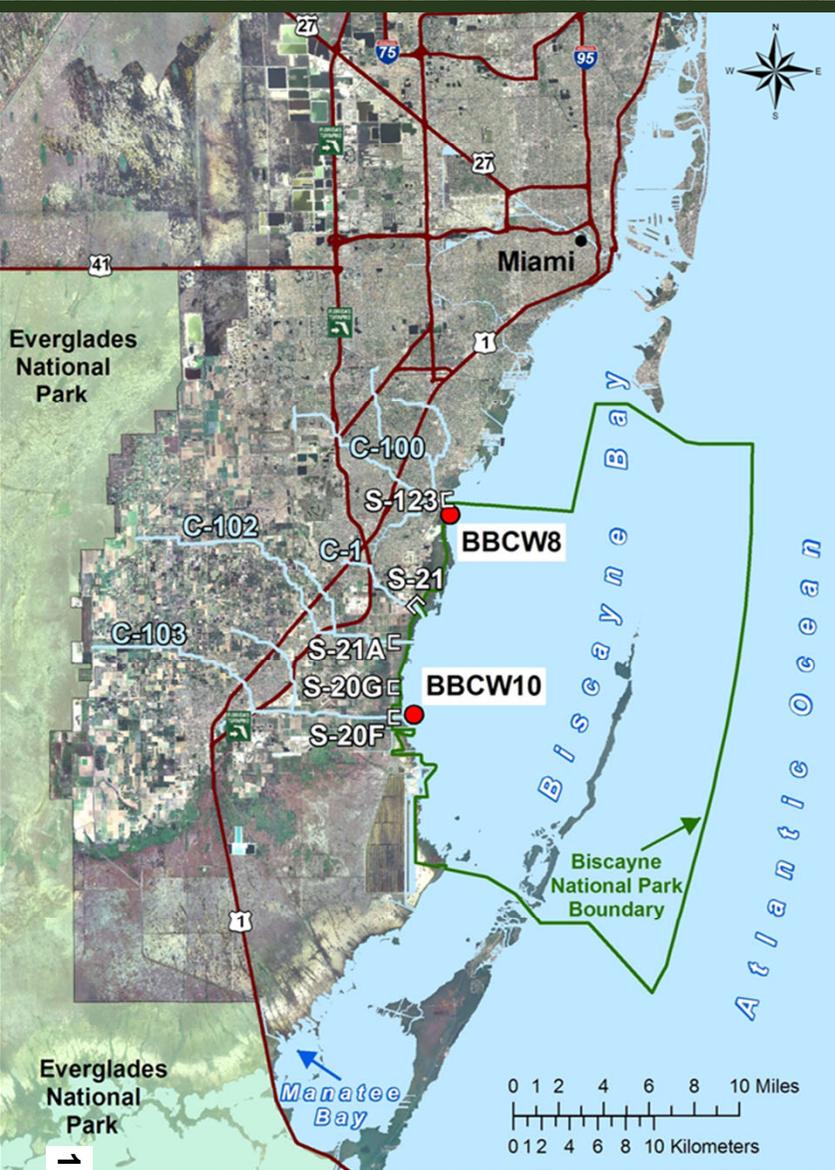
STA-3/4

STA-2

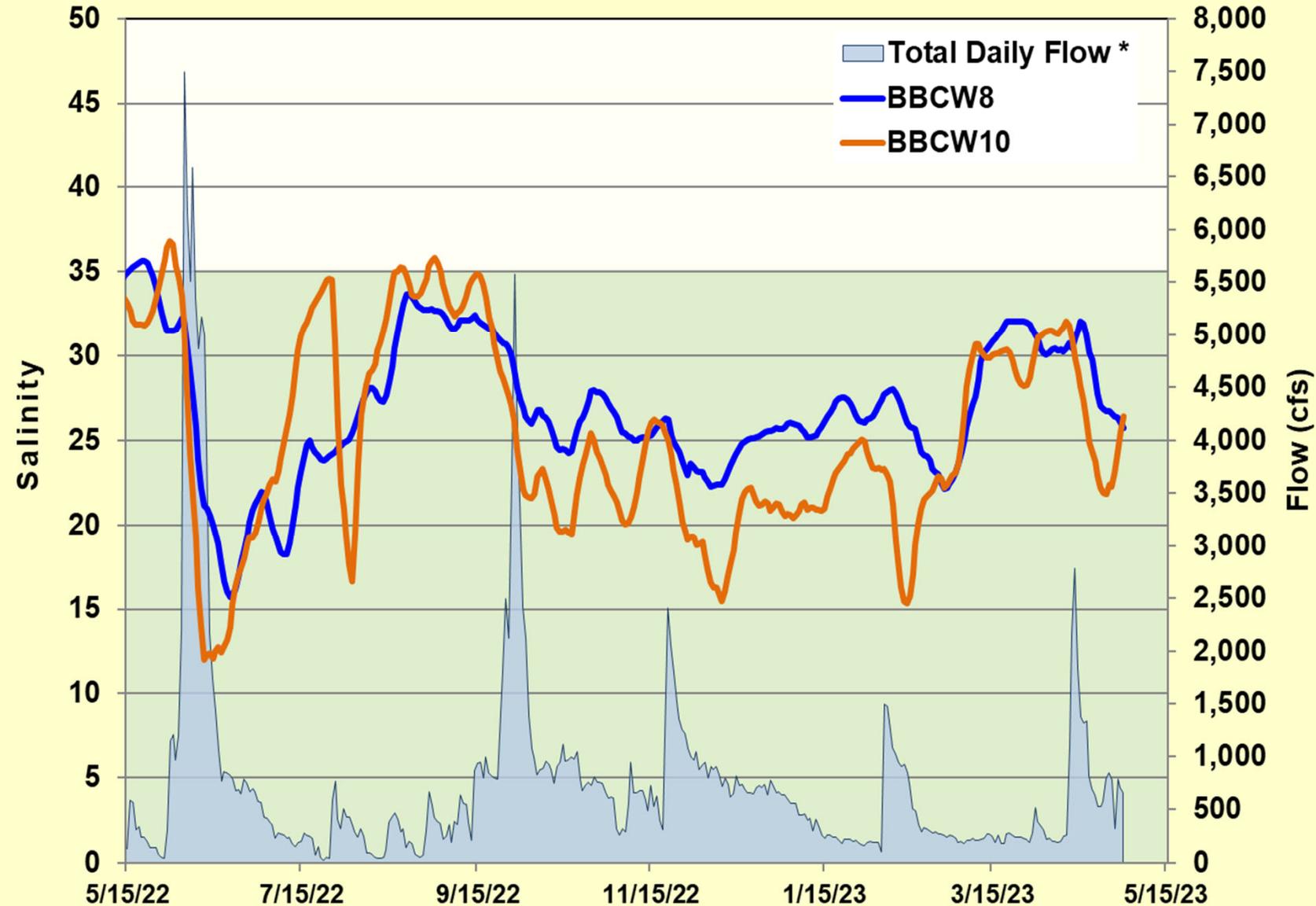
STA-1E

STA-1W

Biscayne Bay

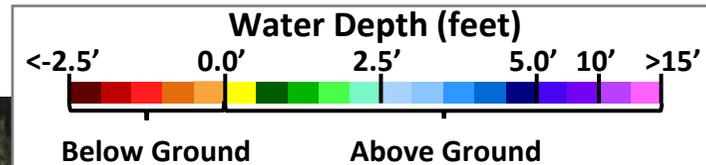
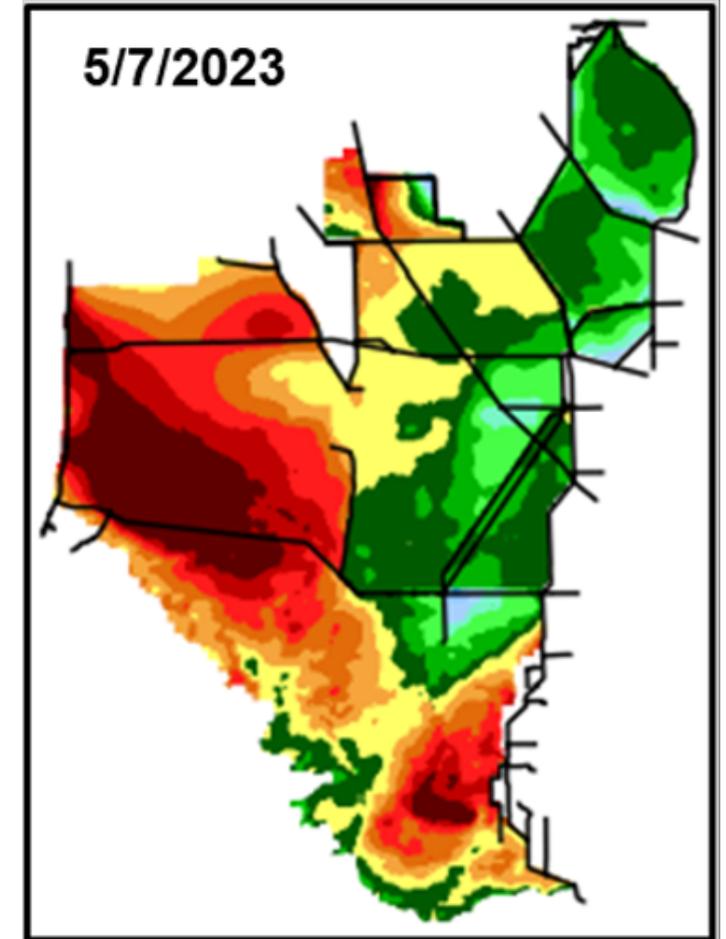
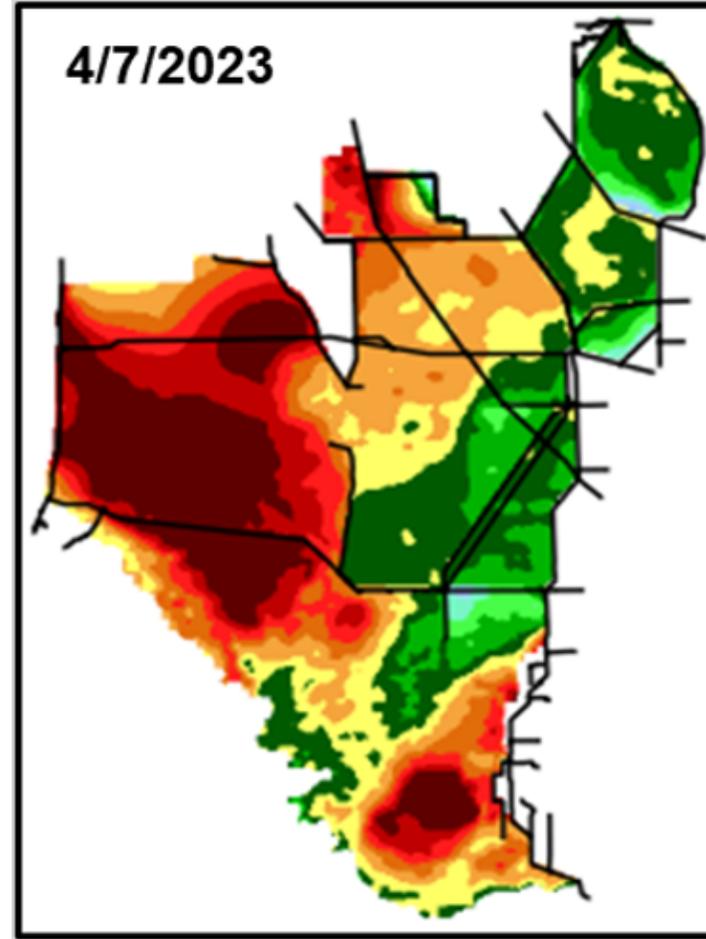
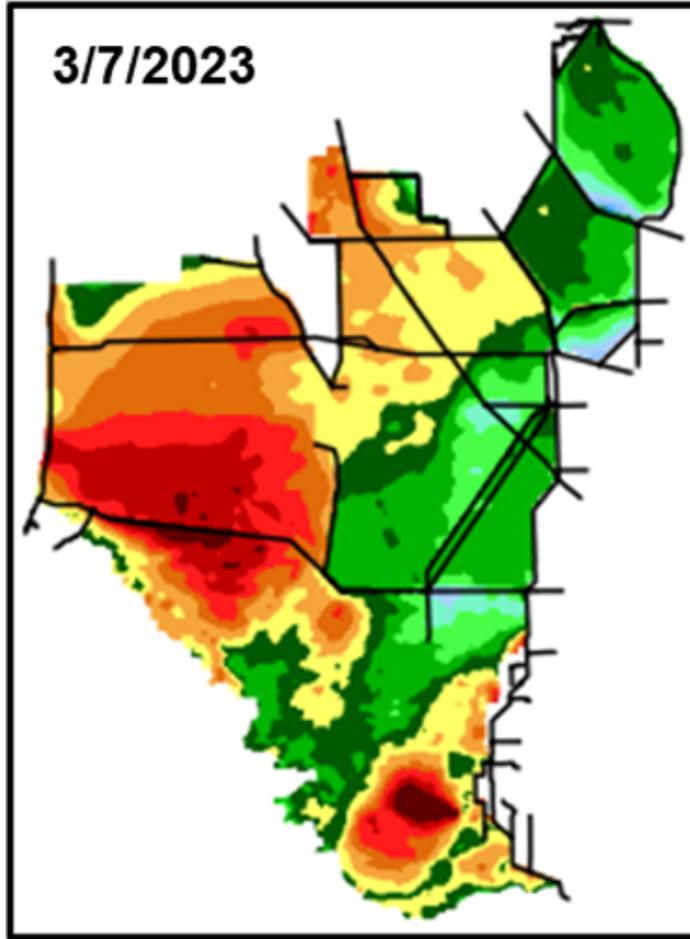


Seven-Day Mean Salinity (BBCW8 & BBCW10) & Total Daily Flow

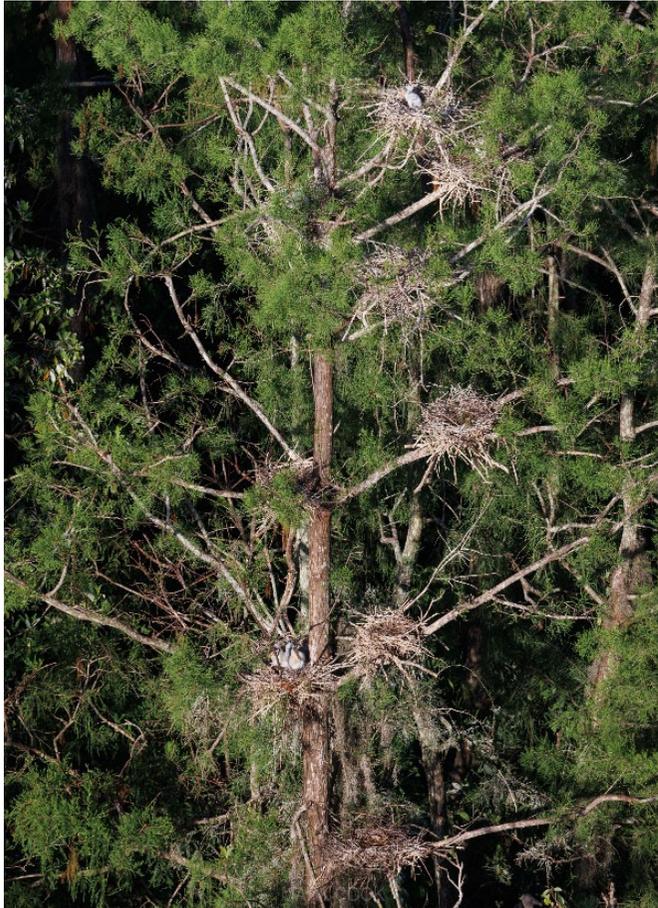


* Total flow from S20G, S20F, S21, S21A, S123, S700P

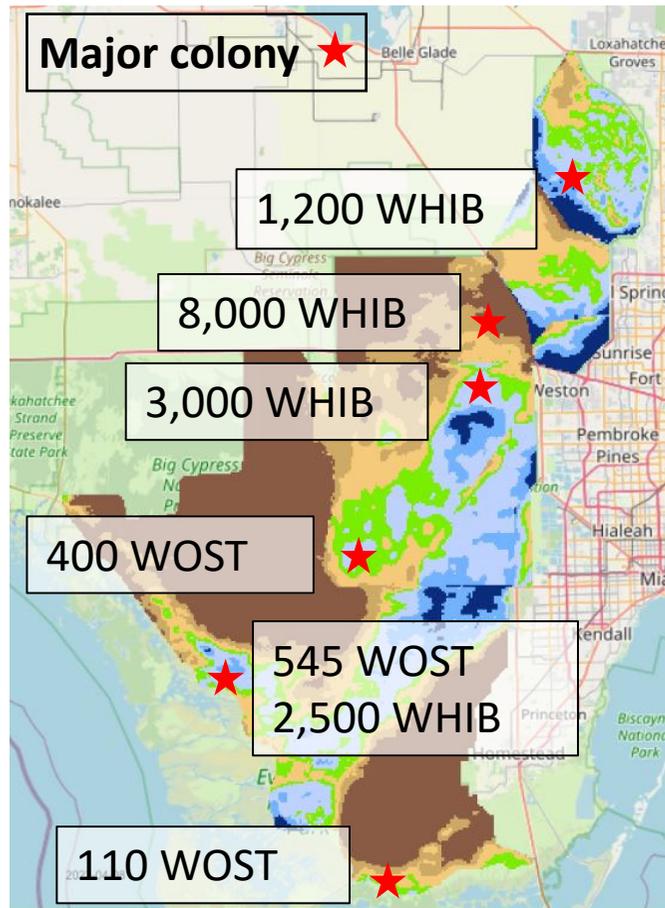
Everglades Water Depths



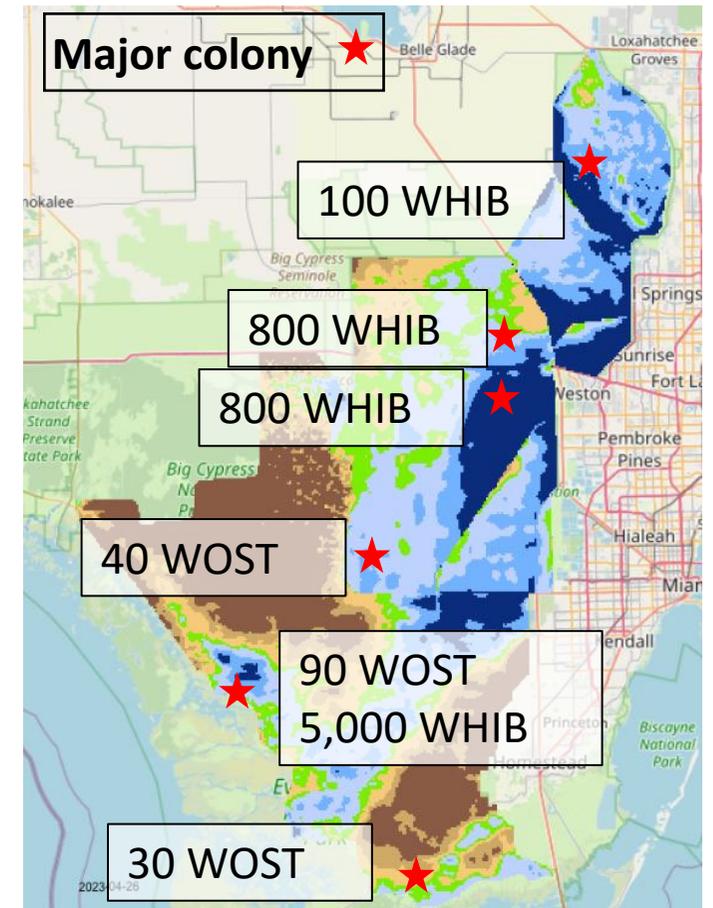
Change in Wood Stork (WOST) & White Ibis (WHIB) Nest Counts after April Rains/Reversals



Abandoned stork nests,
Jetport S colony, WCA-3A

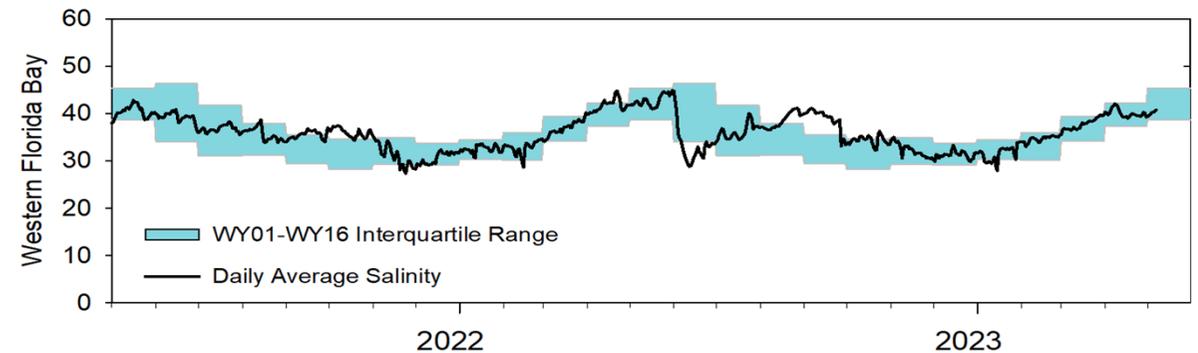
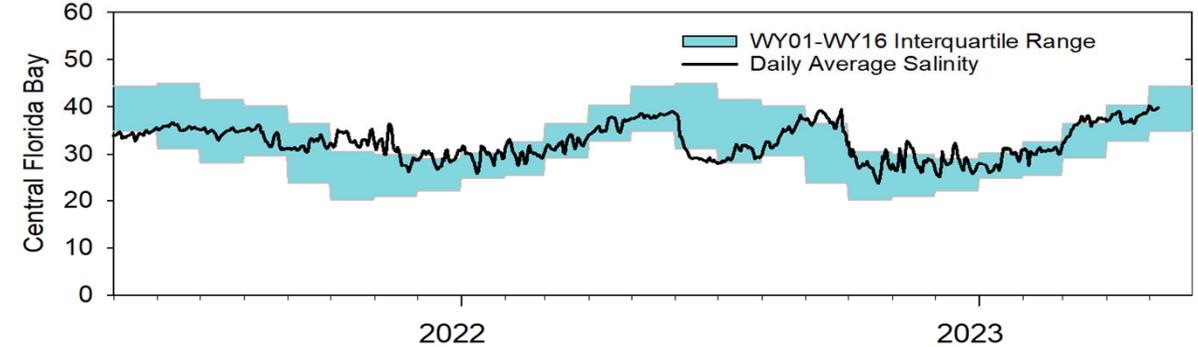
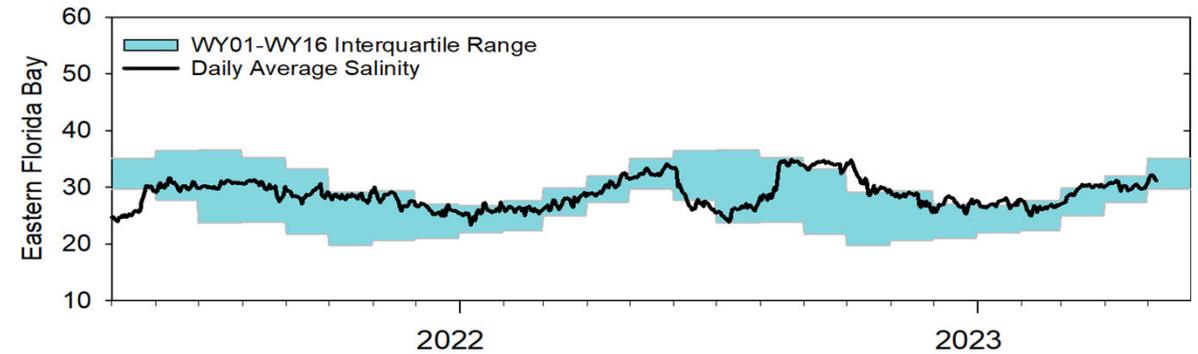
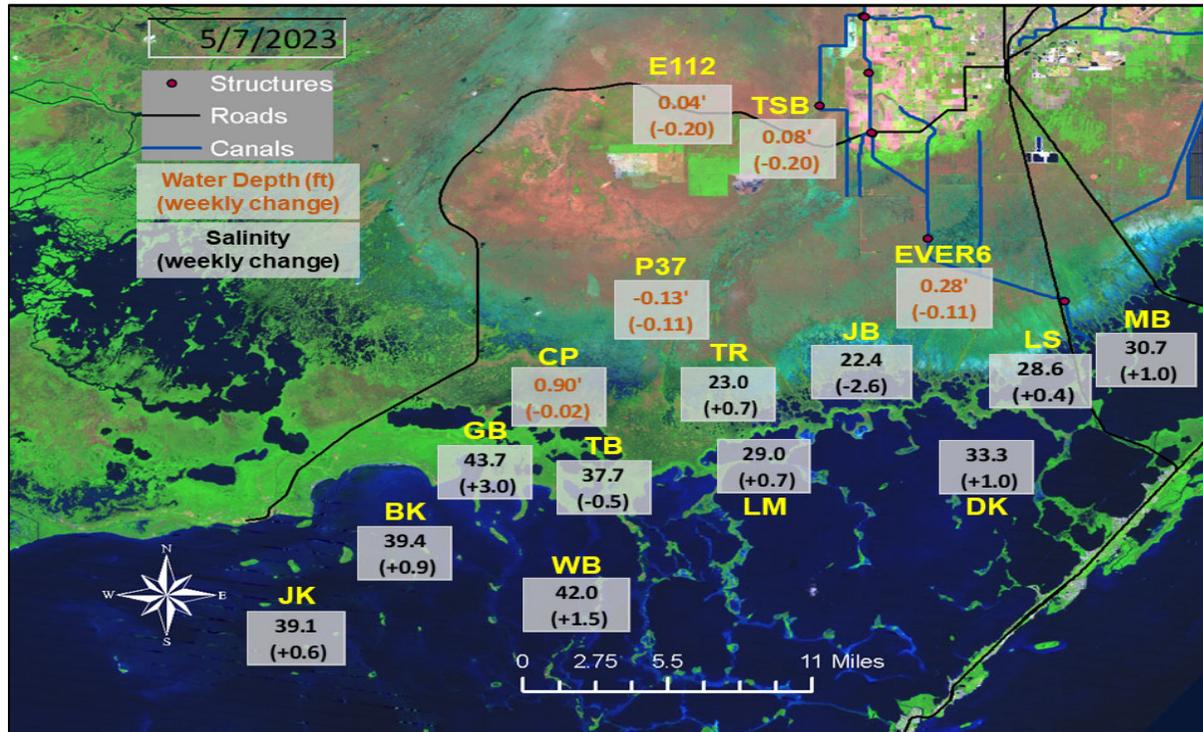


April 8 (prior to reversals)
14,700 WHIB nests, 1055 WOST nests



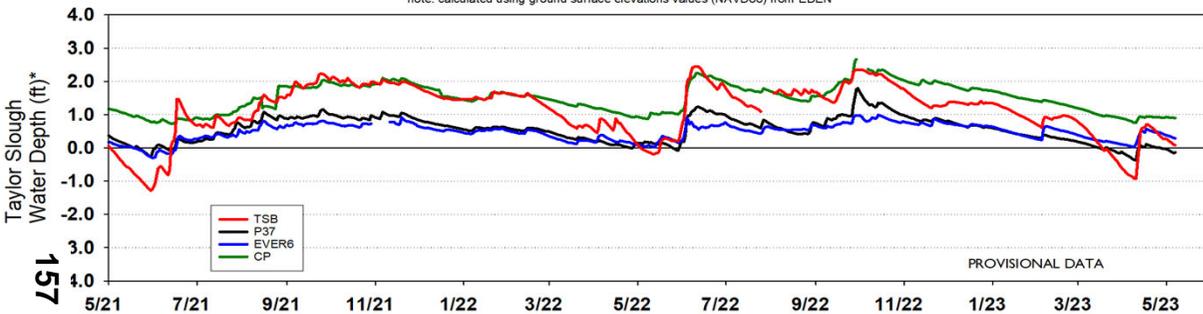
April 26 (post reversals):
6,700 WHIB nests, 160 WOST nests

Taylor Slough Stages and Florida Bay Salinity



Taylor Slough Water Depths

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



Questions



*Bald Eagle at Picayune Strand Restoration Area
Photograph courtesy of SFWMD Staff*

LAKE BELT MITIGATION COMMITTEE
ANNUAL REPORT FOR 2022

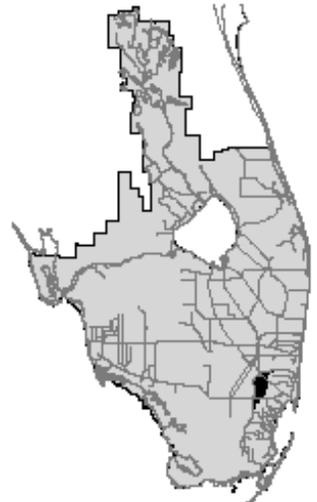
Submitted to the

GOVERNING BOARD

of the

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

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



Lake Belt Mitigation Committee
2022 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 2022.

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)
Miles Meyer (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, 2021 was \$28,372,185. During 2022, \$2,099,801 was transferred to the Trust Fund from the Florida Department of Revenue, \$3,813,935 was lost as Trust Fund investment income, and \$605 was earned as interest in the escrow account. During 2022, approved expenditures from the Trust Fund were \$7,231,658. Approved expenditures from the Trust Fund represent committed funds for projects approved by the Committee. The December 2022 investment gains/losses and September – December 2022 investment income were not available at the time of this report and will be included in the 2023 annual report. On December 31, 2021, the available balance in the Trust Fund was \$19,426,393.

Table 1 summarizes the mitigation fee deposits and investment income earned by the Lake Belt Mitigation Trust Fund for the period between 2000 and 2022. 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 2022, 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 2022.

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

Calendar Year	Mitigation Fee (\$/ton)	Rock Mining Mitigation Fee	Water Treatment Plant Upgrade Fee ¹	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		(\$250,127)	\$1,632,694
2022	0.05	\$2,099,801		(\$3,813,935)	(\$1,714,134)
TOTAL		\$125,011,636	\$13,948,302	\$6,094,316	\$145,054,253

¹ 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 2022. The updated Lake Belt Mitigation Plan statute is included in Appendix A.

Approved Expenditures – Total expenditures approved in 2022 from the Lake Belt Mitigation Trust Fund were \$7,231,658. 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 2022.

V. Committee Mitigation Activities

Committee Activities – In 2022, 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 2022 payment of \$7 million of funding for the Abiaki Prairie Restoration Project (August 2022). The updated Abiaki Prairie project footprint, mitigation credits, and cost estimate were discussed with the Committee in 2021. 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 2022. 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 2022.
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 was 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 FY23 operation and maintenance cost for the new Dade-Broward Levee structures (\$14,453). It was discussed that SFWMD would provide an estimated cost for Committee approval every year.

6. Approval of estimated FY23 Lake Belt water quality monitoring costs (\$217,205).

7. An escrow account has been established to facilitate payment of contractors on Miami-Dade Limestone Products Association sponsored projects. \$604 of accrued interest was earned in the escrow account during FY22 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 ² (Acres)	Other Projects ⁴ (Acres)	Abiaki Prairie ⁵ (Acres)	Adjustments ³ (Acres)	Committee Approved Mitigation Acres	Committee Approved Mitigation WRAP units ¹
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
2022				793.2	-3.1	790.1	197.5
Total	3,095.6	3,375.4	4,658.2	6,232.4	-10.0	15,663.9	3,916.0

Notes (Lake Belt Annual Report Table 5):

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

One Pennsuco-equivalent mitigation acre equals 0.25 WRAP units.

² 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.

³ Mitigation adjustments (Lake Belt Annual Report Table 5B)

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

⁵ Based on updated 2021 cost estimate and 2020 Corps permit mitigation units

Through 2022, the Committee has approved a total of 15,664 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 2,288.9 acres (6,232.4 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 ¹	Lake Belt Wetland Impacts In New Permit Areas (Acres)	Mitigation Needed to Offset Wetland Impacts (Acres) ²	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	467	1167.5	-374.4	6,156.3	1,539.1
2022	790.1	not yet available				
Total	15,663.9	3,487	8,717.5	6,156.3		

Notes (Lake Belt Annual Report Table 5A):

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

² 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 (6,156 acres through November 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 2022 Lake Belt Annual Report, comparisons of the 2002 permit tables with the actual mitigation fee collections and mitigation funded during the first twenty 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 2022 Lake Belt Annual Report reporting period (through November 2021) was a positive 1,607 wetland units. In addition, an additional 793.2 acres of Pennsuco-equivalent mitigation (198.3 wetland units) was reported to the Corps in 2022. 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, 2022

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
Year 2000						
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>		
Year 2001						
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>		
Year 2002						
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, 2022

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
Year 2003						
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>	
Year 2004						
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>	
Year 2005						
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, 2022

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
Year 2006						
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)	
Year 2007						
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)	
Year 2008						
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, 2022

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
Year 2009						
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)	
Year 2010						
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)	
Year 2011						
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, 2022

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
Year 2012						
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)	
Year 2013						
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)	
Year 2014						
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, 2022

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
Year 2015						
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)	
Year 2016						
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)	
Year 2017						
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, 2022

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
Year 2018						
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)	
Year 2019						
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)	
Year 2020						
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, 2022

	Lake Belt Mining Fee	Water Treatment Plant Upgrade Fee	Investment Income	Total Fees Plus Income	Approved Payments	Available Balance
Year 2021						
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
Adjustment (D)			(139,039)	(139,039)		34,078,608
April	166,918		3,842	170,760		34,249,369
May	199,593		15,386	214,979		34,464,347
June	157,139		17,000	174,140		34,638,487
Adjustment (D)			3,629	3,629		34,642,116
July	159,622		20,023	179,645		34,821,761
August	163,937		16,495	180,432	(7,000,000)	28,002,192
September	157,745		20,583	178,328	(13,179)	28,167,341
Adjustment (D)			(74,492)	(74,492)		28,092,849
October	168,886		24,799	193,685		28,286,534
November	164,684		26,259	190,943		28,477,477
December	106,575		23,978	130,553		28,608,030
Adjustment (D)			(237,712)	(237,712)		28,370,318
Escrow Account Reconciliations (E)			1,866	1,866		28,372,184
	<u>1,882,821</u>	<u>0</u>	<u>(250,127)</u>	<u>1,632,694</u>	<u>(7,162,469)</u>	
Year 2022						
January	207,840		28,776	236,616		28,608,800
February	99,622		29,663	129,285		28,738,085
March	216,070		33,873	249,944	(217,205)	28,770,824
Adjustment (D)			(624,724)	(624,724)		28,146,100
April	160,022		36,314	196,336		28,342,436
May	182,586		38,374	220,960		28,563,396
June	171,853		38,412	210,264		28,773,660
Adjustment (D)				0		28,773,660
July	163,731		77,594	241,325		29,014,985
August	177,171		63,946	241,116	(7,000,000)	22,256,101
September	174,965		76,743	251,708	(14,453)	22,493,356
Adjustment (D)			(3,612,906)	(3,612,906)		18,880,450
October	201,037			201,037		19,081,487
November	170,836			170,836		19,252,323
December	174,068			174,068		19,426,391
Adjustment (D)				0		19,426,391
	<u>2,099,801</u>	<u>0</u>	<u>(3,813,935)</u>	<u>(1,714,135)</u>	<u>(7,231,658)</u>	
TOTAL	\$ 125,011,636	\$ 13,948,302	\$ 6,094,315	\$ 145,054,252	\$ (125,627,861)	\$ 19,426,391

* 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

APPENDIX C

Receipts / Approved Expenditures Summary

Receipts / Approved Expenditures Through 2022

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 ¹	Committee Approved Mitigation WRAP units ¹
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	269.0
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	266.9
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	39.9
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	80.2
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	35.6
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	31.1
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	2.5
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	238.5
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	388.6
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	155.0
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	85.0
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	226.6
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	234.1
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	830.2
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	156.2
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	305.1
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	56.7
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	56.7
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	62.5
2021	6,110,085	82,887,822	1,882,821	136,860,137	(250,127)	146,768,388	7,162,469	28,372,185		793.1	198.3
2022	6,433,920	89,321,742	2,099,801	138,959,938	(3,813,935)	145,054,254	7,231,658	19,426,393		790.1	197.5
TOTAL			\$138,959,938		\$6,094,316		\$125,627,861		\$0	15,663.9	3,915.9

* 1999 & 2000 combined

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

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
8/2022	\$ 7,000,000	291.3	198.3	793.2
Total	\$ 55,000,000	2,288.9	1,558.1	6,232.4

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 2022 Expenditures / Mitigation Acres Approved by Committee

	<u>Acres</u>	<u>Amount</u>
1. SFWMD - C-139 Annex land acquisition, restoration and long-term management		\$ 7,000,000
Mitigation Committee - August 2022		
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 =	793.2	
2. MDLPA - Dade-Broward Levee improvement project - Phase 3		\$ 14,453
Mitigation Committee - August 2022		
Dade-Broward Levee structures operation and maintenance		
3. MDLPA - Water Quality Monitoring (3/2022 - 2/2023)		\$ 217,205
Mitigation Committee - March 2022		
 Total Pennsuco equivalent mitigation acres / Expenditures	 793.2	 \$ 7,231,658

Escrow account reconciliation deposits (see Appendix D)

1. Escrow account accrued interest through 9/30/2022	\$	605
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APPENDIX D

MacVicar Consulting, Inc.

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

To: Karyn Allman
From: Jeff Rosenfeld
on behalf of the Miami-Dade Limestone Products Association
Date: February 13, 2023
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 \$604.74 of interest was earned in the escrow account during the period from October 1, 2021 through September 30, 2022. 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 2022 accrued interest earned in the Greenberg Traurig escrow account.