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## South Florida Water Management District

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### GOVERNING BOARD MONTHLY MEETING AGENDA

September 12, 2024

1:00 PM

District Headquarters - B-1 Auditorium

3301 Gun Club Road

West Palm Beach, FL 33406

#### FINAL

1. Call to Order - Chauncey Goss, Chairman, Governing Board
2. Pledge of Allegiance
3. Employee Recognitions
  - September Employee of the Month: Vijay Mishra, Engineer Principal - Project Management
  - September 2024 Team of the Month: S-332C Emergency Pump Station Repair Team
  - 25-Year Service Award: Charles Walker, Stationary Diesel Engine Operator, Mechanic-Lead
  - 25-Year Service Award: Jack Ismalon, Construction Cost Estimator, Principal
  - 25-Year Service Award: Monique Laham-Pass, Scientist Lead - Water Quality Monitoring
  - 25-Year Service Award: Tracey Piccone, Chief Consulting Engineer
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 August 8, 2024 Meeting

8. Consider Approval of the 2025 Governing Board and Committee Meeting Dates
9. Executive Director's Report - Drew Bartlett
  - Florida Department of Agriculture and Consumer Services (FDACS) Update by N. West Gregory, Director, Office of Agricultural Water Policy, FDACS
10. General Public Comment
11. Board Comment
12. Move Consent Agenda Items to Discussion Agenda
13. Public Comment on Consent Agenda Items
14. Board Vote on Consent Agenda

## **Consent Agenda**

15. Land Acquisition, Pal Mar, Martin County (Staff contact, Ray Palmer)

### **Agenda Item Background:**

The Pal Mar project area is located in western Martin County and is generally considered to be a broad flat area of wetlands containing hundreds of small lakes and depression marshes interconnected by seasonal flow ways made up of grassy wet prairies and cypress swamps. The District has been acquiring land on a willing seller basis to preserve and protect this area. Staff is seeking Governing Board approval to acquire one parcel containing 1.0 acres from a willing seller for a purchase price of \$14,000.

### **Recommended Action:**

**Resolution No. 2024-0901 Authorize the acquisition of land interests containing 1.0 acres, more or less, in the total amount of \$14,000, located in the Pal Mar Project in Martin County, for which dedicated funds (Lease Revenue) are budgeted.**

[Resolution No. 2024-0901](#)  
[Exhibit A Map](#)

16. Partial Release of a Recorded Conservation Easement for Isles of Collier Preserve, for Transfer of the Lands to Rookery Bay National Estuarine Research Reserve (Staff contact, Jill Creech, P.E.)

### **Agenda Item Background:**

Minto Sabal Bay, LLC requests a partial release of 780.03 acres of a 1,347.18-acre recorded conservation easement, located in Collier County. On June 14, 2006, the District issued Environmental Resource Permit No. 11-02003-P-06, Application No. 040629-37, authorizing the construction and operation of a surface water management system for a project known as Isles of Collier Preserve (FKA Sabal Bay). Special Condition 32 of the permit anticipated that the 780.03-acre mitigation area would be transferred to the Rookery Bay National Estuarine Research Reserve (RBNERR),

which is managed and maintained by the Florida Department of Environmental Protection's Office of Resilience and Coastal Protection, once the District deemed the area's mitigation successful. On July 31, 2020, the District determined that the mitigation work had achieved success and the 780.03 acres were ready to be transferred to RBNERR. Upon this partial release, the parcel will be added to the lands in Rookery Bay National Estuarine Research Reserve and it will be managed under the 2022 Rookery Bay National Estuarine Research Reserve Management Plan. A Memorandum of Understanding will be entered into between the Florida Department of Environmental Protection's Office of Resilience and Coastal Protection, the U.S. Army Corps of Engineers, Jacksonville District, and the South Florida Water Management District as additional assurances that this area will be properly managed in perpetuity.

**Recommended Action:**

**Resolution No. 2024-0902 Approve a partial release of a recorded conservation easement for a project known as Isles of Collier Preserve (FKA Sabal Bay).**

[Resolution No. 2024-0902](#)

[Location Maps](#)

17. Grounds Maintenance Contract, Okeechobee Field Station Area of Responsibility, Martin and St. Lucie Counties and Portions of Glades, Highlands and Okeechobee Counties (Staff contact, Rich Virgil, P.E.)

**Agenda Item Background:**

Maintenance of vegetation levels ensures adequate and safe access to the flood control structures for the purpose of operation and maintenance of these facilities, which are the primary focus of the District's flood protection and water supply mission. This is a proposed contract for grounds maintenance services of approximately 38 locations which include mowing, trimming, edging, pruning and debris removal for the Okeechobee Field Station, Pump Stations, Boat Locks, Water Control Structures and Telemetry Towers within the Okeechobee Field Station area of responsibility. This contract will replace the services previously provided through the Department of Corrections which are no longer available.

**Recommended Action:**

**Resolution No. 2024-0903 Authorize a three-year contract with two 1-year renewal options with Inshape Maintenance, Inc., the lowest responsive and responsible bidder, for grounds maintenance services of various District pump stations, boat locks, water control structures and telemetry towers in the Okeechobee Field Station area of responsibility, including Martin and St. Lucie Counties and portions of Glades, Highlands and Okeechobee Counties, in an amount not-to-exceed \$1,063,150 of which \$212,630 in Ad Valorem and dedicated funds (State Appropriations) are subject to the Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years' budgets. (Contract No. 4600005055)**

[Resolution No. 2024-0903](#)

[Backup Presentation](#)

18. Agreement with the United States Department of Agriculture - Agricultural Research Service (Staff contact, Rich Virgil, P.E.)

**Agenda Item Background:**

A variety of plants of Australian and Southeast Asian origins are documented to be invasive in Florida. The District ranks many of these species as top priorities for control to meet our core mission. The District strives to utilize an integrated pest management strategy, where multiple control tools are used synergistically to improve invasive species management outcomes. Biocontrol, which employs arthropods that only feed on the targeted pest plant, is an important component of many integrated pest management strategies. Biocontrol agents are developed by exploring the pest plant's native range to identify natural enemies (e.g. herbivores), then carefully studying the agent to verify that it only feeds on the targeted invasive plant. With sufficient supporting evidence, the federal government may grant approval of the agent's release in the United States of America. While biocontrol agents may not eradicate the invasive species, the agents may significantly reduce the plant's growth and reproductive rates, rendering them less harmful to Florida's native ecosystems. Incorporation of successful biological control enhances the District's integrated pest management efforts and reduces herbicide use and long-term control costs.

Five invasive plant species of Australian and Asian origin are current priorities for biological control development. Melaleuca, earleaf acacia, roundleaf toothcup, crested floating heart, and feathered mosquitofern are now established in South Florida. These species displace native species, degrade ecosystem function and services, and negatively impact elements of the District's core mission (e.g. water conveyance, ecosystem restoration).

This agenda item requests a resolution of the Governing Board of the South Florida Water Management District to authorize a new three-year agreement with two 1-year extension options to continue research to develop additional biocontrol agents for melaleuca, earleaf acacia, crested floating heart, roundleaf toothcup, and feathered mosquitofern.

The work being proposed under this agreement is not part of the CERP 50/50 cost share agreement with the U.S. Army Corps of Engineers.

**Recommended Action:**

**Resolution No. 2024-0904 Authorize a three-year contract with two 1-year renewal options with the United States Department of Agriculture - Agricultural Research Service for research to develop biological control agents for control of invasive Australian and Asian plants, in an amount not to exceed \$750,000, for which \$150,000 in dedicated funds (Lease Revenue) are subject to the Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years' budgets. (Contract No. 4600005046)**

[Resolution No. 2024-0904](#)

19. Cultural Resources Contract (Staff contact, Jennifer Reynolds)

**Agenda Item Background:**

This is a request to enter into a three-year contract with two one-year renewals with Janus Research, Inc. to perform Cultural Resource Reconnaissance Surveys,

Monitoring and Training and comprehensive archaeological and historical surveys described under the historic preservation requirements of Federal and State laws for all District projects. The estimated annual expenditure will be approximately \$1,000,000.

Janus Research, Inc. will perform archaeological and historical reconnaissance surveys and advanced subsurface testing to determine a site's integrity, in order to resolve and obtain concurrence from all entities so the project can move forward.

The District is utilizing a Florida Department of Transportation contract with Janus Research, Inc., for which Janus Research, Inc. was the lowest responsive and responsible bidder.

**Recommended Action:**

**Resolution No. 2024-0905 Authorize entering into a three-year contract with two 1-year renewals with Janus Research, Inc., for Cultural Resource Reconnaissance Surveys, Monitoring and Training and Comprehensive Archaeological/Historical Surveys and Services in all District Areas using the Florida Department of Transportation Contract Number BEF46, in an amount not to exceed \$5,000,000, of which Ad Valorem funds and dedicated funds (State Appropriations) are subject to Governing Board approval of future years' budgets. (Contract No. 4600005053)**

[Resolution No. 2024-0905](#)

20. Dispersed Water Management, Education and Outreach: Northern Everglades and Estuaries Monitoring Services (Staff contact, Jennifer Reynolds)

**Agenda Item Background:**

Staff seeks Governing Board approval authorizing entering a five-year agreement with Archbold Expeditions DBA Buck Island Ranch, an educational non-governmental organization (NGO), for the purpose of providing Monitoring, Education and Outreach Services, in an amount not-to-exceed \$1,835,688 to monitor water quantity and quality in support of the Dispersed Water Management (DWM) Program in the Caloosahatchee River, Lake Okeechobee, and St. Lucie River Watersheds. Educational workshops will be led collaboratively by the District and Archbold Expeditions DBA Buck Island Ranch to present the storage and nutrient data, quantification of benefits, and promote landowner participation in DWM. This workshop is intended to educate landowners, show the data collected, and discuss how the nutrient retention and storage could be improved in these watersheds.

Archbold Expeditions DBA Buck Island Ranch will provide labor as well as furnish equipment, tools, and materials necessary to obtain accurate rainfall, surface water elevation, pump flow, and water quality data from an existing network of 49 stations as modified or expanded by the District across the 3 watersheds. Data collected under this contract will be utilized to determine the overall projects' benefits with respect to water quality and water quantity and to support the goals of the Florida Department of Environmental Protection (DEP) Basin Management Action Plans (BMAPs). Data can also assist the District to determine what projects are available for immediate use when additional storage and/or treatment capacity is needed as well as provide valuable insight as to the issues these types of projects face in their day-to-day

operation and how to troubleshoot them.

**Recommended Action:**

**Resolution No. 2024-0906 Authorize entering into a five-year agreement with Archbold Expeditions DBA Buck Island Ranch, an educational non-governmental organization (NGO) for the purpose of providing Monitoring, Educational and Outreach Services, in an amount not-to-exceed \$1,835,688, for which \$304,860 in dedicated funds (Land Acquisition Trust Fund) is subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to annual legislative appropriations and Governing Board approval of future years' budgets. (Contract No. 4600005058)**

[Resolution No. 2024-0906](#)

21. Virtualization Hardware and Software Maintenance (Staff contact, Akintunde Owosina, P.E.)

**Agenda Item Background:**

The Information Technology Division uses Nutanix hardware and Prism Pro software to provide access to all virtual desktops. This highly available platform provides staff the ability to work efficiently from any location. Procuring maintenance for this hardware and software guarantees that in the event of a problem, issues will be resolved in a timely manner, minimizing the impact to staff.

This request is to issue a purchase order to Flagler Technologies, LLC for virtualization hardware and software maintenance for the time period December 18, 2024 through May 31, 2026 in the amount of \$395,506, using the OMNIA Partners Cyber Security Solutions Contract Number R200803. This contract was competed by another government agency.

**Recommended Action:**

**Resolution No. 2024-0907 Authorize issuing a purchase order to Flagler Technologies, LLC for virtualization hardware and software maintenance, for the time period December 18, 2024 through May 31, 2026, in the amount of \$395,506, using the OMNIA Partners Cyber Security Solutions Contract Number R200803, for which Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget. (Purchase Order No. 4500150161)**

[Resolution No. 2024-0907](#)

22. Rubrik Hardware and Software Maintenance (Staff contact, Akintunde Owosina, P.E.)

**Agenda Item Background:**

The Information Technology Division uses the Rubrik platform to provide secure backup data protection for the District. This highly available platform provides a secure solution that simplifies and unifies backup, data protection, and instant data recovery. Procuring maintenance for this hardware and software guarantees that in the event of a problem the data can be restored.

This request is to issue a purchase order to Flagler Technologies, LLC for Rubrik hardware and software maintenance for the time period October 22, 2024, through March 13, 2026, in the amount of \$266,481, using the National Cooperative

Purchasing Alliance Contract Number 01-96. This contract was competed by another government agency.

**Recommended Action:**

**Resolution No. 2024-0908 Authorize issuing a purchase order to Flagler Technologies, LLC for infrastructure backup hardware and software maintenance, for the time period October 22, 2024 through March 13, 2026, in the amount of \$266,481, using the National Cooperative Purchasing Alliance Contract Number 01-96, for which Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget. (Purchase Order No. 4500150160)**

[Resolution No. 2024-0908](#)

23. Oracle Software Technical Support (Staff contact, Akintunde Owosina, P.E.)

**Agenda Item Background:**

The District's operations use Oracle portal and database platforms for many systems such as e-permitting, employee emergency notification site, weather/real-time readings, graphical verification analysis, hydrologic and scientific data, and DBHYDRO Insights. Information Technology is in the process of migrating off of the legacy Oracle software to a new modern platform. During this migration period, in an effort to reduce costs, the District executed a contract for technical assistance only (no software upgrades or updates) using a third-party vendor, Rimini Street, Incorporated. Procuring technical support only saves the District approximately \$526K per year.

This request is to authorize an additional two years of funding for a contract with Rimini Street, Incorporated, for Oracle software technical support through October 24, 2026, in the amount of \$606,013 for a revised contract total of \$1,411,049. This contract was competed by another government agency.

**Recommended Action:**

**Resolution No. 2024-0909 Authorize an additional two years of funding for a contract with Rimini Street, Incorporated, for Oracle software technical support through October 24, 2026, in the amount of \$606,013 for which \$295,616 of Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years' budgets. (Contract No. 4600004480)**

[Resolution No. 2024-0909](#)

24. STA-1W Structure Refurbishments, Critical Flood Control Infrastructure Project, Palm Beach County (Staff contact, Lucine Dadrian, P.E.)

**Agenda Item Background:**

As part of the STA Refurbishments Critical Flood Control Infrastructure Program, the STA-1W Structure Refurbishments Project, located in Palm Beach County, is needed to refurbish structures installed during the mid-1990s, that have reached the end of their service life. This project includes replacement of the G-253 Corrugated Metal Pipes (CMP) culvert structures from the original Everglades Nutrient Removal Project construction with new concrete box culvert structures, refurbish the G-304 A-J, G-306 A-H series of single gated CMPs, demolition of G-306 I-J, and culvert gasket

replacement at G-327A. This project addresses culverts with damaged and leaking seals, heavy corrosion and material loss on flashboard channels and riser, corrosion on gate frames, and insufficient riprap embankment protection. If left unaddressed, these defects have the potential to damage the levees and embankments they are constructed in and inhibit operation of the flow-ways within the STA.

The lowest responsive and responsible bidder is recommended for award. In accordance with District policy and consistent with state law for Request for Bids procurements, this item was competitively bid through a sealed bid process. The bid opening for this project was on August 27, 2024.

**Recommended Action:**

**Resolution No. 2024-0910 Authorize entering into a 1,095-day contract with Harry Pepper & Associates, Inc, the lowest responsive and responsible bidder, for the STA-1W Structure Refurbishments critical flood control infrastructure project, in the amount of \$60,752,471, for which dedicated funds (State Appropriations) and Ad Valorem funds in the amount of \$18,000,000 are subject to Governing Board Approval of the Fiscal Year 2024-2025 Adopted Budget, and the remainder is subject to Governing Board approval of future years' budgets. (Contract No. 4600005077)**

[Resolution No. 2024-0910](#)  
[Presentation Backup](#)

25. Design/Build of the Clewiston Field Station Building Relocation Project Amendment No. 7, Phase Two Services, Field Station Buildings and Site Work Construction, Hendry County (Staff contact, Lucine Dadrian, P.E.)

**Agenda Item Background:**

As part of the Operations and Maintenance Capital Improvement Program, the Clewiston Field Station Relocation, located in Hendry County, consists of the design and construction of a new and expanded Clewiston Field Station. The new facility will be located on District land located in Hendry County. The existing Field Station has reached the end of its useful life and requires replacement with facilities that meet current code requirements and facility needs.

The new facility will also consolidate and centrally locate the works and services provided in support of the District's mission for existing infrastructure operations as well as support new infrastructure that are in design and construction in the CERP, CEPP, Northern Everglades and Estuaries Protection Program, and Restoration Strategies programs. They include critical projects such as the C-43 Caloosahatchee Reservoir, A2 STA and Reservoir, Boma Flow Equalization Basin (FEB), Lake Hicpochee FEB Phase 1 and 2, C-139 FEB, and CEPP North Features.

The District is using the Progressive Design/Build procurement method to work in collaboration with the contractor from the conceptual phase through construction phase. The current Contract provides for the Design/Builder to deliver the Phase One Services Technical Exhibits for the Field Station site work, administration and fleet maintenance buildings, and features through Final Design (90%), and the Information Technology building and Microwave Tower through Corrected Final Design (100%) and through Phase Two Services to provide construction of a fully functioning

Microwave Tower in advance of the Field Station project. Amendment 7 advances Phase One Services Technical Exhibits for the Field Station site work, administration and fleet maintenance buildings, and features through Corrected Final Design (100%) and advances the Field Station site work, administration and fleet maintenance buildings, and features under the Phase Two Services to provide construction of a fully functioning Field Station project.

**Recommended Action:**

**Resolution No. 2024-0911 Authorize an amendment to the design-build contract with State Contracting and Engineering Corporation for the Clewiston Field Station Building Relocation Project, for Phase One Services - Technical Exhibits for the Field Station site work, administration and fleet maintenance buildings, and features through Corrected Final Design (100%) and for Phase Two Services - Construction for the Field Station site work, administration and fleet maintenance buildings, and features to provide a fully functioning Field Station facility, in an amount not-to-exceed \$52,440,365, for which \$17,000,000 in dedicated funds (Land Acquisition Trust Fund and State General Revenue) is subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years' budgets. (Contract No. 4600004535-A07).**

[Resolution No. 2024-0911](#)  
[Presentation Backup](#)

26. Bridge Inspection Program Contract (Staff contact, Lucine Dadrian, P.E.)

**Agenda Item Background:**

As part of the District's core missions of flood control, water supply, water quality, and ecosystem restoration, the Bridge Inspection Program supports access to the District's infrastructure by providing bridge inspections to identify deficiencies, load rating analyses to determine vehicle load limits, and repair requirements to extend the useful life, for District owned bridges that are not inspected through the Florida Department of Transportation (FDOT) inspection program. This program supports the continued operations and maintenance of the District's critical flood control infrastructure by extending the useful life of our access bridges and supporting construction activities.

The Bridge Inspection contract aims to meet the demands and specialties that are beyond the capacity of internal resources. The contract will be for a three-year period with two 1-year renewal options using FDOT Contract # CAR38 for these services.

**Recommended Action:**

**Resolution No. 2024-0912 Authorize entering into a contract with Kisinger Campo & Associates, Corp. to support the District's Bridge Inspection Program using Florida Department of Transportation Contract CAR38, for three years with two 1-year extension options, in an amount not to exceed \$500,000 for which Ad Valorem funds and dedicated funds (State Appropriations) are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years' budgets. (Contract No. 4600005047)**

[Resolution No. 2024-0912](#)  
[Presentation Backup](#)

27. B1 Building Switchboard Modernization, Critical Flood Control Infrastructure Project, Palm Beach County (Staff contact, Lucine Dadrian, P.E.)

**Agenda Item Background:**

As part of the Operations & Maintenance Critical Flood Control Infrastructure Capital Program, the B-1 Building Switchboard Modernization Project, located in Palm Beach County, will replace the outdated electrical circuit breakers to reduce the high costs of periodic maintenance, repairs and obsolete parts. This electrical switchboard system at District Headquarters has been identified as a high risk for failure. The old circuit breakers will be modernized by retrofilling the existing low voltage switchboards' Main Distribution Panel, Electronic Data Processing, and HVAC. To maintain the Underwriters Laboratories (UL) Rating for fire safety and sustainability of the new electrical retrofill equipment, we can only purchase the equipment from the Original Equipment Manufacturer (OEM), Schneider/Square D, through one of their distributors. Further, Schneider Electric/Square D is required to install the equipment per industry specifications.

Graybar Electric Company, Inc. is an authorized distributor of the OEM who will procure the equipment from Schneider/Square D and hire them to install and provide the UL certification. This electrical retrofill equipment will be procured using Graybar Electric Company, Inc. contract with City of Kansas City Contract #EV2370, for Schneider Electric/Square D Services.

**Recommended Action:**

**Resolution No. 2024-0913 Authorize entering into a 600-day contract with Graybar Electric Company, Inc., for the B1 Building Switchboard Modernization critical flood control infrastructure project, in the amount of \$1,881,269.07, for which dedicated funds (State Appropriations) and Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget, using Graybar Electric Company, Inc. Contract with City of Kansas City Contract #EV2370. (Contract No. 4600005070)**

[Resolution No. 2024-0913](#)

[Presentation Backup](#)

28. G-539 Pump Station Pump Replacements Project, Palm Beach County (Staff contact, Lucine Dadrian, P.E.)

**Agenda Item Background:**

As part of the Operations and Maintenance Critical Flood Control Infrastructure Capital Program, the G-539 Pump Replacements Project is located in the L-8 Flow Equalization Basin (FEB) in Palm Beach County. The G-539 Pump Station pumps water from the L-8 FEB to the adjacent SFWMD L-8 Canal located east of the L-8 FEB.

Since completion of the Pump Station in 2017, the six submersible pumps have experienced a variety of failures which have limited the operability of the FEB. As a result, the FEB has not been able to operate as designed reducing the anticipated benefits for the District.

The work will be procured using the Pinellas County, Florida Contract Number 21-

0222-B-BRW, to contract with Xylem Water Solutions USA, Inc. to replace the existing submersible pumps with axial flow pumps and modifications to the piping and auxiliary components as needed over the next 24 months. The Pinellas County Contract was executed on September 9, 2021, for 60 months with a 24-month option to extend.

**Recommended Action:**

**Resolution No. 2024-0914 Authorize entering into a purchase order with Xylem Water Solutions USA, Inc., for the G-539 Pump Station Pump Replacements Project, in the amount of \$10,344,223, for which \$2,550,000 in dedicated funds (State Appropriations) and Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years' budgets, using the Pinellas County, Florida Contract No. 21-0222-B-BRW. (Purchase Order No. 4500150496)**

[Resolution No. 2024-0914](#)

[Presentation Backup](#)

29. Approve the District's 2024-2025 Regulatory Plan and Authorize Publication of Notices of Rule Development for Several Rules Listed on the Regulatory Plan (Staff contact, Maricruz R. Fincher)

**Agenda Item Background:**

Florida law requires agencies to complete an annual regulatory plan to inform the Legislature and the public of agency rulemaking. The District's Governing Board and General Counsel must certify that they reviewed the plan and that the District regularly reviews its rules to determine if the rules remain consistent with the agency's rulemaking authority and the laws implemented by the agency's rules. The District must submit its certification along with the plan to the Joint Administrative Procedures Committee each year. The District publishes notice of the plan in the Florida Administrative Register and provides notice and access to the plan on its website for 10 years after the date of initial publication. In the plan, there are changes proposed for several rules to ensure congruity with statutory authority and state-wide rules. Therefore, staff requests approval to publish Notices of Rule Development for those rules, specifically, Rules 40E-1.6058, 40E-1.607, 40E-2, 40E-2.091, 40E-2.321, 40E-7.668 through 40E-7.678, 40E-22.011, 40E-22.061, 40E-22.072, 40E-22.122, 40E-22.212, 40E-22.222, 40E-22.232, and 40E-22.262, F.A.C.

**Recommended Action:**

**Resolution No. 2024-0915 Certify to the Joint Administrative Procedures Committee that the Governing Board and General Counsel reviewed the District's 2024-2025 Annual Regulatory Plan and that the District reviewed its rules to determine if the rules remain consistent with the District's rulemaking authority and the laws implemented, and authorize publication of Notices of Rule Development of several rules listed on the 2024-2025 Regulatory Plan, specifically Rules 40E-1.6058, 40E-1.607, 40E-2, 40E-2.091, 40E-2.321, 40E-7.668 through 40E-7.678, 40E-22.011, 40E-22.061, 40E-22.072, 40E-22.122, 40E-22.212, 40E-22.222, 40E-22.232, and 40E-22.262, F.A.C..**

[Resolution No. 2024-0915](#)

[2024-2025 Regulatory Plan](#)

[JAPC Certification](#)

[Rule Development Notices](#)

30. Governing Board Concurrence on Emergency Final Orders, Nos. 2024-051-DAO, 2024-052-DAO, 2024-053-DAO, and 2024-054-DAO, and Order Rescinding Emergency Final Orders, No. 2024-055-DAO (Staff contact, Jennifer Smith and Maricruz R. Fincher)

**Agenda Item Background:**

In response to potential flooding caused by Invest 97L and Governor DeSantis' Executive Order No. 2024-156 issued August 1, 2024, the District issued Emergency Final Orders 2024-034-DAO, 2024-035-DAO, 2024-036-DAO, and 2024-037-DAO on August 2, 2024. These Orders enabled the District to perform public work and take prudent action to ensure the public's health, safety, and welfare in the wake of potentially severe flooding. On August 6, 2024, the District issued the Order Rescinding Emergency Final Orders, No. 2024-055-DAO, due to improved conditions. Staff requests the Governing Board's concurrence with the issuance of the Emergency Final Orders and Order Rescinding Emergency Final Orders, in compliance with section 373.119(2) of the Florida Statutes.

Emergency Orders:

- SFWMD 2024-051-DAO Emergency Authorization for Repairs, Replacement, Restoration, and Certain Other Measures Made Necessary by Invest 97L
- SFWMD 2024-052-DAO Emergency Authorization for Pumping and Other Measures to Address Flooding Caused by Invest 97L
- SFWMD 2024-053-DAO Emergency Authorization Abrogating Time Requirements, Notice Requirements, and Deadlines for Action on Permits and Other Approvals Made Necessary by Invest 97L
- SFWMD 2024-054-DAO Emergency Authorization for Procurement of Goods and Services Made Necessary by Invest 97L

Order Rescinding Emergency Final Orders:

- SFWMD 2024-055-DAO Order Rescinding Emergency Final Orders Issued to Address Flooding Concerns Caused by Invest 97L

**Recommended Action:**

**Concur on Emergency Final Orders, Nos. 2024-051-DAO, 2024-052-DAO, 2024-053-DAO, and 2024-054-DAO, and Order Rescinding Emergency Final Orders, No. 2024-055-DAO.**

[2024-051-DAO Emergency Final Order](#)

[2024-052-DAO Emergency Final Order](#)

[2024-053-DAO Emergency Final Order](#)

[2024-054-DAO Emergency Final Order](#)

[2024-055-DAO Order Rescinding Emergency Final Orders](#)

31. Grant Agreements and Interagency Agreements, Building Resilient Infrastructure and Communities (BRIC) Program (Staff contact, Carolina Maran, Ph.D., P.E.)

**Agenda Item Background:**

On June 6, 2024, the Federal Emergency Management Agency (FEMA) awarded reimbursement grants to the Florida Division of Emergency Management (FDEM) and the District, as sub-recipient, for three resiliency projects through the Building Resilient

Infrastructure and Communities (BRIC) Program. Each resiliency project was awarded approximately \$50 million, for a total grant award of approximately \$150 million. As sub-recipient, the District is responsible for executing the Phase 1 approved scope of work, which includes surveying, engineering, design, plans preparation, permitting, and bidding for the proposed projects; and the future Phase 2 scope of work, which includes construction (pending FDEM final approval of Phase 1 deliverables). The projects are divided into components; the District is collaborating with Miami-Dade County (MDC) and South Broward Drainage District (SBDD) to complete several project components, as indicated in the grant work plan of each project.

This agenda item is requesting authorization from the Governing Board to enter into grant agreements with FDEM and interagency agreements with the local partners for Phase 1 and future Phase 2 of the three projects.

**Recommended Action:**

**Resolution No. 2024-0916 Authorize entering into grant agreements with the Florida Division of Emergency Management and interagency agreements with local partners for Phase 1, the surveying, engineering, design, plans preparation, permitting, and bidding; and future Phase 2, the construction, of three projects awarded through the FEMA BRIC Program.**

- **SFWMD Building Resiliency with Gray and Green Infrastructure, C-7 Basin of Miami-Dade County**
- **SFWMD Building Resiliency with Gray and Green Infrastructure, C-8 Basin of Miami-Dade County**
- **SFWMD Building Resiliency with Gray and Green Infrastructure, C-9 Basin, Broward and Miami-Dade Counties**

[Resolution No. 2024-0916](#)

32. Systems Furniture Installation and Reconfiguration Services (Staff contact, Candida Heater)

**Agenda Item Background:**

This request is to authorize entering into an agreement and funding for a three-year contract with two 1-year renewal options with MAW Installations, Inc., for systems furniture installation services for all facilities throughout the District.

This contract is essential to continue systems furniture installations for all facilities throughout the District upon the expiration of the current contract on September 30, 2024. The contract provides professional systems furniture installation service with necessary staff, labor, equipment, and supervision to assemble and/or relocate office cubicles, systems office furniture, and miscellaneous equipment. The scope of this contract provides these services throughout all District facilities.

The search for a suitable systems furniture installation contractor service provider was solicited by District procurement procedures using the competitive bid process that resulted in MAW Installation, Inc. being the lowest responsive responsible bidder and met all minimum requirements as a systems furniture service provider at the District.

**Recommended Action:**

**Resolution No. 2024-0917 Authorize entering into a three-year contract with two**

**1-year renewal options with MAW Installations, Inc., the lowest responsive and responsible bidder, for systems furniture installation services in an amount not-to-exceed \$1,024,400, for which \$204,880 in Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years' budgets. (Contract No. 460005052)**

[Resolution No. 2024-0917](#)

33. Chiller Replacement and Upgrade for District Headquarters Building B1 and Emergency Operations Center (Staff contact, Candida Heater)

**Agenda Item Background:**

The replacement of three failing chillers, with an average age of 26 years old, including their components, and control systems need to be replaced. These chillers serve the Building B1 and Emergency Operations Center at District Headquarters. The two B1 building chillers are both 150-ton water-cooled centrifugal chillers and were installed 1992. They are both at the end of their useful life expectancy. Parts for these chillers have become obsolete because of their age. The maintenance costs have significantly increased. The Emergency Operations Center operates 24 hours per day, 365 days per year. The chiller being replaced is one of two 165-ton air-cooled rotary chillers that support the building and must be highly reliable. It has been in service for 14 years and is the older of the two chillers for this building. The rising repair costs on this chiller and the importance of the Emergency Operations Center require that it be replaced.

These replacements and upgrade will ensure the air conditioning system will provide an energy efficient, well-controlled, high-quality and comfortable working environment. The contract for these services was competed through a government agency pursuant to Florida law; therefore, the District's Procurement Policy does not require additional competition. If approved, the District will enter into purchase order agreements to complete the work.

**Recommended Action:**

**Resolution No. 2024-0918 Authorize entering into Purchase Orders with Trane US, Inc., to provide and replace two air conditioning chillers at District Headquarters Building B1 chiller plant, and to provide and replace one air conditioning chiller at the Emergency Operations Center chiller plant, using the Trane US, Inc. Contract with Racine County, Wisconsin Contract #3341, in an amount not-to-exceed \$1,549,311 for which dedicated (State Appropriations) are budgeted in Fiscal Year 2023-2024. (Purchase Order Nos. 4500150656, 4500150657, 4500150660, and 4500150659)**

[Resolution No. 2024-0918](#)

**Discussion Agenda**

34. 2023-2024 Lower East Coast Water Supply Plan Update Status (Staff contact, Mark Elsner)

**Agenda Item Background:**

Staff is requesting the Governing Board issue a final order approving the 2023-2024

Lower East Coast (LEC) Water Supply Plan Update (2023-2024 LEC Plan Update). Water supply plans are updated every five years and identify sustainable water supplies for all water users while protecting water resources and related natural systems. This five-year update for the LEC Planning Area includes all of Palm Beach, Broward and Miami-Dade counties, and most of Monroe County and portions of Collier and Hendry counties, as well as reservations for the Miccosukee and Seminole Tribes of Florida.

The 2023-2024 LEC Plan Update provides demand projections through 2045 and identifies sources and strategies to meet these demands pursuant to Chapter 373, F.S. The 2023-2024 LEC Plan Update concludes that future water needs of the LEC Planning Area can be met with appropriate management, conservation, and implementation of projects identified in the plan.

The 2023-2024 LEC Plan Update was developed in an open public forum. The Draft 2023-2024 LEC Plan Update was made available for public review and comment. The comments were evaluated and incorporated into the 2023-2024 LEC Plan Update where appropriate.

**Recommended Action:**

**Enter a Final Order Approving the 2023-2024 Lower East Coast Water Supply Plan Update.**

[Final Order](#)

## **Technical Reports**

35. Water and Ecological Conditions Report - John P. Mitnik, P.E., and Lawrence Glenn

## **Staff Reports**

36. Monthly Financial Report - Candida Heater, Division Director - Administrative Services
37. General Public Comment
38. Board Comment
39. Adjourn

Final Presentations and Project Updates

**Agenda Item Background:**

[CERP Report](#)

[NEEPP Report](#)

[34 Elsner Lower East Coast Water Supply Plan Update Status](#)

[35 Mitnik Glenn Water and Ecological Conditions 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:** September 12, 2024  
**SUBJECT:** Land Acquisition, Pal Mar, Martin County

### **Agenda Item Background:**

The Pal Mar project area is located in western Martin County and is generally considered to be a broad flat area of wetlands containing hundreds of small lakes and depression marshes interconnected by seasonal flow ways made up of grassy wet prairies and cypress swamps. The District has been acquiring land on a willing seller basis to preserve and protect this area. Staff is seeking Governing Board approval to acquire one parcel containing 1.0 acres from a willing seller for a purchase price of \$14,000.

### **Additional Item Background:**

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

The proposed acquisition of privately-owned land within the Pal Mar Project allows the District to achieve ownership consistent with its environmental goals. The acquisition will consolidate District ownership with other District owned lands.

#### **Funding Source:**

The \$14,000 purchase price for the parcel is less than the \$16,000 appraised value. The \$16,000 appraised value is based on an appraisal of similar Pal Mar Project lands conducted earlier in 2024. The closing costs will be paid by the seller. All costs, including acquisition and associated costs, were or will be funded from the District's Lease Revenue.

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

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

### **ATTACHMENTS:**

[Resolution No. 2024-0901](#)

[Exhibit A Map](#)

# SOUTH FLORIDA WATER MANAGEMENT DISTRICT

## Resolution No. 2024-09XX

**A Resolution of the Governing Board of the South Florida Water Management District to authorize the acquisition of land interests containing 1.0 acres, more or less, in the total amount of \$14,000, located in the Pal Mar Project in Martin County, for which dedicated funds (Lease Revenue) are budgeted; providing an effective date.**

**WHEREAS**, the South Florida Water Management District is currently acquiring land from willing sellers in connection with the implementation of the Pal Mar Project in Martin County; and

**WHEREAS**, the South Florida Water Management District desires to purchase land interests containing 1.0 acres, more or less, in the total amount of \$14,000, located in the Pal Mar Project, as shown on the location map Exhibit "A," attached hereto and made a part hereof, and declare surplus, disposal of, and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose for the original land acquisition; and

**WHEREAS**, all costs are to be funded from the District's Lease Revenue for the acquisition and associated costs; and

**WHEREAS**, the South Florida Water Management District is authorized to acquire land, or interests or rights in land, pursuant to Section 373.139, Florida Statutes; 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 the acquisition of land interests containing 1.0 acre, more or less, in the amount of \$14,000, for the Pal Mar Project in Martin County, together with associated costs, for which dedicated funds (Lease Revenue) have been budgeted as follows:

Owner	Tract No.	Interest	Acres	Appraised Value*	Purchase Price
Christine Austin-Fannin, successor trustee of The Glenn Lewis Sproat Trust dated October 3, 2019.	23107-281	Fee	1.0	\$16,000	\$14,000

\*Based on a 2024 appraisal of similar lands within the Pal Mar Project in Martin County

<b>Amount</b>	<b>Fund</b>	<b>Fund Center</b>	<b>Functional Area</b>	<b>GL Account #</b>	<b>Account Description</b>
\$14,000	404001	3510144000	AA00	580020	Acquisition

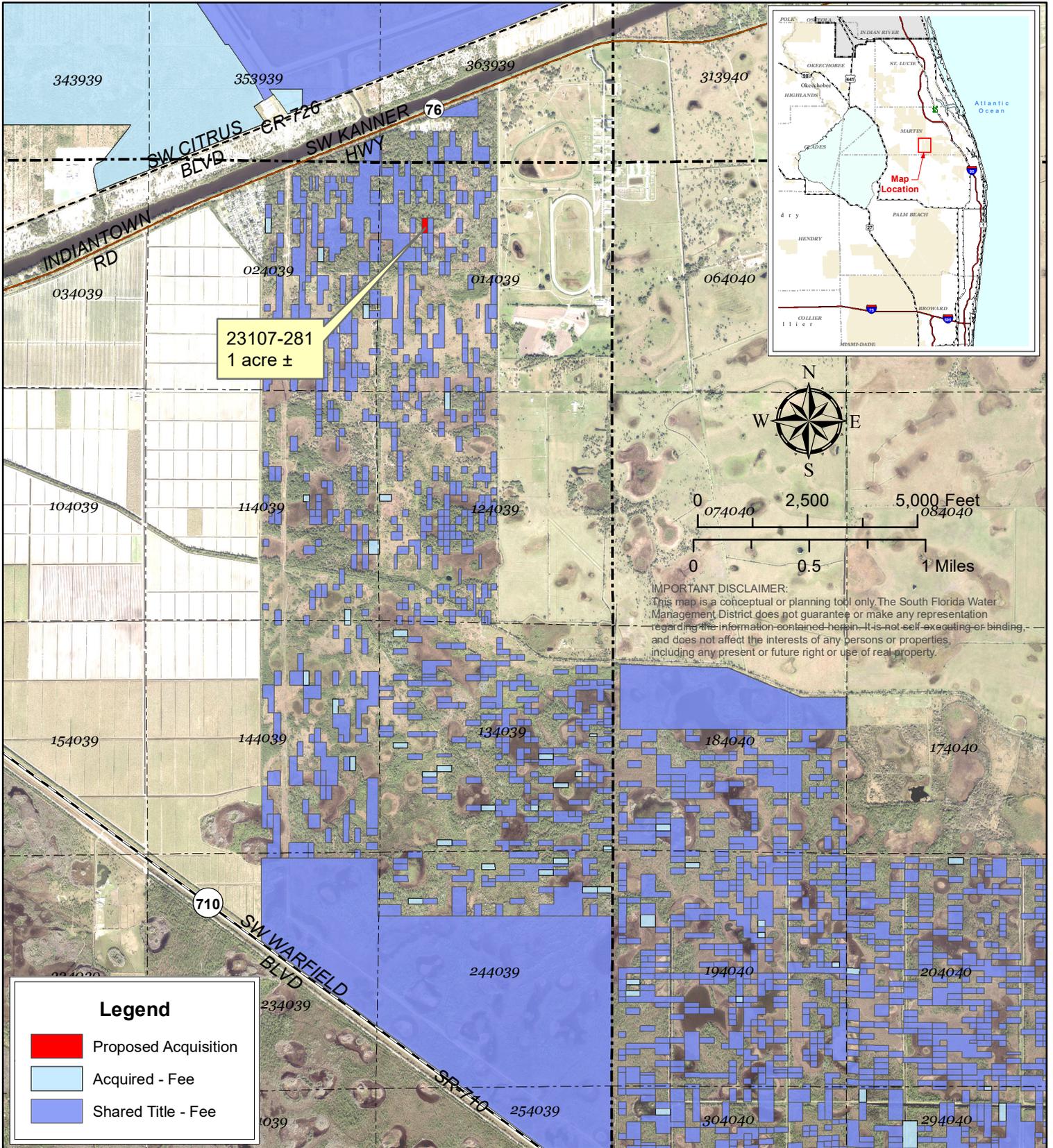
**Section 2.** The Governing Board of the South Florida Water Management District hereby further approves declaring surplus, disposal of, and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition.

**Section 3.** The Governing Board of the South Florida Water Management District hereby authorizes the Executive Director or the Executive Director's designee to make any determinations in connection with the transaction and execute all other documents necessary to consummate these transactions.

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

**PASSED and ADOPTED** this 12<sup>th</sup> day of September, 2024.

# Exhibit "A"



## Tract 23107-281 Martin County, Florida



## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Jill Creech, P.E., Regulation

**DATE:** September 12, 2024

**SUBJECT:** Partial Release of a Recorded Conservation Easement for Isles of Collier Preserve, for Transfer of the Lands to Rookery Bay National Estuarine Research Reserve

### **Agenda Item Background:**

Minto Sabal Bay, LLC requests a partial release of 780.03 acres of a 1,347.18-acre recorded conservation easement, located in Collier County. On June 14, 2006, the District issued Environmental Resource Permit No. 11-02003-P-06, Application No. 040629-37, authorizing the construction and operation of a surface water management system for a project known as Isles of Collier Preserve (FKA Sabal Bay). Special Condition 32 of the permit anticipated that the 780.03-acre mitigation area would be transferred to the Rookery Bay National Estuarine Research Reserve (RBNERR), which is managed and maintained by the Florida Department of Environmental Protection's Office of Resilience and Coastal Protection, once the District deemed the area's mitigation successful. On July 31, 2020, the District determined that the mitigation work had achieved success and the 780.03 acres were ready to be transferred to RBNERR. Upon this partial release, the parcel will be added to the lands in Rookery Bay National Estuarine Research Reserve and it will be managed under the 2022 Rookery Bay National Estuarine Research Reserve Management Plan. A Memorandum of Understanding will be entered into between the Florida Department of Environmental Protection's Office of Resilience and Coastal Protection, the U.S. Army Corps of Engineers, Jacksonville District, and the South Florida Water Management District as additional assurances that this area will be properly managed in perpetuity.

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

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

### **ATTACHMENTS:**

[Resolution No. 2024-0902](#)

[Location Maps](#)

# SOUTH FLORIDA WATER MANAGEMENT DISTRICT

## Resolution No. 2024 - 0902

**A Resolution of the Governing Board of the South Florida Water Management District approving a partial release of a recorded conservation easement for a project known as Isles of Collier Preserve (FKA Sabal Bay); providing an effective date.**

**WHEREAS**, the District, with third-party rights to the Army Corps of Engineers, was granted a conservation easement as recorded in Official Record Book 4867 at Page 3336 of the public records of Collier County. The conservation easement was required under Environmental Resource Permit No. 11-02003-P-06, Application No. 040629-37 (Permit); and

**WHEREAS**, Special Condition 32 of the Permit anticipated that the 780.03-acre mitigation area would be transferred to the Rookery Bay National Estuarine Research Reserve (RBNERR), which is managed and maintained by the Florida Department of Environmental Protection's Office of Resilience and Coastal Protection, once the District deemed the area's mitigation successful; and

**WHEREAS**, on July 31, 2020, the District determined that the mitigation work had achieved success, and the 780.03 acres were ready to be transferred to RBNERR; and

**WHEREAS**, the permittee, Minto Sabal Bay, LLC, requests that the South Florida Water Management District release 780.03 acres of a 1,347.18-acre conservation easement in accordance with the Permit; and

**WHEREAS**, to ensure this area will be properly managed in perpetuity, a Memorandum of Understanding will be entered into between the Florida Department of Environmental Protection's Office of Resilience and Coastal Protection, the U.S. Army Corps of Engineers, Jacksonville District, and the South Florida Water Management District; and

**WHEREAS**, the District is empowered to release the Conservation Easement pursuant Section 704.06, 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 releases 780.03 acres of a 1,347.18-acre recorded conservation easement, as described in Resolution Exhibit "A" attached hereto and made a part hereof.

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

**Resolution No. 2024 - 0902**

**PASSED** and **ADOPTED** this 12<sup>th</sup> day of September, 2024.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

\_\_\_\_\_  
Chauncey P. Goss, II  
Chairman

Attest:

Legal form approved:  
By:

\_\_\_\_\_  
District Clerk/Secretary

\_\_\_\_\_  
Office of Counsel

Print name:

\_\_\_\_\_

**Return recorded document to:**

South Florida Water Management District  
Regulation Division – MSC 9210  
3301 Gun Club Road  
West Palm Beach, FL 33406

Permit: Related to 11-02003-P-06 Application: 230428-38457

Tract: Being a part of Section 23 and Section 26, Township 50 South, Range 25 East, Conservation Area 4, 780.03 acres of Isles of Collier Preserve

## RELEASE OF CONSERVATION EASEMENT

This Release of Conservation Easement (“Release”) is made this 12th day of September, 2024 by the **South Florida Water Management District** (“District”) having an address of 3301 Gun Club Road, West Palm Beach, Florida, 33406.

**WITNESSETH:**

**WHEREAS**, CDC Land Investments, Inc. (now Minto Sabal Bay, LLC) granted in favor of the District that certain Deed of Conservation Easement dated December 20, 2012, and recorded in Official Record Book 4867 at Page 3336 of the Public Records of Collier County, Florida encumbering the real property described on Exhibit “A” attached hereto and made apart hereof (hereinafter referred to as the “Conservation Easement”); and

**WHEREAS**, the District has been requested to release the Conservation Easement as to Conservation Area 4, as described in OR 4867 PG 3351-3352; and

**WHEREAS**, the Conservation Easement may be partially released to the underlying fee owner; and

**WHEREAS**, the District is amenable to releasing the Conservation Easement as to Conservation Area 4, as described in OR 4867 PG 3351-3352.

Release of Conservation Easement  
Permit: 11-02003-P-06 Application: 230428-38457

**NOW, THEREFORE,** for good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, the District hereby partially discharges, terminates and releases the Conservation Easement as to Conservation Area 4, as described in OR 4867 PG 3351-3352.

**IN WITNESS WHEREOF,** the South Florida Water Management District has caused this Release of Conservation Easement to be executed in its name by its Governing Board on this 12th day of September, 2024.

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

**By:** \_\_\_\_\_  
Chauncey P. Goss, II  
Chairman

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024

by \_\_\_\_\_, Chairman of the South Florida Water Management District, a public corporation of the State of Florida, on behalf of the corporation, who is personally known to me.

Notary Public

\_\_\_\_\_  
Print

My Commission Expires: \_\_\_\_\_

Legal Form Approved By  
Office of Counsel, May 2016

\_\_\_\_\_

**EXHIBIT A**  
**Conservation Easement**

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

**DEED OF CONSERVATION EASEMENT  
WITH THIRD PARTY BENEFICIARY RIGHTS**

Return recorded document to:  
South Florida Water Management District  
3301 Gun Club Road, MSC 4210  
West Palm Beach, FL 33406

THIS DEED OF CONSERVATION EASEMENT is given this 20<sup>th</sup> day of December, 2012, by CDC Land Investments, Inc. ("Grantor") whose mailing address is 2550 Goodlette Road North, Suite 2550, Naples, Florida 34103 to the South Florida Water Management District ("Grantee" or "District") with third party enforcement rights to the Army Corps of Engineers ("ACOE"). As used herein, the term "Grantor" shall include any and all heirs, successors or assigns of the Grantor, and all subsequent owners of the "Property" (as hereinafter defined) and the term "Grantee" shall include any successor or assignee of Grantee.

WITNESSETH

WHEREAS, the Grantor is the owner of certain lands situated in Collier County, Florida, and more specifically described in Exhibit "A" attached hereto and incorporated herein ("Property"); and

WHEREAS, the Grantor desires to construct Sabal Bay ("Project") at a site in County, which is subject to the regulatory jurisdiction of the District and the ACOE; and

WHEREAS, District Permit No. 11-02003-P-06 ("District Permit") authorizes certain activities which affect waters in or of the State of Florida; and

WHEREAS, the U.S. Army Corps of Engineers Permit No. SAJ-1977-01194 ("ACOE Permit") authorizes certain activities in the waters of the United States and requires this site protection instrument over the lands identified in Exhibit "B" as mitigation for such activities; and

WHEREAS, the ACOE has stated that it is not authorized to hold conservation easements, and the Grantor has therefore agreed to the granting of third party beneficiary rights to the ACOE; and

WHEREAS, these Permits require that the Grantor preserve, enhance, restore and/or mitigate wetlands and/or uplands under the Grantee's and ACOE's jurisdiction; and

WHEREAS, the Grantor, in consideration of the consent granted by the District Permit, is agreeable to granting and securing to the Grantee a perpetual Conservation Easement as defined in Section 704.06, Florida Statutes, over the area described on Exhibit "B" ("Conservation Easement") which includes third party enforcement rights for the ACOE.

NOW, THEREFORE, in consideration of the issuance of the District Permit to construct and operate the permitted activity, and as an inducement to the Grantee in issuing the District Permit, together with other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, Grantor hereby grants, creates, and establishes a perpetual Conservation Easement for and in favor of the Grantee upon the property described on Exhibit "B" which shall run with the land and be binding upon the Grantor, and shall remain in full force and effect forever.

The scope, nature, and character of this Conservation Easement shall be as follows:

1. Recitals. The recitals hereinabove set forth are true and correct and are hereby incorporated into and made a part of this Conservation Easement.

2. Purpose. It is the purpose of this Conservation Easement to retain land or water areas in their natural, vegetative, hydrologic, scenic, open, agricultural or wooded condition and to retain such areas as suitable habitat for fish, plants or wildlife. Those wetland and/or upland areas included in the Conservation Easement which are to be enhanced or created pursuant to the District Permit shall be retained and maintained in the enhanced or created conditions required by the District Permit. To carry out this purpose, the following rights are conveyed to Grantee and the District by this Conservation Easement:

a. To enter upon the Property at reasonable times with any necessary equipment or vehicles to enforce the rights herein granted in a manner that will not unreasonably interfere with the use and quiet enjoyment of the Property by Grantor at the time of such entry; and

b. To enjoin any activity on or use of the Property that is inconsistent with this Conservation Easement and to enforce the restoration of such areas or features of the Conservation Easement that may be damaged by any inconsistent activity or use.

3. Prohibited Uses. Except for restoration, creation, enhancement, maintenance and monitoring activities, or surface water management improvements or other activities described herein that are permitted or required by the Permit, the following activities are prohibited in or on the Conservation Easement:

a. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;

b. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;

c. Removal or destruction of trees, shrubs, or other vegetation, except for the removal of exotic or nuisance vegetation in accordance with a District approved maintenance plan;

d. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;

e. Surface use except for purposes that permit the land or water area to remain predominately in its natural or enhanced condition;

f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking and fencing;

g. Acts or uses detrimental to such aforementioned retention of land or water areas;

h. Acts or uses which are detrimental to the preservation of the structural integrity or physical appearance of sites or properties having historical, architectural, archaeological, or cultural significance.

4. Passive Recreational Facilities. Grantor reserves all rights as owner of the Easement Parcel, including the right to (a) engage in uses of the Easement Parcel that are not prohibited herein and that are not inconsistent with any District rule, criteria, the Permit and the intent and purposes of this Conservation Easement, and (b) construct and maintain those trails, boardwalks and a kayak launch as authorized by the Permit and as depicted in Permit Exhibit "3.1", entitled "Sabal Bay Trails Map" with those typical cross-sections depicted in Permit Exhibit "2.0". Passive recreational uses that are not contrary to the purpose of this Conservation Easement may be permitted upon written approval by the District.

a. The Grantor may conduct limited land clearing for the purpose of constructing such pervious facilities as docks, boardwalks or mulched walking trails.

b. The construction and use of the approved passive recreational facilities shall be subject to the following conditions:

i. Grantor shall minimize and avoid, to the fullest extent possible, impact to any wetland or upland buffer areas within the Conservation Easement and shall avoid materially diverting the direction of the natural surface water flow in such area;

ii. Such facilities and improvements shall be constructed and maintained utilizing Best Management Practices;

iii. Adequate containers for litter disposal shall be situated adjacent to such facilities and improvements and periodic inspections shall be instituted by the maintenance entity, to clean any litter from the area surrounding the facilities and improvements;

iv. This Conservation Easement shall not constitute permit authorization for the construction and operation of the passive recreational facilities. Any such work shall be subject to all applicable federal, state, District or local permitting requirements.

5. No Dedication. No right of access by the general public to any portion of the Property is conveyed by this Conservation Easement.

6. Grantee's and District's Liability. Neither Grantee nor the ACOE shall be responsible for any costs or liabilities related to the operation, upkeep or maintenance of the Property.

7. Property Taxes. Grantor shall keep the payment of taxes and assessments on the Easement Parcel current and shall not allow any lien on the Easement Parcel superior to this Conservation Easement. In the event Grantor fails to extinguish or obtain a subordination of such lien, in addition to any other remedy, the Grantee may, but shall not be obligated to, elect to pay the lien on behalf of the Grantor and Grantor shall reimburse Grantee for the amount paid by Grantee, together with Grantee's reasonable attorney's fees and costs, with interest at the maximum rate allowed by law, no later than thirty days after such payment. In the event Grantor does not so reimburse the Grantee, the debt owed to Grantee shall constitute a lien against the Easement Parcel which shall automatically relate back to the recording date of this Easement. Grantee may foreclose this lien on the Easement Parcel in the manner provided for mortgages on real property.

8. Rights of the U.S. Army Corps of Engineers ("Corps"). The Corps, as a third party beneficiary, shall have the right to enforce the terms and conditions of the site protection instrument, including:

a. The right to take action to preserve and protect the environmental value of the Property;

b. The right to prevent any activity on the Property that is inconsistent with the purpose of this instrument, and to require the restoration of areas or features of the Property that may be damaged by any inconsistent activity;

c. The right to enter upon and inspect the Property in a reasonable manner and at reasonable times to determine if Grantor or its successors and assigns are complying with the covenants and prohibitions contained in this instrument;

d. The right to enforce this instrument by injunction or proceed at law or in equity to enforce the provisions of this instrument and the covenants set forth herein, to prevent the occurrence of any of the prohibited activities hereinafter set forth, and the right to require Grantor, or its successors and assigns, to restore such areas or features of the Property that may be damaged by unauthorized activities; and

e. The Grantor, including their successors or assigns, shall provide the Corps at least 60 days advance notice in writing before any action is taken to amend, alter, release, or revoke this instrument. The Grantee shall provide reasonable notice and an opportunity to comment or object to the release or amendment to the U.S. Army Corps of Engineers. The Grantee shall consider any comments or objections from the U.S. Army Corps of Engineers when making the final decision to release or amend such a conservation easement.

9. Assignment. Grantee will hold this Conservation Easement exclusively for conservation purposes. Grantee will not assign its rights and obligations under this Conservation Easement except to another organization or entity qualified to hold such interests under the applicable state laws.

10. Severability. If any provision of this Conservation Easement or the application thereof to any person or circumstances is found to be invalid, the remainder of the provisions of this Conservation Easement shall not be affected thereby, as long as the purpose of the Conservation Easement is preserved.

11. Terms, Restrictions, Conditions and Purpose. The terms, conditions, restrictions and purpose of this Conservation Easement shall be referred to by Grantor in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the Conservation Easement. Any future holder of the Grantor's interest in the Property shall be notified in writing by Grantor of this Conservation Easement and the third party enforcement rights of the ACOE.

12. Written Notice. All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed properly given if sent by United States certified mail, return receipt requested, addressed to the appropriate party or successor-in-interest.

TO HAVE AND TO HOLD unto Grantee forever. The covenants, terms, conditions, restrictions and purposes imposed with this Conservation Easement shall be binding upon Grantor, and shall continue as a servitude running in perpetuity with the Property.

Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said Property in fee simple; that the Conservation Easement is free and clear of all encumbrances (that are inconsistent with the terms of this Conservation Easement) and all mortgages and liens on the Conservation Easement area, if any, have been subordinated to this Conservation Easement; that Grantor has good right and lawful authority to convey this Conservation Easement; and that it hereby fully warrants and defends the title to the Conservation Easement hereby conveyed against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, CDC Land Investments, Inc. ("Grantor") has hereunto set its authorized hand this 20th day of December, 2012.

CDC LAND INVESTMENTS, INC.

By: Patrick L. Utter  
(Signature)

Name: Patrick L. Utter

Title: Vice President

Signed, sealed and delivered in our presence as witnesses:

By: Beatrice Sturka  
(Signature)

Name: BEATRICE STURKA  
(Print)

By: Carol Goodrich  
(Signature)

Name: Carol Goodrich  
(Print)



STATE OF FLORIDA  
COUNTY OF COLLIER

On this 20 day of December, 2012, before me, the undersigned notary public, personally appeared Patrick L. Utter, the person who subscribed to the foregoing instrument, as the Vice President, of CDC Land Investments, Inc. ("Grantor"), and acknowledged that he executed the same on behalf of CDC Land Investments, Inc. that he was duly authorized to do so. He is personally known to me or has produced a \_\_\_\_\_ (state) driver's license as identification.

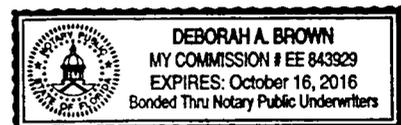
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY PUBLIC, STATE OF FLORIDA

By: Deborah A. Brown  
(Signature)

Name: DEBORAH A. BROWN  
(Print)

My Commission Expires: Oct. 16, 2016



**MORTGAGEE JOINDER, CONSENT AND SUBORDINATION**

**THIS PAGE IS INTENTIONALLY DELETED.  
THE PROPERTY IS NOT ENCUMBERED BY A MORTGAGE.**



Exhibit A



Legal Description of All of Section 25 and part of Section 23, 24, 26  
and 36, Township 50 South Range 25 East and part of Section 19,  
Township 50 South, Range 26 East, Collier County, Florida  
(Sabal Bay)  
Revised 03/28/11

Beginning at the Northeast Corner of Section 25, Township 50 South, Range 25 East, Collier County, Florida  
Thence along the East Line of Said Section 25 South 00°22'18" West 2,687.69 feet;  
Thence continue along the east line of said Section 25 South 00°20'37" West 2,685.56 feet to the Southeast Corner of said Section 25;  
Thence along the East line of Section 36 South 00°19'56" West 1,518.00 feet;  
Thence North 87°28'51" West 5,326.38 feet;  
Thence North 00°14'25" East 1,254.17 feet to the North West Corner of Said Section 36;  
Thence along the south line of Section 26 South 89°32'22" West 2,696.15 feet;  
Thence continue along the South line of Said Section South 89°29'09" West 2,696.69 feet to the Southwest corner of said Section 26;  
Thence along the West line of said Section 26 North 00°22'46" East 2,689.10 feet;  
Thence continue along the West line of said Section 26 North 00°22'20" East 2,690.20 feet to the Northwest Corner of Said Section 26;  
Thence along the West Line of Section 23 North 00°06'08" West 669.97 feet to a point on the boundary of the waters of Tide Creek;  
Thence along the said waters of Tide Creek in the following sixteen (16) described courses  

- 1) South 72°03'02" East 21.83 feet;
- 2) North 67°33'05" East 379.44 feet;
- 3) North 52°01'13" East 129.24 feet;
- 4) North 33°49'42" East 177.12 feet;
- 5) North 24°17'32" East 213.58 feet;
- 6) North 09°47'38" East 92.69 feet;
- 7) North 02°23'54" West 206.58 feet;
- 8) North 13°37'45" West 113.65 feet;
- 9) South 20°36'46" West 67.51 feet;
- 10) South 30°00'49" West 157.28 feet;
- 11) South 10°13'42" West 158.36 feet;
- 12) South 18°11'42" West 158.09 feet;
- 13) South 36°39'01" West 190.25 feet;
- 14) South 64°23'55" West 75.17 feet;
- 15) South 77°23'16" West 156.99 feet;
- 16) North 83°17'49" West 126.98 feet to the west line of said Section 23

Thence along said west line North 00°06'08" West 417.99 feet;  
Thence continue along the West line of Said Section 23 North 00°07'16" West 693.72 feet;  
Thence North 89°29'07" East 469.67 feet;



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Thence North 00°04'49" West 453.06 feet;  
 Thence North 89°30'33" East 916.44 feet;  
 Thence North 00°31'29" West 567.34 feet;  
 Thence North 89°27'53" East 300.00 feet;  
 Thence South 00°32'07" East 60.00 feet;  
 Thence North 89°28'59" East 980.33 feet to the West line of the plat of Naples Groves and Truck Co's Little Farms No 2 (Lots 67-69), as recorded in Plat Book 1, Page 27, Public Records of Collier County, Florida.  
 Thence along said West line South 00°46'37" East 308.52 feet;  
 Thence Continue along said West line South 00°40'46" East 673.87 feet to the Northwest Corner of Lot 70, of said Naples Groves and Truck Co's Little Farms No 2;  
 Thence along the North line of said Lot 70 North 89°27'07" East 1,322.10 feet to the North East Corner of said Lot 70;  
 Thence Along the East line of said Lot 70 and Lot 71 of said Plat South 00°43'14" East 674.00 feet to the Southeast corner of said Lot 71;  
 Thence along the South line of said Lot 71 South 89°28'25" West 1,322.26 feet to the Southwest corner of said Lot 71;  
 Thence along the West line of Said Plat South 00°42'15" East 1,347.80 feet;  
 Thence continue along said West line South 00°20'27" West 1,344.53 feet to the Southwest corner of Lot 79 of said plat;  
 Thence along the South line of said Lot 79 North 89°31'43" East 1,346.87 feet to the fractional corner of said Section 26 being the Northwest corner of the Northwest Quarter of the Southeast Quarter of the Northeast Quarter of Said Section 26;  
 Thence along said fractional line South 00°19'29" West 671.99 feet to the Southwest corner of said fractional quarter;  
 Thence along the south line of said fractional Quarter North 89°31'42" East 673.39 feet to the Northwest corner of Lot 81 of Said Naples Grove and Truck Co's Little Farms No. 2;  
 Thence along the west line of said Lot 81 South 00°12'23" West 672.16 feet to the Southwest corner of said Lot 81;  
 Thence along the south line of said Lot North 89°31'43" East 672.16 feet to the East line of said Lot and the west line of said Section 26;  
 Thence along the East line of said Section 26 North 00°19'29" East 2,688.11 feet to the Northeast corner of said Section 26;  
 Thence along the East line of said Section 23 North 00°42'49" West 1,351.04 feet to the southeast corner of Lot 91 of said Naples Groves and Truck Co's Little Farms No 2.  
 Thence along the South line of said Lot 91 South 89°27'26" West 1,320.61 feet;  
 Thence along the west line of said Lot 91 North 00°47'37" West 337.27 feet;  
 Thence along the North line of said Lot 91 North 89°30'57" East 1,320.45 feet to the east line of said Section 23;  
 Thence along the East line of Said Section North 00°44'44" West 1,011.86 feet;  
 Thence Continue along said East line North 00°34'32" West 752.45 feet to the Southwest corner of that land described in Official Record Book 1027, page 678, Public Records of Collier County, Florida;  
 Thence along the South line of said Land North 89°31'59" East 1,289.77 feet;  
 Thence along the East line of said Land North 00°42'37" West 1,012.36 feet to the southwest corner of those lands described in O.R.Book 4263, pages 2080-2083 of the Public Records of Collier County, Florida.  
 Thence along the South line of said described lands for the following three (3) courses:  
 1) North 89°31'15" East 1,043.88 feet;

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2) 89°31'15" East 31.72 feet;

3) 78°27'59" East 512.59 feet to the East line of said described lands;

Thence along the East line of said described lands for the following four (4) courses:

- 1) 129.10 feet along the arc of a non-tangential circular curve concave west having a radius of 324.97 feet through a central angle of 22°45'41" and being subtended by a chord which bears North 19°24'23" East 128.25 feet;
- 2) 204.04 feet along the arc of a non-tangential circular curve concave east having a radius of 580.20 feet through a central angle of 20°08'57" and being subtended by a chord which bears North 12°58'41" East 202.99 feet;
- 3) North 51°08'02" West 222.09 feet;
- 4) North 38°51'58" East 212.02 feet to a point on the southerly Boundary of Sabal Bay Commercial Plat, Phase Two, as recorded in Plat Book 41, Pages 10-11, Collier County, Florida;

Thence along said Plat Boundary for the following six (6) described courses

- 1) South 51°08'02" East 1081.39 feet;
- 2) South 38°51'58" West 11.09 feet;
- 3) 6.68 feet along the arc of a non-tangential circular curve concave southwest having a radius of 140.00 feet through a central angle of 02°43'57" and being subtended by a chord which bears South 51°43'39" East 6.68 feet to a point of reverse curvature;
- 4) 17.47 feet along the arc of a circular curve concave northeast having a radius of 800.00 feet through a central angle of 01°15'03" and being subtended by a chord which bears South 50°59'12" East 17.47 feet;
- 5) North 38°34'49" East 11.42 feet;
- 6) 955.71 feet along the arc of a non-tangential circular curve concave north having a radius of 820.00 feet through a central angle of 66°46'44" and being subtended by a chord which bears South 86°12'24" East 902.53 feet to a point on the Boundary of Sabal Bay Commercial Plat Phase One as recorded in Plat Book 38, Pages 81-84, Collier County, Florida;

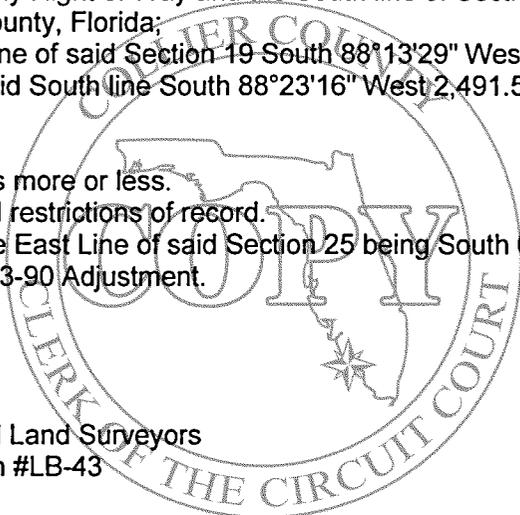
Thence along said Plat Boundary for the following five (12) courses;

- 1) 25.05 feet along the arc of a non-tangential circular curve concave southwest having a radius of 38.50 feet through a central angle of 37°17'06" and being subtended by a chord which bears South 50°25'50" East 24.61 feet;
- 2) South 31°47'17" East 59.53 feet;
- 3) 216.74 feet along the arc of a circular curve concave north having a radius of 135.50 feet through a central angle of 91°38'52" and being subtended by a chord which bears South 77°36'43" East 194.36 feet to a point of reverse curvature;
- 4) 119.05 feet along the arc of a circular curve concave south having a radius of 138.50 feet through a central angle of 49°15'00" and being subtended by a chord which bears North 81°11'21" East 115.42 feet;
- 5) South 74°11'12" East 586.65 feet;
- 6) North 50°55'33" East 99.61 feet;
- 7) 11.10 feet along the arc of a non-tangential circular curve concave to the northwest having a radius of 20.00 feet through a central angle of 31°47'18" and being subtended by a chord which bears North 66°49'12" East 10.95 feet;
- 8) North 50°55'33" East 17.08 feet;
- 9) 28.53 feet along the arc of a circular curve concave northwest having a radius of 52.00 feet through a central angle of 31°26'25" and being subtended by a chord which bears North 35°12'20" East 28.18 feet;



10) North 19°29'07" East 4.70 feet;  
 11) 4.39 feet along the arc of a circular curve concave southeast having a radius of 8.00 feet through a central angle of 31°26'25" and being subtended by a chord which bears North 35°12'20" East 4.34 feet;  
 12) North 50°55'33" East 448.87 feet (449.00 Plat) to Westerly Right of Way line of US 41 (Tamiami Trail) (State Road No. 90); ;  
 Thence along said Right of Way South 39°03'59" East 5193.20 feet;  
 Thence Along the boundary of that land described in Official Record Book 2605, page 2484, Records of Collier County, Florida in the Following three (3) described courses;  
 1) South 88°13'29" West 373.28 feet;  
 2) South 01°46'31" East 166.40 feet;  
 3) North 88°13'29" East 500.00 feet to the Westerly Right of Way line of Said US 41;  
 Thence along said Right of Way line South 39°03'59" East 62.85 feet to a point at the intersection of said westerly Right of Way and the South line of Section 19, Township 50 South, Range 26 East, Collier County, Florida;  
 Thence along the South line of said Section 19 South 88°13'29" West 1,636.98 feet;  
 Thence continue along said South line South 88°23'16" West 2,491.52 feet to the POINT OF BEGINNING.

Containing 2,312.81 acres more or less.  
 Subject to easements and restrictions of record.  
 Bearings are based on the East Line of said Section 25 being South 00°22'18" West Florida State Plane - East Zone 83-90 Adjustment.



WilsonMiller, Inc.  
 Registered Engineers and Land Surveyors  
 Certificate of Authorization #LB-43

By: \_\_\_\_\_  
 Lance T Miller, PSM #5627

03/28/2011  
 Date

Not valid unless embossed with the Professionals Seal  
 REF. 2D-122  
 Rev. Added Lake

## EXHIBIT B




LEGAL DESCRIPTION  
 Being a part of Section 23,  
 Township 50 South, Range 25 East,  
 Collier County, Florida  
 (Conservation Area 1)

Commencing at the Southeast Corner of Section 23, Township 50 South, Range 25 East, Collier County, Florida;

Thence North 53°39'29" West 3,374.58 feet to a point on the west line of Lot 69, Naples Groves and Truck Co's Little Farms No. 2, as recorded in Plat Book 1, page 27 of the public records of Collier County, Florida and the POINT OF BEGINNING;

Thence leaving said west line South 89°27'07" West 13.31 feet;

Thence 31.79 feet along the arc of a non-tangential circular curve concave south having a radius of 104.17 feet through a central angle of 17°29'07" and being subtended by a chord which bears South 80°31'30" West 31.67 feet to a point of compound curve;

Thence 10.73 feet along the arc of a circular curve concave southeast having a radius of 20.00 feet through a central angle of 30°45'04" and being subtended by a chord which bears South 56°24'25" West 10.61 feet;

Thence South 41°01'52" West 256.77 feet;

Thence 322.17 feet along the arc of a non-tangential circular curve concave southeast having a radius of 1,813.52 feet through a central angle of 10°10'43" and being subtended by a chord which bears South 56°16'09" West 321.75 feet;

Thence South 49°31'44" West 201.02 feet;

Thence 19.30 feet along the arc of a circular curve concave north having a radius of 10.00 feet through a central angle of 110°34'48" and being subtended by a chord which bears North 75°10'52" West 16.44 feet to a point of compound curve;

Thence 62.19 feet along the arc of a circular curve concave east having a radius of 245.00 feet through a central angle of 14°32'40" and being subtended by a chord which bears North 12°37'08" West 62.03 feet to a point of reverse curvature;

Thence 389.40 feet along the arc of a circular curve concave west having a radius of 805.00 feet through a central angle of 27°42'57" and being subtended by a chord which bears North 19°12'16" West 385.62 feet;

Thence North 33°03'44" West 114.44 feet;

Thence 231.51 feet along the arc of a circular curve concave east having a radius of 191.00 feet through a central angle of 69°26'49" and being subtended by a chord which bears North 01°39'41" East 217.59 feet;

Thence North 36°23'05" East 197.68 feet;

Thence North 53°36'55" West 20.00 feet;

Thence 556.83 feet along the arc of a non-tangential circular curve concave west having a radius of 329.00 feet through a central angle of 96°58'24" and being subtended by a chord which bears North 12°06'07" West 492.71 feet;

Thence North 34°27'14" East 10.04 feet;

Thence 0.12 feet along the arc of a non-tangential circular curve concave southwest having a radius of 339.00 feet through a central angle of 00°01'11" and being subtended by a chord which bears North 60°26'57" West 0.12 feet;

Thence North 60°27'32" West 191.86 feet;

Thence 126.96 feet along the arc of a circular curve concave south having a radius of 499.00 feet through a central angle of 14°34'40" and being subtended by a chord which



bears North 67°44'53" West 126.62 feet to a point on the southerly boundary of Naples Botanical Gardens as recorded in Official Records Book 2651, page 2846, of the public records of Collier County, Florida;

Thence along said boundary in the following three (3) described courses:

1. North 89°27'53" East 142.52 feet;
2. South 00°32'07" East 60.00 feet;
3. North 89°28'59" East 980.33 feet to a point on the west boundary of said Naples Groves and Truck Co's Little Farms No. 2;

Thence along said boundary South 00°46'37" East 308.52 feet;

Thence continue along said boundary South 00°40'46" East 673.64 feet to the POINT OF BEGINNING.

Containing 22.57 acres more or less.

Bearings are based on the east line of said Section 23, being North 00°42'49" West.

Certificate of authorization #LB-43.

WilsonMiller, Inc.

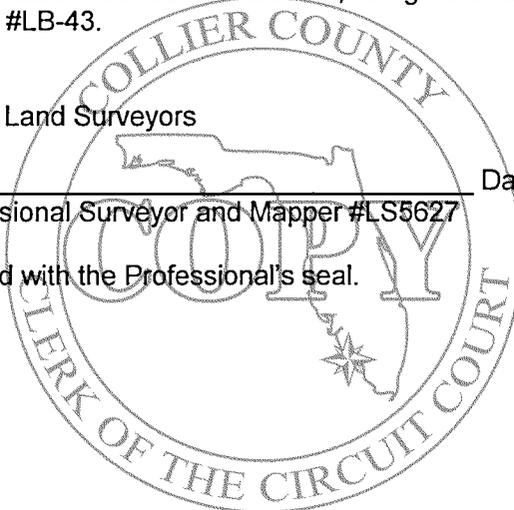
Registered Engineers and Land Surveyors

By: \_\_\_\_\_  
Lance T. Miller, Professional Surveyor and Mapper #LS5627

Date August 31, 2011

Not valid unless embossed with the Professional's seal.

Ref. 2D-125 sheet 2





LEGAL DESCRIPTION  
Being a part of Section 23,  
Township 50 South, Range 25 East,  
Collier County, Florida  
(Conservation Area 2)

Commencing at the Southeast Corner of Section 23, Township 50 South, Range 25 East, Collier County, Florida;

Thence North 36°15'12" West 2,494.33 feet to a point on the south line of Lot 69, Naples Groves and Truck Co's Little Farms No. 2, as recorded in Plat Book 1, page 27 of the public records of Collier County, Florida and the POINT OF BEGINNING;

Thence leaving said south line South 00°43'14" East 409.77 feet;

Thence 213.50 feet along the arc of a non-tangential circular curve concave north having a radius of 820.00 feet through a central angle of 14°55'04" and being subtended by a chord which bears North 71°09'17" West 212.90 feet;

Thence North 63°41'45" West 100.54 feet;

Thence 358.45 feet along the arc of a circular curve concave south having a radius of 680.00 feet through a central angle of 30°12'08" and being subtended by a chord which bears North 78°47'49" West 354.31 feet;

Thence South 89°44'05" West 157.82 feet;

Thence 78.78 feet along the arc of a non-tangential circular curve concave east having a radius of 30.00 feet through a central angle of 150°27'10" and being subtended by a chord which bears North 18°40'18" West 58.02 feet;

Thence North 56°08'41" East 14.45 feet;

Thence 196.57 feet along the arc of a non-tangential circular curve concave west having a radius of 87.37 feet through a central angle of 128°54'42" and being subtended by a chord which bears North 00°09'57" West 157.65 feet to a point on the south line of said Lot 69;

Thence along said south line North 89°27'07" East 798.91 feet to the POINT OF BEGINNING.

Containing 5.05 acres more or less.

Bearings are based on the east line of said Section 23, being North 00°42'49" West.

Certificate of authorization #LB-43.

WilsonMiller, Inc.

Registered Engineers and Land Surveyors

By: \_\_\_\_\_ Date August 31, 2011  
Lance T. Miller, Professional Surveyor and Mapper #LS5627

Not valid unless embossed with the Professional's seal.

Ref. 2D-125 sheet 3.



LEGAL DESCRIPTION  
Being a part of Section 23,  
Township 50 South, Range 25 East,  
Collier County, Florida  
(Conservation Area 3)

Commencing at the Southeast Corner of Section 23, Township 50 South, Range 25 East, Collier County, Florida;  
Thence North 47°38'04" West 1,984.90 feet to a point on the north line of the plat of Holly Terrace, as recorded in Plat Book 4, page 64 of the public records of Collier County, Florida and the POINT OF BEGINNING;

Thence along said north line South 89°28'25" West 1,242.26 feet;  
Thence leaving said north line North 00°42'15" West 156.45 feet;  
Thence 54.14 feet along the arc of a circular curve concave southeast having a radius of 40.00 feet through a central angle of 77°32'47" and being subtended by a chord which bears North 38°04'08" East 50.10 feet to a point of reverse curvature;  
Thence 95.83 feet along the arc of a circular curve concave northwest having a radius of 130.00 feet through a central angle of 42°14'06" and being subtended by a chord which bears North 55°43'28" East 93.67 feet to a point of reverse curvature;  
Thence 35.95 feet along the arc of a circular curve concave southeast having a radius of 40.00 feet through a central angle of 51°29'42" and being subtended by a chord which bears North 60°21'16" East 34.75 feet;  
Thence North 86°06'07" East 475.11 feet;  
Thence 274.11 feet along the arc of a circular curve concave south having a radius of 520.00 feet through a central angle of 30°12'08" and being subtended by a chord which bears South 78°47'49" East 270.94 feet;  
Thence South 63°41'45" East 100.54 feet;  
Thence 289.36 feet along the arc of a circular curve concave north having a radius of 980.00 feet through a central angle of 16°55'02" and being subtended by a chord which bears South 72°09'16" East 288.31 feet;  
Thence South 00°43'14" East 101.17 feet to the POINT OF BEGINNING.

Containing 6.73 acres more or less.  
Bearings are based on the east line of said Section 23, being North 00°42'49" West.  
Certificate of authorization #LB-43.

WilsonMiller, Inc.  
Registered Engineers and Land Surveyors

By: \_\_\_\_\_ Date August 31, 2011  
Lance T. Miller, Professional Surveyor and Mapper #LS5627

Not valid unless embossed with the Professional's seal.

Ref. 2D-125 sheet 3



## LEGAL DESCRIPTION

Being a part of Sections 23, 25, 26, and 36,  
Township 50 South, Range 25 East,  
Collier County, Florida  
(Conservation Area 4)

Beginning at the Northwest Corner of Section 36, Township 50 South, Range 25 East, Collier County, Florida;  
Thence along the south line of said Section 26, South 89°32'22" West 2,696.15 feet;  
Thence continue along said south line South 89°29'09" West 2,696.69 feet to the Southwest Corner of said section 26;  
Thence along the west line of said Section 26, North 00°22'46" East 2,689.10 feet;  
Thence continue along said west line North 00°22'20" East 2,690.20 feet to the Northwest Corner of said Section 26;  
Thence along the west line of said Section 23, North 00°06'08" West 669.97 feet to a point on the boundary of the waters of Tide Creek;  
Thence along the said waters of Tide Creek in the following five (5) described courses:

1. South 72°03'02" East 21.83 feet;
2. North 67°33'05" East 379.44 feet;
3. North 52°01'13" East 129.24 feet;
4. North 33°49'42" East 177.12 feet;
5. North 24°17'32" East 213.58 feet;

Thence leaving said waters of Tide Creek, South 00°00'00" East 1,283.75 feet;  
Thence South 90°00'00" East 2,035.20 feet to a point on the west boundary of the plat of Naples Groves and Truck Co's Little Farms No. 2, as recorded in Plat Book 1, page 27 of the public records of Collier County, Florida;  
Thence along said west line South 00°20'27" West 1,270.25 feet to the Southwest corner of Lot 79 of said plat;  
Thence along the South line of said Lot 79 North 89°31'43" East 1,346.87 feet to the fractional corner of said Section 26 being the Northwest corner of the Northwest Quarter of the Southeast Quarter of the Northeast Quarter of Said Section 26;  
Thence along said fractional line South 00°19'29" West 671.99 feet to the Southwest corner of said fractional quarter;  
Thence along the south line of said fractional Quarter North 89°31'42" East 673.39 feet to the Northwest corner of Lot 81 of Said Naples Grove and Truck Co's Little Farms No. 2;  
Thence along the west line of said Lot 81 South 00°12'23" West 672.16 feet to the Southwest corner of said Lot 81;  
Thence along the south line of said Lot North 89°31'43" East 672.16 feet to the East line of said Lot and the east line of said Section 26;  
Thence along said east line South 00°19'09" West 1,443.97 feet;  
Thence leaving said east line South 90°00'00" East 1,535.15 feet;  
Thence South 00°00'00" West 644.53 feet;  
Thence North 90°00'00" East 2,595.79 feet;  
Thence South 00°00'00" East 1,605.88 feet;  
Thence South 89°28'26" East 1,180.89 feet to a point on the east line of said Section 36;  
Thence along said east line South 00°19'56" West 469.92 feet;  
Thence leaving said east line North 87°28'51" West 5,326.38 feet;  
Thence North 00°14'25" East 1,254.17 feet to the POINT OF BEGINNING.  
Containing 780.03 acres more or less.

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2 of 2

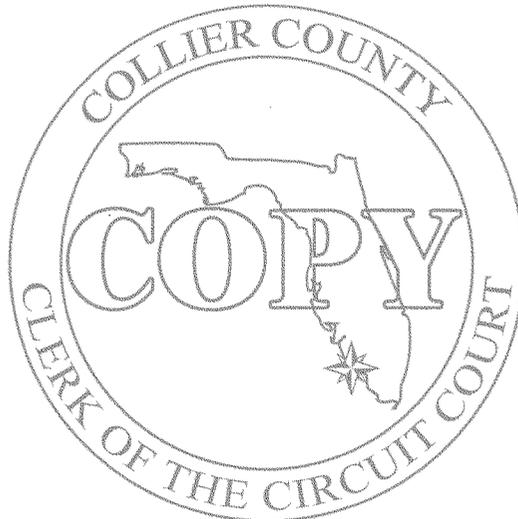
Bearings are based on the south line of said Section 26, being South 89°32'22" West.  
Certificate of authorization #LB-43.

WilsonMiller, Inc.  
Registered Engineers and Land Surveyors

By: \_\_\_\_\_ Date August 31, 2011  
Lance T. Miller, Professional Surveyor and Mapper #LS5627

Not valid unless embossed with the Professional's seal.  
Ref. 2D-125 sheet 4

Rev to east line of section 26





## LEGAL DESCRIPTION

Being a part of Section 23 and Section 26,  
Township 50 South, Range 25 East,  
Collier County, Florida  
(Conservation Area 4A)

Commencing at the Southwest Corner of Section 23, Township 50 South, Range 25 East,  
Collier County, Florida;

Thence South 85°17'21" East 660.84 feet to the POINT OF BEGINNING;

Thence North 00°00'00" West 1,283.75 feet to a point on the boundary of the waters of  
Tide Creek;

Thence along the said waters of Tide Creek in the following eleven (11) described  
courses:

1. North 09°47'38" East 92.69 feet;
2. North 02°23'54" West 206.58 feet;
3. North 13°37'45" West 113.65 feet;
4. South 20°36'46" West 67.51 feet;
5. South 30°00'49" West 157.28 feet;
6. South 10°13'42" West 158.36 feet;
7. South 18°11'42" West 158.09 feet;
8. South 36°39'01" West 190.25 feet;
9. South 64°23'55" West 75.17 feet;
10. South 77°23'16" West 156.99 feet;
11. North 83°17'49" West 126.98 feet to the west line of said Section 23;

Thence along said west line North 00°06'08" West 417.99 feet;

Thence continue along the west line of said Section 23, North 00°07'16" West  
693.72 feet to a point on the boundary of those lands as described in official Records  
Book 2567, page 2337, of the public records of Collier County, Florida;

Thence along said boundary in the following four (4) described courses:

1. North 89°29'07" East 469.67 feet;
2. North 00°04'49" West 453.06 feet;
3. North 89°30'33" East 916.44 feet;
4. North 00°31'29" West 485.49 feet;

Thence leaving said boundary North 89°28'31" East 24.23 feet;

Thence 209.37 feet along the arc of a circular curve concave south having a radius of  
399.00 feet through a central angle of 30°03'57" and being subtended by a chord which  
bears South 75°29'31" East 206.98 feet;

Thence South 60°27'32" East 191.86 feet;

Thence 35.58 feet along the arc of a circular curve concave southwest having a radius of  
239.00 feet through a central angle of 08°31'47" and being subtended by a chord which  
bears South 56°11'39" East 35.55 feet;

Thence North 44°00'34" East 2.69 feet;

Thence North 17°57'21" East 7.79 feet;

Thence 386.20 feet along the arc of a non-tangential circular curve concave west having  
a radius of 249.00 feet through a central angle of 88°51'59" and being subtended by a  
chord which bears South 08°02'54" East 348.64 feet;

Thence South 53°36'55" East 1.00 feet;

Thence South 36°23'05" West 24.16 feet;

Thence North 70°00'35" West 112.91 feet;

Thence 155.70 feet along the arc of a non-tangential circular curve concave south



having a radius of 67.33 feet through a central angle of  $132^{\circ}29'15''$  and being subtended by a chord which bears North  $81^{\circ}38'32''$  West 123.26 feet;  
 Thence South  $29^{\circ}32'05''$  West 46.94 feet;  
 Thence South  $09^{\circ}33'42''$  West 43.08 feet;  
 Thence South  $37^{\circ}32'18''$  West 30.75 feet;  
 Thence South  $63^{\circ}45'19''$  West 123.94 feet;  
 Thence South  $85^{\circ}19'59''$  West 25.50 feet;  
 Thence South  $64^{\circ}17'40''$  West 66.21 feet;  
 Thence North  $80^{\circ}24'10''$  West 44.97 feet;  
 Thence South  $61^{\circ}52'33''$  West 39.15 feet;  
 Thence South  $41^{\circ}45'37''$  West 47.68 feet;  
 Thence South  $71^{\circ}06'30''$  West 66.85 feet;  
 Thence North  $82^{\circ}00'27''$  West 18.10 feet;  
 Thence 8.72 feet along the arc of a non-tangential circular curve concave southeast having a radius of 80.00 feet through a central angle of  $06^{\circ}14'48''$  and being subtended by a chord which bears South  $23^{\circ}27'44''$  West 8.72 feet;  
 Thence South  $17^{\circ}36'57''$  West 210.48 feet;  
 Thence 270.27 feet along the arc of a non-tangential circular curve concave east having a radius of 234.28 feet through a central angle of  $66^{\circ}05'57''$  and being subtended by a chord which bears South  $12^{\circ}42'39''$  East 255.53 feet;  
 Thence South  $37^{\circ}03'36''$  East 72.72 feet;  
 Thence 467.11 feet along the arc of a non-tangential circular curve concave west having a radius of 541.10 feet through a central angle of  $49^{\circ}27'39''$  and being subtended by a chord which bears South  $19^{\circ}49'06''$  East 452.73 feet;  
 Thence 138.69 feet along the arc of a non-tangential circular curve concave east having a radius of 210.16 feet through a central angle of  $37^{\circ}48'41''$  and being subtended by a chord which bears South  $01^{\circ}36'45''$  West 136.19 feet;  
 Thence 34.63 feet along the arc of a non-tangential circular curve concave east having a radius of 160.20 feet through a central angle of  $12^{\circ}23'05''$  and being subtended by a chord which bears South  $21^{\circ}11'16''$  East 34.56 feet to a point of compound curve;  
 Thence 34.60 feet along the arc of a circular curve concave northeast having a radius of 223.96 feet through a central angle of  $08^{\circ}51'02''$  and being subtended by a chord which bears South  $31^{\circ}48'20''$  East 34.56 feet;  
 Thence South  $47^{\circ}14'09''$  East 18.38 feet;  
 Thence South  $80^{\circ}30'47''$  East 63.48 feet;  
 Thence North  $65^{\circ}48'53''$  East 45.46 feet;  
 Thence South  $62^{\circ}08'46''$  East 34.47 feet;  
 Thence South  $21^{\circ}02'19''$  East 26.82 feet;  
 Thence South  $18^{\circ}43'13''$  West 53.92 feet;  
 Thence South  $27^{\circ}01'28''$  West 44.86 feet;  
 Thence South  $00^{\circ}00'12''$  East 33.83 feet;  
 Thence South  $33^{\circ}45'50''$  East 55.56 feet;  
 Thence South  $04^{\circ}45'35''$  West 43.30 feet;  
 Thence South  $39^{\circ}02'46''$  West 56.96 feet;  
 Thence South  $10^{\circ}29'12''$  West 42.25 feet;  
 Thence South  $35^{\circ}10'00''$  East 44.15 feet;  
 Thence South  $00^{\circ}52'32''$  East 53.56 feet;  
 Thence South  $16^{\circ}55'44''$  East 57.73 feet;  
 Thence South  $49^{\circ}58'11''$  East 51.35 feet;

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Thence South 81°26'00" East 39.69 feet;  
 Thence North 68°28'11" East 208.62 feet;  
 Thence North 25°54'01" East 22.74 feet;  
 Thence North 00°39'18" East 69.92 feet;  
 Thence North 27°09'01" West 35.95 feet;  
 Thence North 09°24'49" West 34.78 feet;  
 Thence North 27°42'00" West 38.91 feet;  
 Thence North 19°31'51" East 31.37 feet;  
 Thence North 60°14'55" East 34.19 feet;  
 Thence North 34°22'25" East 19.14 feet;  
 Thence North 60°38'09" East 109.08 feet;  
 Thence South 40°28'16" East 224.62 feet;  
 Thence 163.35 feet along the arc of a circular curve concave southwest having a radius of 555.00 feet through a central angle of 16°51'48" and being subtended by a chord which bears South 32°02'22" East 162.76 feet to a point of reverse curvature;  
 Thence 283.36 feet along the arc of a circular curve concave northeast having a radius of 1,105.00 feet through a central angle of 14°41'33" and being subtended by a chord which bears South 30°57'14" East 282.58 feet;  
 Thence South 38°18'01" East 24.98 feet;  
 Thence 4.60 feet along the arc of a circular curve concave southwest having a radius of 10.00 feet through a central angle of 26°23'04" and being subtended by a chord which bears South 25°06'29" East 4.56 feet to a point of reverse curvature;  
 Thence 195.69 feet along the arc of a circular curve concave northeast having a radius of 230.00 feet through a central angle of 48°44'53" and being subtended by a chord which bears South 36°17'24" East 189.84 feet to a point of compound curve;  
 Thence 35.41 feet along the arc of a circular curve concave north having a radius of 30.00 feet through a central angle of 67°38'11" and being subtended by a chord which bears North 85°31'05" East 33.39 feet;  
 Thence North 51°41'59" East 170.09 feet;  
 Thence 17.39 feet along the arc of a circular curve concave northwest having a radius of 30.30 feet through a central angle of 32°52'46" and being subtended by a chord which bears North 35°15'36" East 17.15 feet;  
 Thence North 18°49'13" East 251.64 feet; to a point on the west boundary of the plat of Naples Groves and Truck Co's Little Farms No. 2, as recorded in Plat Book 1, page 27 of the public records of Collier County, Florida;  
 Thence along said boundary South 00°42'15" East 592.61 feet;  
 Thence continue along said boundary South 00°20'27" West 74.28 feet;  
 Thence leaving said boundary North 90°00'00" West 2,035.20 feet to the POINT OF BEGINNING.

Containing 81.11 acres more or less.

Bearings are based on the west line of said Section 23, being North 00°06'08" West.

Certificate of authorization #LB-43.

WilsonMiller, Inc.  
Registered Engineers and Land Surveyors

By: \_\_\_\_\_ Date August 31, 2011  
Lance T Miller, Professional Surveyor and Mapper #LS5627

Not valid unless embossed with the Professional's seal. Ref. 2D-125 sheet 5, rev 11-29-12 ltm




## LEGAL DESCRIPTION

Being a part of Sections 23, 25, 26, and 36,  
Township 50 South, Range 25 East,  
Collier County, Florida  
(Conservation Area 4B)

Commencing at the Northwest Corner of Section 36, Township 50 South, Range 25 East,  
Collier County, Florida;

Thence along the east line of said Section 36, South 00°19'56" West 416.30 feet to the POINT  
OF BEGINNING;

Thence continue along said east line South 00°19'56" West 631.78 feet;  
Thence North 89°28'26" West 1,180.89 feet;  
Thence North 00°00'00" East 1,605.88 feet;  
Thence North 90°00'00" West 2,595.79 feet;  
Thence North 00°00'00" East 644.53 feet;  
Thence North 90°00'00" West 1,535.15 feet;  
Thence North 00°19'09" East 1,443.97 feet to the Southwest corner of Lot 81 of Naples  
Grove and Truck Co's Little Farms No. 2, as recorded in Plat Book 1, page 27 of the  
public records of Collier County, Florida;  
Thence along the west line of said Section 25, North 00°19'29" East 100.54 feet;  
Thence leaving said east line South 89°39'42" East 84.34 feet;  
Thence South 09°39'25" East 3.61 feet;  
Thence South 14°07'55" East 7.15 feet;  
Thence South 19°08'10" East 7.83 feet;  
Thence South 26°39'57" East 8.05 feet;  
Thence South 32°43'30" East 7.89 feet;  
Thence South 39°42'30" East 7.01 feet;  
Thence South 41°39'29" East 5.79 feet;  
Thence South 43°05'04" East 5.55 feet;  
Thence South 43°49'02" East 1.05 feet;  
Thence South 00°12'22" West 54.52 feet;  
Thence 90.08 feet along the arc of a non-tangential circular curve concave northeast  
having a radius of 75.73 feet through a central angle of 68°09'13" and being subtended  
by a chord which bears South 27°51'00" East 84.87 feet;  
Thence South 80°36'53" East 6.02 feet;  
Thence South 39°49'52" East 3.67 feet;  
Thence 121.66 feet along the arc of a non-tangential circular curve concave northwest  
having a radius of 75.73 feet through a central angle of 92°02'47" and being subtended  
by a chord which bears North 65°09'00" East 109.00 feet;  
Thence South 66°06'27" East 32.91 feet;  
Thence South 73°52'48" East 61.66 feet;  
Thence South 80°24'28" East 40.05 feet;  
Thence South 87°06'09" East 39.29 feet;  
Thence South 89°37'44" East 82.78 feet;  
Thence South 86°47'06" East 35.97 feet;  
Thence North 89°07'23" East 97.36 feet;  
Thence North 82°25'54" East 27.93 feet;  
Thence North 20°41'09" West 32.93 feet;  
Thence North 11°15'46" West 26.61 feet;

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Thence North 29°17'49" West 59.15 feet;  
 Thence North 44°16'20" West 46.04 feet;  
 Thence North 19°45'41" West 40.38 feet;  
 Thence North 17°16'28" East 31.62 feet;  
 Thence North 49°08'18" East 187.28 feet;  
 Thence 296.48 feet along the arc of a circular curve concave northwest having a radius of 465.00 feet through a central angle of 36°31'53" and being subtended by a chord which bears North 30°52'22" East 291.49 feet;  
 Thence 219.15 feet along the arc of a non-tangential circular curve concave northwest having a radius of 347.00 feet through a central angle of 36°11'06" and being subtended by a chord which bears North 65°32'44" East 215.52 feet;  
 Thence North 32°44'18" East 1.56 feet;  
 Thence North 52°43'13" East 4.42 feet;  
 Thence North 37°16'47" West 0.06 feet;  
 Thence 297.99 feet along the arc of a non-tangential circular curve concave west having a radius of 347.00 feet through a central angle of 49°12'15" and being subtended by a chord which bears North 21°52'22" East 288.92 feet;  
 Thence 77.56 feet along the arc of a non-tangential circular curve concave north having a radius of 95.00 feet through a central angle of 46°46'35" and being subtended by a chord which bears South 84°28'19" East 75.42 feet;  
 Thence South 10°37'26" West 29.88 feet;  
 Thence 34.49 feet along the arc of a non-tangential circular curve concave east having a radius of 61.96 feet through a central angle of 31°53'37" and being subtended by a chord which bears South 04°25'39" West 34.05 feet;  
 Thence South 24°23'04" East 22.11 feet;  
 Thence 21.22 feet along the arc of a circular curve concave northeast having a radius of 59.00 feet through a central angle of 20°36'32" and being subtended by a chord which bears South 34°41'20" East 21.11 feet;  
 Thence 36.57 feet along the arc of a non-tangential circular curve concave northeast having a radius of 95.87 feet through a central angle of 21°51'17" and being subtended by a chord which bears South 57°54'17" East 36.35 feet;  
 Thence South 45°26'36" East 49.85 feet;  
 Thence South 49°12'42" East 10.37 feet;  
 Thence South 33°42'53" East 10.13 feet;  
 Thence 28.75 feet along the arc of a non-tangential circular curve concave southwest having a radius of 76.81 feet through a central angle of 21°26'41" and being subtended by a chord which bears South 28°41'08" East 28.58 feet;  
 Thence South 20°33'39" West 6.92 feet;  
 Thence South 40°25'37" West 14.92 feet;  
 Thence 117.33 feet along the arc of a circular curve concave east having a radius of 69.00 feet through a central angle of 97°25'29" and being subtended by a chord which bears South 08°17'07" East 103.69 feet;  
 Thence South 56°59'52" East 34.78 feet;  
 Thence South 69°13'00" East 34.99 feet;  
 Thence South 71°38'38" East 15.23 feet;  
 Thence South 72°21'32" East 20.73 feet;  
 Thence South 83°43'39" East 23.60 feet;  
 Thence North 87°44'37" East 29.15 feet;  
 Thence North 73°58'34" East 26.63 feet;

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Thence North 62°38'46" East 32.84 feet;  
 Thence North 59°15'56" East 20.89 feet;  
 Thence North 87°02'43" East 16.34 feet;  
 Thence South 48°11'00" East 97.51 feet;  
 Thence 38.04 feet along the arc of a non-tangential circular curve concave northeast having a radius of 79.00 feet through a central angle of 27°35'20" and being subtended by a chord which bears South 61°58'39" East 37.67 feet;  
 Thence South 75°46'19" East 47.78 feet;  
 Thence 31.55 feet along the arc of a circular curve concave north having a radius of 79.00 feet through a central angle of 22°52'55" and being subtended by a chord which bears South 87°12'47" East 31.34 feet;  
 Thence North 81°20'45" East 71.61 feet;  
 Thence South 83°32'37" East 16.78 feet;  
 Thence South 31°02'26" East 20.88 feet;  
 Thence South 38°58'24" East 15.95 feet;  
 Thence South 11°23'34" East 27.77 feet;  
 Thence South 21°56'54" East 27.92 feet;  
 Thence South 33°45'47" East 26.85 feet;  
 Thence South 31°10'36" East 16.98 feet;  
 Thence South 28°28'49" East 16.59 feet;  
 Thence South 27°04'24" East 16.71 feet;  
 Thence South 25°07'59" East 35.92 feet;  
 Thence South 20°22'47" East 43.43 feet;  
 Thence South 29°13'43" East 25.91 feet;  
 Thence South 02°13'26" East 25.40 feet;  
 Thence 27.21 feet along the arc of a non-tangential circular curve concave east having a radius of 79.00 feet through a central angle of 19°43'53" and being subtended by a chord which bears South 20°49'11" West 27.07 feet;  
 Thence 31.79 feet along the arc of a non-tangential circular curve concave southeast having a radius of 79.00 feet through a central angle of 23°03'31" and being subtended by a chord which bears South 25°43'44" West 31.58 feet;  
 Thence 29.95 feet along the arc of a non-tangential circular curve concave east having a radius of 79.00 feet through a central angle of 21°43'21" and being subtended by a chord which bears South 09°32'55" West 29.77 feet;  
 Thence South 27°09'48" West 41.01 feet;  
 Thence South 03°16'55" East 13.12 feet;  
 Thence South 17°57'31" West 17.55 feet;  
 Thence South 26°44'25" West 23.13 feet;  
 Thence 103.97 feet along the arc of a circular curve concave east having a radius of 69.00 feet through a central angle of 86°19'50" and being subtended by a chord which bears South 16°25'30" East 94.41 feet;  
 Thence South 59°35'25" East 22.27 feet;  
 Thence South 86°40'56" East 22.54 feet;  
 Thence 42.62 feet along the arc of a non-tangential circular curve concave north having a radius of 72.00 feet through a central angle of 33°55'04" and being subtended by a chord which bears South 87°57'48" East 42.00 feet;  
 Thence North 75°04'40" East 33.64 feet;  
 Thence 11.67 feet along the arc of a circular curve concave north having a radius of 72.00 feet through a central angle of 09°17'24" and being subtended by a chord which

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bears North 70°25'57" East 11.66 feet;  
 Thence North 65°47'15" East 53.03 feet;  
 Thence 210.39 feet along the arc of a non-tangential circular curve concave east having a radius of 787.35 feet through a central angle of 15°18'37" and being subtended by a chord which bears South 05°36'04" West 209.77 feet;  
 Thence South 04°12'49" West 35.29 feet;  
 Thence South 04°30'19" East 22.76 feet;  
 Thence South 14°37'41" East 36.26 feet;  
 Thence South 30°34'48" East 19.10 feet;  
 Thence South 34°10'42" East 38.43 feet;  
 Thence South 34°03'06" East 17.45 feet;  
 Thence South 41°16'44" East 6.81 feet;  
 Thence South 43°23'17" East 2.74 feet;  
 Thence South 51°44'05" East 2.68 feet;  
 Thence South 50°27'52" East 3.31 feet;  
 Thence South 51°44'05" East 2.68 feet;  
 Thence South 55°37'03" East 3.26 feet;  
 Thence South 57°35'07" East 1.67 feet;  
 Thence South 62°52'32" East 2.57 feet;  
 Thence South 67°11'04" East 2.97 feet;  
 Thence South 70°55'18" East 3.96 feet;  
 Thence South 74°56'38" East 3.88 feet;  
 Thence South 75°11'10" East 5.07 feet;  
 Thence South 85°29'22" East 5.49 feet;  
 Thence South 87°12'36" East 5.91 feet;  
 Thence North 90°00'00" East 5.91 feet;  
 Thence North 80°19'11" East 5.99 feet;  
 Thence North 66°59'32" East 6.26 feet;  
 Thence North 58°52'32" East 6.03 feet;  
 Thence North 52°44'22" East 6.02 feet;  
 Thence North 49°31'54" East 4.64 feet;  
 Thence North 47°47'09" East 4.73 feet;  
 Thence North 45°47'49" East 4.80 feet;  
 Thence North 43°34'47" East 4.88 feet;  
 Thence North 40°53'08" East 4.71 feet;  
 Thence North 39°37'37" East 4.23 feet;  
 Thence North 39°43'57" East 4.10 feet;  
 Thence North 39°09'22" East 4.26 feet;  
 Thence North 38°22'46" East 4.18 feet;  
 Thence North 38°17'10" East 4.01 feet;  
 Thence North 38°27'46" East 4.08 feet;  
 Thence North 38°06'04" East 6.45 feet;  
 Thence North 39°59'57" East 4.95 feet;  
 Thence North 41°03'45" East 2.84 feet;  
 Thence 220.30 feet along the arc of a non-tangential circular curve concave northeast having a radius of 639.77 feet through a central angle of 19°43'45" and being subtended by a chord which bears South 23°17'47" East 219.21 feet;  
 Thence South 22°40'01" West 1.33 feet;  
 Thence South 73°42'42" West 109.61 feet;

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Thence 168.73 feet along the arc of a non-tangential circular curve concave southeast having a radius of 175.00 feet through a central angle of 55°14'34" and being subtended by a chord which bears South 51°35'12" West 162.27 feet;

Thence South 21°28'41" East 11.96 feet;

Thence South 00°26'53" East 26.14 feet;

Thence South 00°10'57" West 69.39 feet;

Thence South 22°11'31" East 3.28 feet;

Thence South 17°55'28" East 3.70 feet;

Thence South 16°02'49" East 4.36 feet;

Thence South 14°49'05" East 4.29 feet;

Thence South 12°33'44" East 4.09 feet;

Thence South 10°29'16" East 3.93 feet;

Thence South 07°34'08" East 3.46 feet;

Thence South 03°22'28" East 3.54 feet;

Thence South 00°30'18" East 4.02 feet;

Thence South 07°21'51" West 4.81 feet;

Thence South 11°51'47" West 5.82 feet;

Thence South 12°03'41" West 6.40 feet;

Thence South 13°04'51" West 5.20 feet;

Thence South 12°42'04" West 4.46 feet;

Thence South 16°45'45" West 4.92 feet;

Thence South 15°37'24" West 5.20 feet;

Thence South 09°52'57" West 6.35 feet;

Thence South 07°38'06" West 6.22 feet;

Thence South 00°53'16" East 8.56 feet;

Thence South 06°44'04" East 179.79 feet;

Thence 210.38 feet along the arc of a circular curve concave northeast having a radius of 172.90 feet through a central angle of 69°42'56" and being subtended by a chord which bears South 41°35'32" East 197.64 feet;

Thence South 72°27'23" East 32.73 feet;

Thence South 75°56'44" East 4.60 feet;

Thence South 76°37'07" East 4.82 feet;

Thence South 78°58'10" East 4.66 feet;

Thence South 79°31'01" East 6.13 feet;

Thence South 80°55'02" East 5.65 feet;

Thence South 82°07'27" East 7.33 feet;

Thence South 83°35'31" East 6.37 feet;

Thence South 76°36'29" East 6.10 feet;

Thence South 79°15'39" East 6.38 feet;

Thence South 82°40'05" East 5.82 feet;

Thence South 82°37'50" East 4.69 feet;

Thence South 80°59'18" East 5.26 feet;

Thence South 83°44'39" East 6.10 feet;

Thence South 85°53'42" East 6.22 feet;

Thence South 89°07'53" East 6.39 feet;

Thence North 87°48'52" East 6.31 feet;

Thence North 84°54'25" East 4.34 feet;

Thence South 55°53'30" East 41.35 feet;

Thence South 41°51'25" East 10.86 feet;

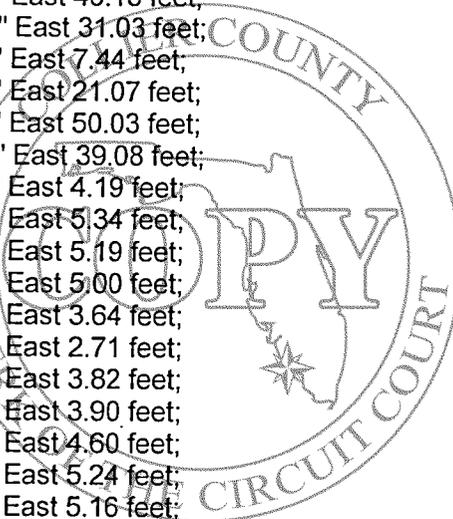
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Thence South 72°27'23" East 107.67 feet;  
 Thence 240.03 feet along the arc of a non-tangential circular curve concave northeast having a radius of 482.00 feet through a central angle of 28°31'59" and being subtended by a chord which bears South 64°10'08" East 237.56 feet;  
 Thence South 10°24'24" West 3.91 feet;  
 Thence South 15°28'51" West 6.10 feet;  
 Thence 194.65 feet along the arc of a non-tangential circular curve concave north having a radius of 492.00 feet through a central angle of 22°40'05" and being subtended by a chord which bears South 89°43'49" East 193.38 feet;  
 Thence North 78°56'09" East 2.46 feet;  
 Thence 50.58 feet along the arc of a circular curve concave south having a radius of 110.00 feet through a central angle of 26°20'40" and being subtended by a chord which bears South 87°53'31" East 50.13 feet to a point of reverse curvature;  
 Thence 199.45 feet along the arc of a circular curve concave north having a radius of 227.00 feet through a central angle of 50°20'33" and being subtended by a chord which bears North 80°06'33" East 193.10 feet;  
 Thence South 83°15'58" East 122.96 feet;  
 Thence South 46°02'47" West 12.92 feet;  
 Thence South 83°15'58" East 199.95 feet;  
 Thence North 23°56'51" West 11.63 feet;  
 Thence South 83°15'58" East 13.64 feet;  
 Thence South 08°03'54" East 109.53 feet;  
 Thence South 66°04'37" East 1.10 feet;  
 Thence South 67°11'32" East 5.93 feet;  
 Thence South 70°13'12" East 6.24 feet;  
 Thence South 72°49'18" East 6.01 feet;  
 Thence South 74°45'14" East 6.96 feet;  
 Thence South 81°24'27" East 8.27 feet;  
 Thence South 89°29'45" East 8.06 feet;  
 Thence North 85°04'53" East 7.45 feet;  
 Thence North 79°33'50" East 7.57 feet;  
 Thence North 73°28'35" East 6.98 feet;  
 Thence North 70°55'05" East 6.39 feet;  
 Thence North 67°26'18" East 5.91 feet;  
 Thence North 67°03'11" East 4.63 feet;  
 Thence South 80°08'56" East 54.36 feet;  
 Thence South 85°15'03" East 18.48 feet;  
 Thence North 90°00'00" East 41.38 feet;  
 Thence North 82°40'56" East 31.91 feet;  
 Thence 102.58 feet along the arc of a non-tangential circular curve concave northwest having a radius of 82.42 feet through a central angle of 71°18'48" and being subtended by a chord which bears North 54°29'24" East 96.09 feet;  
 Thence 114.40 feet along the arc of a non-tangential circular curve concave southeast having a radius of 268.08 feet through a central angle of 24°27'03" and being subtended by a chord which bears North 30°08'43" East 113.54 feet;  
 Thence North 42°38'44" East 145.59 feet;  
 Thence North 74°34'51" West 8.16 feet;  
 Thence North 54°18'32" West 57.60 feet;  
 Thence North 50°44'19" East 67.76 feet;

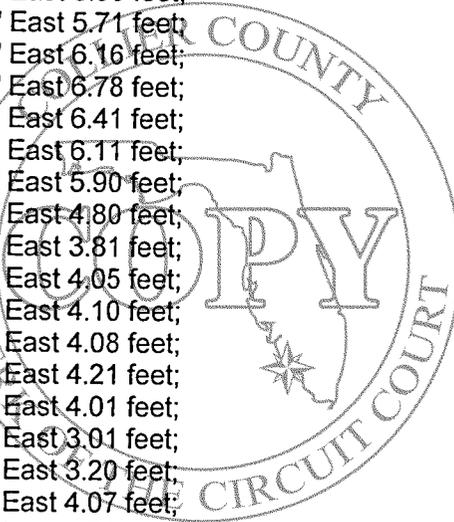
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Thence North 43°01'28" East 7.96 feet;  
 Thence North 13°50'16" West 46.11 feet;  
 Thence North 83°14'12" East 53.35 feet;  
 Thence North 52°18'40" East 11.99 feet;  
 Thence North 13°45'24" East 15.58 feet;  
 Thence North 27°02'04" East 76.65 feet;  
 Thence North 40°44'59" East 33.21 feet;  
 Thence North 20°21'16" East 14.04 feet;  
 Thence North 31°41'17" West 13.16 feet;  
 Thence North 00°16'17" East 51.63 feet;  
 Thence North 85°53'48" East 57.20 feet;  
 Thence North 51°04'11" East 14.68 feet;  
 Thence North 23°20'37" East 19.94 feet;  
 Thence North 26°29'55" East 46.13 feet;  
 Thence South 77°10'32" East 31.03 feet;  
 Thence North 42°56'02" East 7.44 feet;  
 Thence North 20°32'11" East 21.07 feet;  
 Thence North 61°09'24" East 50.03 feet;  
 Thence South 54°51'37" East 39.08 feet;  
 Thence North 17°32'15" East 4.19 feet;  
 Thence North 16°20'36" East 5.34 feet;  
 Thence North 16°05'16" East 5.19 feet;  
 Thence North 15°35'57" East 5.00 feet;  
 Thence North 16°22'50" East 3.64 feet;  
 Thence North 22°06'58" East 2.71 feet;  
 Thence North 21°39'12" East 3.82 feet;  
 Thence North 34°27'28" East 3.90 feet;  
 Thence North 31°20'48" East 4.60 feet;  
 Thence North 30°52'46" East 5.24 feet;  
 Thence North 30°16'08" East 5.16 feet;  
 Thence North 30°09'02" East 5.16 feet;  
 Thence North 29°40'55" East 5.64 feet;  
 Thence North 27°38'37" East 5.70 feet;  
 Thence North 26°39'42" East 5.49 feet;  
 Thence North 25°33'33" East 5.39 feet;  
 Thence North 25°04'58" East 5.21 feet;  
 Thence North 24°49'04" East 5.58 feet;  
 Thence North 22°42'27" East 6.00 feet;  
 Thence North 20°37'04" East 6.26 feet;  
 Thence North 17°23'40" East 6.46 feet;  
 Thence North 14°14'04" East 6.55 feet;  
 Thence North 10°31'44" East 6.19 feet;  
 Thence North 08°55'40" East 5.77 feet;  
 Thence North 07°14'49" East 5.15 feet;  
 Thence North 08°35'20" East 4.74 feet;  
 Thence North 08°45'57" East 4.60 feet;  
 Thence North 10°46'31" East 3.97 feet;  
 Thence North 13°48'15" East 3.79 feet;  
 Thence North 16°44'34" East 4.06 feet;



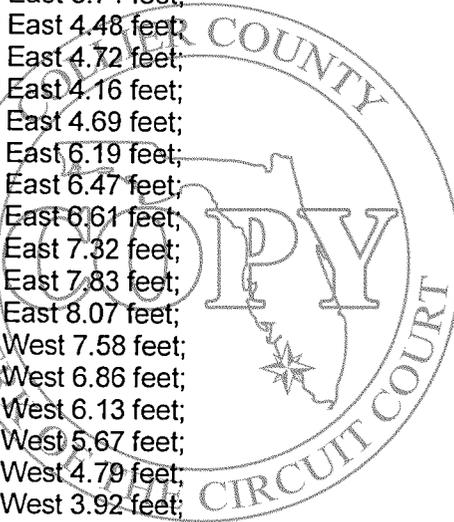


Thence North 18°14'40" East 4.64 feet;  
 Thence North 18°34'51" East 4.48 feet;  
 Thence North 21°02'44" East 3.64 feet;  
 Thence North 25°10'05" East 3.35 feet;  
 Thence North 28°58'37" East 3.42 feet;  
 Thence North 32°45'20" East 3.88 feet;  
 Thence North 34°29'27" East 4.50 feet;  
 Thence North 35°09'07" East 4.88 feet;  
 Thence North 35°10'04" East 5.48 feet;  
 Thence North 33°02'43" East 6.06 feet;  
 Thence North 30°33'31" East 5.54 feet;  
 Thence North 30°58'25" East 5.03 feet;  
 Thence North 30°33'49" East 6.44 feet;  
 Thence North 24°26'01" East 6.95 feet;  
 Thence North 21°37'42" East 5.71 feet;  
 Thence North 21°21'23" East 6.16 feet;  
 Thence North 16°43'46" East 6.78 feet;  
 Thence North 13°30'12" East 6.41 feet;  
 Thence North 10°32'11" East 6.11 feet;  
 Thence North 08°32'34" East 5.90 feet;  
 Thence North 06°28'22" East 4.80 feet;  
 Thence North 09°31'14" East 3.81 feet;  
 Thence North 11°59'43" East 4.05 feet;  
 Thence North 14°11'06" East 4.10 feet;  
 Thence North 16°20'24" East 4.08 feet;  
 Thence North 18°32'36" East 4.21 feet;  
 Thence North 20°02'12" East 4.01 feet;  
 Thence North 23°11'23" East 3.01 feet;  
 Thence North 29°13'22" East 3.20 feet;  
 Thence North 32°20'10" East 4.07 feet;  
 Thence North 33°31'08" East 4.56 feet;  
 Thence North 34°25'30" East 4.77 feet;  
 Thence North 34°38'07" East 4.95 feet;  
 Thence North 35°01'21" East 5.11 feet;  
 Thence North 34°34'43" East 5.25 feet;  
 Thence North 34°05'25" East 5.25 feet;  
 Thence North 33°37'28" East 5.61 feet;  
 Thence North 31°43'05" East 5.89 feet;  
 Thence North 29°46'34" East 5.54 feet;  
 Thence North 29°15'33" East 5.30 feet;  
 Thence North 28°26'00" East 4.94 feet;  
 Thence North 29°32'37" East 4.92 feet;  
 Thence North 29°12'26" East 5.76 feet;  
 Thence North 26°31'28" East 6.55 feet;  
 Thence North 22°14'58" East 7.17 feet;  
 Thence North 17°03'05" East 7.50 feet;  
 Thence North 11°10'14" East 7.22 feet;  
 Thence North 07°14'08" East 6.81 feet;  
 Thence North 02°57'47" East 6.74 feet;





Thence North 00°37'01" West 6.71 feet;  
 Thence North 04°48'32" West 5.99 feet;  
 Thence North 04°53'50" West 5.07 feet;  
 Thence North 04°51'31" West 4.05 feet;  
 Thence North 00°13'40" West 3.11 feet;  
 Thence North 03°55'39" East 3.35 feet;  
 Thence North 07°29'57" East 3.43 feet;  
 Thence North 11°17'40" East 3.67 feet;  
 Thence North 13°53'58" East 3.92 feet;  
 Thence North 16°34'47" East 4.05 feet;  
 Thence North 18°43'35" East 4.36 feet;  
 Thence North 19°40'12" East 4.88 feet;  
 Thence North 19°26'17" East 4.31 feet;  
 Thence North 23°05'40" East 3.74 feet;  
 Thence North 25°27'59" East 4.48 feet;  
 Thence North 25°45'00" East 4.72 feet;  
 Thence North 27°01'33" East 4.16 feet;  
 Thence North 29°51'50" East 4.69 feet;  
 Thence North 28°29'36" East 6.19 feet;  
 Thence North 24°33'50" East 6.47 feet;  
 Thence North 22°22'37" East 6.61 feet;  
 Thence North 17°34'10" East 7.32 feet;  
 Thence North 11°57'12" East 7.83 feet;  
 Thence North 04°53'58" East 8.07 feet;  
 Thence North 01°53'08" West 7.58 feet;  
 Thence North 06°25'48" West 6.86 feet;  
 Thence North 10°22'27" West 6.13 feet;  
 Thence North 11°29'39" West 5.67 feet;  
 Thence North 13°11'29" West 4.79 feet;  
 Thence North 10°07'48" West 3.92 feet;  
 Thence North 08°05'11" West 4.11 feet;  
 Thence North 05°58'26" West 4.28 feet;  
 Thence North 04°40'57" West 3.77 feet;  
 Thence North 00°09'29" East 2.74 feet;  
 Thence North 06°00'30" East 2.80 feet;  
 Thence North 10°38'20" East 3.08 feet;  
 Thence North 15°14'15" East 2.66 feet;  
 Thence North 21°54'57" East 3.01 feet;  
 Thence North 24°26'01" East 4.19 feet;  
 Thence North 25°49'01" East 4.64 feet;  
 Thence North 26°24'47" East 4.88 feet;  
 Thence North 26°38'10" East 5.80 feet;  
 Thence North 22°57'38" East 6.59 feet;  
 Thence North 19°35'54" East 6.74 feet;  
 Thence North 15°17'06" East 7.06 feet;  
 Thence North 10°22'55" East 7.75 feet;  
 Thence North 02°56'36" East 8.03 feet;  
 Thence North 03°11'08" West 7.59 feet;  
 Thence North 08°35'49" West 7.44 feet;



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Thence North 14°07'36" West 7.48 feet;  
 Thence North 19°37'34" West 7.86 feet;  
 Thence North 26°37'33" West 7.91 feet;  
 Thence North 32°39'41" West 7.36 feet;  
 Thence North 37°04'24" West 6.78 feet;  
 Thence North 40°29'12" West 5.76 feet;  
 Thence North 40°06'56" West 5.02 feet;  
 Thence North 40°31'32" West 4.57 feet;  
 Thence North 38°09'07" West 4.19 feet;  
 Thence North 36°47'16" West 3.92 feet;  
 Thence North 33°06'29" West 3.44 feet;  
 Thence North 29°31'11" West 3.34 feet;  
 Thence North 25°07'17" West 3.18 feet;  
 Thence North 20°59'28" West 2.86 feet;  
 Thence North 15°03'18" West 2.47 feet;  
 Thence North 08°30'58" West 2.74 feet;  
 Thence North 04°38'29" West 3.41 feet;  
 Thence North 01°08'11" West 3.80 feet;  
 Thence North 01°17'38" East 4.05 feet;  
 Thence North 03°37'40" East 4.77 feet;  
 Thence North 02°40'40" East 5.39 feet;  
 Thence North 02°04'01" East 6.24 feet;  
 Thence North 02°55'03" West 7.56 feet;  
 Thence North 08°49'20" West 3.30 feet;  
 Thence North 07°24'47" East 98.93 feet;  
 Thence 73.42 feet along the arc of a non-tangential circular curve concave south having a radius of 522.50 feet through a central angle of 08°03'03" and being subtended by a chord which bears North 82°09'38" East 73.36 feet;  
 Thence North 86°11'09" East 29.40 feet;  
 Thence South 56°09'34" East 8.81 feet;  
 Thence South 46°08'57" East 6.24 feet;  
 Thence North 86°11'09" East 79.77 feet;  
 Thence North 86°13'33" East 58.22 feet;  
 Thence North 69°47'11" East 25.02 feet;  
 Thence North 57°29'08" East 6.07 feet;  
 Thence North 86°13'33" East 53.91 feet;  
 Thence South 46°38'33" East 13.64 feet;  
 Thence North 86°13'33" East 70.68 feet;  
 Thence North 87°21'32" East 37.00 feet;  
 Thence North 64°17'30" East 25.52 feet;  
 Thence North 87°21'32" East 84.44 feet;  
 Thence 89.02 feet along the arc of a circular curve concave south having a radius of 255.50 feet through a central angle of 19°57'46" and being subtended by a chord which bears South 82°39'34" East 88.57 feet to a point of reverse curvature;  
 Thence 39.04 feet along the arc of a circular curve concave north having a radius of 377.50 feet through a central angle of 05°55'31" and being subtended by a chord which bears South 75°38'27" East 39.02 feet;  
 Thence South 16°17'57" East 0.85 feet;  
 Thence South 41°09'48" East 14.43 feet;

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Thence 62.84 feet along the arc of a non-tangential circular curve concave north having a radius of 387.50 feet through a central angle of  $09^{\circ}17'31''$  and being subtended by a chord which bears South  $85^{\circ}00'38''$  East 62.77 feet;

Thence South  $89^{\circ}39'23''$  East 35.00 feet to a point on the west line of the Drainage Easement as described in Official Records Book 4544, page 2196, of the public records of Collier County, Florida;

Thence along said west line South  $00^{\circ}20'37''$  West 2,471.93 feet to a point on the boundary of the Drainage Easement as described in Official Records Book 4544, page 2203, of the public records of Collier County, Florida;

Thence along said boundary in the following thirty four (34) described courses:

1. South  $07^{\circ}24'26''$  West 101.04 feet;
2. South  $00^{\circ}00'08''$  West 242.56 feet;
3. 65.80 feet along the arc of a non-tangential circular curve concave northwest having a radius of 30.07 feet through a central angle of  $125^{\circ}22'36''$  and being subtended by a chord which bears South  $46^{\circ}37'05''$  West 53.44 feet;
4. North  $67^{\circ}58'37''$  West 49.24 feet;
5. 67.40 feet along the arc of a non-tangential circular curve concave south having a radius of 101.40 feet through a central angle of  $38^{\circ}05'10''$  and being subtended by a chord which bears South  $84^{\circ}26'17''$  West 66.17 feet;
6. 39.44 feet along the arc of a non-tangential circular curve concave north having a radius of 92.63 feet through a central angle of  $24^{\circ}23'47''$  and being subtended by a chord which bears North  $88^{\circ}53'13''$  West 39.14 feet;
7. 129.16 feet along the arc of a non-tangential circular curve concave southeast having a radius of 124.52 feet through a central angle of  $59^{\circ}25'55''$  and being subtended by a chord which bears South  $54^{\circ}29'26''$  West 123.45 feet;
8. 84.43 feet along the arc of a non-tangential circular curve concave north having a radius of 54.03 feet through a central angle of  $89^{\circ}32'02''$  and being subtended by a chord which bears South  $70^{\circ}30'49''$  West 76.10 feet;
9. North  $43^{\circ}13'30''$  West 60.26 feet;
10. 45.96 feet along the arc of a non-tangential circular curve concave southwest having a radius of 92.60 feet through a central angle of  $28^{\circ}26'26''$  and being subtended by a chord which bears North  $65^{\circ}21'58''$  West 45.49 feet;
11. 137.40 feet along the arc of a non-tangential circular curve concave southeast having a radius of 92.19 feet through a central angle of  $85^{\circ}23'28''$  and being subtended by a chord which bears South  $57^{\circ}49'08''$  West 125.03 feet;
12. 229.88 feet along the arc of a non-tangential circular curve concave southeast having a radius of 616.24 feet through a central angle of  $21^{\circ}22'23''$  and being subtended by a chord which bears South  $27^{\circ}34'07''$  West 228.55 feet;
13. 156.73 feet along the arc of a non-tangential circular curve concave north having a radius of 66.45 feet through a central angle of  $135^{\circ}08'27''$  and being subtended by a chord which bears South  $72^{\circ}35'48''$  West 122.85 feet;
14. North  $18^{\circ}01'51''$  West 71.58 feet;
15. 118.85 feet along the arc of a circular curve concave southwest having a radius of 69.50 feet through a central angle of  $97^{\circ}59'02''$  and being subtended by a chord which bears North  $67^{\circ}01'22''$  West 104.89 feet;
16. South  $52^{\circ}36'58''$  West 49.49 feet;

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17. 128.84 feet along the arc of a non-tangential circular curve concave east having a radius of 108.66 feet through a central angle of 67°56'10" and being subtended by a chord which bears South 04°30'39" West 121.42 feet;
18. South 35°43'40" East 56.41 feet;
19. 44.45 feet along the arc of a non-tangential circular curve concave west having a radius of 31.74 feet through a central angle of 80°14'12" and being subtended by a chord which bears South 17°31'30" East 40.90 feet;
20. South 18°18'51" West 39.39 feet;
21. 169.07 feet along the arc of a non-tangential circular curve concave northeast having a radius of 94.03 feet through a central angle of 103°01'17" and being subtended by a chord which bears South 39°33'29" East 147.20 feet;
22. North 79°46'05" East 201.80 feet;
23. 44.73 feet along the arc of a circular curve concave south having a radius of 66.54 feet through a central angle of 38°30'54" and being subtended by a chord which bears South 80°58'27" East 43.89 feet;
24. South 70°21'37" East 74.73 feet;
25. 182.28 feet along the arc of a non-tangential circular curve concave north having a radius of 107.22 feet through a central angle of 97°24'22" and being subtended by a chord which bears North 69°47'42" East 161.11 feet;
26. 126.57 feet along the arc of a non-tangential circular curve concave west having a radius of 94.85 feet through a central angle of 76°27'25" and being subtended by a chord which bears North 11°29'46" West 117.39 feet;
27. North 43°37'31" West 30.78 feet;
28. 42.87 feet along the arc of a non-tangential circular curve concave east having a radius of 56.21 feet through a central angle of 43°41'37" and being subtended by a chord which bears North 04°13'43" West 41.83 feet;
29. 112.64 feet along the arc of a non-tangential circular curve concave southeast having a radius of 174.40 feet through a central angle of 37°00'24" and being subtended by a chord which bears North 30°21'05" East 110.70 feet;
30. 66.64 feet along the arc of a non-tangential circular curve concave southeast having a radius of 73.02 feet through a central angle of 52°17'19" and being subtended by a chord which bears North 51°12'02" East 64.35 feet;
31. 181.50 feet along the arc of a non-tangential circular curve concave northwest having a radius of 283.52 feet through a central angle of 36°40'43" and being subtended by a chord which bears North 51°52'40" East 178.42 feet;
32. 66.29 feet along the arc of a non-tangential circular curve concave south having a radius of 49.60 feet through a central angle of 76°34'11" and being subtended by a chord which bears North 83°38'50" East 61.46 feet;
33. South 45°03'55" East 46.89 feet;
34. 105.39 feet along the arc of a non-tangential circular curve concave north having a radius of 141.36 feet through a central angle of 42°43'03" and being subtended by a chord which bears South 84°40'50" East 102.97 feet to the POINT OF BEGINNING.

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Containing 211.71 acres more or less.  
Bearings are based on the east line of said Section 36, being South 89°32'22" West.  
Certificate of authorization #LB-43.

WilsonMiller, Inc.  
Registered Engineers and Land Surveyors

By: \_\_\_\_\_ Date August 31, 2011  
Lance T. Miller, Professional Surveyor and Mapper #LS5627

Not valid unless embossed with the Professional's seal.  
Ref. 2D-125 sheets 6-7

Rev 11-29-12 ltm



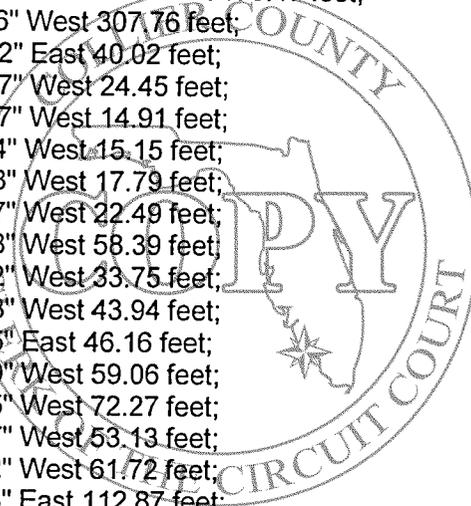


LEGAL DESCRIPTION  
Being a part of Section 25,  
Township 50 South, Range 25 East,  
Collier County, Florida  
(Conservation Area 4C)

Commencing at the Southeast Corner of Section 25, Township 50 South, Range 25 East,  
Collier County, Florida;

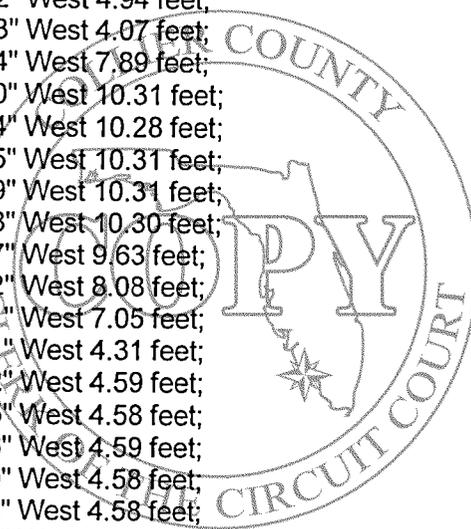
Thence North 55°15'30" West 2,170.88 feet to the POINT OF BEGINNING;

- Thence North 83°15'58" West 286.51 feet;
- Thence 180.16 feet along the arc of a non-tangential circular curve concave west having a radius of 227.00 feet through a central angle of 45°28'23" and being subtended by a chord which bears North 21°49'50" East 175.47 feet;
- Thence North 68°38'36" West 307.76 feet;
- Thence South 04°37'52" East 40.02 feet;
- Thence South 28°52'27" West 24.45 feet;
- Thence South 65°59'37" West 14.91 feet;
- Thence North 88°51'14" West 15.15 feet;
- Thence North 80°08'28" West 17.79 feet;
- Thence North 75°22'17" West 22.49 feet;
- Thence North 71°34'38" West 58.39 feet;
- Thence North 52°51'12" West 33.75 feet;
- Thence North 27°09'13" West 43.94 feet;
- Thence North 05°11'05" East 46.16 feet;
- Thence North 55°59'29" West 59.06 feet;
- Thence North 16°39'05" West 72.27 feet;
- Thence North 49°26'47" West 53.13 feet;
- Thence North 25°55'12" West 61.72 feet;
- Thence North 06°17'18" East 112.87 feet;
- Thence North 12°08'20" East 72.48 feet;
- Thence North 06°10'02" East 2.64 feet;
- Thence North 05°19'06" East 1.13 feet;
- Thence North 02°07'03" West 53.25 feet;
- Thence North 12°47'40" West 2.58 feet;
- Thence North 15°28'02" West 4.79 feet;
- Thence North 18°08'47" West 4.79 feet;
- Thence North 20°47'50" West 4.78 feet;
- Thence North 23°27'54" West 4.79 feet;
- Thence North 26°08'31" West 4.79 feet;
- Thence North 28°48'36" West 4.79 feet;
- Thence North 31°28'05" West 4.79 feet;
- Thence North 34°08'41" West 4.79 feet;
- Thence North 36°49'21" West 4.79 feet;
- Thence North 39°29'00" West 4.78 feet;
- Thence North 42°08'35" West 4.79 feet;
- Thence North 44°49'15" West 4.73 feet;
- Thence North 47°15'22" West 4.94 feet;
- Thence North 49°45'36" West 4.95 feet;





Thence North 52°13'07" West 4.94 feet;  
 Thence North 54°42'38" West 4.95 feet;  
 Thence North 57°11'25" West 4.95 feet;  
 Thence North 59°40'20" West 4.94 feet;  
 Thence North 62°08'57" West 4.95 feet;  
 Thence North 64°38'12" West 4.94 feet;  
 Thence North 67°06'17" West 4.95 feet;  
 Thence North 69°36'08" West 4.94 feet;  
 Thence North 72°03'43" West 4.94 feet;  
 Thence North 74°33'27" West 4.95 feet;  
 Thence North 77°02'18" West 4.94 feet;  
 Thence North 79°30'35" West 4.95 feet;  
 Thence North 82°00'35" West 4.95 feet;  
 Thence North 84°28'32" West 4.94 feet;  
 Thence North 86°57'03" West 4.07 feet;  
 Thence North 86°06'14" West 7.89 feet;  
 Thence North 83°03'50" West 10.31 feet;  
 Thence North 80°00'54" West 10.28 feet;  
 Thence North 76°58'25" West 10.31 feet;  
 Thence North 73°55'49" West 10.31 feet;  
 Thence North 70°53'08" West 10.30 feet;  
 Thence North 67°50'07" West 9.63 feet;  
 Thence North 64°10'12" West 8.08 feet;  
 Thence North 60°33'01" West 7.05 feet;  
 Thence North 62°29'31" West 4.31 feet;  
 Thence North 65°30'32" West 4.59 feet;  
 Thence North 68°29'55" West 4.58 feet;  
 Thence North 71°29'56" West 4.59 feet;  
 Thence North 74°31'00" West 4.58 feet;  
 Thence North 77°29'23" West 4.58 feet;  
 Thence North 80°30'46" West 4.59 feet;  
 Thence North 83°30'24" West 4.58 feet;  
 Thence North 86°30'07" West 4.59 feet;  
 Thence North 89°30'21" West 4.59 feet;  
 Thence South 87°29'29" West 4.59 feet;  
 Thence South 84°29'58" West 4.59 feet;  
 Thence South 81°29'37" West 4.59 feet;  
 Thence South 78°30'14" West 4.59 feet;  
 Thence South 75°28'47" West 4.59 feet;  
 Thence South 72°29'47" West 4.46 feet;  
 Thence South 69°56'43" West 4.77 feet;  
 Thence South 67°17'28" West 4.80 feet;  
 Thence South 64°37'45" West 4.80 feet;  
 Thence South 61°58'40" West 4.80 feet;  
 Thence South 59°19'48" West 4.80 feet;  
 Thence South 56°40'57" West 4.80 feet;  
 Thence South 54°01'37" West 4.80 feet;  
 Thence South 51°22'37" West 4.80 feet;  
 Thence South 48°43'09" West 6.28 feet;



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Thence South 51°45'36" West 0.62 feet;  
 Thence 590.43 feet along the arc of a non-tangential circular curve concave east having  
 a radius of 545.77 feet through a central angle of 61°59'03" and being subtended by a  
 chord which bears North 00°37'07" West 562.06 feet;  
 Thence South 87°27'42" East 33.82 feet;  
 Thence North 20°56'24" East 96.38 feet;  
 Thence South 52°02'41" East 2.61 feet;  
 Thence South 66°35'03" East 19.00 feet;  
 Thence North 54°31'39" East 4.65 feet;  
 Thence North 51°21'02" East 27.77 feet;  
 Thence South 86°52'52" East 20.41 feet;  
 Thence North 33°31'39" East 1.10 feet;  
 Thence North 19°26'05" East 28.38 feet;  
 Thence North 52°52'34" East 33.74 feet;  
 Thence North 73°27'31" East 42.70 feet;  
 Thence South 46°38'52" East 25.62 feet;  
 Thence South 89°23'33" East 9.40 feet;  
 Thence South 50°05'28" East 29.38 feet;  
 Thence South 38°55'29" East 21.45 feet;  
 Thence South 20°14'26" East 26.18 feet;  
 Thence South 15°30'08" East 17.84 feet;  
 Thence South 74°57'37" East 20.52 feet;  
 Thence South 38°39'11" East 36.88 feet;  
 Thence South 68°50'35" East 34.06 feet;  
 Thence South 17°28'59" East 41.91 feet;  
 Thence South 10°25'09" East 34.92 feet;  
 Thence South 11°52'19" West 15.37 feet;  
 Thence South 21°44'00" East 11.97 feet;  
 Thence South 51°39'54" East 18.92 feet;  
 Thence South 66°05'51" East 38.40 feet;  
 Thence South 37°27'29" East 44.40 feet;  
 Thence South 26°24'35" East 17.28 feet;  
 Thence South 51°03'56" East 16.10 feet;  
 Thence South 40°18'16" East 29.05 feet;  
 Thence South 12°08'28" East 9.18 feet;  
 Thence South 78°53'20" East 30.69 feet;  
 Thence South 39°16'54" East 28.05 feet;  
 Thence South 69°55'28" East 20.61 feet;  
 Thence North 54°25'17" East 50.66 feet;  
 Thence South 43°11'30" East 21.39 feet;  
 Thence South 82°23'25" East 13.53 feet;  
 Thence North 35°44'38" East 14.40 feet;  
 Thence North 85°16'52" East 16.86 feet;  
 Thence South 48°23'06" East 12.01 feet;  
 Thence North 83°06'09" East 17.07 feet;  
 Thence North 86°38'35" East 21.57 feet;  
 Thence South 33°25'33" East 25.42 feet;  
 Thence South 36°49'22" East 17.77 feet;  
 Thence South 55°13'58" East 26.86 feet;

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Thence 907.83 feet along the arc of a non-tangential circular curve concave northeast having a radius of 355.00 feet through a central angle of 146°31'12" and being subtended by a chord which bears South 60°55'47" East 679.91 feet to a point of compound curve;

Thence 59.28 feet along the arc of a circular curve concave northwest having a radius of 1,207.00 feet through a central angle of 02°48'50" and being subtended by a chord which bears North 44°24'12" East 59.27 feet;

Thence North 29°57'03" East 0.06 feet;

Thence North 34°46'53" East 8.24 feet;

Thence North 41°26'21" East 5.60 feet;

Thence North 51°33'03" East 6.28 feet;

Thence North 59°10'40" East 0.83 feet;

Thence 399.72 feet along the arc of a non-tangential circular curve concave northwest having a radius of 1,207.00 feet through a central angle of 18°58'28" and being subtended by a chord which bears North 32°31'14" East 397.89 feet;

Thence North 23°02'00" East 91.80 feet;

Thence 16.45 feet along the arc of a non-tangential circular curve concave north having a radius of 1,265.00 feet through a central angle of 00°44'42" and being subtended by a chord which bears South 76°45'26" East 16.45 feet;

Thence South 04°08'26" West 273.42 feet;

Thence 148.38 feet along the arc of a circular curve concave west having a radius of 408.00 feet through a central angle of 20°50'14" and being subtended by a chord which bears South 14°33'33" West 147.57 feet;

Thence South 69°50'45" East 4.40 feet;

Thence South 72°20'33" East 4.98 feet;

Thence South 74°58'45" East 7.47 feet;

Thence South 63°04'02" East 5.44 feet;

Thence South 54°27'44" East 5.37 feet;

Thence South 46°08'36" East 5.42 feet;

Thence South 37°50'11" East 5.42 feet;

Thence South 29°30'50" East 5.44 feet;

Thence South 21°10'53" East 5.44 feet;

Thence South 12°51'04" East 5.43 feet;

Thence South 04°32'15" East 5.43 feet;

Thence South 03°47'56" West 5.06 feet;

Thence South 01°01'32" West 4.74 feet;

Thence South 01°43'15" East 4.73 feet;

Thence South 04°27'17" East 4.73 feet;

Thence South 07°12'56" East 4.74 feet;

Thence South 09°57'24" East 4.73 feet;

Thence South 12°41'14" East 4.73 feet;

Thence South 15°25'55" East 4.85 feet;

Thence South 18°38'16" East 4.40 feet;

Thence South 15°07'48" East 38.49 feet;

Thence South 03°17'54" West 37.17 feet;

Thence South 24°19'07" West 34.31 feet;

Thence South 45°01'30" West 19.88 feet;

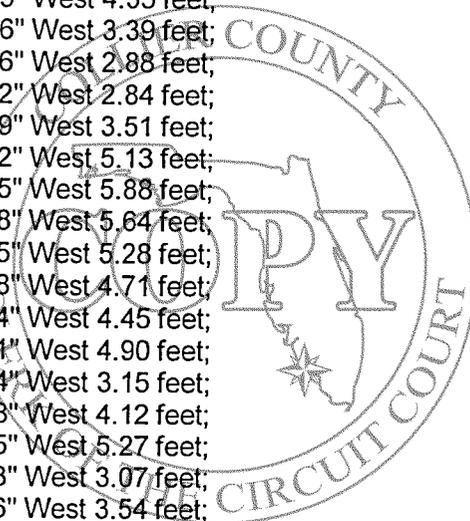
Thence South 52°52'40" West 15.98 feet;

Thence South 67°38'15" West 5.15 feet;

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Thence South 59°13'53" West 3.05 feet;  
 Thence South 55°01'51" West 2.48 feet;  
 Thence South 54°29'04" West 1.75 feet;  
 Thence South 51°46'37" West 2.15 feet;  
 Thence South 51°36'28" West 1.57 feet;  
 Thence South 50°13'08" West 2.04 feet;  
 Thence South 60°16'22" West 2.06 feet;  
 Thence South 58°06'56" West 2.52 feet;  
 Thence South 55°33'55" West 2.21 feet;  
 Thence South 52°43'06" West 1.18 feet;  
 Thence South 64°49'06" West 6.72 feet;  
 Thence South 66°10'56" West 5.75 feet;  
 Thence South 65°25'21" West 5.27 feet;  
 Thence South 61°20'19" West 4.55 feet;  
 Thence South 58°42'06" West 3.39 feet;  
 Thence South 57°16'16" West 2.88 feet;  
 Thence South 55°46'42" West 2.84 feet;  
 Thence South 54°27'59" West 3.51 feet;  
 Thence South 51°27'42" West 5.13 feet;  
 Thence South 46°25'05" West 5.88 feet;  
 Thence South 41°39'48" West 5.64 feet;  
 Thence South 37°09'55" West 5.28 feet;  
 Thence South 33°18'08" West 4.71 feet;  
 Thence South 30°08'04" West 4.45 feet;  
 Thence South 26°49'11" West 4.90 feet;  
 Thence South 33°21'24" West 3.15 feet;  
 Thence South 26°35'08" West 4.12 feet;  
 Thence South 36°16'35" West 5.27 feet;  
 Thence South 36°16'43" West 3.07 feet;  
 Thence South 37°25'46" West 3.54 feet;  
 Thence South 26°35'04" West 3.32 feet;  
 Thence South 24°12'46" West 4.50 feet;  
 Thence South 32°07'03" West 3.60 feet;  
 Thence South 32°12'11" West 3.52 feet;  
 Thence South 38°48'29" West 5.56 feet;  
 Thence South 43°00'58" West 6.24 feet;  
 Thence South 43°14'11" West 6.20 feet;  
 Thence South 43°20'25" West 6.57 feet;  
 Thence South 40°23'45" West 6.76 feet;  
 Thence South 38°54'02" West 6.67 feet;  
 Thence South 35°33'50" West 6.82 feet;  
 Thence South 32°33'27" West 5.98 feet;  
 Thence South 31°10'44" West 5.10 feet;  
 Thence South 30°10'28" West 4.94 feet;  
 Thence South 29°04'16" West 5.49 feet;  
 Thence South 26°49'35" West 6.26 feet;  
 Thence South 23°56'58" West 6.36 feet;  
 Thence South 21°27'11" West 6.05 feet;  
 Thence South 23°40'30" West 9.33 feet;





Thence South 20°52'15" West 8.50 feet;  
 Thence South 24°32'19" West 11.85 feet;  
 Thence South 26°09'03" West 11.16 feet;  
 Thence South 27°55'04" West 10.91 feet;  
 Thence South 35°42'01" West 9.08 feet;  
 Thence South 43°30'47" West 8.98 feet;  
 Thence South 43°18'40" West 70.71 feet;  
 Thence South 20°22'44" West 37.89 feet;  
 Thence South 01°54'24" East 78.26 feet;  
 Thence South 40°53'42" East 34.48 feet;  
 Thence South 34°17'46" West 51.26 feet;  
 Thence South 81°37'57" West 62.38 feet;  
 Thence South 84°14'42" West 15.92 feet;  
 Thence North 46°41'20" West 63.54 feet;  
 Thence South 43°18'40" West 127.45 feet;  
 Thence 113.48 feet along the arc of a non-tangential circular curve concave east having a radius of 174.78 feet through a central angle of 37°12'05" and being subtended by a chord which bears South 20°57'25" West 111.50 feet;  
 Thence North 68°38'36" West 67.95 feet;  
 Thence South 08°03'54" East 118.40 feet to the POINT OF BEGINNING.

Containing 28.55 acres more or less.  
 Bearings are based on the east line of said Section 25, being North 00°20'37" East.  
 Certificate of authorization #LB-43.

WilsonMiller, Inc.  
 Registered Engineers and Land Surveyors

By: \_\_\_\_\_ Date August 31, 2011  
 Lance T. Miller, Professional Surveyor and Mapper #LS5627

Not valid unless embossed with the Professional's seal.  
 Ref. 2D-125 sheet 8

Rev 11-29-12 Itm

**Wilson Miller**



LEGAL DESCRIPTION

Being a part of Section 24 and Section 25,  
Township 50 South, Range 25 East,  
Collier County, Florida  
(Conservation Area 5)

Commencing at the Northeast Corner of Section 25, Township 50 South, Range 26 East, Collier County, Florida;

Thence North 88°17'28" West 1,817.85 feet to a point on the westerly boundary of the Drainage Easement as recorded in Official Records Book 4385, page 3675, of the public records of Collier County, Florida and the POINT OF BEGINNING;

Thence along said boundary in the following nine (9) described courses:

1. South 35°58'19" West 97.94 feet;
2. 229.19 feet along the arc of a circular curve concave southeast having a radius of 1,035.00 feet through a central angle of 12°41'16" and being subtended by a chord which bears South 29°37'41" West 228.73 feet to a point of reverse curvature;
3. 157.28 feet along the arc of a circular curve concave northwest having a radius of 800.00 feet through a central angle of 11°15'52" and being subtended by a chord which bears South 28°54'59" West 157.03 feet to a point of reverse curvature;
4. 404.55 feet along the arc of a circular curve concave southeast having a radius of 1,035.00 feet through a central angle of 22°23'42" and being subtended by a chord which bears South 23°21'04" West 401.98 feet to a point of reverse curvature;
5. 98.99 feet along the arc of a circular curve concave west having a radius of 793.72 feet through a central angle of 07°08'44" and being subtended by a chord which bears South 15°43'35" West 98.92 feet;
6. South 19°17'57" West 157.63 feet;
7. 181.70 feet along the arc of a circular curve concave northwest having a radius of 800.00 feet through a central angle of 13°00'48" and being subtended by a chord which bears South 25°48'21" West 181.31 feet to a point of reverse curvature;
8. 98.84 feet along the arc of a circular curve concave southeast having a radius of 800.00 feet through a central angle of 07°04'45" and being subtended by a chord which bears South 28°46'22" West 98.78 feet to a point of reverse curvature;
9. 85.08 feet along the arc of a circular curve concave northwest having a radius of 800.00 feet through a central angle of 06°05'37" and being subtended by a chord which bears South 28°16'48" West 85.04 feet;

Thence leaving said boundary 68.93 feet along the arc of a non-tangential circular curve concave northwest having a radius of 441.60 feet through a central angle of 08°56'38" and being subtended by a chord which bears South 38°20'29" West 68.86 feet to a point of compound curve;

Thence 116.27 feet along the arc of a circular curve concave north having a radius of 113.17 feet through a central angle of 58°51'59" and being subtended by a chord which bears South 72°14'48" West 111.23 feet;

Thence North 78°19'13" West 226.35 feet;



Thence 531.77 feet along the arc of a circular curve concave northeast having a radius of 490.00 feet through a central angle of 62°10'48" and being subtended by a chord which bears North 47°13'49" West 506.06 feet to a point of compound curve;  
 Thence 81.72 feet along the arc of a circular curve concave southeast having a radius of 55.10 feet through a central angle of 84°58'53" and being subtended by a chord which bears North 26°21'01" East 74.44 feet;  
 Thence North 68°50'27" East 179.50 feet;  
 Thence North 63°33'13" East 64.88 feet;  
 Thence 38.59 feet along the arc of a non-tangential circular curve concave northwest having a radius of 130.95 feet through a central angle of 16°53'08" and being subtended by a chord which bears North 62°28'53" East 38.45 feet;  
 Thence North 47°40'36" East 177.27 feet;  
 Thence North 51°17'34" East 315.10 feet;  
 Thence North 69°47'37" East 86.56 feet;  
 Thence North 62°20'30" East 88.98 feet;  
 Thence North 49°18'58" East 74.88 feet;  
 Thence North 37°29'02" East 86.91 feet;  
 Thence North 22°13'24" East 69.02 feet;  
 Thence North 46°01'11" East 507.36 feet;  
 Thence 113.58 feet along the arc of a circular curve concave southwest having a radius of 40.00 feet through a central angle of 162°41'27" and being subtended by a chord which bears South 52°38'06" East 79.09 feet to the POINT OF BEGINNING.

Containing 15.80 acres more or less.  
 Bearings are based on the east line of said Section 25, being North 00°22'18" East.  
 Certificate of authorization #LB-43.

WilsonMiller, Inc.  
 Registered Engineers and Land Surveyors

By: \_\_\_\_\_ Date August 31, 2011  
 Lance T. Miller, Professional Surveyor and Mapper #LS5627

Not valid unless embossed with the Professional's seal.

Ref. 2D-125 sheet 9

**Wilson Miller**

## LEGAL DESCRIPTION

Being a part of Section 24 and Section 25,  
Township 50 South, Range 25 East, and a  
part of Section 19, Township 50 South, Range 26 East,  
Collier County, Florida  
(Conservation Area 6)

Beginning at the Northeast Corner of Section 25, Township 50 South, Range 25 East, Collier County, Florida;

Thence along the boundary of the Conservation Easement as described in Official Records Book 4296, page 1764, of the public records of Collier County, Florida in the following six (6) described courses:

1. South 00°22'18" West 2,143.04 feet;
2. North 89°37'27" West 35.00 feet;
3. South 00°22'18" West 544.65 feet;
4. South 00°20'37" West 7.20 feet;
5. North 50°49'30" West 97.78 feet;
6. South 86°02'38" West 136.74 feet;

Thence leaving said boundary South 86°55'27" West 22.62 feet to a point on the boundary of said Conservation Easement;

Thence along the boundary of said Conservation Easement in the following fifty six (56) described courses:

1. South 87°23'06" West 149.25 feet;
2. South 86°12'27" West 408.11 feet;
3. South 30°32'29" West 27.77 feet;
4. North 22°34'15" West 10.36 feet;
5. 65.08 feet along the arc of a non-tangential circular curve concave southwest having a radius of 90.62 feet through a central angle of 41°09'00" and being subtended by a chord which bears North 60°11'41" West 63.69 feet;
6. North 63°17'42" West 8.88 feet;
7. North 40°56'55" West 27.19 feet;
8. North 02°19'32" East 33.80 feet;
9. North 21°17'36" East 22.58 feet;
10. North 44°43'28" East 23.31 feet;
11. North 53°54'09" East 24.36 feet;
12. North 42°11'42" East 29.64 feet;
13. North 44°12'03" East 13.27 feet;
14. North 00°47'04" East 13.42 feet;
15. North 10°32'42" West 14.86 feet;
16. North 22°20'17" West 10.42 feet;
17. North 66°37'12" West 19.62 feet;
18. North 56°29'22" West 30.58 feet;
19. North 73°11'42" West 28.80 feet;
20. North 64°27'12" West 17.22 feet;
21. South 70°08'54" West 16.90 feet;
22. South 65°41'14" West 37.73 feet;
23. South 24°11'01" West 60.33 feet;
24. South 75°33'57" West 96.16 feet;
25. North 69°23'42" West 152.25 feet;
26. North 39°34'46" West 84.15 feet;

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27. North 03°14'58" West 69.73 feet;
28. North 16°37'36" West 67.68 feet;
29. North 02°56'13" West 23.54 feet;
30. North 60°27'46" West 66.08 feet;
31. North 79°05'46" West 48.42 feet;
32. North 74°03'42" West 21.95 feet;
33. South 81°07'24" West 19.53 feet;
34. South 73°30'11" West 33.96 feet;
35. North 61°07'21" West 46.26 feet;
36. North 28°36'40" West 15.74 feet;
37. North 03°09'16" East 18.70 feet;
38. North 69°29'11" West 77.89 feet;
39. North 47°08'44" West 76.75 feet;
40. North 32°05'25" West 87.45 feet;
41. North 43°14'36" West 44.54 feet;
42. North 80°12'19" West 45.96 feet;
43. North 71°54'12" West 45.59 feet;
44. North 81°43'13" West 64.51 feet;
45. North 72°08'16" West 25.33 feet;
46. South 80°48'16" West 32.40 feet;
47. North 72°37'09" West 18.43 feet;
48. North 58°05'02" West 14.26 feet;
49. 89.13 feet along the arc of a non-tangential circular curve concave northeast having a radius of 177.89 feet through a central angle of 28°42'29" and being subtended by a chord which bears North 45°01'04" West 88.20 feet;
50. North 05°24'31" West 36.53 feet;
51. North 06°43'34" East 64.97 feet;
52. North 11°17'31" East 32.56 feet;
53. North 20°32'30" West 185.57 feet;
54. North 49°36'06" West 104.43 feet;
55. 29.83 feet along the arc of a non-tangential circular curve concave southwest having a radius of 266.00 feet through a central angle of 06°25'33" and being subtended by a chord which bears North 52°47'36" West 29.82 feet to a point of compound curve;
56. 49.68 feet along the arc of a circular curve concave southwest having a radius of 624.53 feet through a central angle of 04°33'28" and being subtended by a chord which bears North 58°17'06" West 49.67 feet;

Thence leaving said boundary North 25°55'03" East 151.02 feet to a point on the easterly boundary of the Drainage Easement as recorded in Official Records Book 4385, page 3675, of the public records of Collier County, Florida;

Thence along the boundary of said Drainages Easement in the following eight (8) described courses:

1. 69.81 feet along the arc of a non-tangential circular curve concave southeast having a radius of 565.00 feet through a central angle of 07°04'45" and being subtended by a chord which bears North 28°46'22" East 69.76 feet to a point of reverse curvature;
2. 235.07 feet along the arc of a circular curve concave northwest having a radius of 1,035.00 feet through a central angle of 13°00'48" and being subtended by a chord which bears North 25°48'20" East 234.57 feet;
3. North 19°17'57" East 157.63 feet;
4. 128.29 feet along the arc of a circular curve concave west having a radius of 1,028.72

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feet through a central angle of 07°08'44" and being subtended by a chord which bears North 15°43'35" East 128.21 feet to a point of reverse curvature;

5. 312.69 feet along the arc of a circular curve concave southeast having a radius of 800.00 feet through a central angle of 22°23'42" and being subtended by a chord which bears North 23°21'04" East 310.71 feet to a point of reverse curvature;
6. 203.48 feet along the arc of a circular curve concave northwest having a radius of 1,035.00 feet through a central angle of 11°15'52" and being subtended by a chord which bears North 28°54'59" East 203.16 feet to a point of reverse curvature;
7. 177.15 feet along the arc of a circular curve concave southeast having a radius of 800.00 feet through a central angle of 12°41'16" and being subtended by a chord which bears North 29°37'41" East 176.79 feet;
8. North 35°58'19" East 187.56 feet;

Thence leaving said boundary continuing North 35°58'19" East 377.67 feet;

Thence 248.71 feet along the arc of a circular curve concave southeast having a radius of 800.00 feet through a central angle of 17°48'45" and being subtended by a chord which bears North 44°52'42" East 247.71 feet;

Thence North 59°45'11" East 94.61 feet to a point on the boundary of said Conservation Easement;

Thence along the boundary of said Conservation Easement in the following thirty four (34) described courses:

1. 177.87 feet along the arc of a non-tangential circular curve concave northwest having a radius of 430.00 feet through a central angle of 23°42'03" and being subtended by a chord which bears North 29°24'53" East 176.61 feet;
2. North 17°33'51" East 218.63 feet;
3. North 55°27'55" East 257.00 feet;
4. 140.64 feet along the arc of a circular curve concave west having a radius of 120.00 feet through a central angle of 67°09'05" and being subtended by a chord which bears North 21°53'22" East 132.73 feet;
5. North 11°41'11" West 84.70 feet;
6. 62.46 feet along the arc of a circular curve concave east having a radius of 80.00 feet through a central angle of 44°43'59" and being subtended by a chord which bears North 10°40'48" East 60.88 feet;
7. North 33°02'48" East 99.42 feet;
8. 23.82 feet along the arc of a non-tangential circular curve concave northwest having a radius of 625.09 feet through a central angle of 02°11'01" and being subtended by a chord which bears North 26°13'01" East 23.82 feet;
9. North 28°45'38" East 113.04 feet;
10. 63.69 feet along the arc of a non-tangential circular curve concave southwest having a radius of 25.37 feet through a central angle of 143°50'33" and being subtended by a chord which bears South 64°45'59" East 48.24 feet;
11. South 00°20'55" East 282.34 feet;
12. 225.61 feet along the arc of a non-tangential circular curve concave east having a radius of 925.00 feet through a central angle of 13°58'28" and being subtended by a chord which bears South 07°22'11" East 225.05 feet to a point of reverse curvature;
13. 14.96 feet along the arc of a circular curve concave west having a radius of 40.00 feet through a central angle of 21°25'19" and being subtended by a chord which bears South 03°38'45" East 14.87 feet to a point of reverse curvature;
14. 210.56 feet along the arc of a circular curve concave east having a radius of 230.00 feet through a central angle of 52°27'09" and being subtended by a chord which bears South

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- 19°09'40" East 203.28 feet to a point of compound curve;
15. 64.94 feet along the arc of a circular curve concave north having a radius of 40.00 feet through a central angle of 93°01'01" and being subtended by a chord which bears North 88°06'15" East 58.04 feet;
  16. North 41°35'44" East 92.27 feet;
  17. 37.92 feet along the arc of a circular curve concave south having a radius of 40.00 feet through a central angle of 54°18'53" and being subtended by a chord which bears North 68°45'10" East 36.51 feet to a point of reverse curvature;
  18. 212.87 feet along the arc of a circular curve concave west having a radius of 80.00 feet through a central angle of 152°27'20" and being subtended by a chord which bears North 19°40'57" East 155.40 feet to a point of reverse curvature;
  19. 28.30 feet along the arc of a circular curve concave northeast having a radius of 40.00 feet through a central angle of 40°32'09" and being subtended by a chord which bears North 36°16'39" West 27.71 feet to a point of compound curve;
  20. 134.02 feet along the arc of a circular curve concave east having a radius of 665.00 feet through a central angle of 11°32'48" and being subtended by a chord which bears North 10°14'10" West 133.79 feet;
  21. 61.01 feet along the arc of a non-tangential circular curve concave southeast having a radius of 27.48 feet through a central angle of 127°11'45" and being subtended by a chord which bears North 42°14'03" East 49.23 feet;
  22. 289.50 feet along the arc of a non-tangential circular curve concave northwest having a radius of 120.38 feet through a central angle of 137°47'29" and being subtended by a chord which bears North 41°19'32" East 224.61 feet to a point of reverse curvature;
  23. 40.73 feet along the arc of a circular curve concave northeast having a radius of 460.00 feet through a central angle of 05°04'25" and being subtended by a chord which bears North 25°02'01" West 40.72 feet;
  24. North 22°29'48" West 16.98 feet;
  25. 106.46 feet along the arc of a circular curve concave east having a radius of 160.00 feet through a central angle of 38°07'26" and being subtended by a chord which bears North 03°26'05" West 104.51 feet;
  26. North 15°37'38" East 14.96 feet;
  27. 35.73 feet along the arc of a circular curve concave east having a radius of 460.00 feet through a central angle of 04°27'00" and being subtended by a chord which bears North 17°51'08" East 35.72 feet to a point of reverse curvature;
  28. 92.04 feet along the arc of a circular curve concave west having a radius of 110.00 feet through a central angle of 47°56'36" and being subtended by a chord which bears North 03°53'40" West 89.38 feet to a point of reverse curvature;
  29. 15.79 feet along the arc of a circular curve concave east having a radius of 20.00 feet through a central angle of 45°13'31" and being subtended by a chord which bears North 05°15'13" West 15.38 feet to a point of compound curve;
  30. 278.16 feet along the arc of a circular curve concave southeast having a radius of 295.00 feet through a central angle of 54°01'27" and being subtended by a chord which bears North 44°22'16" East 267.97 feet;
  31. North 71°22'59" East 617.09 feet;
  32. 40.63 feet along the arc of a circular curve concave south having a radius of 40.00 feet through a central angle of 58°12'18" and being subtended by a chord which bears South 79°30'52" East 38.91 feet to a point of reverse curvature;
  33. 241.17 feet along the arc of a circular curve concave northeast having a radius of 425.00 feet through a central angle of 32°30'46" and being subtended by a chord which bears

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- South 66°40'06" East 237.95 feet to a point of reverse curvature;
34. 33.53 feet along the arc of a circular curve concave southwest having a radius of 40.00 feet through a central angle of 48°01'39" and being subtended by a chord which bears South 58°54'39" East 32.56 feet;
- Thence leaving said boundary South 38°13'16" East 151.82 feet;
- Thence 456.00 feet along the arc of a circular curve concave west having a radius of 347.59 feet through a central angle of 75°09'58" and being subtended by a chord which bears South 00°38'17" East 423.99 feet to a point of reverse curvature;
- Thence 267.70 feet along the arc of a circular curve concave southeast having a radius of 624.72 feet through a central angle of 24°33'07" and being subtended by a chord which bears South 24°40'08" West 265.66 feet to a point on the boundary of said Conservation Easement;
- Thence along the boundary of said Conservation Easement in the following thirty four (34) described courses:
1. 106.45 feet along the arc of a non-tangential circular curve concave west having a radius of 290.00 feet through a central angle of 21°01'52" and being subtended by a chord which bears South 20°43'25" West 105.85 feet;
  2. South 31°14'21" West 479.13 feet;
  3. 360.07 feet along the arc of a circular curve concave northeast having a radius of 165.00 feet through a central angle of 125°02'05" and being subtended by a chord which bears South 31°16'42" East 292.76 feet;
  4. 58.40 feet along the arc of a non-tangential circular curve concave southwest having a radius of 48.35 feet through a central angle of 69°12'15" and being subtended by a chord which bears South 49°08'36" East 54.92 feet;
  5. 292.30 feet along the arc of a non-tangential circular curve concave east having a radius of 375.09 feet through a central angle of 44°38'58" and being subtended by a chord which bears South 13°42'59" East 284.96 feet;
  6. South 88°23'16" West 667.60 feet;
  7. South 00°13'03" East 50.01 feet;
  8. South 88°23'16" West 250.00 feet to the POINT OF BEGINNING.

Containing 179.62 acres more or less.

Bearings are based on the east line of said Section 25, being South 00°22'18" West.  
Certificate of authorization #LB-43.

WilsonMiller, Inc.  
Registered Engineers and Land Surveyors

By: \_\_\_\_\_ Date August 31, 2011  
Lance T. Miller, Professional Surveyor and Mapper #LS5627

Not valid unless embossed with the Professional's seal.

Ref. 2D-125 sheet 10



LEGAL DESCRIPTION  
 Being a part of Section 23,  
 Township 50 South, Range 25 East,  
 Collier County, Florida  
 (Conservation Area 7)

Commencing at the Southwest Corner of Section 19, Township 50 South, Range 26 East,  
 Collier County, Florida;

Thence North 83°55'39" East 2,154.60 feet to the POINT OF BEGINNING;

Thence 168.70 feet along the arc of a circular curve concave northeast having a radius of 256.50 feet through central angle of 37°41'01" and being subtended by a chord which bears North 66°58'47" West 165.68 feet to a point of reverse curvature;

Thence 63.17 feet along the arc of a circular curve concave southwest having a radius of 261.00 feet through a central angle of 13°52'05" and being subtended by a chord which bears North 55°04'19" West 63.02 feet;

Thence 102.30 feet along the arc of a non-tangential circular curve concave east having a radius of 245.00 feet through a central angle of 23°55'23" and being subtended by a chord which bears North 20°11'29" West 101.55 feet;

Thence North 08°13'48" West 119.46 feet;

Thence 130.51 feet along the arc of a circular curve concave east having a radius of 325.00 feet through a central angle of 23°00'29" and being subtended by a chord which bears North 03°16'26" East 129.63 feet;

Thence North 14°46'41" East 130.45 feet;

Thence 354.54 feet along the arc of a circular curve concave east having a radius of 1,397.09 feet through a central angle of 14°32'24" and being subtended by a chord which bears North 22°02'52" East 353.59 feet to a point of reverse curvature;

Thence 348.77 feet along the arc of a circular curve concave west having a radius of 687.18 feet through a central angle of 29°04'47" and being subtended by a chord which bears North 14°46'41" East 345.04 feet;

Thence North 00°14'17" East 350.84 feet;

Thence 196.45 feet along the arc of a circular curve concave south having a radius of 80.00 feet through a central angle of 140°41'44" and being subtended by a chord which bears North 70°35'09" East 150.68 feet;

Thence South 39°03'59" East 592.59 feet;

Thence 37.07 feet along the arc of a circular curve concave southwest having a radius of 95.00 feet through a central angle of 22°21'35" and being subtended by a chord which bears South 27°53'11" East 36.84 feet;

Thence South 16°42'24" East 125.68 feet;

Thence 232.43 feet along the arc of a circular curve concave northeast having a radius of 505.00 feet through a central angle of 26°22'15" and being subtended by a chord which bears South 29°53'31" East 230.38 feet to a point of reverse curvature;

Thence 130.02 feet along the arc of a circular curve concave west having a radius of 80.00 feet through a central angle of 93°07'10" and being subtended by a chord which bears South 03°28'56" West 116.17 feet to a point of reverse curvature;

Thence 65.48 feet along the arc of a circular curve concave southeast having a radius of 180.00 feet through a central angle of 20°50'33" and being subtended by a chord which bears South 39°37'15" West 65.12 feet to a point of reverse curvature;

Thence 477.69 feet along the arc of a circular curve concave north having a radius of 238.53 feet through a central angle of 114°44'31" and being subtended by a chord which bears South 86°34'14" West 401.77 feet;

**WilsonMiller**

**Stantec**  
2 of 2

Thence 327.54 feet along the arc of a non-tangential circular curve concave south having a radius of 132.42 feet through a central angle of 141°43'11" and being subtended by a chord which bears South 72°19'31" West 250.20 feet;  
Thence South 00°14'17" West 553.37 feet to the POINT OF BEGINNING.

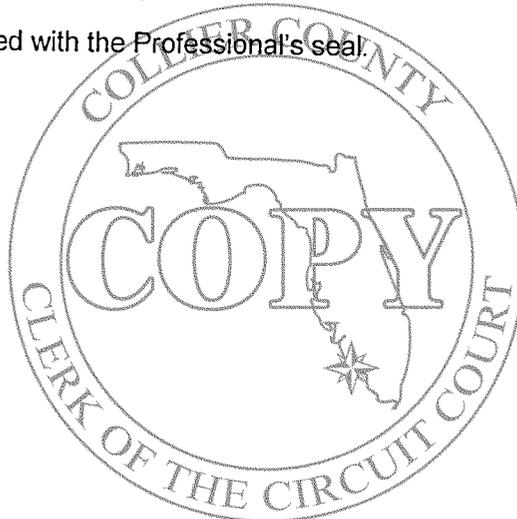
Containing 16.04 acres more or less.  
Bearings are based on the south line of said Section 19, being North 88°23'16" East.  
Certificate of authorization #LB-43.

WilsonMiller, Inc.  
Registered Engineers and Land Surveyors

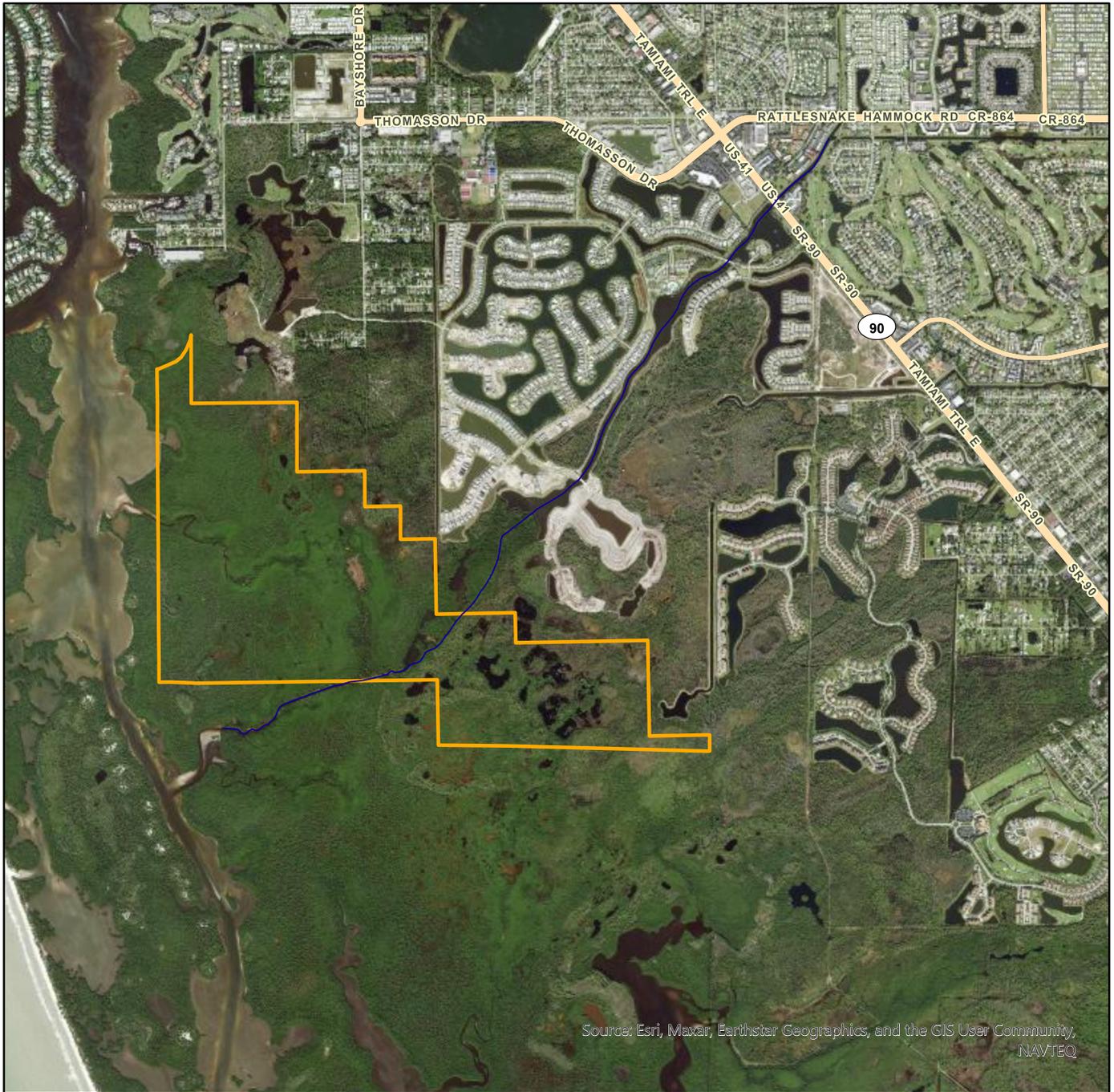
By: \_\_\_\_\_ Date August 31, 2011  
Lance T. Miller, Professional Surveyor and Mapper #LS5627

Not valid unless embossed with the Professional's seal.

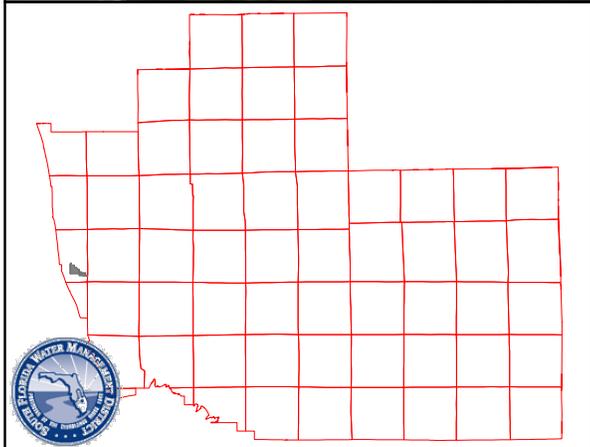
Ref. 2D-125 sheet 11



# LOCATION MAP:



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, NAVTEQ



Application

**COLLIER COUNTY, FLORIDA**



Application No: 230428-38457  
 Permit No: 11-111325-P  
 Project Name: ISLES OF COLLIER PRESERVE

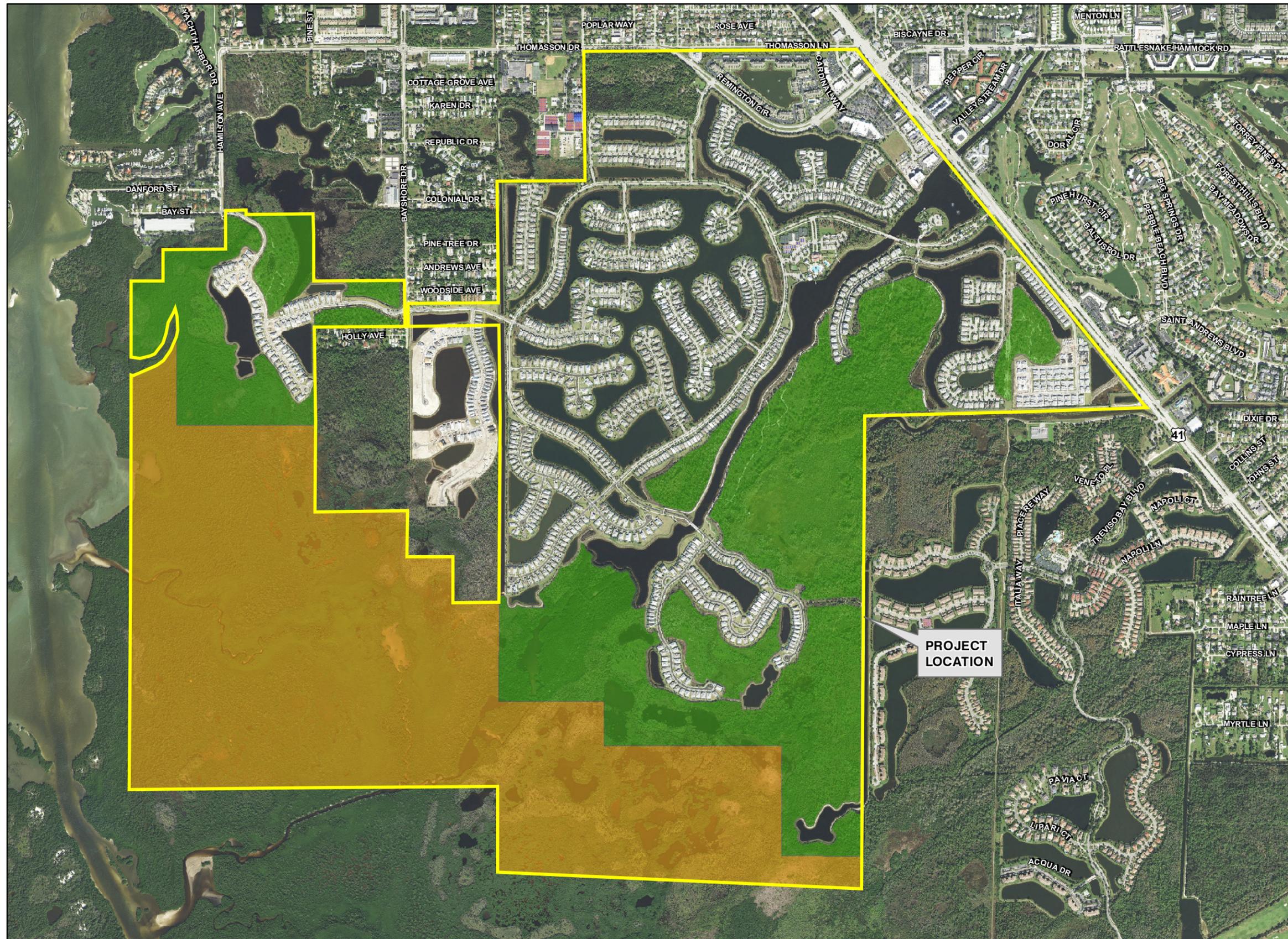
Map Date: 2024-08-05



Exhibit No: 1

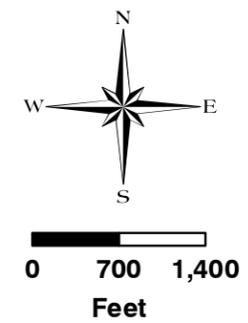
0      0.5      1  
 Miles

**MAP SHOWING LOCATION OF RELEASE AREA:**



**LEGEND**

- ISLES OF COLLIER PRESERVE
- CONSERVATION AREA TO REMAIN (567.15 Ac.±)
- CONSERVATION AREA TO BE RELEASED TO ROOKERY BAY (780.03 Ac.±)



NOTES:  
 AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE COLLIER COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF DECEMBER 2023.  
 PROPERTY BOUNDARY PER WILSON MILLER STANTEC DRAWING NO. 2010-II-29-BNDY.DWG DATED NOVEMBER 29, 2010.

REVISIONS	DATE	DRAWN BY	DATE
		H.H.	08/05/24
		DESIGNED BY	DATE
		D.C.	08/05/24
		REVIEWED BY	DATE
		D.C.	08/05/24

13620 Metropolis Avenue  
 Suite 200  
 Fort Myers, Florida 33912  
 Phone (239) 274-0067  
 Fax (239) 274-0069



ISLES OF COLLIER PRESERVE  
 AERIAL WITH CONSERVATION AREAS

DRAWING No.	04WC11042
SHEET No.	

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Rich Virgil, P.E., Field Operations Division

**DATE:** September 12, 2024

**SUBJECT:** Grounds Maintenance Contract, Okeechobee Field Station Area of Responsibility, Martin and St. Lucie Counties and Portions of Glades, Highlands and Okeechobee Counties

### **Agenda Item Background:**

Maintenance of vegetation levels ensures adequate and safe access to the flood control structures for the purpose of operation and maintenance of these facilities, which are the primary focus of the District's flood protection and water supply mission. This is a proposed contract for grounds maintenance services of approximately 38 locations which include mowing, trimming, edging, pruning and debris removal for the Okeechobee Field Station, Pump Stations, Boat Locks, Water Control Structures and Telemetry Towers within the Okeechobee Field Station area of responsibility. This contract will replace the services previously provided through the Department of Corrections which are no longer available.

### **Additional Item Background:**

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

Maintaining District grounds reduces and controls vegetative growth which can impede operations, inspections and access to the District's water control structures and pump station facilities.

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

Rich Virgil, P.E., [rvirgil@sfwmd.gov](mailto:rvirgil@sfwmd.gov), 561-682-6759

### **ATTACHMENTS:**

[Resolution No. 2024-0903](#)

[Backup Presentation](#)

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **RESOLUTION NO. 2024-XXXX**

**A Resolution of the Governing Board of the South Florida Water Management District authorizing a 3-year contract with two 1-year renewal options with Inshape Maintenance, Inc., the lowest responsive and responsible bidder, for grounds maintenance services for various District pump stations, boat locks, water control structures and telemetry towers in the Okeechobee Field Station area of responsibility, including Martin and St. Lucie Counties and portions of Glades, Highlands and Okeechobee Counties, in an amount not-to-exceed \$1,063,150 of which \$212,630 in Ad Valorem and dedicated funds (State Appropriations) are subject to the Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years budgets. (Contract No. 4600005055)**

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize a 3-year contract with two 1-year renewal options with Inshape Maintenance, Inc., for grounds maintenance services for various District pump stations, boat locks, water control structures and telemetry towers in the Okeechobee Field Station area of responsibility, including Martin and St. Lucie Counties and portions of Glades, Highlands and Okeechobee Counties, in an amount not-to-exceed \$1,063,150 of which \$212,630 in Ad Valorem and dedicated funds (State Appropriations) are subject to the Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years budgets; providing an effective date.

### **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 contract with Inshape Maintenance, Inc., for grounds maintenance services for various District pump stations, boat locks, water control structures and telemetry towers in the Okeechobee Field Station's area of responsibility. (Contract No. 4600005055)

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

**PASSED and ADOPTED** this 12th day of September 2024.



**Grounds Maintenance Services,  
Okeechobee Field Station**

**Richard Virgil  
Division Director  
Field Operations & Land Management Division  
Governing Board Meeting  
September 12, 2024**

# Introduction



The Okeechobee Field Station area of responsibility includes Martin and St. Lucie Counties and portions of Glades, Highlands and Okeechobee Counties. Within these Counties, the Field Station maintains various pump stations, boat locks, water control structures and telemetry towers. Maintenance of vegetation levels at these sites ensures adequate and safe access to the flood control structures, which are the primary focus of the District's flood protection and water supply mission. The inability to safely access the structures inhibits adequate maintenance and repair to said facilities, resulting in possible degradation of flood protection for the effected region. This contract will replace the services previously provided through the Department of Corrections which are not longer available.

# Location Map



# Maintenance of Water Control Facilities



**Pump Stations**



**Boat Locks**



**Control Structures**



**Grounds Maintenance Services include Mowing, Trimming, Edging, Pruning and Debris Removal**

# RFB Number: 6000001534

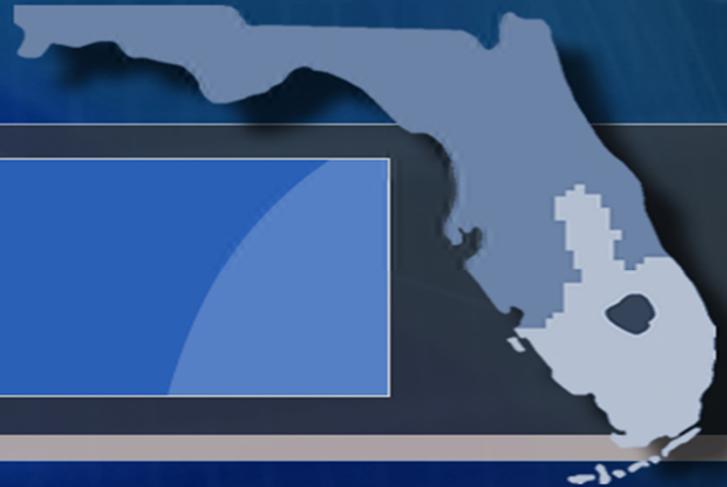


**Title: Grounds Maintenance Services, Okeechobee Field Station, Glades, Highlands, Martin, Okeechobee & St. Lucie Counties, FL**

## **Bid Summary:**

- **Release Date: May 29, 2024**
- **Mandatory Pre-Bid Meeting: June 19, 2024 – 13 Attendees**
- **Deadline for Bid Submission: July 02, 2024 – 6 Bids Received**
- **Bid Range: \$193,300.00 to \$327,729.00 annually**

# Discussion



## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Rich Virgil, P.E., Field Operations Division

**DATE:** September 12, 2024

**SUBJECT:** Agreement with the United States Department of Agriculture - Agricultural Research Service

### **Agenda Item Background:**

A variety of plants of Australian and Southeast Asian origins are documented to be invasive in Florida. The District ranks many of these species as top priorities for control to meet our core mission. The District strives to utilize an integrated pest management strategy, where multiple control tools are used synergistically to improve invasive species management outcomes. Biocontrol, which employs arthropods that only feed on the targeted pest plant, is an important component of many integrated pest management strategies. Biocontrol agents are developed by exploring the pest plant's native range to identify natural enemies (e.g. herbivores), then carefully studying the agent to verify that it only feeds on the targeted invasive plant. With sufficient supporting evidence, the federal government may grant approval of the agent's release in the United States of America. While biocontrol agents may not eradicate the invasive species, the agents may significantly reduce the plant's growth and reproductive rates, rendering them less harmful to Florida's native ecosystems. Incorporation of successful biological control enhances the District's integrated pest management efforts and reduces herbicide use and long-term control costs.

Five invasive plant species of Australian and Asian origin are current priorities for biological control development. Melaleuca, earleaf acacia, roundleaf toothcup, crested floating heart, and feathered mosquitofern are now established in South Florida. These species displace native species, degrade ecosystem function and services, and negatively impact elements of the District's core mission (e.g. water conveyance, ecosystem restoration).

This agenda item requests a resolution of the Governing Board of the South Florida Water Management District to authorize a new three-year agreement with two 1-year extension options to continue research to develop additional biocontrol agents for melaleuca, earleaf acacia, crested floating heart, roundleaf toothcup, and feathered mosquitofern.

The work being proposed under this agreement is not part of the CERP 50/50 cost share agreement with the U.S. Army Corps of Engineers.

### **Additional Item Background:**

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

The District is responsible for ensuring restoration of the Everglades ecosystem, maintaining the function and resiliency of its conservation lands and protecting communities from flooding. Invasive plants directly interfere with all of these mandates. This item will provide funding to develop biological control agents targeting a set of the District's high priority invasive plant species, thereby enhancing the District's efforts to control invasive plants using an integrated

pest management approach.

**Funding Source:**

This is a three-year contract with two 1-year options to renew in the amount not-to-exceed \$750,000 for which \$150,000 in dedicated funds (Lease Revenue) are subject to the Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years' budgets.

**Staff Contact and/or Presenter:**

Rich Virgil, P.E., [rvirgil@sfwmd.gov](mailto:rvirgil@sfwmd.gov), 561-682-6759

**ATTACHMENTS:**

[Resolution No. 2024-0904](#)

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2024 - 09XX**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize a three-year contract with two 1-year renewal options with the United States Department of Agriculture - Agricultural Research Service for research to develop biological control agents for control of invasive Australian and Asian plants, in an amount not to exceed \$750,000, for which \$150,000 in dedicated funds (Lease Revenue) are subject to the Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years' budgets; providing an effective date. (Contract No. 4600005046)**

**WHEREAS**, the Governing Board of the South Florida Water Management District has determined that it is necessary, appropriate, and in the public interest to enter into an agreement with the United States Department of Agriculture - Agricultural Research Service to develop safe and effective biological control agents to help manage four highly invasive plants of Australian and Southeast Asian origins in an amount not to exceed \$750,000 for which \$150,000 in dedicated funds (Lease Revenue) are subject to the Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget 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 a three-year contract with the United States Department of Agriculture - Agricultural Research Service in an amount not to exceed \$750,000, for which \$150,000 in dedicated funds (Lease Revenue) are subject to the Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years' budgets. (Contract No. 4600005046)

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

**PASSED and ADOPTED** this September 12<sup>th</sup>, 2024.

## M E M O R A N D U M

**TO:** Governing Board Members

**FROM:** Jennifer Reynolds, Ecosystem Restoration

**DATE:** September 12, 2024

**SUBJECT:** Cultural Resources Contract

**Agenda Item Background:**

This is a request to enter into a three-year contract with two one-year renewals with Janus Research, Inc. to perform Cultural Resource Reconnaissance Surveys, Monitoring and Training and comprehensive archaeological and historical surveys described under the historic preservation requirements of Federal and State laws for all District projects. The estimated annual expenditure will be approximately \$1,000,000.

Janus Research, Inc. will perform archaeological and historical reconnaissance surveys and advanced subsurface testing to determine a site's integrity, in order to resolve and obtain concurrence from all entities so the project can move forward.

The District is utilizing a Florida Department of Transportation contract with Janus Research, Inc., for which Janus Research, Inc. was the lowest responsive and responsible bidder.

**Additional Item Background:**

**Core Mission and Strategic Priorities:**

Support the District projects and efforts with the due diligence required for lands and project footprints and the required documentation for the State Historic Preservation Office and Tribal Historic Preservation Office.

**Funding Source:**

Funding will come from projects' budgets as needed, which may include Ad Valorem and dedicated sources, including but not limited to state appropriations, state grants, and federal grants.

**Staff Contact and/or Presenter:**

Armando Ramirez, [aramire@sfwmd.gov](mailto:aramire@sfwmd.gov), 561-682-6684

**ATTACHMENTS:**

[Resolution No. 2024-0905](#)

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2024 - 09XX**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a three-year contract with two 1-year renewals with Janus Research, Inc., for Cultural Resource Reconnaissance Surveys, Monitoring and Training and Comprehensive Archaeological/Historical Surveys and Services in all District Areas using the Florida Department of Transportation Contract Number BEF46, in an amount not to exceed \$5,000,000, of which Ad Valorem funds and dedicated funds (State Appropriations) are subject to Governing Board approval of future years' budgets; providing an effective date. (Contract No. 4600005053)**

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to enter into a three-year contract with two 1-year renewals with Janus Research, Inc., for Cultural Resource Reconnaissance Surveys, Monitoring and Training and Comprehensive Archaeological/Historical Surveys and Services in all District Areas in an amount not to exceed \$5,000,000, of which Ad Valorem funds and dedicated funds are 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 three-year contract with two 1-year renewals with Janus Research, Inc., for Cultural Resource Reconnaissance Surveys, Monitoring and Training and Comprehensive Archaeological/Historical Surveys and Services in all District Areas in an amount not to exceed \$5,000,000, of which Ad Valorem funds and dedicated funds (State Appropriations) are subject to Governing Board approval of future years' budgets. (Contract No. 4600005053)

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

**PASSED and ADOPTED** this 12<sup>th</sup> day of September 2024.

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Jennifer Reynolds, Ecosystem Restoration

**DATE:** September 12, 2024

**SUBJECT:** Dispersed Water Management, Education and Outreach: Northern Everglades and Estuaries Monitoring Services

### **Agenda Item Background:**

Staff seeks Governing Board approval authorizing entering a five-year agreement with Archbold Expeditions DBA Buck Island Ranch, an educational non-governmental organization (NGO), for the purpose of providing Monitoring, Education and Outreach Services, in an amount not-to-exceed \$1,835,688 to monitor water quantity and quality in support of the Dispersed Water Management (DWM) Program in the Caloosahatchee River, Lake Okeechobee, and St. Lucie River Watersheds. Educational workshops will be led collaboratively by the District and Archbold Expeditions DBA Buck Island Ranch to present the storage and nutrient data, quantification of benefits, and promote landowner participation in DWM. This workshop is intended to educate landowners, show the data collected, and discuss how the nutrient retention and storage could be improved in these watersheds.

Archbold Expeditions DBA Buck Island Ranch will provide labor as well as furnish equipment, tools, and materials necessary to obtain accurate rainfall, surface water elevation, pump flow, and water quality data from an existing network of 49 stations as modified or expanded by the District across the 3 watersheds. Data collected under this contract will be utilized to determine the overall projects' benefits with respect to water quality and water quantity and to support the goals of the Florida Department of Environmental Protection (DEP) Basin Management Action Plans (BMAPs). Data can also assist the District to determine what projects are available for immediate use when additional storage and/or treatment capacity is needed as well as provide valuable insight as to the issues these types of projects face in their day-to-day operation and how to troubleshoot them.

### **Additional Item Background:**

Archbold Expeditions DBA Buck Island Ranch is an Educational NGO under South Florida Water Management District Procurement Policy 155-6 thus no competition was required. The mission of Archbold and the District are closely aligned in that both seek to provide scientific knowledge to protect the life, lands, and water of Florida. Because this is an educational organization and dependent on post graduate students to complete the contractual duties, the rates are lower than what is offered by private Contractors.

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

This contract supports the core missions of water quality, flood control, and ecosystem restoration.

### **Funding Source:**

Funding for the proposed contract is provided by annual recurring state appropriations, for

which \$304,860 is subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget, and the remainder is subject to future legislative appropriations and Governing Board approval of subsequent years' budgets.

**Staff Contact and/or Presenter:**

Megan Jacoby, [mjacoboy@sfwmd.gov](mailto:mjacoby@sfwmd.gov), 561-682-6517

**ATTACHMENTS:**

[Resolution No. 2024-0906](#)

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2024 - 0906**

**A Resolution of the Governing Board of the South Florida Water Management District authorizing entering into a five-year agreement with Archbold Expeditions DBA Buck Island Ranch, an educational non-governmental organization (NGO) for the purpose of providing Monitoring, Educational, and Outreach Services, in an amount not-to-exceed \$1,835,688, for which \$304,860 in dedicated funds (Land Acquisition Trust Fund) is subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to annual legislative appropriations and Governing Board approval of future years' budgets; providing an effective date. (Contract No. 4600005058)**

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize a five-year agreement with Archbold Expeditions DBA Buck Island Ranch for monitoring, educational, and outreach services under the Dispersed Water Management Program in an amount not-to-exceed \$1,835,688 for which \$304,680 in dedicated funds (Land Acquisition Trust Fund) is subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget, and the remainder is subject to annual legislative appropriations and 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 contract with Archbold Expeditions DBA Buck Island Ranch, for monitoring services in support of the Dispersed Water Management Program in an amount not-to-exceed \$1,835,688, for which \$304,680 in dedicated funds (Land Acquisition Trust Fund) is subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to annual legislative appropriations and Governing Board approval of future years' budgets. (Contract No. 4600005058)

**Section 2.** This resolution shall take effect immediately upon adoption of the Fiscal Year 2024-2025 Budget.

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**Resolution No. 2024 - 0906**

**PASSED** and **ADOPTED** this 12<sup>th</sup> day of September, 2024.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

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Chauncey P. Goss, II  
Chairman

Attest:

Legal form approved:  
By:

---

District Clerk/Secretary

---

Office of Counsel

Print name:

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## MEMORANDUM

**TO:** Governing Board Members  
**FROM:** Akintunde Owosina, P.E., Information Technology  
**DATE:** September 12, 2024  
**SUBJECT:** Virtualization Hardware and Software Maintenance

### **Agenda Item Background:**

The Information Technology Division uses Nutanix hardware and Prism Pro software to provide access to all virtual desktops. This highly available platform provides staff the ability to work efficiently from any location. Procuring maintenance for this hardware and software guarantees that in the event of a problem, issues will be resolved in a timely manner, minimizing the impact to staff.

This request is to issue a purchase order to Flagler Technologies, LLC for virtualization hardware and software maintenance for the time period December 18, 2024 through May 31, 2026 in the amount of \$395,506, using the OMNIA Partners Cyber Security Solutions Contract Number R200803. This contract was competed by another government agency.

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

Akintunde Owosina, P.E., aowosin@sfwmd.gov, 561-682-2924

### **ATTACHMENTS:**

[Resolution No. 2024-0907](#)

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2024 - 09XX**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize issuing a purchase order to Flagler Technologies, LLC for virtualization hardware and software maintenance, for the time period December 18, 2024 through May 31, 2026, in the amount of \$395,506, using the OMNIA Partners Cyber Security Solutions Contract Number R200803, for which Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget; providing an effective date. (Purchase Order No. 4500150161)**

**WHEREAS**, the District obtained these services using the OMNIA Partners Cyber Security Solutions Contract Number R200803; and

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize issuing a purchase order to Flagler Technologies, LLC for virtualization hardware and software maintenance for the time period December 18, 2024 through May 31, 2026, in the amount of \$395,506.

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

**Section 1.** The Governing Board of the South Florida Water Management District hereby authorizes issuing a purchase order to Flagler Technologies, LLC for virtualization hardware and software maintenance, for the time period December 18, 2024 through May 31, 2026, using the OMNIA Partners Cyber Security Solutions Contract Number R200803 in the amount of \$395,506. (Purchase Order No. 4500150161)

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

**PASSED and ADOPTED** this 12<sup>th</sup> day of September, 2024.

## M E M O R A N D U M

**TO:** Governing Board Members

**FROM:** Akintunde Owosina, P.E., Information Technology

**DATE:** September 12, 2024

**SUBJECT:** Rubrik Hardware and Software Maintenance

**Agenda Item Background:**

The Information Technology Division uses the Rubrik platform to provide secure backup data protection for the District. This highly available platform provides a secure solution that simplifies and unifies backup, data protection, and instant data recovery. Procuring maintenance for this hardware and software guarantees that in the event of a problem the data can be restored.

This request is to issue a purchase order to Flagler Technologies, LLC for Rubrik hardware and software maintenance for the time period October 22, 2024, through March 13, 2026, in the amount of \$266,481, using the National Cooperative Purchasing Alliance Contract Number 01-96. This contract was competed by another government agency.

**Staff Contact and/or Presenter:**

Akintunde Owosina, P.E., [aowosin@sfwmd.gov](mailto:aowosin@sfwmd.gov), 561-682-2924

**ATTACHMENTS:**

[Resolution No. 2024-0908](#)

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2024 - 09XX**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize issuing a purchase order to Flagler Technologies, LLC for infrastructure backup hardware and software maintenance, for the time period October 22, 2024 through March 13, 2026, in the amount of \$266,481, using the National Cooperative Purchasing Alliance Contract Number 01-96, for which Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget; providing an effective date. (Purchase Order No. 4500150160)**

**WHEREAS**, the District obtained these services using the National Cooperative Purchasing Alliance Contract Number 01-96; and

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize issuing a purchase order to Flagler Technologies, LLC for infrastructure backup hardware and software maintenance for the time period October 22, 2024 through March 13, 2026, in the amount of \$266,481.

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

**Section 1.** The Governing Board of the South Florida Water Management District hereby authorizes issuing a purchase order to Flagler Technologies, LLC for infrastructure backup hardware and software maintenance, for the time period October 22, 2024 through March 13, 2026, in the amount of \$266,481, using the National Cooperative Purchasing Alliance Contract Number 01-96. (Purchase Order No. 4500150160)

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

**PASSED and ADOPTED** this 12<sup>th</sup> day of September, 2024.

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Akintunde Owosina, P.E., Information Technology

**DATE:** September 12, 2024

**SUBJECT:** Oracle Software Technical Support

### **Agenda Item Background:**

The District's operations use Oracle portal and database platforms for many systems such as e-permitting, employee emergency notification site, weather/real-time readings, graphical verification analysis, hydrologic and scientific data, and DBHYDRO Insights. Information Technology is in the process of migrating off of the legacy Oracle software to a new modern platform. During this migration period, in an effort to reduce costs, the District executed a contract for technical assistance only (no software upgrades or updates) using a third-party vendor, Rimini Street, Incorporated. Procuring technical support only saves the District approximately \$526K per year.

This request is to authorize an additional two years of funding for a contract with Rimini Street, Incorporated, for Oracle software technical support through October 24, 2026, in the amount of \$606,013 for a revised contract total of \$1,411,049. This contract was competed by another government agency.

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

Akintunde Owosina, P.E., aowosin@sfwmd.gov, 561-682-2924

### **ATTACHMENTS:**

[Resolution No. 2024-0909](#)

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2024 - 09XX**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize an additional two years of funding for a contract with Rimini Street, Incorporated, for Oracle software technical support through October 24, 2026, in the amount of \$606,013 for which \$295,616 of Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years budgets; providing an effective date. (Contract No. 4600004480)**

**WHEREAS**, the District's operations such as permit applications, employee emergency notification, hydrologic and scientific data, and DBHYDRO Insights utilize Oracle portal and database software; and

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize an additional two years of funding for a contract with Rimini Street, Incorporated for Oracle software technical support through October 24, 2026, in the amount of \$606,013.

**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 additional two years of funding for a contract with Rimini Street, Incorporated, for Oracle software technical support through October 24, 2026. (Contract No. 4600004480)

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

**PASSED and ADOPTED** this 12<sup>th</sup> day of September, 2024.

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Lucine Dadrian, P.E., Engineering, Construction & Modeling

**DATE:** September 12, 2024

**SUBJECT:** STA-1W Structure Refurbishments, Critical Flood Control Infrastructure Project, Palm Beach County

### **Agenda Item Background:**

As part of the STA Refurbishments Critical Flood Control Infrastructure Program, the STA-1W Structure Refurbishments Project, located in Palm Beach County, is needed to refurbish structures installed during the mid-1990s, that have reached the end of their service life. This project includes replacement of the G-253 Corrugated Metal Pipes (CMP) culvert structures from the original Everglades Nutrient Removal Project construction with new concrete box culvert structures, refurbish the G-304 A-J, G-306 A-H series of single gated CMPs, demolition of G-306 I-J, and culvert gasket replacement at G-327A. This project addresses culverts with damaged and leaking seals, heavy corrosion and material loss on flashboard channels and riser, corrosion on gate frames, and insufficient riprap embankment protection. If left unaddressed, these defects have the potential to damage the levees and embankments they are constructed in and inhibit operation of the flow-ways within the STA.

The lowest responsive and responsible bidder is recommended for award. In accordance with District policy and consistent with state law for Request for Bids procurements, this item was competitively bid through a sealed bid process. The bid opening for this project was on August 27, 2024.

### **Additional Item Background:**

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

The STA-1W Structure Refurbishments Project supports the District's core missions of flood control, water quality, and ecosystem restoration.

#### **Funding Source:**

The STA-1W Structure Refurbishments Project is funded with Ad Valorem and dedicated funds (State Appropriations).

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

Lucine Dadrian, P.E., [ldadrian@sfwmd.gov](mailto:ldadrian@sfwmd.gov), 561-682-2685

### **ATTACHMENTS:**

[Resolution No. 2024-0910](#)

[Presentation Backup](#)

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2024 - XXXX**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 1,095-day contract with Harry Pepper & Associates, Inc, the lowest responsive and responsible bidder, for the STA-1W Structure Refurbishments critical flood control infrastructure project, in the amount of \$60,752,471, for which dedicated funds (State Appropriations) and Ad Valorem funds in the amount of \$18,000,000 are subject to Governing Board Approval of the Fiscal Year 2024-2025 Adopted Budget, and the remainder is subject to Governing Board approval of future years' budgets, providing an effective date. (Contract No. 4600005077)**

**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 contract with Harry Pepper & Associates, Inc., the lowest responsive and responsible bidder, for the STA-1W Structure Refurbishments, in the amount of \$60,752,471.

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

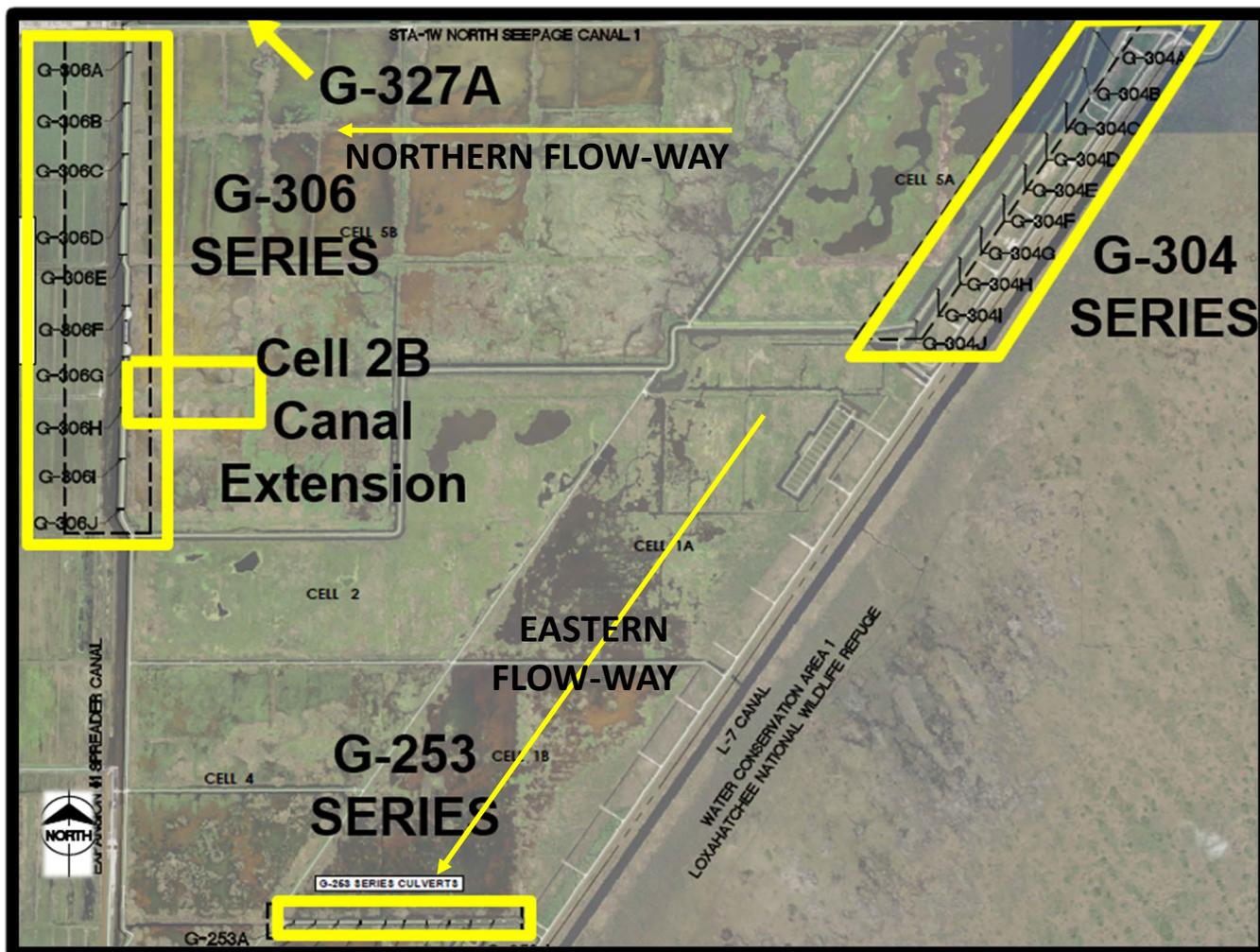
**Section 1.** The Governing Board of the South Florida Water Management District hereby authorizes entering into a 1,095-day contract with Harry Pepper & Associates, Inc, the lowest responsive and responsible bidder, for the STA-1W Structure Refurbishments Project, in the amount of \$60,752,471, for which dedicated funds (State Appropriations) and Ad Valorem funds in the amount of \$18,000,000 are subject to Governing Board Approval of the Fiscal Year 2024-2025 and the remainder is subject to Governing Board approval of future years' budgets. (Contract No. 4600005077)

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

**PASSED** and **ADOPTED** this 12<sup>th</sup> day of September, 2024.

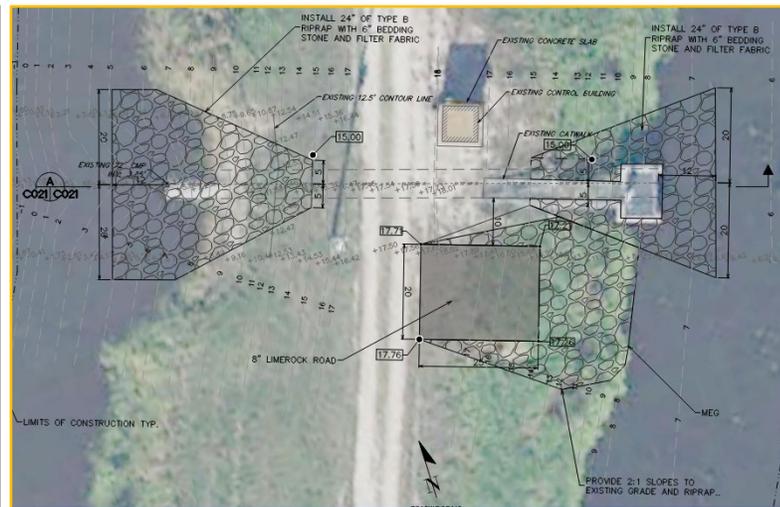


# Background



- Built in the 1990's (original Everglades Nutrient Removal Project) and expanded in 2000 (Northern Flow-way)
- Culverts have damaged and leaking seals, heavy corrosion and material loss on flashboard channels and risers, corrosion on gate frames, and insufficient riprap embankment protection
- These defects have the potential to damage the levees and embankments that they are constructed in and inhibit operation of the flow-ways within the STA

# Scope



## Northern Flow-way G-304 A-J, G-306 A-H, G-327A Series Culverts:

- Line culverts with CIPP and grout
- Replace existing aluminum slide gates with stainless-steel gates
- Replenish riprap
- Provide maintenance pad for G-304 series culverts
- Provide stilling well at G-304 H
- G-306 I – J:
  - Demolish (rendered obsolete by the 2020 Northern Flow-way reconfiguration)



# Scope



## Eastern Flow-way G-253 Series Culverts (Cell 1B):

- Remove 10 existing CMP culverts (5 with risers, 5 without risers)
- Construct 4 new Cast-in-Place Concrete box culverts at the Cell 1B south (outflow) levee to match those at the Cell 1B north (inflow) levee.

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Lucine Dadrian, P.E., Engineering, Construction & Modeling

**DATE:** September 12, 2024

**SUBJECT:** Design/Build of the Clewiston Field Station Building Relocation Project  
Amendment No. 7, Phase Two Services, Field Station Buildings and Site Work  
Construction, Hendry County

### **Agenda Item Background:**

As part of the Operations and Maintenance Capital Improvement Program, the Clewiston Field Station Relocation, located in Hendry County, consists of the design and construction of a new and expanded Clewiston Field Station. The new facility will be located on District land located in Hendry County. The existing Field Station has reached the end of its useful life and requires replacement with facilities that meet current code requirements and facility needs.

The new facility will also consolidate and centrally locate the works and services provided in support of the District's mission for existing infrastructure operations as well as support new infrastructure that are in design and construction in the CERP, CEPP, Northern Everglades and Estuaries Protection Program, and Restoration Strategies programs. They include critical projects such as the C-43 Caloosahatchee Reservoir, A2 STA and Reservoir, Boma Flow Equalization Basin (FEB), Lake Hicpochee FEB Phase 1 and 2, C-139 FEB, and CEPP North Features.

The District is using the Progressive Design/Build procurement method to work in collaboration with the contractor from the conceptual phase through construction phase. The current Contract provides for the Design/Builder to deliver the Phase One Services Technical Exhibits for the Field Station site work, administration and fleet maintenance buildings, and features through Final Design (90%), and the Information Technology building and Microwave Tower through Corrected Final Design (100%) and through Phase Two Services to provide construction of a fully functioning Microwave Tower in advance of the Field Station project. Amendment 7 advances Phase One Services Technical Exhibits for the Field Station site work, administration and fleet maintenance buildings, and features through Corrected Final Design (100%) and advances the Field Station site work, administration and fleet maintenance buildings, and features under the Phase Two Services to provide construction of a fully functioning Field Station project.

### **Additional Item Background:**

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

The Clewiston Field Station Building Relocation Project supports the District's missions of ecosystem restoration, water supply and flood control.

#### **Funding Source:**

Dedicated funds (Land Acquisition Trust Fund and State General Revenue) are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget.

**Staff Contact and/or Presenter:**

Lucine Dadrian, P.E., [ldadrian@sfwmd.gov](mailto:ldadrian@sfwmd.gov), 561-682-2685

**ATTACHMENTS:**

[Resolution No. 2024-0911](#)

[Presentation Backup](#)

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2024 - 09XX**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to the design-build contract with State Contracting and Engineering Corporation for the Clewiston Field Station Building Relocation Project, for Phase One Services - Technical Exhibits for the Field Station site work, administration and fleet maintenance buildings, and features through Corrected Final Design (100%) and for Phase Two Services - Construction for the Field Station site work, administration and fleet maintenance buildings, and features to provide a fully functioning Field Station facility, in an amount not-to-exceed \$52,440,365, for which \$17,000,000 in dedicated funds (Land Acquisition Trust Fund and State General Revenue) is subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years' budgets; providing an effective date. (Contract No. 4600004535-A07).**

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to amend the contract with State Contracting and Engineering Corporation authorizing Phase One Services Technical Exhibits for the Field Station site work, administration and fleet maintenance buildings, and features through Corrected Final Design (100%) and authorizing the Field Station site work, administration and fleet maintenance buildings, and features under the Phase Two Services to provide construction of a fully functioning Field Station project.

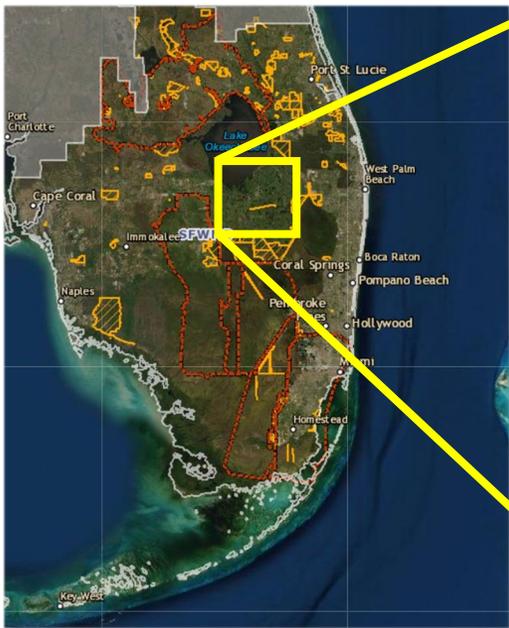
**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby approves the contract amendment with State Contracting and Engineering Corporation for the Design/Build of the Clewiston Field Station Building Relocation project, in the amount of not-to-exceed \$52,440,365, for which \$17,000,000 in dedicated funds (Land Acquisition Trust Fund and State General Revenue) are subject to Governing Board approval of Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years' budgets. (Contract No. 4600004535-A07).

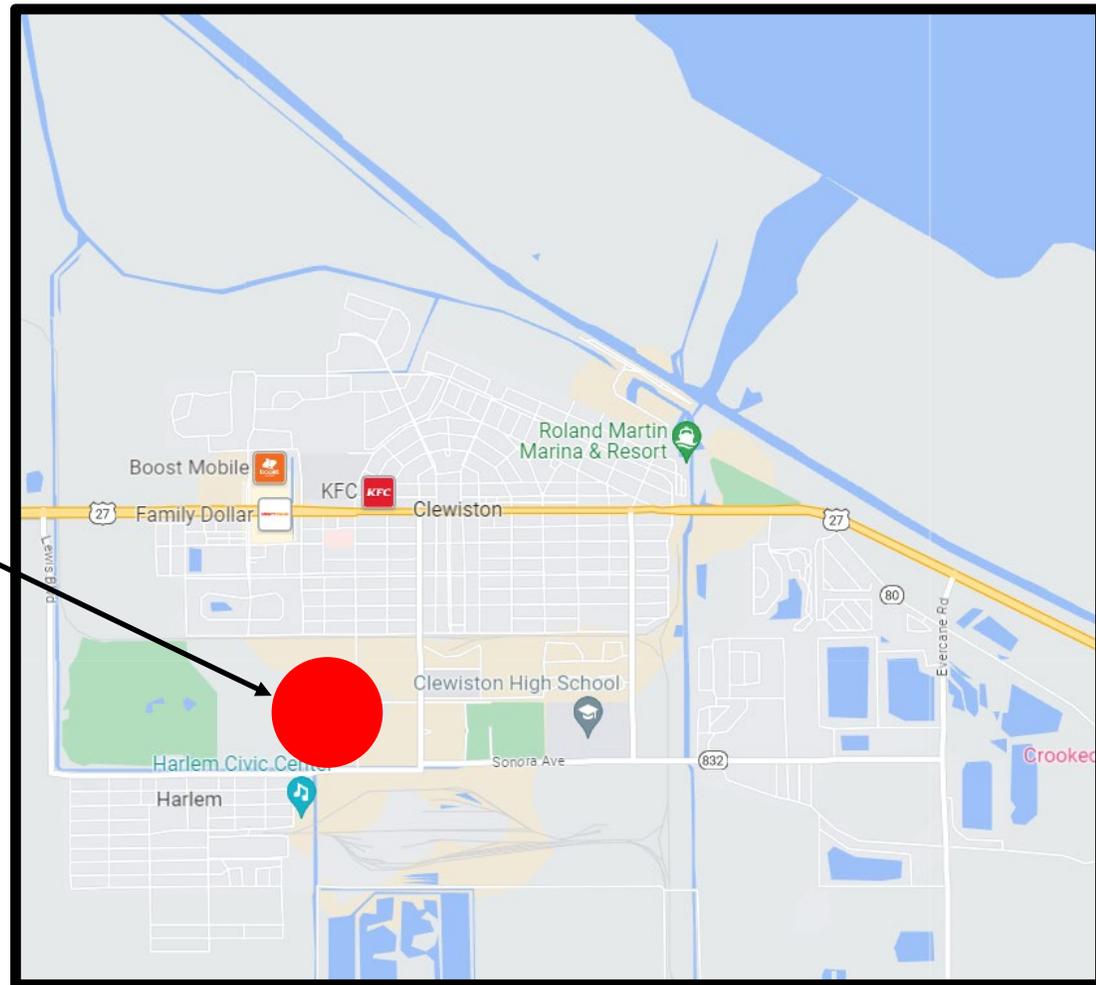
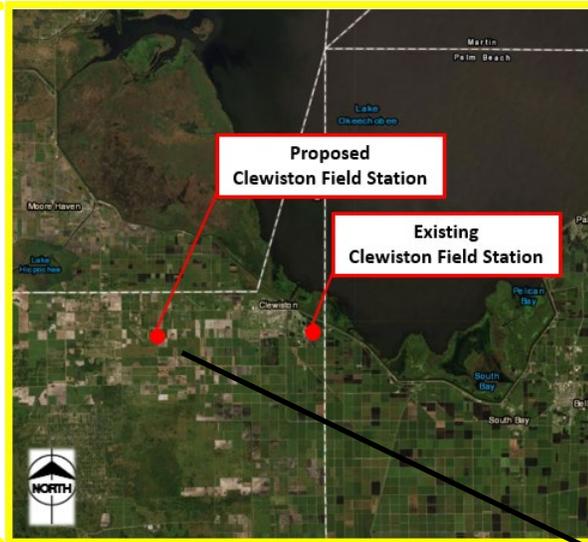
**Section 2.** This Resolution shall take effect immediately upon adoption.

**PASSED and ADOPTED** this 12th day of September, 2024.

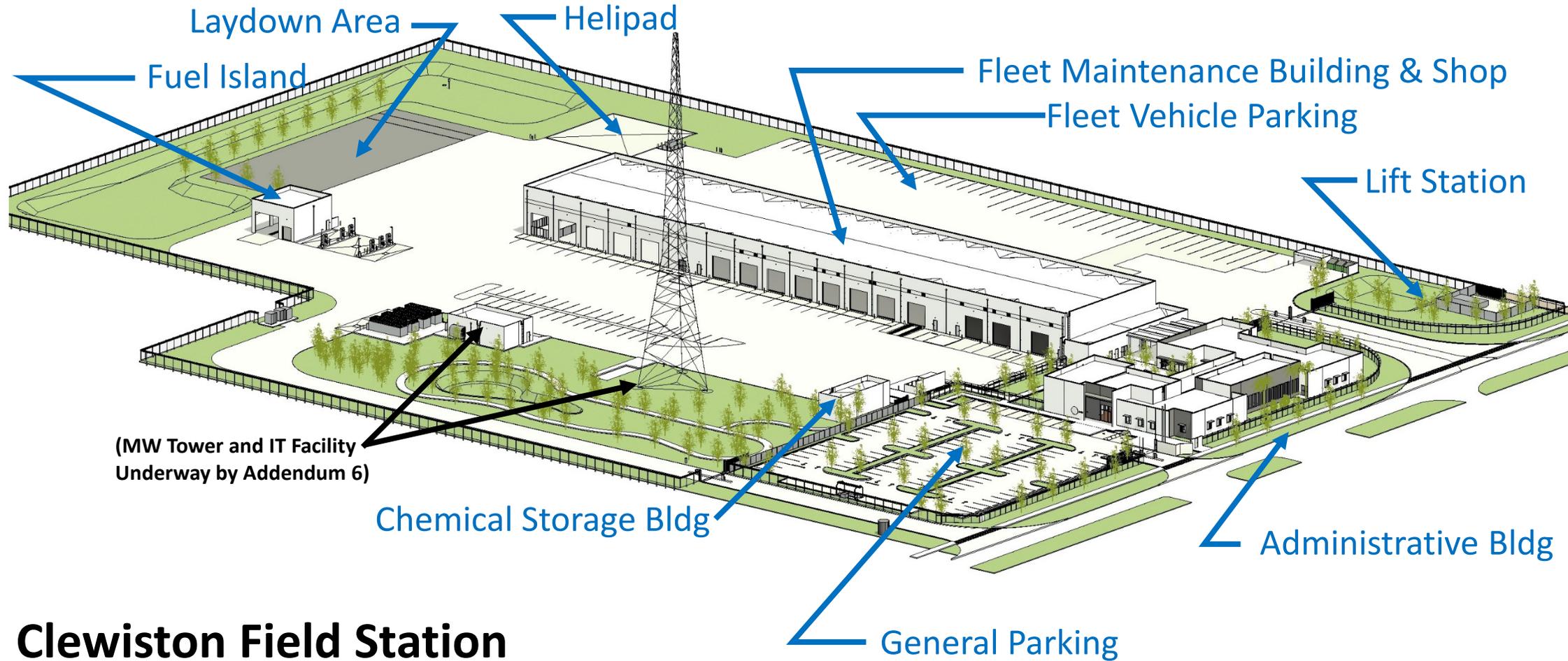
# Location Map



Hendry County, Florida



# Phase 2 – Field Station Buildings and Site Work



**Clewiston Field Station**  
Site Plan



# Background

- Clewiston Field Station Relocation Project is located in Hendry County.
- Existing Field Station buildings and Microwave Tower and Communication buildings have reached end of service life and are inadequate for the current and future operations.
- Project will provide an efficient, property sized, code-complaint facility for District Operations and Maintenance staff.
- On February 10, 2022, the Governing Board approved ranking of firms and negotiations with Design Build firms for the 60% design and stipulated price proposal for the construction of a new Field Station facility on a new site to include administration, fleet maintenance, and ancillary support buildings, a Microwave Tower and Communication building, and all related site improvements. State Contracting and Engineering Corp (SCEC) was selected to design the project. Total costs for Phase 1 design are \$1,949,820.00 for Amendments 1 through 4.

# Background

- On September 16, 2023, the Governing Board approved State Contracting and Engineering Corp (SCEC) advancing design and stipulated price proposal for the construction of a new Field Station facility to 100%. Total costs for Phase 1 design are \$3,097,128.00 for Amendments 1 through 5.
- On April 11, 2024, the Governing Board approved Amendment 6 to the Design Build Contract to add Phase 2 Construction Services in the amount of \$6,068,740.00 to complete the Microwave Tower and Communication building.
- This item seeks the approval of Amendment 7 to the Design Build Contract to add Phase One Services Technical Exhibits and Phase 2 Construction Services in the amount of \$XXXX to complete the Field Station site work, administration and fleet maintenance buildings, and features. In accordance with the Design Build Contract, the work was competitively bid out by SCEC and a stipulated price for construction was submitted to the District and negotiated.

# Scope

- Phase I Field Station Buildings & Site Work
  - Final Design Plans and Specifications (advance from 90% to 100%)
  - Stipulated Price Proposal
- Phase II
  - Contract Amendment with Stipulated Price Agreement
  - Construction, Testing, Commissioning, and Warranties
  - Stipulated Price Agreement Provides:
    - Project Cost and Cost Loaded Project Schedule
    - Assumptions, Exclusions, and Clarifications
    - Allowances
    - Subcontractors and Suppliers

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Lucine Dadrian, P.E., Engineering, Construction & Modeling

**DATE:** September 12, 2024

**SUBJECT:** Bridge Inspection Program Contract

### **Agenda Item Background:**

As part of the District's core missions of flood control, water supply, water quality, and ecosystem restoration, the Bridge Inspection Program supports access to the District's infrastructure by providing bridge inspections to identify deficiencies, load rating analyses to determine vehicle load limits, and repair requirements to extend the useful life, for District owned bridges that are not inspected through the Florida Department of Transportation (FDOT) inspection program. This program supports the continued operations and maintenance of the District's critical flood control infrastructure by extending the useful life of our access bridges and supporting construction activities.

The Bridge Inspection contract aims to meet the demands and specialties that are beyond the capacity of internal resources. The contract will be for a three-year period with two 1-year renewal options using FDOT Contract # CAR38 for these services.

### **Additional Item Background:**

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

The Bridge Inspection Program supports the District's core missions of flood control, water supply, water quality, and ecosystem restoration.

#### **Funding Source:**

The Bridge Inspection Program is funded by Ad Valorem funds and dedicated funds (State Appropriations).

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

Lucine Dadrian, [ldadrian@sfwmd.gov](mailto:ldadrian@sfwmd.gov), 561-682-2685

### **ATTACHMENTS:**

[Resolution No. 2024-0912](#)

[Presentation Backup](#)

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2024 - 09XX**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a contract with Kisinger Campo & Associates, Corp. to support the District's Bridge Inspection Program using Florida Department of Transportation Contract CAR38, for three years with two 1-year extension options, in an amount not to exceed \$500,000 for which Ad Valorem funds and dedicated funds (State Appropriations) are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years' budgets, providing an effective date. (Contract No. 4600005047)**

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to enter into a contract with Kisinger Campo & Associates, Corp. to provide bridge inspection services and load rating analyses to maintain the integrity of bridge infrastructure and ensure continuing access to District control structures and pump stations.

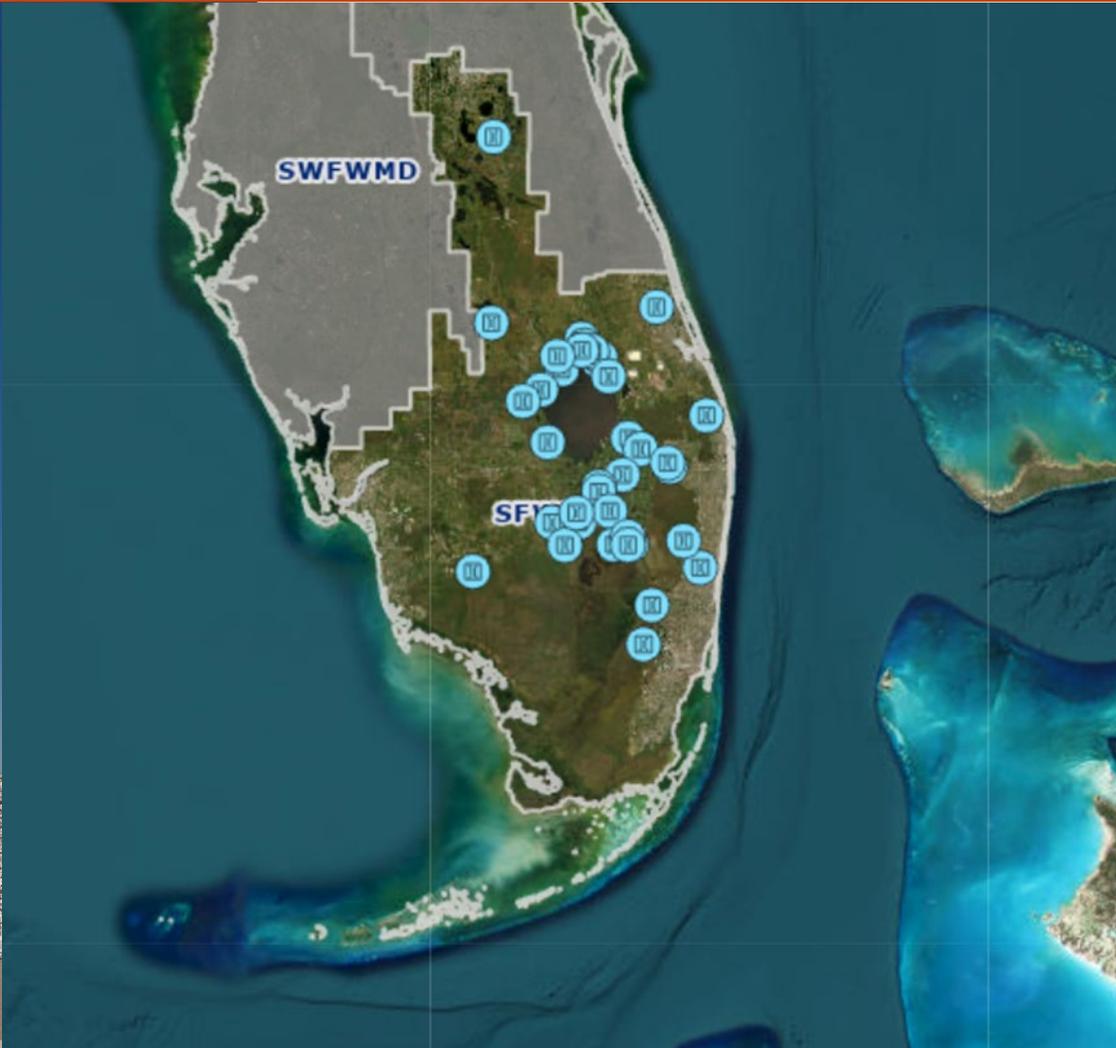
**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby authorizes entering into a contract with Kisinger Campo & Associates, Corp., to support the District's Bridge Inspection Program, in the amount not to exceed \$500,000 for which Ad Valorem funds and dedicated funds (State Appropriations) funds are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years' budgets. (Contract No. 4600005047)

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

**PASSED and ADOPTED** this 12<sup>th</sup> day of September, 2024.

# Location Map



S-4 Access Bridge, Typical

# Background

- Supports the District's Bridge Inspection Program
- District access bridges open to the public are handled by FDOT inspections
- District access bridges not open to the public are the subject of this contract
- Bridge inspections provide current load ratings that provide appropriate vehicle loads that can cross the bridge for daily maintenance and construction activities

# Scope

- Provides bridge inspection services and load rating analyses
- Using Florida Department of Transportation (FDOT) Contracts CAR38
- Scope of the Bridge Inspection Program includes:
  - Routine inspections to identify deficiencies
  - Load rating analyses to ensure the adequacy of the bridges
  - Provides repair requirements to extend the useful life of District bridges

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Lucine Dadrian, P.E., Engineering, Construction & Modeling

**DATE:** September 12, 2024

**SUBJECT:** B1 Building Switchboard Modernization, Critical Flood Control Infrastructure Project, Palm Beach County

### **Agenda Item Background:**

As part of the Operations & Maintenance Critical Flood Control Infrastructure Capital Program, the B-1 Building Switchboard Modernization Project, located in Palm Beach County, will replace the outdated electrical circuit breakers to reduce the high costs of periodic maintenance, repairs and obsolete parts. This electrical switchboard system at District Headquarters has been identified as a high risk for failure. The old circuit breakers will be modernized by retrofilling the existing low voltage switchboards' Main Distribution Panel, Electronic Data Processing, and HVAC. To maintain the Underwriters Laboratories (UL) Rating for fire safety and sustainability of the new electrical retrofill equipment, we can only purchase the equipment from the Original Equipment Manufacturer (OEM), Schneider/Square D, through one of their distributors. Further, Schneider Electric/Square D is required to install the equipment per industry specifications.

Graybar Electric Company, Inc. is an authorized distributor of the OEM who will procure the equipment from Schneider/Square D and hire them to install and provide the UL certification. This electrical retrofill equipment will be procured using Graybar Electric Company, Inc. contract with City of Kansas City Contract #EV2370, for Schneider Electric/Square D Services.

### **Additional Item Background:**

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

This project supports the District's core missions of flood control, water supply and emergency management.

#### **Funding Source:**

The B-1 Building Switchboard Modernization Project will be funded through dedicated funds (State Appropriations) and Ad Valorem funds.

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

Lucine Dadrian, P.E., [ldadrian@sfwmd.gov](mailto:ldadrian@sfwmd.gov), 561-682-2685

### **ATTACHMENTS:**

[Resolution No. 2024-0913](#)

[Presentation Backup](#)

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2024 - 09XX**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 600-day contract with Graybar Electric Company, Inc., for the B1 Building Switchboard Modernization critical flood control infrastructure project, in the amount of \$1,881,269.07, for which dedicated funds (State Appropriations) and Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget, using Graybar Electric Company, Inc. Contract with City of Kansas City Contract #EV2370, providing an effective date. (Contract No. 4600005070)**

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to enter into a 600-day contract with Graybar Electric Company, Inc., for the B1 Building Switchboard Modernization critical flood control infrastructure project, in the amount of \$1,881,269.07.

**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 contract with Graybar Electric Company, Inc., for the B1 Building Switchboard Modernization, in the amount of \$1,881,269.07 for which dedicated funds (State Appropriations) and Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget. (Contract No. 4600005070)

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

**PASSED and ADOPTED** this 12<sup>th</sup> day of September, 2024.

# Location Map



# Background

- The switchboards were installed in 1989 and are past the end of their useful life. Typically, electrical distribution switchboard's useful life is about 25 - 30 years.
- The District also has issues with procuring spare parts for the obsolete breakers within the switchboards due to the manufacturer no longer supporting this generation of breakers.
- The outdated main and feeder breakers are located in switchboards Main Distribution Panel (MDP), Electronic Data Processing (EDP) and HVAC. Switchboard MDP and EDP are located in the switchboard room on B-1 first floor and the switchboard Panel HVAC is located in the penthouse chiller room.

# Scope

- Replace all existing circuit breakers & associated electrical equipment in the B1 HQ Building with new and more efficient circuit breakers via retrofit for the existing low voltage switchboards MDP, EDP, and HVAC.
- Provide an Optical Arc Flash Mitigation System with Point and/ or Loop sensors installed for MDP, EDP, and HVAC equipment.
- Inspect and provide Underwriters Laboratories (UL) safety certification and seal for installed switchboards.



## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Lucine Dadrian, P.E., Engineering, Construction & Modeling

**DATE:** September 12, 2024

**SUBJECT:** G-539 Pump Station Pump Replacements Project, Palm Beach County

### **Agenda Item Background:**

As part of the Operations and Maintenance Critical Flood Control Infrastructure Capital Program, the G-539 Pump Replacements Project is located in the L-8 Flow Equalization Basin (FEB) in Palm Beach County. The G-539 Pump Station pumps water from the L-8 FEB to the adjacent SFWMD L-8 Canal located east of the L-8 FEB.

Since completion of the Pump Station in 2017, the six submersible pumps have experienced a variety of failures which have limited the operability of the FEB. As a result, the FEB has not been able to operate as designed reducing the anticipated benefits for the District.

The work will be procured using the Pinellas County, Florida Contract Number 21-0222-B-BRW, to contract with Xylem Water Solutions USA, Inc. to replace the existing submersible pumps with axial flow pumps and modifications to the piping and auxiliary components as needed over the next 24 months. The Pinellas County Contract was executed on September 9, 2021, for 60 months with a 24-month option to extend.

### **Additional Item Background:**

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

G-539 Pump Station Pump Replacement Project supports the District's core missions of flood control, water supply, water quality and ecosystem restoration.

#### **Funding Source:**

G-539 Pump Station Pump Replacement Project will be funded through dedicated funds (State Appropriations) and Ad Valorem funds.

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

Lucine Dadrian, P.E., [ldadrian@sfwmd.gov](mailto:ldadrian@sfwmd.gov), 561-682-2685

### **ATTACHMENTS:**

[Resolution No. 2024-0914](#)

[Presentation Backup](#)

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2024 - XXXX**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a purchase order with Xylem Water Solutions USA, Inc., for the G-539 Pump Station Pump Replacements Project, in the amount of \$10,344,223, for which \$2,550,000 in dedicated funds (State Appropriations) and Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years' budgets, using the Pinellas County, Florida Contract No. 21-0222-B-BRW, providing an effective date. (Purchase Order No. 4500150496)**

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to enter into a purchase order with Xylem Water Solutions USA, Inc., for the G-539 Pump Station Pump Replacements Project, in the amount of \$10,344,223.

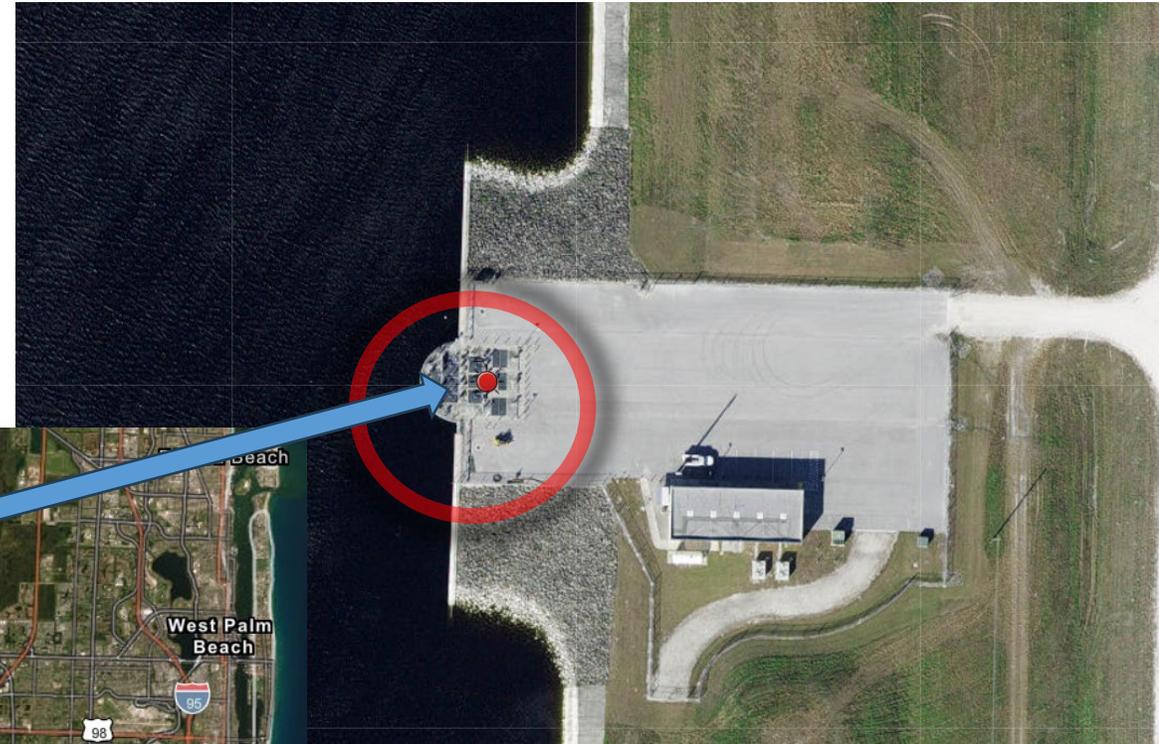
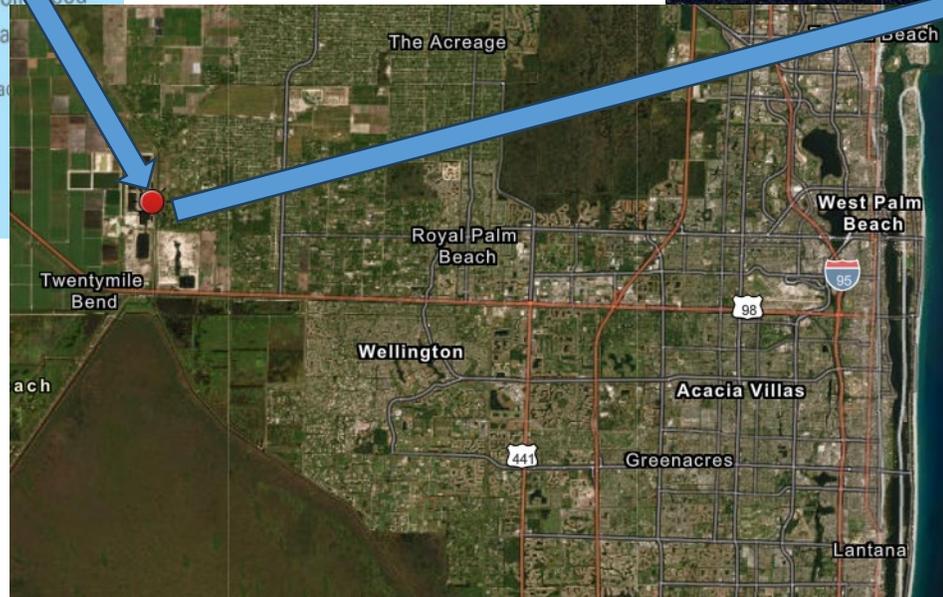
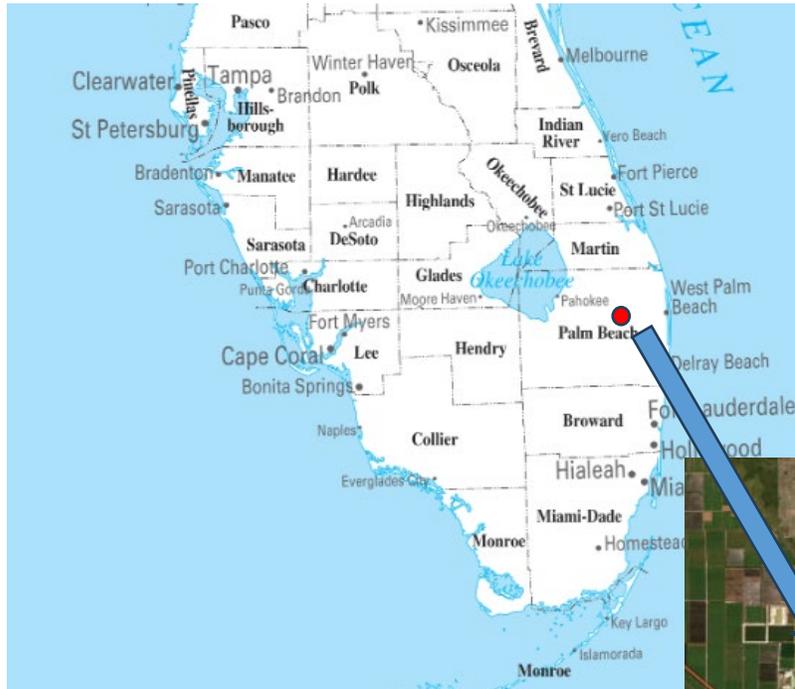
**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby authorizes entering into a purchase order with Xylem Water Solutions USA, Inc., for the G-539 Pump Station Pump Replacements Project, in the amount of \$10,344,223, for which \$2,550,000 in dedicated funds (State Appropriations) and Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years' budgets, using the Pinellas County, Florida Contract No. 21-0222-B-BRW. (Purchase Order No. 4500150496)

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

**PASSED and ADOPTED** this 12th day of September, 2024.

# Location Map



# Background

- G-539 Pump Station is the outflow structure for the L-8 Flow Equalization Basin (FEB)
- Since completion of the Pump Station in 2017, the six (6) submersible pumps have experienced a variety of failures which have limited the operations of the FEB
- The FEB has not been able to operate as designed reducing the anticipated benefits

# Scope

- Remove and replace the six existing pumps at G-539 Pump Station
- Replacement pumps will be axial flow Flygt pumps in lieu of the submersible pumps
- Replacement pumps will be installed and operable in the existing pump bays
- The work is expected to be completed in 24 months
- The work will be procured using the Pinellas County, Florida Contract Number 21-0222-B-BRW

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Maricruz R. Fincher, Office of Counsel

**DATE:** September 12, 2024

**SUBJECT:** Approve the District's 2024-2025 Regulatory Plan and Authorize Publication of Notices of Rule Development for Several Rules Listed on the Regulatory Plan

### **Agenda Item Background:**

Florida law requires agencies to complete an annual regulatory plan to inform the Legislature and the public of agency rulemaking. The District's Governing Board and General Counsel must certify that they reviewed the plan and that the District regularly reviews its rules to determine if the rules remain consistent with the agency's rulemaking authority and the laws implemented by the agency's rules. The District must submit its certification along with the plan to the Joint Administrative Procedures Committee each year. The District publishes notice of the plan in the Florida Administrative Register and provides notice and access to the plan on its website for 10 years after the date of initial publication. In the plan, there are changes proposed for several rules to ensure congruity with statutory authority and state-wide rules. Therefore, staff requests approval to publish Notices of Rule Development for those rules, specifically, Rules 40E-1.6058, 40E-1.607, 40E-2, 40E-2.091, 40E-2.321, 40E-7.668 through 40E-7.678, 40E-22.011, 40E-22.061, 40E-22.072, 40E-22.122, 40E-22.212, 40E-22.222, 40E-22.232, and 40E-22.262, F.A.C.

### **Additional Item Background:**

The purpose of the proposed rule amendments is described in the 2024-2025 Regulatory Plan, which is included as a supporting document to this Governing Board item.

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

The Governing Board has authority to adopt rules to administer the provisions of Chapter 373, Florida Statutes. This item supports the District's core mission and strategic goals by ensuring that District rules are consistent with the District's rulemaking authority and the laws implemented.

### **Funding Source:**

Staff time will be used to implement the 2024-2025 Annual Regulatory Plan. Office of Counsel and the respective divisions will share the publication costs of the notices.

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

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

### **ATTACHMENTS:**

[Resolution No. 2024-0915](#)

2024-2025 Regulatory Plan

JAPC Certification

Rule Development Notices

# SOUTH FLORIDA WATER MANAGEMENT DISTRICT

## Resolution No. 2024 - 09XX

A Resolution of the South Florida Water Management District (District) Governing Board certifying to the Joint Administrative Procedures Committee that the Governing Board and General Counsel reviewed the District's 2024-2025 Annual Regulatory Plan and that the District reviewed its rules to determine if the rules remain consistent with the District's rulemaking authority and the laws implemented, and authorizing publication of Notices of Rule Development of several rules listed on the 2024-2025 Regulatory Plan, specifically Rules 40E-1.6058, 40E-1.607, 40E-2, 40E-2.091, 40E-2.321, 40E-7.668 through 40E-7.678, 40E-22.011, 40E-22.061, 40E-22.072, 40E-22.122, 40E-22.212, 40E-22.222, 40E-22.232, and 40E-22.262, F.A.C., effective immediately.

**WHEREAS**, the District must annually complete and certify a rulemaking plan to the Legislature's Joint Administrative Procedures Committee. The annual regulatory plan is required by section 120.74, Florida Statutes, to inform the Legislature and the public of agency rulemaking; and

**WHEREAS**, the Governing Board and General Counsel must certify that they reviewed the plan and that the District regularly reviews its rules to determine if the rules remain consistent with the agency's rulemaking authority and the laws implemented; and

**WHEREAS**, the District must submit its certification and annual regulatory plan to the Legislature's Joint Administrative Procedures Committee, publish notice of its annual regulatory plan in the Florida Administrative Register, and publish and maintain the plan on the District's website for 10 years after the date of initial publication.

**WHEREAS**, the purpose of the proposed amendments to Rules 40E-1.6058, 40E-1.607, 40E-2, 40E-2.091, 40E-2.321, 40E-7.668 through 40E-7.678, 40E-22.011, 40E-22.061, 40E-22.072, 40E-22.122, 40E-22.212, 40E-22.222, 40E-22.232, and 40E-22.262, F.A.C., is described in the 2024-2025 Regulatory Plan.

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

**Section 1.** In accordance with the requirements of section 120.74(1)(d)1., Florida Statutes, the Governing Board certifies to the Joint Administrative Procedures Committee that it reviewed the District's 2024-2025 Annual Regulatory Plan.

**Section 2.** In accordance with the requirements of section 120.74(1)(d)2., Florida Statutes, the Governing Board certifies that the District reviewed its rules to

determine if the rules remain consistent with the District's rulemaking authority and the laws implemented in July 2024.

**Section 3.** A copy of the District's 2024-2025 Annual Regulatory Plan is attached hereto and made a part hereof.

**Section 4.** The Governing Board of the South Florida Water Management District hereby authorizes publishing Notices of Rule Development for Rules 40E-1.6058, 40E-1.607, 40E-2, 40E-2.091, 40E-2.321, 40E-7.668 through 40E-7.678, 40E-22.011, 40E-22.061, 40E-22.072, 40E-22.122, 40E-22.212, 40E-22.222, 40E-22.232, and 40E-22.262, F.A.C.

**Section 5.** This resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED** this 12<sup>th</sup> day of September, 2024.

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S  
2024-2025 REGULATORY PLAN**

Law Implemented	Rule Number (No chapters or subsections)	For all other rulemaking the agency expects to implement by July 1, explain whether the rule is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary, or redundant rules.	Was the law to be implemented enacted or amended within the last 12 months?	Was the law listed in a previous regulatory plan as requiring rulemaking to implement a law enacted or amended within the previous 12 months of that plan?	Is rulemaking necessary to implement the new law?	For a new law, if rulemaking is necessary, has notice of rule development been published in the FAR? If yes, include date, Vol/No.	For a new law, if rulemaking is not necessary, explain why the law may be implemented without rulemaking.	For a new law, when is notice of a proposed rule expected to be published?
120.54(5), 120.569, 120.57, 120.60, 373.079, 373.083, 373.146, 373.413, 373.427, 668.003, 668.004, 668.50, F.S.	40E-0.109, F.A.C.	Clarify points of entry	No	No	N/A	N/A	N/A	N/A
120.60(3), 373.116, 373.118, 668.50, F.S.	40E-1.6058, F.A.C. *	Reduce regulatory costs by specifying noticing threshold to individual permits with an allocation greater than 1,000,000 gallons per day.	No	No	N/A	N/A	N/A	N/A

\* District staff is requesting authorization to publish a Notice of Rule Development in September

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S  
2024-2025 REGULATORY PLAN**

Law Implemented	Rule Number (No chapters or subsections)	For all other rulemaking the agency expects to implement by July 1, explain whether the rule is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary, or redundant rules.	Was the law to be implemented enacted or amended within the last 12 months?	Was the law listed in a previous regulatory plan as requiring rulemaking to implement a law enacted or amended within the previous 12 months of that plan?	Is rulemaking necessary to implement the new law?	For a new law, if rulemaking is necessary, has notice of rule development been published in the FAR? If yes, include date, Vol/No.	For a new law, if rulemaking is not necessary, explain why the law may be implemented without rulemaking.	For a new law, when is notice of a proposed rule expected to be published?
218.075, 373.109, 373.4131, 373.421(2), 373.421(6)(b), 403.201, F.S.	40E-1.607, F.A.C.*	1) Reduce regulatory costs by changing water use permit transfer fee to \$0 to be consistent with the ERP program; 2) clarify by adding an application category for a 30-day backup supply for interrupted reclaimed water service; 3) clarify by allowing the processing fee for withdrawn water use permit applications to be credited to a renewed application, to be consistent with the ERP program.	No	No	N/A	N/A	N/A	N/A

\* District staff is requesting authorization to publish a Notice of Rule Development in September

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S  
2024-2025 REGULATORY PLAN**

Law Implemented	Rule Number (No chapters or subsections)	For all other rulemaking the agency expects to implement by July 1, explain whether the rule is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary, or redundant rules.	Was the law to be implemented enacted or amended within the last 12 months?	Was the law listed in a previous regulatory plan as requiring rulemaking to implement a law enacted or amended within the previous 12 months of that plan?	Is rulemaking necessary to implement the new law?	For a new law, if rulemaking is necessary, has notice of rule development been published in the FAR? If yes, include date, Vol/No.	For a new law, if rulemaking is not necessary, explain why the law may be implemented without rulemaking.	For a new law, when is notice of a proposed rule expected to be published?
373.083, 373.118, 373.219, 373.223, F.S.	40E-2.061, F.A.C.	Increase efficiency by amending rule to address local groundwater concerns to prevent significant harm to Sandstone Aquifer	No	No	N/A	N/A	N/A	N/A
373.083, 373.118, 373.219, 373.223 F.S.	40E-2.071, F.A.C.	Increase efficiency by amending rule to address local groundwater concerns to prevent significant harm to Sandstone Aquifer	No	No	N/A	N/A	N/A	N/A

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**SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S  
2024-2025 REGULATORY PLAN**

Law Implemented	Rule Number (No chapters or subsections)	For all other rulemaking the agency expects to implement by July 1, explain whether the rule is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary, or redundant rules.	Was the law to be implemented enacted or amended within the last 12 months?	Was the law listed in a previous regulatory plan as requiring rulemaking to implement a law enacted or amended within the previous 12 months of that plan?	Is rulemaking necessary to implement the new law?	For a new law, if rulemaking is necessary, has notice of rule development been published in the FAR? If yes, include date, Vol/No.	For a new law, if rulemaking is not necessary, explain why the law may be implemented without rulemaking.	For a new law, when is notice of a proposed rule expected to be published?
373.042, 373.0421, 373.083, 373.109, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239, 373.250, F.S.	40E-2.091, F.A.C. * (item 1 only)	1) Simplify title in Applicant's Handbook to Aquifers instead of Lower West Coast Regional Water Supply Planning Area Aquifers; 2) Increase efficiency by amending rule to address local groundwater concerns to prevent significant harm to Sandstone Aquifer	No	No	N/A	N/A	N/A	N/A
373.016, 373.036, 373.042, 373.0421, 373.709, F.S.	40E-3.XXX, F.A.C.	Increase efficiency by amending rule to address local groundwater concerns to prevent significant harm to Sandstone Aquifer	No	No	N/A	N/A	N/A	N/A

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**SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S  
2024-2025 REGULATORY PLAN**

Law Implemented	Rule Number (No chapters or subsections)	For all other rulemaking the agency expects to implement by July 1, explain whether the rule is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary, or redundant rules.	Was the law to be implemented enacted or amended within the last 12 months?	Was the law listed in a previous regulatory plan as requiring rulemaking to implement a law enacted or amended within the previous 12 months of that plan?	Is rulemaking necessary to implement the new law?	For a new law, if rulemaking is necessary, has notice of rule development been published in the FAR? If yes, include date, Vol/No.	For a new law, if rulemaking is not necessary, explain why the law may be implemented without rulemaking.	For a new law, when is notice of a proposed rule expected to be published?
373.016, 373.042, 373.429, 373.439, 373.046, 373.413, 373.4131, 373.414, 373.4142, 373.416, 373.418, 373.426, 373.441, F.S.	40E-4.091, F.A.C.	Improve coordination with other agencies by updating DEP/SFWMD Operating Agreement	No	No	N/A	N/A	N/A	N/A
373.1135, F.S.	40E-7.668 through 40E-7.678, F.A.C. *	Increase efficiency by augmenting definitions, modifying solicitation preferences, enhancing certification eligibility requirements, amending the decertification clause, and updating program forms	No	No	N/A	N/A	N/A	N/A

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**SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S  
2024-2025 REGULATORY PLAN**

Law Implemented	Rule Number (No chapters or subsections)	For all other rulemaking the agency expects to implement by July 1, explain whether the rule is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary, or redundant rules.	Was the law to be implemented enacted or amended within the last 12 months?	Was the law listed in a previous regulatory plan as requiring rulemaking to implement a law enacted or amended within the previous 12 months of that plan?	Is rulemaking necessary to implement the new law?	For a new law, if rulemaking is necessary, has notice of rule development been published in the FAR? If yes, include date, Vol/No.	For a new law, if rulemaking is not necessary, explain why the law may be implemented without rulemaking.	For a new law, when is notice of a proposed rule expected to be published?
373.085, 373.086, F.S.	40E-7.700 through 40E-7.704, F.A.C.	Increase efficiency by developing new rules to reduce vegetation, trash and other debris discharged into the Works of the District and Central & Southern Florida system to protect flood control, navigation, and water supply	No	No	N/A	N/A	N/A	N/A
373.042, 373.086, 373.103, 373.103(4), 373.175, 373.246, F.S.	40E-22.011, 40E-22.061, 40E-22.072, 40E-22.122, 40E-22.212, 40E-22.222, 40E-22.232, and 40E-22.262, F.A.C. *	Clarify rules and delete redundant rules regarding Lake Istokpoga - Indian Prairie Area and St. Lucie County Agricultural Area	No	No	N/A	N/A	N/A	N/A

\* District staff is requesting authorization to publish a Notice of Rule Development in September

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S  
2024-2025 REGULATORY PLAN**

Law Implemented	Rule Number (No chapters or subsections)	For all other rulemaking the agency expects to implement by July 1, explain whether the rule is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary, or redundant rules.	Was the law to be implemented enacted or amended within the last 12 months?	Was the law listed in a previous regulatory plan as requiring rulemaking to implement a law enacted or amended within the previous 12 months of that plan?	Is rulemaking necessary to implement the new law?	For a new law, if rulemaking is necessary, has notice of rule development been published in the FAR? If yes, include date, Vol/No.	For a new law, if rulemaking is not necessary, explain why the law may be implemented without rulemaking.	For a new law, when is notice of a proposed rule expected to be published?
373.016, 373.085(1)(b) and (2), 373.086(1), 373.451(6) and (7), 373.453(1)(b) and (c), (2) and (4), and 373.4592(3), (4) and (10), F.S.	40E-63.500 through 40E-63.520, F.A.C.	Increase efficiency by developing new rules to implement portions of the Long-Term Plan for the Everglades Program	No	No	N/A	N/A	N/A	N/A
<b>New laws</b>								
373.042, 373.0421, 373.083, 373.109, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239, 373.250, F.S.	40E-2.091, 40E-2.321, 40E-2.XXX, F.A.C., SB 1386 Department of Environmental Protection *	Increase efficiency by developing statewide rules to promote reclaimed water use and encourage quantifiable potable water offsets with specific requirements	Yes	No	Yes	No	Rulemaking is necessary	5/1/2025

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**SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S  
2024-2025 REGULATORY PLAN**

Law Implemented	Rule Number (No chapters or subsections)	For all other rulemaking the agency expects to implement by July 1, explain whether the rule is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary, or redundant rules.	Was the law to be implemented enacted or amended within the last 12 months?	Was the law listed in a previous regulatory plan as requiring rulemaking to implement a law enacted or amended within the previous 12 months of that plan?	Is rulemaking necessary to implement the new law?	For a new law, if rulemaking is necessary, has notice of rule development been published in the FAR? If yes, include date, Vol/No.	For a new law, if rulemaking is not necessary, explain why the law may be implemented without rulemaking.	For a new law, when is notice of a proposed rule expected to be published?
373.4135, F.S.	SB 1532 Mitigation	N/A	Yes	No	No	N/A	Self-implementing	N/A
189.0694, F.S.	HB 7013 Special Districts	N/A	Yes	No	No	N/A	Self-implementing	N/A
403.0673(15), F.S.	SB 1638 Funding for Environmental Resource Management	N/A	Yes	No	No	N/A	Self-implementing	N/A

\* District staff is requesting authorization to publish a Notice of Rule Development in September



# SOUTH FLORIDA WATER MANAGEMENT DISTRICT

## **CERTIFICATION PURSUANT TO PARAGRAPH 120.74(1)(d), FLORIDA STATUTES**

Pursuant to section 120.74(1)(d), Florida Statutes, the Governing Board and General Counsel certify that they reviewed the South Florida Water Management District's 2024/2025 annual Regulatory Plan. The Governing Board and General Counsel further certify that the South Florida Water Management District regularly reviews its rules to determine if they remain consistent with the agency's rulemaking authority and the laws implemented. The South Florida Water Management District completed its most recent review for this purpose in July 2023.

Dated this \_\_\_\_ day of September 2024.

A handwritten signature in blue ink, appearing to read "M. Fincher".

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MARICRUZ R. FINCHER  
GENERAL COUNSEL

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CHAUNCEY P. GOSS, II  
GOVERNING BOARD CHAIRMAN

NOTICE OF RULE DEVELOPMENT

NAME OF AGENCY

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RULE NO.:       RULE TITLE:

40E-1.6058       Posting, Publication and Requests for Notification of Permit Applications or Notices of Intent

40E-1.607        Permit Application Processing Fees

PURPOSE AND EFFECT: The South Florida Water Management District (“District”) is proposing to amend Rule 40E-1.6058 to specify noticing for only Individual water use permits with an allocation greater than one million gallons per day. The District is also proposing to amend Rule 40E-1.607 as follows: 1) change the water use permit transfer fee to \$0; 2) add an application category for a 30-day backup supply for interrupted reclaimed water service; and 3) add an application category stating that the processing fee for water use permit applications that are withdrawn shall be credited to the processing fee for a new application or notice received from the same applicant if done within 365 days from when the original application was withdrawn. The proposed amendments to items 1 and 3 are consistent with the environmental resource permitting program.

SUBJECT AREA TO BE ADDRESSED: Rule 40E-1.6058: Individual water use permits with an allocation greater than one million gallons per day. Rule 40E-1.607: 1) water use permit transfer fee; 2) fee for 30-day backup supply for interrupted reclaimed water service; and 3) fee for withdrawal of application for water use permits prior to agency action.

RULEMAKING AUTHORITY (formerly “Specific Authority”): 373.044, 373.109, 373.113, 373.116, 373.118, 373.171, 373.421(2), 373.421(6)(b), 373.4131, F.S.

LAW IMPLEMENTED: 120.60(3), 218.075, 373.109, 373.116, 373.118, 373.4131, 373.421(2), 373.421(6)(b), 403.201, 668.50, F.S.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Simon Sunderland, Bureau Chief, Water Use Division, South Florida Water Management District, [ssunder@sfwmd.gov](mailto:ssunder@sfwmd.gov), (561) 682-2705.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:  
NOT AVAILABLE

NOTICE OF RULE DEVELOPMENT

NAME OF AGENCY

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RULE NO.:       RULE TITLE:

40E-2.091       Publications Incorporated by Reference

PURPOSE AND EFFECT: The South Florida Water Management District (“District”) is proposing to amend section 1.5.2.B.3 of the “Applicant’s Handbook for Water Use Permit Applications within the South Florida Water Management District,” which is incorporated by reference in Rule 40E-2.091, to amend the section title from Lower West Coast Regional Water Supply Planning Area to Aquifers. When the rule was originally developed the aquifers were wholly located in the Lower West Coast Planning Area. A redrawing of the planning area now has a portion of the aquifers covered under this rule in the Lower East Coast Planning Area, but the same resource concerns persist.

SUBJECT AREA TO BE ADDRESSED: Sources of Limited Availability set forth in section 1.5.2.B.3 of the “Applicant’s Handbook for Water Use Permit Applications within the South Florida Water Management District”  
RULEMAKING AUTHORITY (formerly “Specific Authority”): 373.044, 373.113, 373.118, 373.171, 373.216 F.S.

LAW IMPLEMENTED: 373.042, 373.0421, 373.083, 373.109, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239, 373.250, F.S.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Simon Sunderland, Bureau Chief, Water Use Division, South Florida Water Management District, [ssunder@sfwmd.gov](mailto:ssunder@sfwmd.gov), (561) 682-2705.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:  
NOT AVAILABLE

NOTICE OF RULE DEVELOPMENT

NAME OF AGENCY

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RULE NO.:       RULE TITLE:

40E-2.091       Publications Incorporated by Reference

40E-2.321       Duration of Permit

PURPOSE AND EFFECT: Senate Bill 1386 requires water management districts to develop rules promoting reclaimed water use and encouraging quantifiable potable water offsets with specific requirements for such rules. The South Florida Water Management District (“District”) is proposing new rules and rule amendments to allow for a permit duration up to 30 years and extensions up to 10 years if a water supply development or water resource development project using reclaimed water meets certain conditions.

SUBJECT AREA TO BE ADDRESSED: 40E-2.091: Section 2.2.4 Reclaimed Water Reuse Criteria, Applicant’s Handbook for Water Use Permit Applications within the South Florida Water Management District. 40E-2.321: Duration of water use permits when the applicant proposes a water supply development project using reclaimed water that meets the advanced waste treatment standards for total nitrogen and total phosphorous as defined in section 403.086(4)(a), F.S.

RULEMAKING AUTHORITY (formerly “Specific Authority”): 373.044, 373.113, 373.118, 373.171, 373.216 F.S.

LAW IMPLEMENTED: 373.042, 373.0421, 373.083, 373.109, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239, 373.250, F.S.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Simon Sunderland, Bureau Chief, Water Use Division, South Florida Water Management District, [ssunder@sfwmd.gov](mailto:ssunder@sfwmd.gov), (561) 682-2705.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:  
NOT AVAILABLE

NOTICE OF RULE DEVELOPMENT

NAME OF AGENCY

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RULE NO.:	RULE TITLE:
40E-7.668	Policy
40E-7.669	Definitions
40E-7.670	Competitive Solicitation Preferences
40E-7.671	District Implementation
40E-7.672	Compliance
40E-7.673	Certification Eligibility – Small Business Enterprise
40E-7.674	Certification Review Procedures
40E-7.675	Recertification Review Procedures
40E-7.676	Decertification
40E-7.677	Reciprocity
40E-7.678	Administrative Hearings

PURPOSE AND EFFECT: The South Florida Water Management District (“District”) proposes to enhance the Small Business Enterprise (“SBE”) Contracting Program by increasing the eligibility criteria for SBE Certification and extending SBE status throughout the term of an existing contract. The District is proposing to augment definitions, modify solicitation preferences, enhance certification eligibility requirements, amend the decertification clause and update program forms.

SUBJECT AREA TO BE ADDRESSED: Policy, Definitions, Competitive Solicitation Preferences, District Implementation, Compliance, Certification Eligibility – Small Business Enterprise, Certification Review Procedures, Recertification Review Procedures, Decertification, Reciprocity, and Administrative Hearings

RULEMAKING AUTHORITY (formerly “Specific Authority”): 373.044, 373.113, F.S.

LAW IMPLEMENTED: 373.1135, F.S.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jennifer Kilian, Section Leader – Master Data, Procurement Bureau, South Florida Water Management District, [jkilian@sfwmd.gov](mailto:jkilian@sfwmd.gov), (561) 682-6018.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:  
NOT AVAILABLE

NOTICE OF RULE DEVELOPMENT

NAME OF AGENCY

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RULE NO.:	RULE TITLE:
40E-22.011	Policy and Purpose
40E-22.061	Indian Prairie Basin Boundary
40E-22.072	Minimum Levels
40E-22.122	Termination of Withdrawals
40E-22.212	Policy and Purpose
40E-22.222	St. Lucie Agricultural Area Boundary
40E-22.232	Minimum Levels
40E-22.262	Termination of Withdrawals

PURPOSE AND EFFECT: The South Florida Water Management District (“District”) is proposing to clarify the policy and purpose of Rule 40E-2.011 under Part I of Chapter 40E-22 for Lake Istokpoga – Indian Prairie Area, and Rule 40E-22.212 under Part II of Chapter 40E-22 for St. Lucie County Agricultural Area, to identify the water levels that will be considered by the Governing Board in declaring a water shortage pursuant to Rule 40E-21.231, F.A.C. The District is also proposing to repeal Rule 40E-22.061, Indian Prairie Basin Boundary, and Rule 40E-22.222, St. Lucie Agricultural Area Boundary, as these rules are redundant of Rule 40E-21.691, F.A.C. In addition, the District is proposing to update the permit classification and reference datum in Rules 40E-22.072, 40E-22.122, 40E-22.232, and 40E-22.262.

SUBJECT AREA TO BE ADDRESSED: Lake Istokpoga, the canals within the Indian Prairie Basin, Arbuckle Creek, and Josephine Creek, and the C-23, C-24 and C-25 Canals.

RULEMAKING AUTHORITY (formerly “Specific Authority”): 373.044, 373.113, F.S.

LAW IMPLEMENTED: 373.042, 373.086, 373.103, 373.103(4), 373.175, 373.246, F.S.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jan Sluth, Paralegal Specialist, South Florida Water Management District, [jsluth@sfwmd.gov](mailto:jsluth@sfwmd.gov), (561) 682-6299.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:  
NOT AVAILABLE

## MEMORANDUM

**TO:** Governing Board Members

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

**DATE:** September 12, 2024

**SUBJECT:** Governing Board Concurrence on Emergency Final Orders, Nos. 2024-051-DAO, 2024-052-DAO, 2024-053-DAO, and 2024-054-DAO, and Order Rescinding Emergency Final Orders, No. 2024-055-DAO

### **Agenda Item Background:**

In response to potential flooding caused by Invest 97L and Governor DeSantis' Executive Order No. 2024-156 issued August 1, 2024, the District issued Emergency Final Orders 2024-034-DAO, 2024-035-DAO, 2024-036-DAO, and 2024-037-DAO on August 2, 2024. These Orders enabled the District to perform public work and take prudent action to ensure the public's health, safety, and welfare in the wake of potentially severe flooding. On August 6, 2024, the District issued the Order Rescinding Emergency Final Orders, No. 2024-055-DAO, due to improved conditions. Staff requests the Governing Board's concurrence with the issuance of the Emergency Final Orders and Order Rescinding Emergency Final Orders, in compliance with section 373.119(2) of the Florida Statutes.

### **Emergency Orders:**

- SFWMD 2024-051-DAO Emergency Authorization for Repairs, Replacement, Restoration, and Certain Other Measures Made Necessary by Invest 97L
- SFWMD 2024-052-DAO Emergency Authorization for Pumping and Other Measures to Address Flooding Caused by Invest 97L
- SFWMD 2024-053-DAO Emergency Authorization Abrogating Time Requirements, Notice Requirements, and Deadlines for Action on Permits and Other Approvals Made Necessary by Invest 97L
- SFWMD 2024-054-DAO Emergency Authorization for Procurement of Goods and Services Made Necessary by Invest 97L

### **Order Rescinding Emergency Final Orders:**

- SFWMD 2024-055-DAO Order Rescinding Emergency Final Orders Issued to Address Flooding Concerns Caused by Invest 97L

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

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

### **ATTACHMENTS:**

[2024-051-DAO Emergency Final Order](#)

[2024-052-DAO Emergency Final Order](#)

2024-053-DAO Emergency Final Order

2024-054-DAO Emergency Final Order

2024-055-DAO Order Rescinding Emergency Final Orders

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

4:18 pm Aug 2, 2024

SOUTH FLORIDA  
WATER MANAGEMENT DISTRICT

IN THE MATTER OF:

SFWMD ORDER NO. 2024-051-DAO

EMERGENCY AUTHORIZATION  
FOR REPAIRS, REPLACEMENT,  
RESTORATION, AND CERTAIN  
OTHER MEASURES MADE  
NECESSARY BY INVEST 97L

EMERGENCY FINAL ORDER

Under the authority of State of Florida Executive Order No. 24-156, incorporated herein by reference, and sections 120.569(2)(n), 252.46, 373.119(2), and 373.439, Florida Statutes, the South Florida Water Management District ("District"), enters this Order authorizing repairs, replacement, restoration, and other emergency measures to address impacts associated with Invest 97L ("the Storm").

**FINDINGS OF FACT**

1. On August 1, 2024, the Governor of Florida issued Executive 24-156 ("the Executive Order"), declaring a state of emergency based upon the serious threat to the public health, safety, and welfare posed by the Storm. The Governor included the following counties in the Executive Order that are within the District's jurisdiction: Charlotte, Collier, Lee, Monroe, Orange, Osceola and Polk counties ("the Emergency Areas").

2. The Storm has the potential to cause widespread flooding and poses an immediate danger to the lives and property of persons throughout the Emergency Areas.

3. In the Executive Order, the Governor found that the special duties and responsibilities of some agencies in responding to disasters may require them to deviate

from the statutes and rules they administer. Moreover, the Executive Order permits an agency, including the District, 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 Storm.

4. Should a conflict exist between this Order and any similar order issued by the Florida Department of Environmental Protection (“the Department”), then the Department’s order shall control.

5. As a result of the Storm, immediate action by Florida’s citizens and government may be necessary to repair, replace, or restore structures, equipment, surface water management systems, works, and operations damaged by the Storm.

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

6. The District’s Executive Director is authorized to issue emergency orders with concurrence of the Governing Board under sections 120.569(2)(n) and 373.119(2), Florida Statutes, and to immediately employ any remedial means necessary to meet the emergency when immediate action is necessary to protect public health, safety, or welfare.

7. The District 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.

9. Based on the above findings of fact, and in order to protect the public’s immediate health, safety, and welfare, and to not prevent, hinder, or delay necessary action in coping with the emergency, it is both reasonable and appropriate to suspend the statutes and rules described herein.

## ORDER

**THEREFORE, IT IS ORDERED** that within the Emergency Areas, the following authorizations apply:

**1. *Definitions***

a. For the purposes of this Order, the term “structures” includes the following when such structures are within the District’s jurisdiction: utility infrastructure, including wastewater treatment plants, substations, lift stations, solid and hazardous waste facilities, utility lines (including transmission and distribution), poles, towers, support structures, cables, conduits, outfalls, intake structures, and pipelines; roads, bridges, culverts, driveways, sidewalks, bike paths, and other similar public and private infrastructure; public, private, and commercial habitable and non-habitable buildings, and structures ancillary to these buildings, such as garages, cabanas, storage sheds, bath houses, pools, and decks; piers (including docks, boardwalks, observation platforms, boat houses, and gazebos), and pilings; shore-stabilization structures, such as seawalls, bulkheads, revetments, breakwaters, and groins; and fences, signs and billboards; and buoys, navigational aids, and other channel markers.

b. For the purposes of this Order, the term “works” includes ditches, canals, drainage systems, ponds, swales, and other surface water conveyances; wet or dry detention or retention areas, dams, weirs, dikes, and levees; and underdrains, outfalls, and associated water control structures.

**2. *Environmental Resource, Dredge and Fill, District Right of Way Occupancy, and Other Surface Water Management Activities, and Coastal Construction Activities***

The following activities may be undertaken to repair, restore, or replace structures, land, works, and submerged contours to the configurations and conditions authorized or otherwise legally existing immediately prior to the Storm, subject to the limitations in this Order. This Order does not authorize the construction of structures that did not exist prior to the Storm, unless specifically authorized below.

Any damage to authorized structures or works may be repaired to the design that was originally authorized by the District. Minor deviations to upgrade structures or drainage systems to current standards also are authorized.

**a. No Notice Required**

The following activities may be conducted without notification to the District and must be commenced before the expiration of this Order or any of its Amendments:

(1) Temporary and permanent repair or restoration of structures and works to the conditions, dimensions, and configurations that were authorized by the District or otherwise legally existing immediately prior to the Storm. The repair and restoration activities shall not result in any expansion, addition, or relocation of the existing works, structures, or systems. However, the use of different construction materials or minor deviations to allow upgrades to current structural and design standards are not precluded. Nothing in this paragraph shall be construed as an exemption for any party performing such repair or restoration to obtain after-the-fact permits or to modify the repair or restoration that was performed, as may be required by any federal agency.

(2) The restoration (regrading, dredging, or filling) by local, regional, and state governments of upland, wetland, works, and submerged land contours to the conditions and configurations that were authorized or otherwise legally existing

immediately prior to the Storm, provided the restoration does not result in any expansion or addition of land or deepening of waters beyond that which existed immediately prior to the Storm, and subject to the following limits:

(a) The removal or deepening of plugs formerly separating canals from other waters is not authorized by this Order;

(b) In the case of dredging, all excavated material shall be deposited on a self-contained upland spoil site that is diked or otherwise sloped or designed to prevent any discharge into wetlands or other surface waters, except where such dredged material is used to restore bottom contours and shorelines, excluding sandy beaches fronting the Gulf of Mexico or the Atlantic Ocean, to the conditions existing immediately prior to the Storm. In addition, excavated material shall not be deposited in any location that would obstruct District operations and/or maintenance;

(c) In the case where upland or dredged material is placed in water to restore pre-existing conditions, only clean material (i.e., free from debris and pollutants) from the previous uplands may be used in the restoration, and no change (from pre-existing conditions) in the slope of the land or the type, nature, or configuration of any pre-existing shoreline stabilization materials is authorized. For example, sloping revetments cannot be replaced with vertical seawalls, and rock riprap cannot be replaced with interlocking blocks;

(d) Best management practices and devices such as hay bales, mulch, and floating turbidity screens shall be used to prevent violations of state water quality standards for turbidity during the performance of restoration activities in accordance with the guidelines and specifications in The Florida Stormwater, Erosion,

and Sediment Control Inspector's Manual (DEP October 2018), <https://floridadep.gov/dear/florida-stormwater-erosion>, and the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (July 2013), <https://www.fdot.gov/programmanagement/implemented/urlinspecs/flerosionsedimentmanual.shtm>. Best management practices shall also be used to prevent erosion and retain sediment of all newly established or restored exposed shorelines during and after the restoration activities, which may include methods such as planting temporary and permanent vegetation and placing clean natural rock or concrete rubble riprap;

(e) Any fill that is deposited to restore a former shoreline, and any riprap that is used to stabilize a shoreline, must not be placed any farther waterward than the toe of the slope of the shoreline that legally existed immediately prior to the Storm. If the pre-Storm shoreline was stabilized with a functioning seawall or riprap, the seawall or riprap may be restored at its former location or within 18 inches (if, within an aquatic preserve, then one foot) waterward of the location where the seawall or riprap legally existed immediately prior to the Storm, as measured from the face of the existing seawall slab to the face of restored seawall slab or from the front slope of the existing riprap to the front slope of the restored riprap; and

(f) This shall not constitute authorization to fill submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund.

(3) Removal of debris, including sunken or grounded vessels, vegetation, and structural remains that have been deposited into waters, wetlands, or uplands by the Storm, if such removal will not result in filling of wetlands or other surface waters or dredging that creates or expands surface waters. All removed materials must

be deposited on self-contained uplands and must be managed in accordance with other provisions of this Order.

**b. Field Authorization Required**

(1) District personnel may issue field authorizations for:

(a) the replacement of works or structures that are no longer intact;

(b) regrading, dredging, or filling of the contours of uplands, wetlands, works, and submerged bottoms, by parties other than local, regional, or state governments;

(c) removal of debris, including sunken or grounded vessels, vegetation, and structural remains, that has been deposited into waters, wetlands, or uplands by the Storm, and the removal of which requires filling of wetlands or other surface waters, or requires dredging that creates or expands wetlands or other surface waters. Any wetlands or other surface waters that are dredged or filled to affect such removal must be restored to the contours and conditions that existed immediately prior to the Storm; and

(d) other activities District personnel determines, in writing or verbally, to have the potential to result in only minimal adverse individual or cumulative impact on water resources, water quality, and District's property interests, including rights of way.

(2) Field authorizations may be issued only to restore works, structures, and property to authorized or otherwise legally existing conditions that existed immediately

prior to the Storm, or to a more environmentally compatible design than what existed immediately prior to the Storm, as determined by the District in writing or verbally.

(3) Field authorizations may be requested by providing a notice to the District's local office containing a description of the work requested, the location of the work, and the name, address, and telephone number of the owner or representative of the owner who may be contacted concerning the work. District staff may also issue field authorizations without prior notice. Field authorizations may include specific conditions for the construction, operation, and maintenance of the authorized activities. Failure to comply with the conditions of the field authorization may result in enforcement actions by the District. District staff shall create and maintain written records of all field authorizations.

(4) Other activities not described above shall be regulated in accordance with Part IV of chapter 373, Florida Statutes and the rules adopted thereunder.

### **3. *Rights-of-Way***

The following activities may be conducted without prior notice to the District:

a. All encroachments on District rights-of-way ("ROWs") authorized pursuant to chapter 40E-6, Florida Administrative Code, may be replaced or repaired as necessary if the replacement and restoration activities do not result in any expansion, addition, or relocation of the authorized encroachments and comply with the provisions set forth in Section 2 of this Order.

b. Local, federal, and state governments in emergency vehicles may use the District's ROWs for emergency access. Utility companies and local, state, and federal governments may access the ROWs to repair structures and to restore utilities during the term of this Order without any requirement for notice to the District.

c. Use of works upon the District's ROWs that are not authorized by the issuance of a Right-of-Way Occupancy Permit prior to the effective date of this Order shall be prohibited unless otherwise determined to be necessary as an emergency repair or restoration for the benefit of public health, safety and welfare by the Executive Director or his/her designee. In such case, the party proposing to perform the emergency repair or restoration ("Applicant") shall contact the District and request issuance of a field authorization so that the appropriate emergency actions can be performed. The Applicant shall be responsible for complying with all terms of the field authorization, including, but not limited to, securing an after-the-fact Right-of-Way Occupancy Permit, obtaining Section 408 authorization from the U.S. Army Corps of Engineers, modifying the emergency actions if required to do so by the District, federal, or other agency permits, and documenting the emergency actions performed.

d. This Order does not authorize placing trash or debris, including vegetation, on any District ROW.

e. In the event any such repair or restoration occurs on the District ROW pursuant to Section 2.a., documentation shall be provided upon completion to the District which includes the party that performed the work, the dates work was performed, the scope of work performed, and the materials and methods employed.

#### **4. *Authorization to Use Submerged Lands Owned by the State***

Pursuant to chapters 253 and 258, Florida Statutes, and Rule 62-330.075, Florida Administrative Code, the District issues proprietary authorizations to use state-owned

submerged lands when the activity permitted by the District occurs on land for which an environmental resource permit is issued by the District (“SLERP Authorization”).

a. Except as otherwise provided in this Order, authorization to use sovereign submerged lands is hereby granted for the repair, replacement, or restoration of the activities and structures located on submerged lands owned by the State when such activities have a previously issued SLERP Authorization. This authorization is subject to the provisions and limitations of Section 2, and is only granted for activities for which a SLERP Authorization was obtained prior to the Storm. The structures and activities authorized under this Order shall be repaired, restored, or replaced in the same location and configuration as was authorized in the SLERP Authorization.

b. This Order does not authorize the reconstruction or repair of unauthorized structures that failed to qualify for the grandfathering provisions of Chapter 18-21, Florida Administrative Code.

#### **5. General Conditions**

a. All activities conducted under this Order shall be performed using appropriate best management practices. For activities conducted in or discharging to wetlands or other surface waters, best management practices include properly installed and maintained erosion and turbidity control devices to prevent erosion and shoaling, to control turbidity, to prevent violations of state water quality standards, and to protect the functions provided by wetlands and other surface waters to fish, wildlife, and listed species.

b. The authorizations in this Order shall not apply to structures and associated activities in the Emergency Areas that were not properly authorized by all applicable agencies before the passage of the Storm.

c. All activities shall be accomplished so as not to disturb marked marine turtle nests or known nest locations or damage existing native salt-tolerant or submerged vegetation.

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

e. This Order serves as relief for the duration of the Order from the regulatory and proprietary requirements of the District only and does not provide relief from the requirements of other federal, state, water management districts, and local agencies. This Order does not negate the need to obtain any other required permits or authorizations.

f. All structures that are rebuilt shall be rebuilt in accordance with all applicable local, state, and federal building standards and requirements of the Federal Emergency Management Act (FEMA).

g. It is recommended that, where possible, owners of property should maintain documentation (such as photos) of the condition of the structures or lands as they existed prior to initiating any activities authorized under this Order and should provide such documentation if requested to do so.

h. This Order does not provide relief from any of the requirements of chapter 471, Florida Statutes, regarding professional engineering.

## **6. General Limitations**

The District issues this Order solely to address the emergency created by the Storm. This Order shall not be construed to authorize any activity within the jurisdiction of the District except in accordance with the express terms of this Order. Under no circumstances shall anything contained in this Order be construed to authorize the repair, replacement, or reconstruction of any type of unauthorized or illegal structure, habitable or otherwise.

**7. Suspension of Statutes and Rules**

Pursuant to the authorities in the Executive Order, 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;

b. All notice requirements, including, but not limited to, notice 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; and

c. All application fee, lease fee, and easement fee requirements, including, but not limited to, provisions in chapters 161 and 373, Florida Statutes, and chapters 18-18, 18-20, 18-21, 40E-1, 40E-2, 40E-6, and 62-330, Florida Administrative Code, provided, however, that such lease and easement fees shall be suspended only in proportion to the percentage loss of functionality of the total area under lease or easement, and only for the duration of this Order unless otherwise provided in a field authorization issued under Section 2. The duration of the suspension of lease and easement fees under a field authorization may be extended on a showing that contractors

or supplies are not available to commence the necessary repairs or replacement, or if additional time is needed to obtain any required authorization from the U.S. Army Corps of Engineers.

**8. Completion of Authorized Activities**

All activities authorized under this Order must be commenced before the expiration of this Order unless otherwise provided in a field authorization or permit. The deadline for commencement under any field authorization or permit issued under this Order may be extended on a showing that contractors or supplies are not available to commence the work, or if additional time is needed to obtain any required authorization from the U.S. Army Corps of Engineers. Any Environmental Resource Permit, Surface Water Management Permit, Dredge and Fill Permit, and/or Right-of-Way Occupancy Permit activities that require a field authorization must be completed by the expiration date of the field authorization. Activities not completed by the expiration date of the field authorization are subject to the regulatory and proprietary authorizations required prior to the execution of this Order.

**9. Expiration Date**

This Order shall take effect immediately upon execution and shall expire on September 30, 2024, unless otherwise extended or terminated by the District's Executive Director or the Governing Board.

**10. Violation of Conditions of Emergency Final Order**

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

**DONE AND ORDERED** on this 2nd day of August 2024, in West Palm Beach, Florida.

SOUTH FLORIDA WATER  
MANAGEMENT DISTRICT

By:

  
\_\_\_\_\_ for  
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 District 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 District.

4:21 pm Aug 2, 2024

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

SOUTH FLORIDA  
WATER MANAGEMENT DISTRICT

*MB*

IN THE MATTER OF:

DISTRICT ORDER NO. 2024-052-DAO

EMERGENCY AUTHORIZATION FOR  
PUMPING AND OTHER MEASURES  
TO ADDRESS FLOODING CAUSED  
BY INVEST 97L

\_\_\_\_\_ /

### EMERGENCY FINAL ORDER

Under the authority of the State of Florida Executive Order No. 24-156, incorporated herein by reference, and section 120.569(2)(n), Florida Statutes, the South Florida Water Management District ("District"), enters this Order authorizing pumping and other emergency measures to address impacts associated with Invest 97L ("the Storm").

### FINDINGS OF FACT

1. On August 1, 2024, Governor DeSantis issued Executive Order 24-156 ("the Executive Order") declaring a state of emergency based upon the serious threat to the public health, safety, and welfare posed by the Storm. The Governor included the following counties in the Executive Order that are within the District's jurisdiction: Charlotte, Collier, Lee, Monroe, Orange, Osceola and Polk counties ("the Emergency Areas").

2. The Storm has the potential to cause widespread flooding and poses an immediate danger to the lives and property of persons throughout the Emergency Areas.

3. In the Executive Order, the Governor found that the special duties and responsibilities of some agencies, including the District, in responding to disasters may require them to deviate from the statutes and rules they administer. Moreover, the Executive Order permits agencies, including the District, 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 Storm and its effects.

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

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

5. The District 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.

6. Based on the above findings of fact, and in order to protect the public's immediate health, safety, and welfare, and to not prevent, hinder, or delay necessary action in coping with the Storm and its effects, it is both reasonable and appropriate to suspend the statutes and rules described herein.

### **ORDER**

**THEREFORE, IT IS ORDERED** that the following activities may be undertaken to address emergency flooding situations resulting from the Storm 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 Emergency Areas during the course of this Order. No notice to the District 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 District after a field inspection. 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 District 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. District staff may also issue field authorizations without prior notice. District 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 District-permitted operational schedules to prepare for the impacts of the Storm and to mitigate flooding impacts resulting from the Storm if:

a. Notice is provided to the District's Emergency Operations Center. 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 District staff assigned by the District's Emergency Operations Center 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 District 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 District 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 District issues this Order solely to address the emergency created by the Storm. This Order shall not be construed to authorize any activity within the jurisdiction of the District 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***

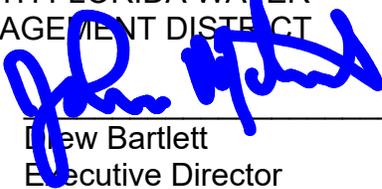
This Order shall take effect immediately upon execution by the Executive Director of the District, and shall expire on September 30, 2024, unless otherwise extended or terminated by the Executive Director or Governing Board.

**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 2nd day of August, 2024, in West Palm Beach, Florida.

SOUTH FLORIDA WATER  
MANAGEMENT DISTRICT

By:  for

\_\_\_\_\_ for  
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 District 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 District.

4:22 pm Aug 2, 2024

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

SOUTH FLORIDA  
WATER MANAGEMENT DISTRICT  
AMB

IN THE MATTER OF:

SFWMD ORDER NO. 2024-053-DAO

EMERGENCY AUTHORIZATION  
ABROGATING TIME REQUIREMENTS,  
NOTICE REQUIREMENTS, AND  
DEADLINES FOR ACTION ON  
PERMITS AND OTHER APPROVALS  
AS MADE NECESSARY BY INVEST 97L

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**EMERGENCY FINAL ORDER**

Under the authority of the State of Florida Executive Order No. 24-156, incorporated herein by reference, and 120.569(2)(n), 252.46, 373.119(2), and 373.439, Florida Statutes, the South Florida Water Management District ("District"), enters this Order abrogating time requirements, notice requirements, and deadlines for actions on permit applications and other approvals due to the impacts and time constraints caused by Invest 97L ("the Storm").

**FINDINGS OF FACT**

1. On August 1, 2024, Governor DeSantis issued Executive Order 24-156 ("the Executive Order") declaring a state of emergency based upon the serious threat to the public health, safety, and welfare posed by the Storm. The Governor included the following counties in the Executive Order that are within the District's jurisdiction: Charlotte, Collier, Lee, Monroe, Orange, Osceola and Polk counties ("the Emergency Areas").

2. The Storm has the potential to cause widespread flooding and poses an immediate danger to the lives and property of persons throughout the Emergency Areas.

3. In the Executive Order, the Governor found that the special duties and responsibilities of some agencies, including the District, in responding to disasters may require them to deviate from the statutes and rules they administer. More specifically, the Executive Order gave all agencies of the state, including the District, the authority to abrogate the time requirements, notice requirements, and deadlines for final action on applications for permits and other approvals under any statute or rule that deems such applications approved unless disapproved in writing by specified deadlines.

4. Given the widespread potential impact of the Storm, District staff will spend extensive time addressing matters resulting from the Storm, including staffing emergency operations, performing field authorizations, and approving work necessary to address the Storm's impacts. Consequently, it is not feasible for District staff to effectively respond to all Storm-related impacts and simultaneously address all existing and new regulatory actions for projects not related to the Storm within the requisite timeframes under Florida law.

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

5. The District's Executive Director is authorized to issue emergency orders with concurrence of the Governing Board by sections 120.569(2)(n) and 373.119(2), Florida Statutes, and to immediately employ any remedial means necessary to meet the emergency when immediate action is necessary to protect public health, safety, and welfare.

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

7. The Executive Order permits an agency, including the District, 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 emergency. The Executive Order gave agencies the authority to take formal action by emergency rule or order to cope with the emergency.

8. Based on the above findings of fact, and in order to protect the public's immediate health, safety, and welfare, and to not prevent, hinder, or delay necessary action in coping with the emergency, it is both reasonable and appropriate to suspend and toll time requirements, notice requirements, and deadlines for action on applications for permits and other approvals until September 30, 2024.

## **ORDER**

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

1. The time requirements, notice requirements, and deadlines for the District to act on applications for permits and other approvals are suspended and tolled.

2. Any deadlines specified in statutes, rules, agreements, or District orders under which the District is required by law to take action within a specified time period, and under which failure by the District to timely take such action could result in any type of default binding on the District, including the time to request additional information on permit applications, are hereby suspended and tolled.

3. This Order is effective upon execution and remains in effect until until September 30, 2024, unless otherwise extended or terminated.

**DONE AND ORDERED** on this 2nd day of August, 2024, in West Palm Beach, Florida.

SOUTH FLORIDA WATER  
MANAGEMENT DISTRICT

By:  for \_\_\_\_\_  
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 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the District 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 District.

4:24 pm Aug 2, 2024

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

SOUTH FLORIDA  
WATER MANAGEMENT DISTRICT  
CMB

IN THE MATTER OF:

SFWMD ORDER NO. 2024-054-DAO

EMERGENCY AUTHORIZATION  
FOR PROCUREMENT OF GOODS  
AND SERVICES MADE NECESSARY  
BY INVEST 97L

\_\_\_\_\_ /

### EMERGENCY FINAL ORDER

Under the authority of the State of Florida Executive Order No. 24-156, incorporated herein by reference, and section 120.569(2)(n), Florida Statutes, the South Florida Water Management District ("District"), enters this Order authorizing the emergency procurement of goods and services, and suspending rules and policies requiring advertisement or competition, due to the impacts and time constraints caused by Invest 97L ("the Storm").

### FINDINGS OF FACT

1. On August 1, 2024, Governor DeSantis issued Executive Order 24-156 ("the Executive Order") declaring a state of emergency based upon the serious threat to the public health, safety, and welfare posed by the Storm. The Governor included the following counties in the Executive Order that are within the District's jurisdiction: Charlotte, Collier, Lee, Monroe, Orange, Osceola and Polk counties ("the Emergency Areas").

2. The Storm has the potential to cause widespread flooding, may continue to impact the operational capability of critical infrastructure, and poses an immediate danger to the lives and property of persons throughout the Emergency Areas.

3. As provided in the Executive Order, the Governor found that the special duties and responsibilities of some agencies, including District, in responding to disasters may require them to deviate from the statutes and rules they administer. More specifically, the Executive Order gives each political subdivision of the State authority to waive the procedures and formalities otherwise required by law in relation to performing public work and taking necessary action to ensure the health, safety, and welfare of the community. This included entering into contracts, incurring obligations, employing permanent and temporary workers, utilizing volunteer workers, renting equipment, acquiring and distributing, with or without compensation, supplies, materials, and facilities, and appropriating and expending public funds.

4. The District's Executive Director has determined that an immediate danger to the public health and safety, or other substantial loss to the public, exists because the Storm poses a serious and imminent threat to District canals, works, lands, equipment, and facilities within the District such that operational capability of the Big Cypress Basin, Central & Southern Florida Flood Control System, and other District functions may be jeopardized.

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

5. The District issues this Order to carry out the directives in the Governor's Executive Order. The District has authority to issue this Order under sections 120.569(2)(n), 252.46, 373.119(2), and 373.439, Florida Statutes.

6. The Executive Order permits agencies, including the District, 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 emergency. The Executive Order gives the District further authority to take formal action by emergency order to cope with the emergency.

7. Based on the above findings of fact, and to protect the public's immediate health, safety, and welfare, and to not prevent, hinder, or delay necessary action in coping with the emergency, it is both reasonable and appropriate to waive any applicable statute, including, but not limited to, chapters 255 and 287, Florida Statutes, and any District rule, policy, or order governing the procurement of equipment, services, and commodities necessitated by this emergency.

## **ORDER**

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

1. Effective upon execution of this Order, all requirements for advertisement and competition for the procurement of equipment, services, and commodities set forth in any statute, including, but not limited to, chapters 255 and 287, Florida Statutes, and any District rule, policy, or order are hereby waived for the duration of this Order.

2. District staff may procure equipment, services, and commodities necessitated by this emergency without advertisement or competition as described below:

a. The procurement of all goods and services necessary to prepare, maintain, and restore District canals, works, lands, equipment, and facilities to full operational condition.

b. All such procurements shall be reported to the Governing Board prior to or at the next regularly scheduled Governing Board meeting.

c. This authorization shall expire on September 30, 2024, unless otherwise extended or terminated by the District's Executive Director or Governing Board.

**DONE AND ORDERED** on this 2nd day of August, 2024, in West Palm Beach, Florida.

SOUTH FLORIDA WATER  
MANAGEMENT DISTRICT

By:



for

\_\_\_\_\_  
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 DISTRICT 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 DISTRICT.

02:07 pm Aug 6, 2024

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

AMB

In re: SFWMD ORDER NO. 2024-055-DAO

RESCISSION OF EMERGENCY  
AUTHORIZATIONS SFWMD 2024-051-DAO,  
SFWMD 2024-052-DAO, SFWMD 2024-053  
-DAO, AND SFWMD 2024-054-DAO TO ADDRESS  
POTENTIAL FLOODING CAUSED BY INVEST 97L

**ORDER RESCINDING EMERGENCY FINAL ORDERS  
ISSUED TO ADDRESS POTENTIAL FLOODING CAUSED BY INVEST 97L**

The South Florida Water Management District ("District") enters this Order rescinding SFWMD Order Nos. 2024-051-DAO, 2024-052-DAO, 2024-053-DAO, and 2024-054-DAO ("Emergency Final Orders") under sections 120.569(2)(n), 252.46, 373.119(2) 373.016, 373.119(2), 373.1391, Florida Statutes ("Fla. Stat."). The Emergency Final Orders enabled the District to perform public work and take prudent action to ensure the public's health, safety, and welfare in the wake of the potential flooding caused by Invest 97L.

**FINDINGS OF FACT**

1. On August 1, 2024, Governor DeSantis issued Executive Order 24-156 ("the Executive Order") declaring a state of emergency based upon the serious threat to the public health, safety, and welfare posed by the Invest 97L.

2. On August 2, 2024, SFWMD issued the following Emergency Orders for Charlotte, Collier, Lee, Monroe, Orange, Osceola, and Polk counties:

a. SFWMD Order No. 2024-051-DAO providing emergency authorization for repairs, replacement, restoration, and certain other measures made necessary by Invest 97L;

b. SFWMD Order No. 2024-052-DAO providing emergency authorization for pumping and other measures to address flooding caused by Invest 97L;

c. SFWMD Order No. 2024-053-DAO providing emergency authorization abrogating time requirements, notice requirements, and deadlines for action on permits and other approvals made necessary by Invest 97L; and

d. SFWMD Order No. 2024-054-DAO providing emergency authorization for procurement of goods and services made necessary by Invest 97L.

3. Conditions affecting the SFWMD Lands in Charlotte, Collier, Lee, Monroe, Orange, Osceola, and Polk counties have improved such that a serious threat to the public health, safety, and welfare no longer exists.

#### **CONCLUSIONS OF LAW**

4. Pursuant to Sections 120.569(2)(n), 252.46, 373.119(2), and 373.439, Fla. Stat., the District's Executive Director, with the Governing Board's concurrence, is authorized to require actions be taken "[w]hen necessary during emergency conditions such as floods, severe weather events, or wildfire for public safety and the protection of natural resources."

5. Because conditions have improved, the Executive Director may rescind SFWMD Order Nos. 2024-051-DAO, 2024-052-DAO, 2024-053-DAO, and 2024-054-DAO as they are no longer necessary to protect the public health, safety, and welfare.

## ORDER

**THEREFORE IT IS ORDERED** that:

6. SFWMD Order Nos. 2024-051-DAO, 2024-052-DAO, 2024-053-DAO, and 2024-054-DAO are rescinded.

7. This Order is effective immediately upon execution.

**DONE AND SO ORDERED** in West Palm Beach, Florida, on this 6th day of August, 2024.

SOUTH FLORIDA WATER  
MANAGEMENT DISTRICT  
By its Executive Director



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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:** Carolina Maran, Ph.D., P.E., Chief of District Resiliency

**DATE:** September 12, 2024

**SUBJECT:** Grant Agreements and Interagency Agreements, Building Resilient Infrastructure and Communities (BRIC) Program

### **Agenda Item Background:**

On June 6, 2024, the Federal Emergency Management Agency (FEMA) awarded reimbursement grants to the Florida Division of Emergency Management (FDEM) and the District, as sub-recipient, for three resiliency projects through the Building Resilient Infrastructure and Communities (BRIC) Program. Each resiliency project was awarded approximately \$50 million, for a total grant award of approximately \$150 million. As sub-recipient, the District is responsible for executing the Phase 1 approved scope of work, which includes surveying, engineering, design, plans preparation, permitting, and bidding for the proposed projects; and the future Phase 2 scope of work, which includes construction (pending FDEM final approval of Phase 1 deliverables). The projects are divided into components; the District is collaborating with Miami-Dade County (MDC) and South Broward Drainage District (SBDD) to complete several project components, as indicated in the grant work plan of each project.

This agenda item is requesting authorization from the Governing Board to enter into grant agreements with FDEM and interagency agreements with the local partners for Phase 1 and future Phase 2 of the three projects.

### **Additional Item Background:**

The projects are priority critical infrastructure Central & Southern Florida (C&SF) flood risk management projects included in the SFWMD Sea Level Rise and Flood Resiliency Plan. The Projects consist of flood mitigation and enhancement strategies and will reduce flood risks due to sea-level rise and extreme rainfall and protect water resources. The Projects will benefit water resources of the State by improving stormwater infrastructure and increasing the operational flexibility of the C&SF water control system and therefore improve the system's resiliency to flooding.

The purpose of the "Building Resiliency with Gray and Green Infrastructure, C-7 Basin of Miami-Dade County" Project is to improve drainage of the C-7 Basin in the Northwest portion of Miami-Dade County and increase resilience in the entire C-7 Basin. The District is responsible for enhancements of S-27 Coastal Structure including a tie-back flood barrier, construction of a new forward pump station adjacent to the S-27 structure including the control building, and green infrastructure using nature-based features including living shoreline and a stormwater detention area to reduce local runoff on the W.H. Turner High School Property.

The purpose of the "Building Resiliency with Gray and Green Infrastructure, C-8 Basin of Miami-Dade County" Project is to improve drainage of the C-8 Basin in the Northwest portion

of Miami-Dade County and increase resilience in the entire C-8 Basin. The District is responsible for replacement of S-28 Coastal Structure including a tie-back flood barrier, construction of a new forward pump station immediately downstream of the proposed replacement of S-28 structure, including the control building, and green infrastructure using nature-based features including living shoreline and a temporary detention area for extreme events near Miami Shores County Club. Miami-Dade County is responsible for enhancements of six secondary canal banks within its jurisdiction.

The purpose of the “Building Resiliency with Gray and Green Infrastructure, C-9 Basin, Broward and Miami-Dade Counties” Project is to improve drainage of the C-9 Basin in the Northwest portion of Miami-Dade County and increase resilience in the entire C-9 Basin. The District is responsible for enhancements of S-29 Coastal Structure including a tie-back flood barrier, construction of a new forward pump station adjacent to the S-29 structure including the control building, and green infrastructure with nature-based features including living shoreline along C-9 Canal and enhancement of a stormwater detention area at Pickwick Lake. Miami-Dade County is responsible for enhancements of twelve secondary canal banks within its jurisdiction. In addition, South Broward Drainage District is responsible for four new sluice gates with green retaining walls to stabilize the structures using green infrastructure.

Grant awards to the District, sub awards to the project partners, and respective required match for the Projects are as follows:

- Building Resiliency with Gray and Green Infrastructure, C-7 Basin of Miami-Dade County
  - District: up to \$49,997,694,00, and required match of \$18,520,000
- Building Resiliency with Gray and Green Infrastructure, C-8 Basin of Miami-Dade County
  - District: up to \$45,774,463, and match of \$17,000,000
  - Miami-Dade County (sub award): up to \$4,225,000, and match of \$4,225,000
- Building Resiliency with Gray and Green Infrastructure, C-9 Basin, Broward and Miami-Dade Counties
  - District: up to \$44,261,312, and required match of \$17,000,000
  - Miami Dade County (sub award): up to \$5,000,000, and required match of \$5,000,000
  - South Broward Drainage District (sub award): up to \$375,000, and required match of \$125,000

**Funding Source:**

The projects are cost-shared with approximately 70% covered by federal funds under the FEMA BRIC Program, and 30% by non-federal interests, which include the District and its local partners. The District’s cost matching portion will be funded by Ad Valorem funds or state grants, of which \$1,600,000 in Ad Valorem funds is budgeted in Fiscal Year 2023-2024, and the remainder is subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and future years’ budgets.

**Staff Contact and/or Presenter:**

Carolina Maran, Ph.D., P.E., cmaran@sfwmd.gov, 561-682-6868

**ATTACHMENTS:**

Resolution No. 2024-0916

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2024 - 09XX**

**A Resolution of the Governing Board of the South Florida Water Management District authorizing entering into grant agreements with the Florida Division of Emergency Management and interagency agreements with local partners for Phase 1, the surveying, engineering, design, plans preparation, permitting, and bidding; and future Phase 2, the construction, of three projects awarded through the FEMA BRIC Program; providing an effective date.**

- **SFWMD Building Resiliency with Gray and Green Infrastructure, C-7 Basin of Miami-Dade County**
- **SFWMD Building Resiliency with Gray and Green Infrastructure, C-8 Basin of Miami-Dade County**
- **SFWMD Building Resiliency with Gray and Green Infrastructure, C-9 Basin, Broward and Miami-Dade Counties**

**WHEREAS**, South Florida is susceptible to increased inundation, erosion, and loss of critical habitats resulting from extreme rainfall events, tropical storms, sea level rise, and other climate change impacts; and

**WHEREAS**, Building Resilient Infrastructure and Communities (BRIC) Program is funded by the Federal Emergency Management Agency (FEMA) and administered through FDEM, which serves as the pass-through entity as defined by 2 C.F.R. §200.1, and aims to support communities as they build capability and capacity by encouraging and aiding innovation and by supporting states, local governments, tribes and territories as they work to reduce their hazard risk; and

**WHEREAS**, the SFWMD Sea Level Rise and Flood Resiliency Plan (“Resiliency Plan”), updated annually, compiles a comprehensive list of priority resiliency projects with the goal of reducing the risks of flooding, sea level rise, and other climate impacts on water resources and increasing community and ecosystem resiliency in South Florida. The Projects are priority C&SF flood risk management projects included in the Resiliency Plan to address flood vulnerabilities in the C-7, C-8, and C-9 Basins, by enhancing coastal structures and adding forward pump stations to maintain basin discharge levels while sea levels rise, and increasing basin storage while maximizing nature-based solutions throughout the basins; and

**WHEREAS**, on June 6, 2024, FEMA awarded FDEM and SFWMD, as sub-recipient, a BRIC Program reimbursement grant of approximately \$50M for each Project, for a total of approximately \$150M; and

**WHEREAS**, the Projects are cost shared with approximately 70% covered by federal funds in the form of the reimbursement grants and approximately 30% covered

by non-federal interests, which include SFWMD and its local partners, in the form of matching funds; and

**WHEREAS**, The BRIC award is divided into two phases. The approved scope of work for Phase 1 consists of surveying, engineering, design, plans preparation, permitting and bidding for the Projects. Phase 2 consists of the Projects' construction, pending final approval of Phase 1 deliverables.

**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 Executive Director, or designee, to enter into grant agreements with the Florida Department of Emergency Management and interagency agreements with local partners for Phase 1, the surveying, engineering, design, plans preparation, permitting, and bidding of three Projects: SFWMD Building Resiliency with Gray and Green Infrastructure, C-7 Basin, Miami-Dade County, FY22 BRIC; SFWMD Building Resiliency with Gray and Green Infrastructure, C-8 Basin of Miami-Dade, FY2021 BRIC; and SFWMD Building Resiliency with Gray and Green Infrastructure, C-9 Basin, Broward and Miami-Dade CNTY, FY22 BRIC (Contract Nos. 4600005069, 4600005064, and 4600005068).

**Section 2.** The Governing Board of the South Florida Water Management District hereby authorizes the Executive Director, or designee, to enter into grant agreements with the Florida Department of Emergency Management and interagency agreements with local partners for future Phase 2, the construction of three Projects: SFWMD Building Resiliency with Gray and Green Infrastructure, C-7 Basin, Miami-Dade County, FY22 BRIC; SFWMD Building Resiliency with Gray and Green Infrastructure, C-8 Basin of Miami-Dade, FY2021 BRIC; and SFWMD Building Resiliency with Gray and Green Infrastructure, C-9 Basin, Broward and Miami-Dade CNTY, FY22 BRIC.

**Section 3.** The Governing Board of the South Florida Water Management District hereby authorizes the Executive Director, or designee, to enter into agreements with local partners to allocate pass-through funds consistent with executed grant agreements.

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

**PASSED** and **ADOPTED** this 12<sup>th</sup> day of September, 2024.

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Candida Heater, Administrative Services, Facilities Bureau

**DATE:** September 12, 2024

**SUBJECT:** Systems Furniture Installation and Reconfiguration Services

### **Agenda Item Background:**

This request is to authorize entering into an agreement and funding for a three-year contract with two 1-year renewal options with MAW Installations, Inc., for systems furniture installation services for all facilities throughout the District.

This contract is essential to continue systems furniture installations for all facilities throughout the District upon the expiration of the current contract on September 30, 2024. The contract provides professional systems furniture installation service with necessary staff, labor, equipment, and supervision to assemble and/or relocate office cubicles, systems office furniture, and miscellaneous equipment. The scope of this contract provides these services throughout all District facilities.

The search for a suitable systems furniture installation contractor service provider was solicited by District procurement procedures using the competitive bid process that resulted in MAW Installation, Inc. being the lowest responsive responsible bidder and met all minimum requirements as a systems furniture service provider at the District.

### **Funding Source:**

Ad Valorem funds

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

Candida Heater, [cheater@sfwmd.gov](mailto:cheater@sfwmd.gov), 561-682-6486

### **ATTACHMENTS:**

[Resolution No. 2024-0917](#)

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2024-09XX**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a three-year contract with two 1-year renewal options with MAW Installations, Inc., the lowest responsive and responsible bidder, for systems furniture installation services in an amount not-to-exceed \$1,024,400, for which \$204,880 in Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget and the remainder is subject to Governing Board approval of future years' budgets; providing an effective date. (Contract No. 4600005052)**

**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 three-year contract with two 1-year renewal options with MAW Installations, Inc., the lowest responsive and responsible bidder, for systems furniture installation services in an amount not-to-exceed \$1,024,400, for which \$204,880 in Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget 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 contract with MAW Installations, Inc. for systems furniture installation services in an amount not to exceed \$1,024,400, for which \$204,880 in Ad Valorem funds are subject to Governing Board approval of the Fiscal Year 2024-2025 Adopted Budget, and the remainder is subject to Governing Board approval of future years' budgets. (Contract No. 4600005052)

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

**PASSED and ADOPTED** this 12<sup>th</sup> day of September, 2024

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Candida Heater, Administrative Services, Facilities Bureau

**DATE:** September 12, 2024

**SUBJECT:** Chiller Replacement and Upgrade for District Headquarters Building B1 and Emergency Operations Center

### **Agenda Item Background:**

The replacement of three failing chillers, with an average age of 26 years old, including their components, and control systems need to be replaced. These chillers serve the Building B1 and Emergency Operations Center at District Headquarters. The two B1 building chillers are both 150-ton water-cooled centrifugal chillers and were installed 1992. They are both at the end of their useful life expectancy. Parts for these chillers have become obsolete because of their age. The maintenance costs have significantly increased. The Emergency Operations Center operates 24 hours per day, 365 days per year. The chiller being replaced is one of two 165-ton air-cooled rotary chillers that support the building and must be highly reliable. It has been in service for 14 years and is the older of the two chillers for this building. The rising repair costs on this chiller and the importance of the Emergency Operations Center require that it be replaced.

These replacements and upgrade will ensure the air conditioning system will provide an energy efficient, well-controlled, high-quality and comfortable working environment. The contract for these services was competed through a government agency pursuant to Florida law; therefore, the District's Procurement Policy does not require additional competition. If approved, the District will enter into purchase order agreements to complete the work.

### **Additional Item Background:**

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

This item supports the District's climate control for District Headquarters Building B1 and Emergency Operations Center.

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

Candida Heater, [cheater@sfwmd.gov](mailto:cheater@sfwmd.gov), 561-682-6486

### **ATTACHMENTS:**

[Resolution No. 2024-0918](#)

# SOUTH FLORIDA WATER MANAGEMENT DISTRICT

## Resolution No. 2024 - 0918

**A Resolution of the Governing Board of the South Florida Water Management District authorizing entering into Purchase Orders with Trane US, Inc., to provide and replace two air conditioning chillers at District Headquarters Building B1 chiller plant, and to provide and replace one air conditioning chiller at the Emergency Operations Center chiller plant, using the Trane US, Inc., contract with Racine County, Wisconsin Contract #3341, in an amount not-to-exceed \$1,549,311 for which dedicated (State Appropriations) are budgeted in Fiscal Year 2023-2024; providing an effective date. (Purchase Order Nos. 4500150656, 4500150657, 4500150660, and 4500150659)**

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize entering into purchase orders with Trane US, Inc., to provide and replace two air conditioning chillers at the District Headquarters B1 Building, and provide and replace one air conditioning chiller at the District Headquarters Emergency Operations Center, using the Trane US, Inc., contract with Racine County, Wisconsin Contract #3341, in an amount not-to-exceed \$1,549,311.

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

**Section 1.** Governing Board of the South Florida Water Management District authorizing entering into Purchase Orders with Trane US, Inc., to provide and replace two air conditioning chillers at District Headquarters Building B1 chiller plant, and to provide and replace one air conditioning chiller at the Emergency Operations Center chiller plant, using the Trane US, Inc., contract with Racine County, Wisconsin Contract #3341, in an amount not-to-exceed \$1,549,311 for which dedicated (State Appropriations) are budgeted in Fiscal Year 2023-2024; providing an effective date. (Purchase Order Nos. 4500150656, 4500150657, 4500150660, and 4500150659)

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

*This space intentionally left blank.*

**Resolution No. 2024 - 0918**

**PASSED** and **ADOPTED** this 12<sup>th</sup> day of September, 2024.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

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Chauncey P. Goss, II  
Chairman

Attest:

Legal form approved:  
By:

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District Clerk/Secretary

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Office of Counsel

Print name:

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## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Mark Elsner, Water Resources Division

**DATE:** September 12, 2024

**SUBJECT:** 2023-2024 Lower East Coast Water Supply Plan Update Status

### **Agenda Item Background:**

Staff is requesting the Governing Board issue a final order approving the 2023-2024 Lower East Coast (LEC) Water Supply Plan Update (2023-2024 LEC Plan Update). Water supply plans are updated every five years and identify sustainable water supplies for all water users while protecting water resources and related natural systems. This five-year update for the LEC Planning Area includes all of Palm Beach, Broward and Miami-Dade counties, and most of Monroe County and portions of Collier and Hendry counties, as well as reservations for the Miccosukee and Seminole Tribes of Florida.

The 2023-2024 LEC Plan Update provides demand projections through 2045 and identifies sources and strategies to meet these demands pursuant to Chapter 373, F.S. The 2023-2024 LEC Plan Update concludes that future water needs of the LEC Planning Area can be met with appropriate management, conservation, and implementation of projects identified in the plan.

The 2023-2024 LEC Plan Update was developed in an open public forum. The Draft 2023-2024 LEC Plan Update was made available for public review and comment. The comments were evaluated and incorporated into the 2023-2024 LEC Plan Update where appropriate.

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

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Nancy Demonstranti, [ndemonst@sfwmd.gov](mailto:ndemonst@sfwmd.gov), 561-682-2563

### **ATTACHMENTS:**

[Final Order](#)

BEFORE THE GOVERNING BOARD OF THE  
SOUTH FLORIDA WATER MANAGEMENT DISTRICT

ORDER NO.: 2024-XXXX

IN THE MATTER OF:

Approval of the 2023-2024  
Lower East Coast  
Water Supply Plan Update

**FINAL ORDER APPROVING THE 2023-2024 LOWER EAST COAST  
WATER SUPPLY PLAN UPDATE**

The Governing Board of the South Florida Water Management District (“District”), after considering Staff recommendations and being otherwise fully apprised, issues this Final Order pursuant to Sections 373.036, 373.083, and 373.709, Florida Statutes, based on the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. The Lower East Coast (“LEC”) is one of five regional planning areas in the District. The planning area covers approximately 6,500 square miles and includes all of Palm Beach, Broward, Miami-Dade counties, most of Monroe County, and portions of Collier and Hendry counties as well as reservations for the Miccosukee and Seminole Tribes of Florida.
2. The LEC Planning Area includes unique and critical ecosystems, such as the Everglades, Lake Okeechobee, Florida Bay, Biscayne Bay, Florida Keys, Loxahatchee River, and Lake Worth Lagoon.
3. In 2018, the District’s Governing Board approved the 2018 LEC Water Supply Plan Update.
4. The purpose of this effort is to update the 2018 LEC Water Supply Plan Update (“2023-2024 LEC Plan Update” or “Plan”) and establish a framework for future

District actions to meet the water supply and natural resource protection requirements of Chapter 373, Fla. Stat.

5. The 2023-2024 LEC Plan Update is based on a planning period of 2021-2045. It includes the following: 1) water demand projections for six water use categories; 2) a water supply development component; 3) a water resource development component; 4) the adopted MFLs; 5) the MFL recovery and prevention strategies; 6) consideration of how the water supply and resource development components serve the public interest or save costs; 7) technical data; and 8) a funding strategy.

6. Total average water use in the LEC is projected to be 2,063.36 million gallons per day (mgd) in 2045, which is 208.84 mgd more than the estimated 2021 average water use.

7. Population in the LEC is expected to increase from 6,222,707 people in 2021 to approximately 7,294,265 people in 2045. Public water supply is the largest water use category, representing 51 percent of the total 2045 average water demand, or 1,061.64 mgd.

8. Agricultural water supply is the LEC Planning Area's second largest water use category, representing 31 percent of the total 2045 average water demand, or 637.65 mgd. Irrigated agricultural acreage is projected to decrease from an estimated 566,162 acres in 2021 to approximately 554,697 acres in 2045.

9. The 2023-2024 LEC Plan Update concludes there is sufficient water to continue meeting the needs of the LEC Planning Area during a 1-in-10-year drought condition through 2045 with appropriate management, conservation, and implementation of projects.

10. The 2023-2024 LEC Plan Update takes into account cumulative impacts on water resources and guides future management of those resources 1) to ensure adequate

water supply for existing and projected reasonable-beneficial uses, and 2) to sustain the water resources and related natural systems during average and 1-in-10-year drought conditions through the year 2045.

11. The 2023-2024 LEC Plan Update concludes that additional water resource development projects and specific water supply development projects are needed to meet the projected 2045 water demands.

12. The 2023-2024 LEC Plan Update recommends continued coordination with local governments, utilities, agricultural stakeholders and other water users; natural resource protection; and water level and water quality monitoring.

13. In addition to the recommendations in the 2023-2024 LEC Plan Update, the Comprehensive Everglades Restoration Plan and programs will maximize water resources by addressing issues of timing, retention, and freshwater flow regimes to the coastal environmental resources inside and outside of the planning area. Once projects become operational, they will be re-evaluated to determine the potential availability of surface water to meet the demands of reasonable-beneficial uses within the LEC Planning Area.

14. The public participated in the development of the 2023-2024 LEC Plan Update. The District held three virtual workshops in May 2023, August 2023, and July 2024. The role of the workshops was to receive public input, contribute local knowledge and expertise, and reflect the collective concerns of the various stakeholders in the planning region.

15. The Draft 2023-2024 LEC Plan Update, except for the Executive Summary and Appendix C, was made available for public review and comment from February 7, 2024 through May 15, 2024 and an additional public review period was provided from June 25, 2024 to August 7, 2024 for drafts of the Executive Summary and Appendix C. The comments were evaluated and, when appropriate, incorporated into the final draft.

16. The 2023-2024 LEC Plan Update is not a self-executing document. Implementation of the 2023-2024 LEC Plan Update will occur through a variety of future Governing Board actions. A flexible course of action is proposed. Future decisions about contracts, research, budgetary appropriations, cost-sharing arrangements, rulemaking, permitting, operational protocol, local agreements, and inter-governmental coordination will commit the District to a specific direction.

17. The 2023-2024 LEC Plan Update, including the associated appendices and support document, can be found at the following link: <https://www.sfwmd.gov/our-work/water-supply/lower-east-coast>

### **CONCLUSIONS OF LAW**

18. Water management district governing boards are authorized to undertake regional water supply planning efforts. This authorization includes updating existing plans such as the 2023-2024 LEC Plan Update. §373.709, Fla. Stat.

19. Section 373.709, Fla. Stat., establishes a framework for the regional water supply plan's scope, analysis, implementation, and process. Additionally, specific water resource development and water supply development projects must be included in regional water supply plans.

20. Water supply plans must include intermediate water use projections for each five-year interval. Fla. Admin. Code R. 62-40.531(1)(a). Water management districts shall update each regional water supply plan every five years. Fla. Admin. Code R. 62-40.531(8).

21. The Governing Board concludes that the 2023-2024 LEC Plan Update meets the requirements of Section 373.709, Fla. Stat., and Rule 62-40.531, Fla. Admin. Code.

22. While the Governing Board's approval of a water supply plan is not subject to rulemaking requirements, any portion of an approved water supply plan that affects the substantial interests of a party is subject to challenge pursuant to Section 120.569, Fla. Stat. § 373.709(5), Fla. Stat. A Notice of Rights is attached hereto as Exhibit A.

23. The Notice of Rights does not cover future Governing Board actions to implement the 2023-2024 LEC Plan Update. When implementing action is taken, the Governing Board will provide a point of entry to substantially affected parties, as appropriate.

24. The 2023-2024 LEC Plan Update may be updated or amended as new technical information and analysis become available. Such updates will occur no later than five years from the entry of this order and in accordance with Section 373.709, Fla. Stat.

### **ORDER**

Based upon the foregoing Findings of Fact and Conclusions of Law, it is ORDERED:

25. The 2023-2024 Lower East Coast Water Supply Plan Update is approved.

26. Staff is authorized to make minor changes to the 2023-2024 LEC Plan Update that do not alter the substance of the Plan in response to submitted stakeholder comments. Staff is also authorized to address minor typos, grammar, and spacing issues to the 2023-2024 LEC Plan Update that do not alter the substance of the Plan. Such changes must occur within 30 days of the September 12, 2024 Governing Board meeting.

27. Staff may distribute notice of this Order by certified mail, regular mail, and/or electronic mail to persons who have participated in the Plan development process and those entities identified as appropriate for implementing water supply development projects. Notice shall also be published in the Florida Administrative Register and newspapers of general circulation within the planning region.

DONE AND SO ORDERED in West Palm Beach, Florida, on this \_\_\_\_\_ day of  
September, 2024.

SOUTH FLORIDA WATER  
MANAGEMENT DISTRICT  
By its Governing Board

\_\_\_\_\_  
Drew Bartlett  
Executive Director



Construction at C-44

## CERP Construction and Planning Projects

### Progress Report

South Florida Ecosystem Restoration Projects including the Comprehensive Everglades Restoration Plan (CERP) are authorized when a planning study is approved by Congress as part of a Water Resource Development Act (WRDA). Responsibility for design and construction of CERP and other restoration projects is shared between the U.S. Army Corps of Engineers (USACE) and the South Florida Water Management District (SFWMD), based on coordination between the two agencies, the Integrated Delivery Schedule (IDS), and the Project Partnership Agreement for each project. This document reports on the USACE's progress on CERP efforts for the restoration of the Greater Everglades as directed by Governor DeSantis in Executive Order 23-06, as well as the SFWMD's continued efforts to expedite Everglades restoration projects and improve water quality and quantity.

#### Biscayne Bay Coastal Wetlands – Cutler Wetlands Component

**Lead Agency:** SFWMD

**Anticipated Completion Year:** 2025

**Project Description:** The Biscayne Bay Coastal Wetlands Project – Cutler Wetlands Component will improve the health of Biscayne Bay, aid in wetland rehydration, build coastal resiliency and improve water quality. The Cutler Wetlands Component is the final component of the Biscayne Bay Coastal Wetlands Project.

**Status:** Construction.

- Contract 6A – Pump Station S-701 under construction.
- Contract 6B – Conveyance channel under construction.

#### Biscayne Bay Coastal Wetlands – L-31 East Flowway

**Lead Agency:** USACE

**Anticipated Completion Year:** 2026

**Project Description:** The project restores freshwater flows to southern Biscayne Bay and Biscayne National Park while improving salinity distribution near the shore. It also restores historical freshwater wetland habitat adjacent to the Bay, which acts like a sponge, soaking up water in the wet season and slowly releasing it in a more natural pattern.

**Status:** Construction; Operational Testing and Monitoring Period.

- Contract 4 – Pump Station S-709: Construction is complete. Operation Testing and Monitoring Period is underway.
- Contract 5A – Pump Station S-705: Construction is complete. Permanent power was delivered to pump station on March 5, 2024 and endurance testing was completed. Operation, Testing, and Monitoring Period is underway and forecast to conclude May 2025.
- Contract 5B – Pump Station S-703 and Recreational Sites: Endurance testing began May 13, 2024 and the final punchlist was received. All FPL poles and power lines have been installed and energized. Final power delivery to pump station pending last remaining electrical connectivity work.

- Contract 5C – Pump Stations S-710 and S-711, Seepage Canal C-711W: Seepage canal berm and spreader canal construction are substantially complete. S-711 Control Building is complete. Permanent power work by FPL is being scheduled for both S-710 and S-711.

#### Biscayne Bay and Southeastern Everglades Ecosystem Restoration (BBSEER)

**Lead Agency:** USACE

**Anticipated Completion Year:** TBD

**Project Description:** The BBSEER Project aims to restore natural areas in southeastern Miami-Dade County, including the Model Lands, Southern Glades, nearshore estuarine habitats of Biscayne Bay, and the associated coastal and freshwater wetlands.

**Status:** Planning; A planning study waiver request for scope, schedule and budget is in development to complete the study. The project team is evaluating the third round of alternatives and will identify the final array of alternatives before selecting a plan for TSP assurances modeling.

**Next Milestone:** The Tentatively Selected Plan milestone is expected to shift to August 2025 due to increased scope and design requirements.

#### Broward County Water Preserve Areas

**Lead Agency:** USACE

**Anticipated Completion Year:** 2034

**Project Description:** This project will reduce water loss from the Central Everglades. It is designed to perform two primary functions: reduce seepage loss from Water Conservation Area (WCA) 3A/3B to the C-11 and C-9 basins; and capture, store and distribute surface water runoff from the western C-11 basin that has been discharged into WCA 3A/3B.

**Status:** Design.

- Contract 2 – C-11 Impoundment Embankment: Final design is in progress and the construction award is expected in 2025.
- Contract 3 – C-11 Impoundment Pump Station: Design is in progress, and the construction award is expected in FY 2026.
- Contract 4 – WCA3A Seepage Management Area: Design to begin in 2025.
- Contract 5 – C-9 Impoundment: Design to begin in 2026.

## Caloosahatchee (C-43) Reservoir

**Lead Agency:** SFWMD

**Anticipated Completion Year:** 2025

**Project Description:** The project will capture excess C-43 Basin runoff and regulatory releases from Lake Okeechobee during the wet season and release water from the reservoir during the dry season. It includes development of one aboveground reservoir, with a total storage capacity of approximately 170,000 acre-feet. The project will reduce the extreme salinity changes in the Caloosahatchee River Estuary by providing a more consistent flow of freshwater discharging into the estuary.

**Status:** Construction.

- Package 1 – Embankment Preloading at 6 critical structures around the dam and demolition of existing infrastructure work is complete.
- Package 2 – S-476 Pump Station replaces the original irrigation pump station located on the header canal that supplied water to existing water users work is complete.
- Package 3 – S-470 Inflow Pump Station which pulls water from the Caloosahatchee River through the Townsend Canal to the Reservoir work is complete. Ribbon cutting event held on December 19, 2023.
- Package 4 – Reservoir: Soil cement (buttress) 21.5 of 22 miles completed, soil cement (slope) 13 of 22 miles completed, perimeter canal and intake canal works are 98% complete, 7,400 feet of wave wall installed. Sand column relief manifold (north reach) is dewatering, the southern 3 reaches have mobilized to begin clearing, grubbing and cofferdams. S470 discharge piping installation continues. Monitoring platform installation is working on their third structure. An additional 8 weeks of Phase II soil bentonite wall started this week and will leave only cell 2 gaps remaining. Cell 1 gap between S-471 and S-472 has been closed. S-483 sheet pile wingwalls are complete with tie rods and backfill occurring in September.

## Central Everglades Planning Project (CEPP) Everglades Agricultural Area (EAA) Reservoir

**Lead Agency:** USACE

**Anticipated Completion Year:** 2030

**Project Description:** CEPP includes four phases of projects that help restore the natural flow of water south from Lake Okeechobee to Central & Southern Everglades. The CEPP EAA Phase will store, treat and send new water to the Everglades. The EAA Reservoir reduces damaging discharges from Lake Okeechobee to the Northern Estuaries. The 10,000-acre reservoir component includes 240,000 acre-feet of storage and delivers water to the 6,500-acre A-2 STA for water quality treatment. The project provides an additional average annual 370,000 acre-feet of clean water sent to the Everglades.

**Status:** Design; Construction.

- Contract 11B - Embankment, outlet structures and spillway: Final design has been completed, the construction contract was advertised February 23, 2024, proposals were received April 9, 2024, and are being evaluated. Construction award expected end of FY 2024.
- Contract 11C - S-636 Seepage Pump Station: Design began in March 2023, and the construction award is expected in September 2026.
- Contract 10A - Seepage Inflow/Outflow Canal: Environmental monitoring and pre-construction survey work continues. De-mucking, clearing, and grubbing activities are complete for the base contract. Excavation of the canal footprint continues and is 49% complete. Seepage canal and inflow/outflow canal blasting is ongoing. Embankment construction began and the excavated material is being processed and tested.
- Contract 11A - Foundation Preparation & Cutoff Wall: Contractor is still progressing through submittals. Clearing, grubbing and de-mucking of borrow pit areas 2 and 3 is complete with borrow area 5 being 65% complete. Drilling and blasting of borrow area 3 is ongoing. Construction of the east side batch plant slab (near borrow area #3) is ongoing and 95% complete. Site access improvements are 39% complete.
- Contract 12: S-623 Reservoir Inflow Pump Station: In design and will be awarded for construction by SFWMD in December 2024.

## Central Everglades Planning Project (CEPP) Everglades Agricultural Area (EAA) Stormwater Treatment Area (STA)

**Lead Agency:** SFWMD

**Completion Year:** 2024

**Project Description:** The 6,500-acre STA will clean water stored in the 240,000 acre-foot EAA Reservoir and allow it to be moved south to the Everglades. Stormwater Treatment Areas use aquatic vegetation to remove harmful nutrient pollution from the water. Sending more clean water south will support the ecological health of the Everglades and Florida Bay.

**Status:** Construction.

- Contract 9B - STA Cells: In construction. Initial filling commenced end of January 2024.
- Contract 9B - STA Inflow-Outflow Canal: Construction completed in FY 2023.

## Central Everglades Planning Project (CEPP) Everglades Agricultural Area (EAA) Canal Conveyance Improvements

**Lead Agency:** SFWMD

**Anticipated Completion Year:** 2027

**Project Description:** The North New River Canal Conveyance increases canal capacity by 200 cfs. The Miami Canal Conveyance Improvements increase canal capacity by 1,000 cfs.

**Status:** Design.

- Contract 9A - EAA North New River Canal Improvements: Construction Notice to Proceed issued on June 20, 2024.
- Contract 9A - EAA Miami River Canal Improvements Phase 1: Design is complete and construction award by Q1 FY 2025.
- Contract 9A - EAA Miami River Canal Improvements Phase 2: Design is ongoing and construction award in FY 2025.

## Central Everglades Planning Project (CEPP) New Water Seepage Barrier Wall Project

**Lead Agency:** SFWMD

**Completion Year:** 2024

**Project Description:** The CEPP New Water Seepage Barrier Wall Project extends the successful underground wall that was built as part of the 8.5 Square Mile Area Seepage Wall Project. The project supports ongoing restoration efforts to move water south through the Everglades and into Florida Bay while mitigating potential flooding impacts in communities outside of Everglades National Park.

**Status:** Complete - Ceremonial Ribbon Cutting was held on April 24, 2024.

## Central Everglades Planning Project (CEPP) North Phase

**Lead Agency:** SFWMD

**Anticipated Completion Year:** 2030

**Project Description:** CEPP North will restore water levels in the northern portion of the Central Everglades and improve our water resource resiliency in South Florida. The features within the CEPP plan include a reservoir, a stormwater treatment area and water flow improvements.

**Status:** Design; Construction.

- Contract 7A - L-6 Diversion: A groundbreaking for S-620 was held in May 2023. S-622 is in design and contract award is planned in Q3 FY2025.
- Contract 7A - L-4 Canal Improvements & Distribution Features & S-630 Gated Culverts are in design.
- Contract 7B - S-8 Pump Station Modifications is in design and Phase 1 construction contract Notice to Proceed issued on April 8, 2024.
- Contract 8A - L-5 Canal Improvements is in design to be constructed in two packages and contract award for Package 1 is planned in Q2 FY 2025.
- Contract 8B - Miami Canal Backfill and Vegetated Hammocks survey is complete, and design is underway.

## Central Everglades Planning Project (CEPP) South Phase

**Lead Agency:** USACE

**Anticipated Completion Year:** 2031

**Project Description:** CEPP South removes water flow barriers to allow natural flow of water south into Everglades National Park. Components include the construction of a pump station, the installation of culverts and spillways and the removal of a roadway and levees that will all help increase the flow of clean water south from WCA 3A to Everglades National Park.

**Status:** Design; Construction.

- Contract 1AR - L-67A Culverts: At S-631 the cofferdam construction is complete and surface water removal and guardrail installation continues. Cofferdam construction is ongoing at S-632, with the east and west sides complete, and turbidity barriers are being installed.
- Contract 2A - Pump Station S-356E and S-334E Gated Spillway: Final design is complete, but construction contract advertisement delayed due to ongoing coordination with respect to the FDOT construction agreement. Contract award forecasted for May 2025 but may shift with this agreement issue.
- Contract 3B - S-355W Gated Spillway in L-29 Canal: Final design is complete. USACE, SFWMD, and FDOT completed negotiation of the FDOT construction agreement. However, after review by the Corps, further coordination between SFWMD and USACE is underway to determine the Corps' real estate needs at this location. The construction contract advertisement is delayed and no forecasted award date is available at the time.
- Contract 5 - Blue Shanty Flowway: Final design is scheduled to be complete in FY 2026, and the contract award is scheduled for FY 2026. USACE and SFWMD are coordinating how best to incorporate design refinements needed for this contract.
- Contract 6 - L-29 Levee Removal: Design is scheduled to begin in FY 2025, and the contract award is scheduled for FY 2028.

### Indian River Lagoon South – C-23 Estuary Discharge Diversion Canal

**Lead Agency:** SFWMD

**Anticipated Completion Year:** 2025

**Project Description:** This interconnect canal project will divert harmful discharges from the C-23 Canal and send it south to the C-44 Reservoir. It improves water quality in the St. Lucie Estuary and helps bring flows to the Estuary closer to its natural pattern.

**Status:** Construction; S-457 Pump Station wall pours have reached elevation 30 ft. NAVD88, canal excavation in Segment 1 is 80% and Segment 3 is 95% complete, Segment 2 canal excavation 80%, and Coca Cola Box Culvert concrete construction is complete and backfilling to start this month.

### Indian River Lagoon South – C-23/24 North Reservoir

**Lead Agency:** USACE

**Anticipated Completion Year:** 2030

**Project Description:** The C-23/24 North Reservoir is a component of the IRL South Project, encompassing more than 2,000 acres. Once completed, it will store approximately 32,000 acre-feet of water.

**Status:** Design.

- Contract 4A – S-426 Pump Station, Afterbay, S-245 Culvert, PC-37 Canal and Structure: Final design has been completed. Construction contract was advertised May 17, 2024, bids were received on July 8, 2024 and are being evaluated. Contract award scheduled for September 2024.
- Contract 4B – S-425 Sag Culvert, S-426 Afterbay, and Reservoir Embankment Construction: The final design is scheduled to be complete December 2025.

### Indian River Lagoon South – C-23/24 South Reservoir

**Lead Agency:** SFWMD

**Anticipated Completion Year:** 2030

**Project Description:** The C-23/24 South Reservoir is a component of the IRL South Project, encompassing more than 3,500 acres. Once completed it will store approximately 57,000 acre-feet of water.

**Status:** Design is ongoing by the SFWMD. Package 1 of the canal and structure construction contract was approved by the SFWMD Governing Board in April 2024, and Package 2 - Reservoir construction contract will be awarded in FY 2025.

### Indian River Lagoon South – C-23/24 STA

**Lead Agency:** USACE

**Anticipated Completion Year:** 2026

**Project Description:** The 2,700-acre C23/24 STA is designed to treat water from the C-23 and C-24 Basins. Its purpose is to reduce the sediment, phosphorus, and nitrogen going to the St. Lucie River Estuary and the southern portion of the Indian River Lagoon.

**Status:** Construction; Stormwater treatment areas (STA) Cells 1 and 2 are complete. Cell 3 and Cell 5 embankment construction is underway. Cell 4 clearing and grubbing is complete. All water control structures are 80% complete.

### Indian River Lagoon South C-25 Reservoir and STA

**Lead Agency:** SFWMD

**Anticipated Completion Year:** 2028

**Project Description:** The C-25 Reservoir and STA will capture, store and treat local stormwater runoff from the C-25 Canal. The project reduces the rate of harmful flows to downstream estuaries and improves water quality in the estuary and lagoon. Project features include an 803-acre reservoir with 5,176 acre-feet of storage, a 532-acre STA, and a 250 cfs pump station.

**Status:** Construction; Package 1 for Site Preparation contract awarded in August 2024. Design; Package 2 is in design and estimated contract award is in Q3 of FY 2025.

### Indian River Lagoon South – C-44 Reservoir

**Lead Agency:** USACE

**Completion Year:** 2021

**Project Description:** The C-44 Reservoir will store 50,000 acre-feet of water, including local basin runoff and Lake Okeechobee releases. This will reduce harmful releases reaching the St. Lucie Estuary that can fuel harmful algal blooms.

**Status:** Construction Complete, in Operational Testing and Monitoring Period (OTMP). Design of additional seepage management features is underway and targeting a construction award is expected in 2025 under a separate contract.

### Indian River Lagoon South – C-44 STA

**Lead Agency:** SFWMD

**Completion Year:** 2019

**Project Description:** The 6,400-acre C-44 STA will remove harmful nutrients and provide regional water quality benefits. It will treat the water stored in the reservoir before it is released into the estuary. A recreation plan is now being developed.

**Status:** Construction Complete, in Operational Testing and Monitoring.

### Indian River Lagoon South Natural Water Quality Storage Areas and Muck Removal

**Lead Agency:** SFWMD

**Anticipated Completion Year:** TBD

**Project Description:** This project is part of Indian River Lagoon – South Phase II and will work together with other IRL-South components to protect and restore the lagoon and estuary. It will create natural storage by preserving and restoring lands in the contributing basins of the north and south forks of the St. Lucie River and the estuary.

**Status:** Planning; Acquiring Lands.

## Lake Okeechobee System Operating Manual (LOSOM)

**Lead Agency:** USACE

**Completion Year:** 2024

**Project Description:** The USACE signed the Lake Okeechobee System Operating Manual (LOSOM) Record of Decision on August 12, 2024, completing the final step in the approval process to allow the USACE Jacksonville District to implement LOSOM in place of the Lake Okeechobee Regulation Schedule 2008 (LORS08) for the management of Lake Okeechobee.

**Status:** Complete.

## Lake Okeechobee Watershed Restoration Project (LOWRP)

**Lead Agency:** SFWMD

**Anticipated Completion Year:** TBD

**Project Description:** LOWRP is an Everglades restoration planning effort that will improve water levels in Lake Okeechobee; improve the quantity and timing of discharges to the St. Lucie and Caloosahatchee estuaries; restore degraded habitat for fish and wildlife throughout the study area; and increase the spatial extent and functionality of wetlands.

The Florida Legislature appropriated a total of \$150 million for the LOWRP during the previous three legislative sessions. During the 2021 legislative session, the Florida Legislature also passed Senate Bill 2516 to further support and expedite the implementation of LOWRP. This funding was provided to the SFWMD for the design, engineering and construction of specific LOWRP components designed to achieve the greatest reduction in harmful discharges to the Caloosahatchee and St. Lucie Estuaries.

**Status:** Planning; Design, Well Testing and ASR Science Plan. The Jacksonville District has paused reviews of the Chief's Report. They are currently drafting and evaluating courses of action to complete field work to achieve 20% design maturity and are evaluating schedule impacts.

## Loxahatchee River Watershed Restoration Project

**Lead Agency:** SFWMD

**Anticipated Completion Year:** 2032

**Project Description:** The Loxahatchee River Watershed Restoration Project will restore and sustain the overall quantity, quality, timing and distribution of fresh water to the federally designated "National Wild and Scenic" Northwest Fork of the Loxahatchee River for current and future generations. This project also seeks to restore, sustain and reconnect the wetlands and watersheds that form the historic headwaters for the river. These areas include Jonathan Dickinson State Park, Pal Mar East/Cypress Creek, DuPuis Wildlife and Environmental Management Areas, J.W. Corbett Wildlife Management Area, Grassy Waters Preserve, Loxahatchee Slough, the Northwest Fork of the Loxahatchee River and the Loxahatchee River Estuary.

**Status:** Design.

- Flowway 1: Anticipated to execute design contract in FY 2025.
- Flowway 2 and 3: In design, survey and geotechnical work underway.

## Picayune Strand Restoration Project

**Lead Agency:** USACE

**Anticipated Completion Year:** 2025

**Project Description:** This project restores the natural water flow across 85 square miles in western Collier County that were drained in the early 1960s in anticipation of extensive residential development. The restoration involves plugging 48 miles of canals, removing 260 miles of crumbling roads, and constructing three major pump stations, all of which will restore more than 55,000 acres of natural habitat.

**Status:** Construction. All three Picayune pump stations and Miller Tram and Road Removal are complete.

- Southwest Protection Feature Levee: Five of six lifts for the full seven miles are complete and the sixth lift is 86% complete with expected completion by fall 2024.
- Conveyance Features (Design/Build Contract): U.S. 41 culverts construction completed January 2024. CR-92 construction underway and completion is expected by November 2024.
- Canal Plugging: On May 31, 2024, the SFWMD and the USACE along with state officials and stakeholders celebrated the completion of the plugging of the Faka Union Canal. The Miller Canal plugging is scheduled to begin January 2025 and conclude December 2025.

## Southern Everglades

**Lead Agency:** USACE/SFWMD

**Anticipated Completion Year:** TBD

**Project Description:** The Southern Everglades project aims to provide substantial amounts of freshwater to improve the quantity, timing, and distribution of freshwater in the Greater Everglades and Everglades National Park wetlands and Florida Bay.

**Status:** Planning; The study is targeting a kick-off in 2025.

## Western Everglades Restoration Project (WERP)

**Lead Agency:** USACE/SFWMD

**Anticipated Completion Year:** TBD

**Project Description:** The Western Everglades Restoration Project is an Everglades restoration planning effort that aims to improve the quantity, quality, timing, and distribution of water in the western Everglades. The study area covers approximately 1,200 square miles, bounded by the L-1 Canal to the north; the L-2 Canal, Stormwater Treatment Area (STA) 5/6, and the eastern boundary of the Miccosukee Tribe of Indians of Florida Reservation to the east; a natural watershed boundary to the west; and portions of U.S. Highway 41, Loop Road, and the southern Miccosukee Tribe of Indians of Florida Reservation area to the south.

**Status:** Planning, Design & Construction; The 3x3x3 planning study waiver request, for schedule and budget to complete the study, was approved by the Assistant Secretary of the Army, for Civil Works, January 2024. The draft Project Implementation Report (PIR) and draft Environmental Impact Statement (EIS) were released for public comment on December 15, 2023. A series of "open house" public meetings were held in December to discuss the project. In-person and virtual National Environmental Policy Act (NEPA) Public Meetings were held January 17 & 18, 2024. USACE District Quality Control (DQC) review was completed April 15, 2024. The final PIR and EIS will undergo Agency Technical Review (ATR) beginning on April 29, 2024. The Jacksonville District transmitted the final PIR/EIS to Corps higher headquarters for policy compliance reviews on June 13, 2024. The USACE is targeting a Chief's Report in September 2024 for inclusion in WRDA 2024. The USACE Commanding General, South Atlantic Division, will be briefed on the Chief's Report on September 11, 2024.

- Region 4 Design and Construction – L-28 Culverts under construction, Notice to Proceed issued in April 2024. Modeling complete, geotechnical work ongoing and design commenced for 11-Mile Road, US-41 and Loop Road Culverts. A groundbreaking was held on July 10, 2024, for the first major feature of the Western Everglades Restoration Project, the L-28 South Culverts, which will support Everglades restoration.



Groundbreaking ceremony for the first major feature of the Western Everglades Restoration Project, the L-28 South Culverts on July 10, 2024.



# Northern Everglades and Estuaries Protection Program (NEEPP)

Progress Update – September 2024

## SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) PROGRESS UPDATE

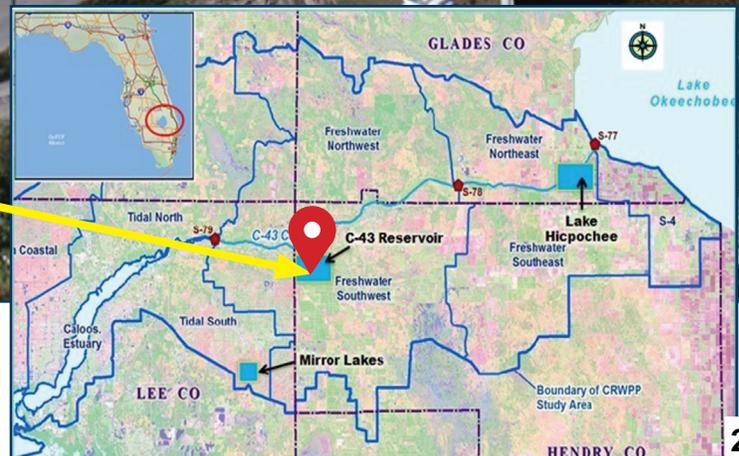
In the Caloosahatchee River Watershed, SFWMD is executing a new contract with Harry Pepper and Associates, Inc. for the construction of the C-43 West Basin Storage Reservoir, Water Quality Component (WQC) Project, which was authorized during the August 8 Governing Board business meeting. Project construction will include a new Alum Injection System, which will be co-located with the S-470 pump station to treat stormwater inflows entering the C-43 Reservoir. It will also contain metering pumps, piping, and covered storage tanks and will be integrated into the S-470 pump station controls. Pumps will deliver the alum dosage suitable to reduce nutrient concentrations in the reservoir and will be monitored to assess performance of the treatment system. Construction is planned to be completed in one year, followed by the start of full operations in fall 2025.

## INTERAGENCY SPOTLIGHT

The Coordinating Agencies are convening to discuss the preliminary findings of the 2025 NEEPP Watershed Protection Plan Modeling Update. Led by the SFWMD in line with NEEPP requirements, the Agencies are working together to develop the appropriate water quantity storage goal to achieve the desired Lake Okeechobee range of lake levels and inflow volumes to the Caloosahatchee and St. Lucie estuaries while meeting the other water-related needs of the region, including water supply and flood protection. This information is also intended to aid in further integration with FDEP's Northern Everglades Basin Management Action Plans (BMAPs), which will be updated by July 1, 2025. As part of the SFWMD's Watershed Protection Plan (WPP) 2025 Updates – covering our 5-Year WPP Updates – the modeling update will be included in the Draft 2025 SFER – Volume I, Appendix 8A-1 for public and peer-review feedback prior to final publication.



Planned location of the water quality treatment component of the C-43 Reservoir, to be sited next to the S-470 pump station.

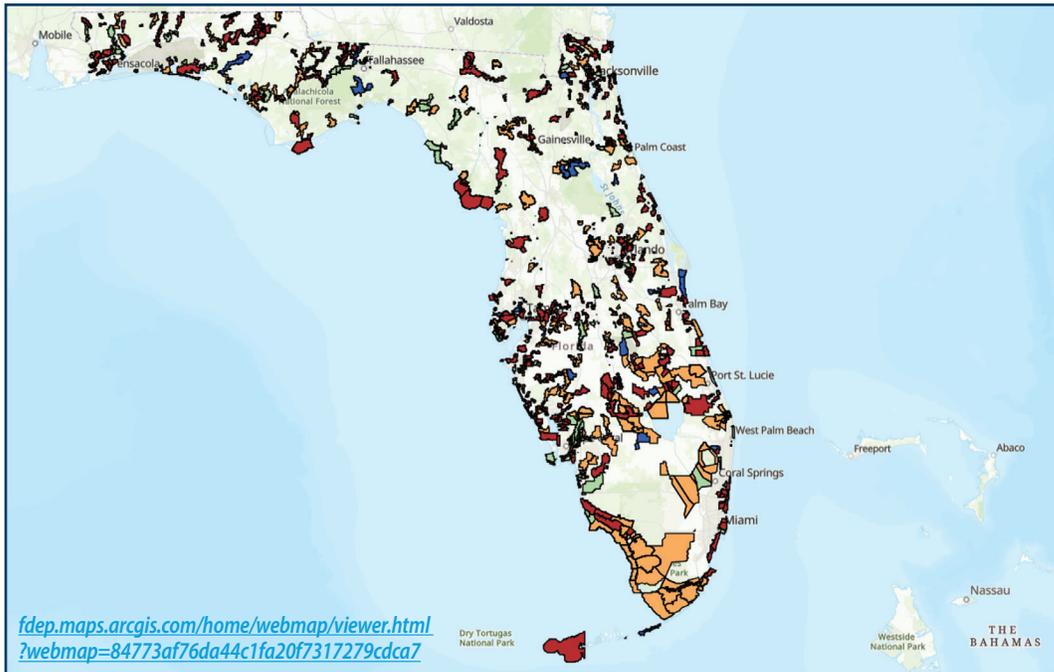




# FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) PROGRESS UPDATE

On May 1, 2024, DEP launched the Water Quality Protection Grant Portal for Fiscal Year 2024-25. DEP accepted project proposals for water-related grant programs for Fiscal Year 2024-25 through the extended deadline of July 31, 2024. Proposals are now being evaluated by FDEP for further consideration for state or federal funding. For more information on these grants, visit [protectingfloridatogether.gov/state-action/grants-submissions](https://protectingfloridatogether.gov/state-action/grants-submissions).

The *Biennial Assessment 2022–2024 Final Assessment Lists* were adopted by Secretarial Order on August 16, 2024. The lists were developed pursuant to Chapter 62-303, Florida Administrative Code, to include all 29 basins in the state, and the Final Verified Lists include those waters that are additions to the State’s Verified List of Impaired Waters and are proposed for addition to the Clean Water Act, Section 303(d) list. Assessing the condition of waterbodies in the 29 basins involved evaluating over 12.4 million data results for 6,763 waterbodies. Over 95,200 individual pollutant assessments were conducted for these waterbodies, which resulted in 559 new verified impairments and removal of 204 previous impairments from the Verified List. This included approximately 55 new verified impairments and 41 removals of previous impairments in the NEEPP area. For more information on the assessment lists and to download the lists, visit [floridadep.gov/dear/watershed-assessment-section](https://floridadep.gov/dear/watershed-assessment-section) (See map below).



## A LOOK AHEAD

### Rescheduled dates in October (TBD) 2025 BMAP Update Meetings

DEP will be holding in-person meetings for all three Northern Everglades BMAPs. SFWMD will also participate in these meetings to share information on the upcoming 5-Year Watershed Protection Plan Updates. To stay informed on the upcoming meetings, please subscribe to DEP’s announcement distribution list at [floridadep.gov/dear/dear/content/subscribe#BMAP](https://floridadep.gov/dear/dear/content/subscribe#BMAP).

### Rescheduled date in October (TBD) NEEPP Annual Public Workshop

Held by the Coordinating Agencies at the District’s Headquarters in West Palm Beach to collectively summarize our agencies’ NEEPP key accomplishments and progress made over the past year. During this in-person event, there will also be an Open House with posters where Coordinating Agencies staff will be available to share the latest information, engage with the public/stakeholders, and answer questions on NEEPP-specific topics of interest. Further details will be posted at [SFWMD.gov/WPPs](https://SFWMD.gov/WPPs).

An interactive map for the *Biennial Assessment 2022-2024 Final Lists* shows the location of the waterbodies and their segments by waterbody identification number that align with the lists.

# FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (FDACS) PROGRESS UPDATE

As of July 1, 2024, FDACS has completed 92% of required implementation verifications (IVs) for agricultural operations within the NEEPP boundary. FDACS continues to collect and retain required nutrient application records as IVs are conducted.

Hurricane Debby brought heavy rainfall and several feet of storm surge causing severe flooding and widespread power outages across Northern Florida and the Florida Gulf Coast. Due to Hurricane Debby’s impacts, Best Management Practices (BMP) IV site inspections are not feasible and may be impossible for many agricultural producers in the 37 counties in which a state of emergency exists. On August 16, 2024, the Commissioner of Agriculture signed Emergency Order 2024-006, deferring onsite verification for 60 days, unless extended or rescinded. [SKM 28722103114261 \(FDACS.gov\)](https://www.facs.gov/2024/08/16/emergency-order-2024-006).

FDACS has updated the Best Management Practices (BMP) Cost Share Program to assist eligible producers or landowners with BMPs. The program will prioritize projects that will result in the highest level of nutrient reductions to help achieve BMAP goals and conservation of water use. For more information, visit [FDACS.gov/Agriculture-Industry/Water/Agricultural-Best-Management-Practices/BMP-Cost-Share-Program](https://FDACS.gov/Agriculture-Industry/Water/Agricultural-Best-Management-Practices/BMP-Cost-Share-Program).

FDACS continues with rulemaking to revise the existing Florida agricultural BMP manuals and rules. For a complete list of rule development activity, visit [FDACS.gov/divisions-offices/agricultural-water-policy/rule-development-activities](https://FDACS.gov/divisions-offices/agricultural-water-policy/rule-development-activities).

# 2023-2024 Lower East Coast Water Supply Plan Update



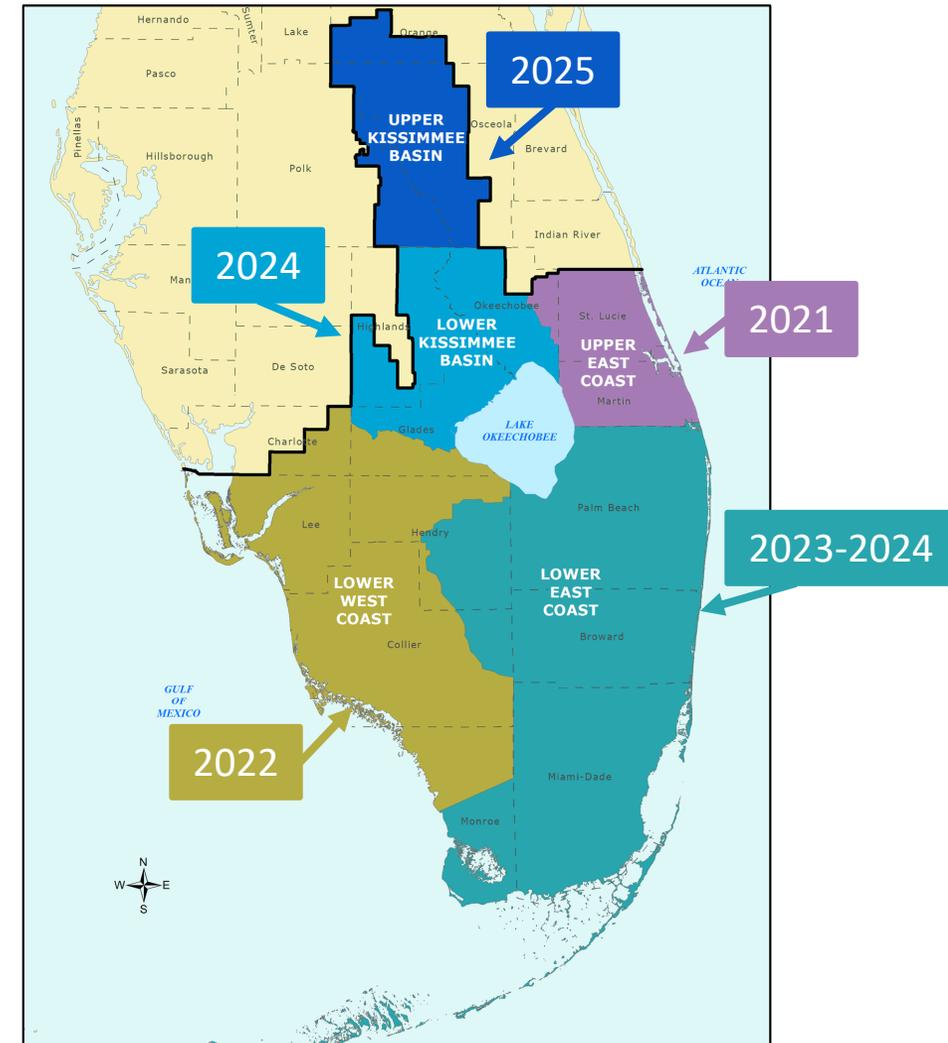
**Mark Elsner, P.E.**  
**Water Supply Bureau Chief**

**Governing Board Meeting**  
**September 12, 2024**



# Water Supply Plan Requirements

- 20-year planning period
- Demand estimates and projections
- Resource analyses
- Issue identification
- Evaluation of water source options
- Water resource development
  - Responsibility of water management district
- Water supply development
  - Responsibility of water users
- Environmental protective and restoration strategies
  - Review/update prevention and recovery strategies for minimum flows and minimum water levels (MFLs)



# LEC Planning Area

➤ Planning Horizon 2021 - 2045

➤ Population (permanent)\*

- 2021 6,222,707
- 2045 7,294,265

➤ 17% increase

➤ Irrigated agricultural acreage\*\*

- 2021 566,162
- 2045 554,697

➤ 2% decrease

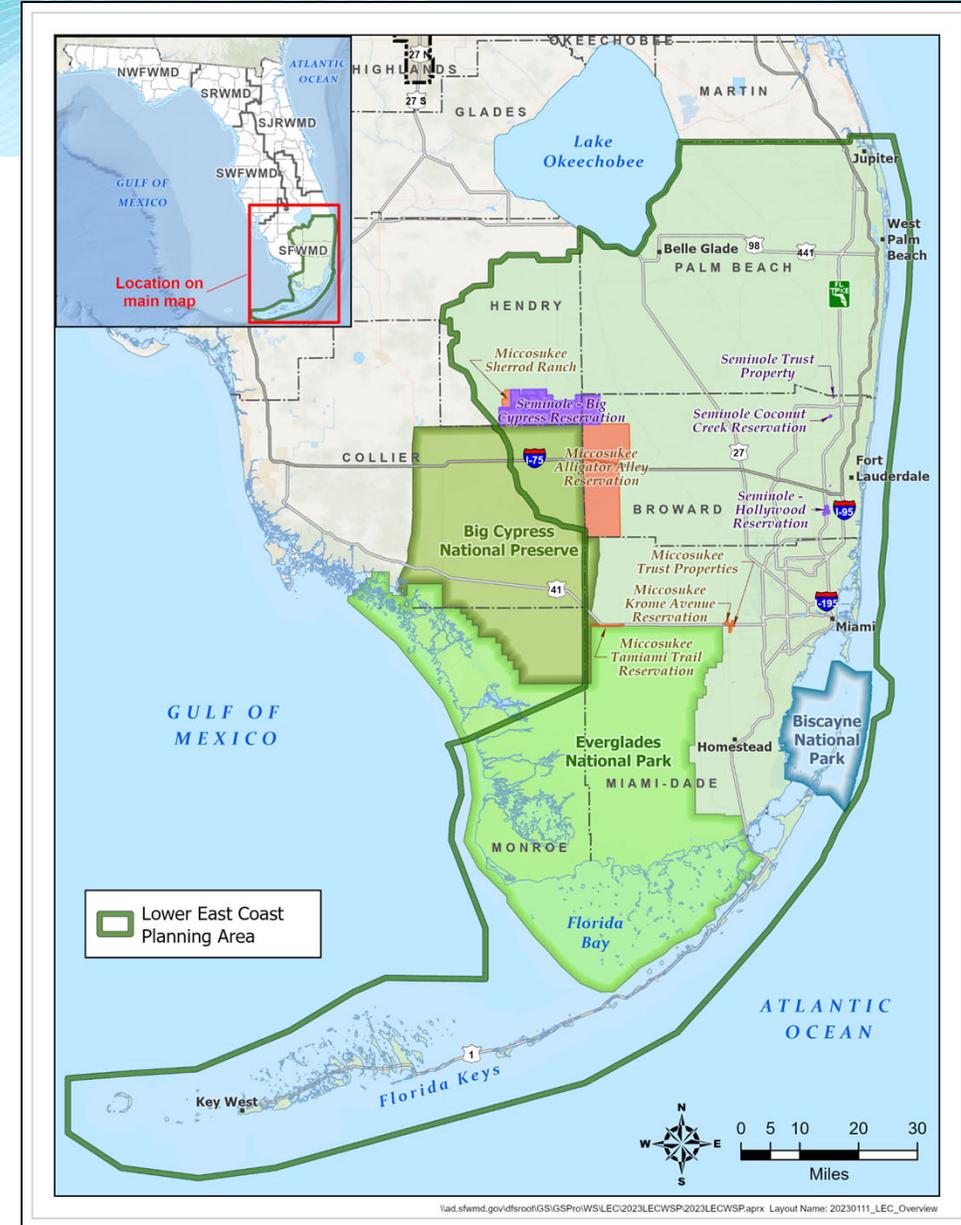
➤ Gross water demand (mgd)

- 2021 1,854.52
- 2045 2,063.36

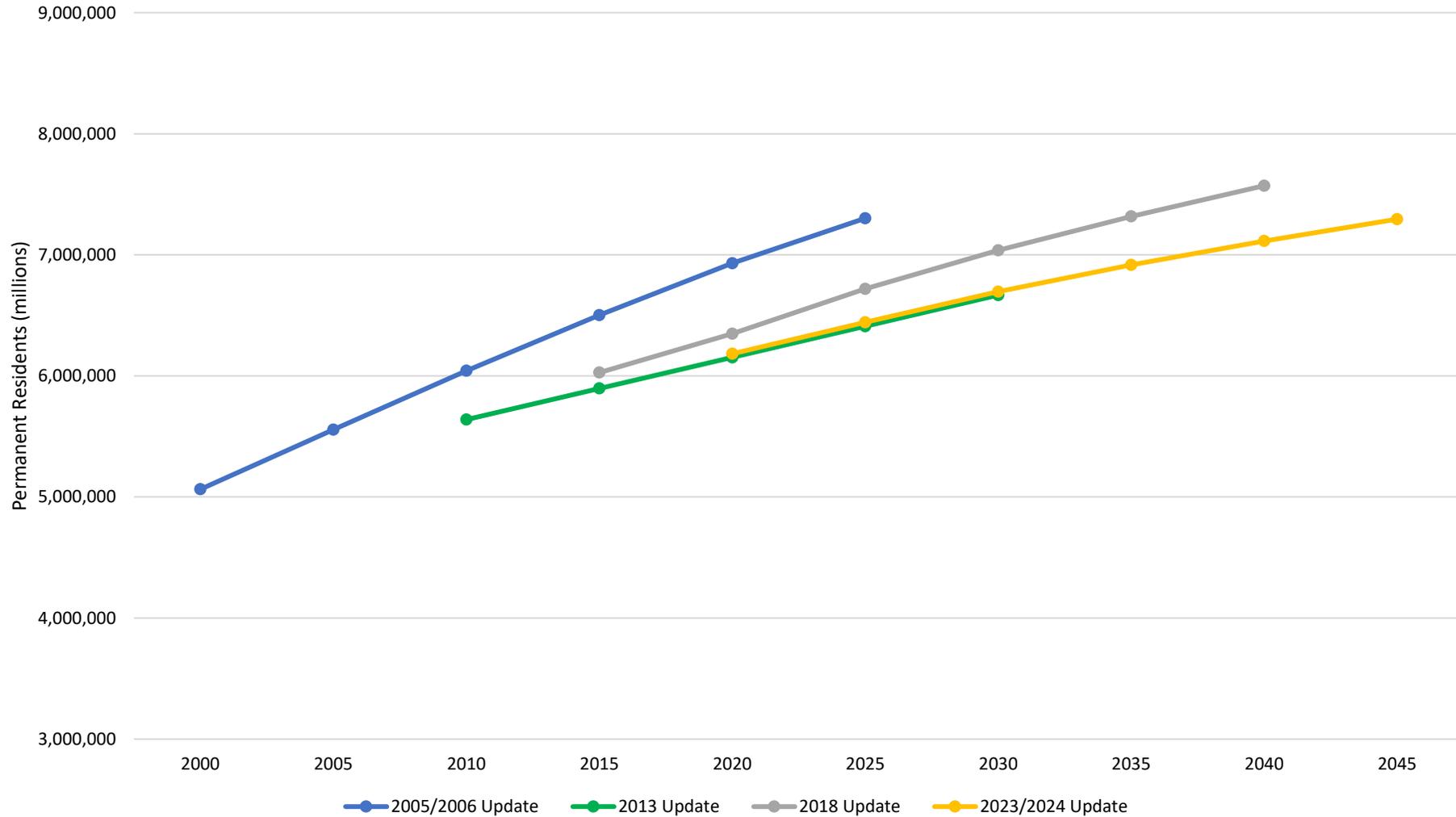
➤ 11% increase

\* Data from University of Florida (UF) Bureau of Economic and Business Research

\*\* Data from Florida Department of Agriculture and Consumer Services



# Population Projections by Plan Update



# Water Resource Considerations

- Limited ability to increase surficial aquifer system use
- Regulatory limitations on surface water availability
- Environmental water needs
- Long-term availability of the Floridan aquifer system
- Climate change and sea level rise



Biscayne Bay, Bill Baggs Cape State Park

# Proposed Lake Okeechobee MFL Revised Recovery Strategy

1. Environmental enhancement projects to be implemented during extreme low lake stages
  - *Native vegetation planting, sediment scraping, prescribed burns, etc.*
2. Regulatory criteria for consumptive uses of lake water
  - *Lake Okeechobee Service Area (LOSA) RAA Rule*
3. Water shortage restrictions
  - *Phases 1 through 4 as needed*
4. Capital projects in support of MFL recovery strategy
  - *Lake Okeechobee Component A Reservoir (LOCAR)*
  - *Lake Okeechobee Watershed Restoration Project (55 ASR wells)*
  - *Central Everglades Planning Project (CEPP) A-2 Reservoir and STA*
  - *CERP Component F*

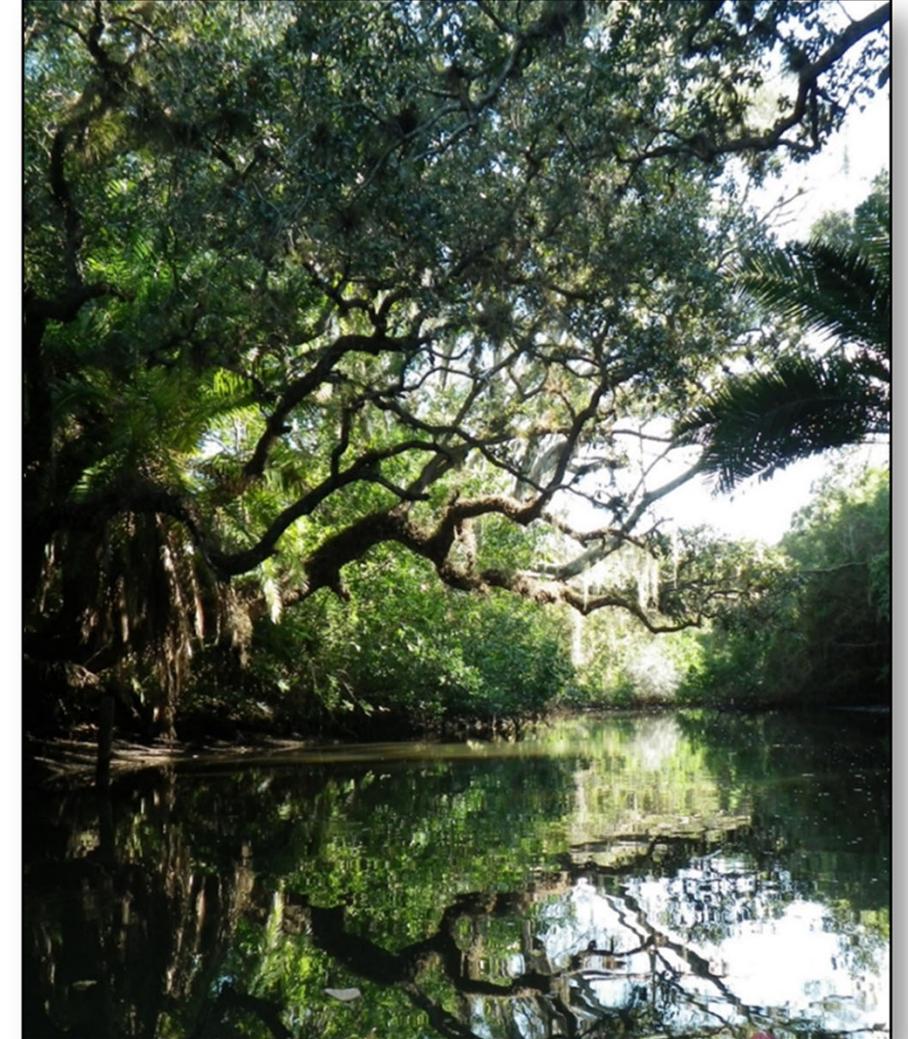
# Written Comments Received on Draft 2023-2024 LECWSP Update From

- Audubon Florida
- Florida Department of Agriculture and Consumer Services
- Florida Farm Bureau
- Florida Power & Light
- Florida Sugar Cane League
- Lake Worth Drainage District
- Palm Beach County Water Resources
- Seminole Tribe of Florida
- Southeast Florida Utility Council (SEFLUC)
- Various Public Supply Utilities



# Summary of Comments Received

- LOSOM
  - Water supply availability
  - Water control plan operational flexibility
- Lake Okeechobee MFL and Recovery Strategy
- Population and demand projections
- Water conservation
- Increased water needs for treatment of Per- and Polyfluoroalkyl Substances (PFAS)



# Plan Conclusion



Loxahatchee Slough (Photo Credit: John Math)

The future water supply and ecosystem needs of the region can continue to be met through the 2045 planning horizon with appropriate management, conservation, and implementation of projects in this 2023-2024 LEC Plan Update.

# Regional and Local Planning Linkage

After the District Governing Board approves the water supply plan update:

- Local governments must amend their Comprehensive Plan to update their Water Supply Facilities Work Plan within 18 months of the plan update's approval
- Local governments, in coordination with utilities, identify the projects to be developed
- Utility annual progress reports due in November



Miami - Biscayne Bay

# Staff Recommendation



Enter a Final Order approving the  
2023-2024 Lower East Coast  
Water Supply Plan Update

# Public Comment on Discussion Agenda Item #34

If you're participating in person –  
please fill out a comment card and  
hand to a meeting attendant

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

If you're participating via Phone –

\*9 Raises Hand

\*6 Mutes/Unmutes



# Water and Ecological Conditions Summary

## South Florida Water Management District Governing Board Meeting September 12, 2024

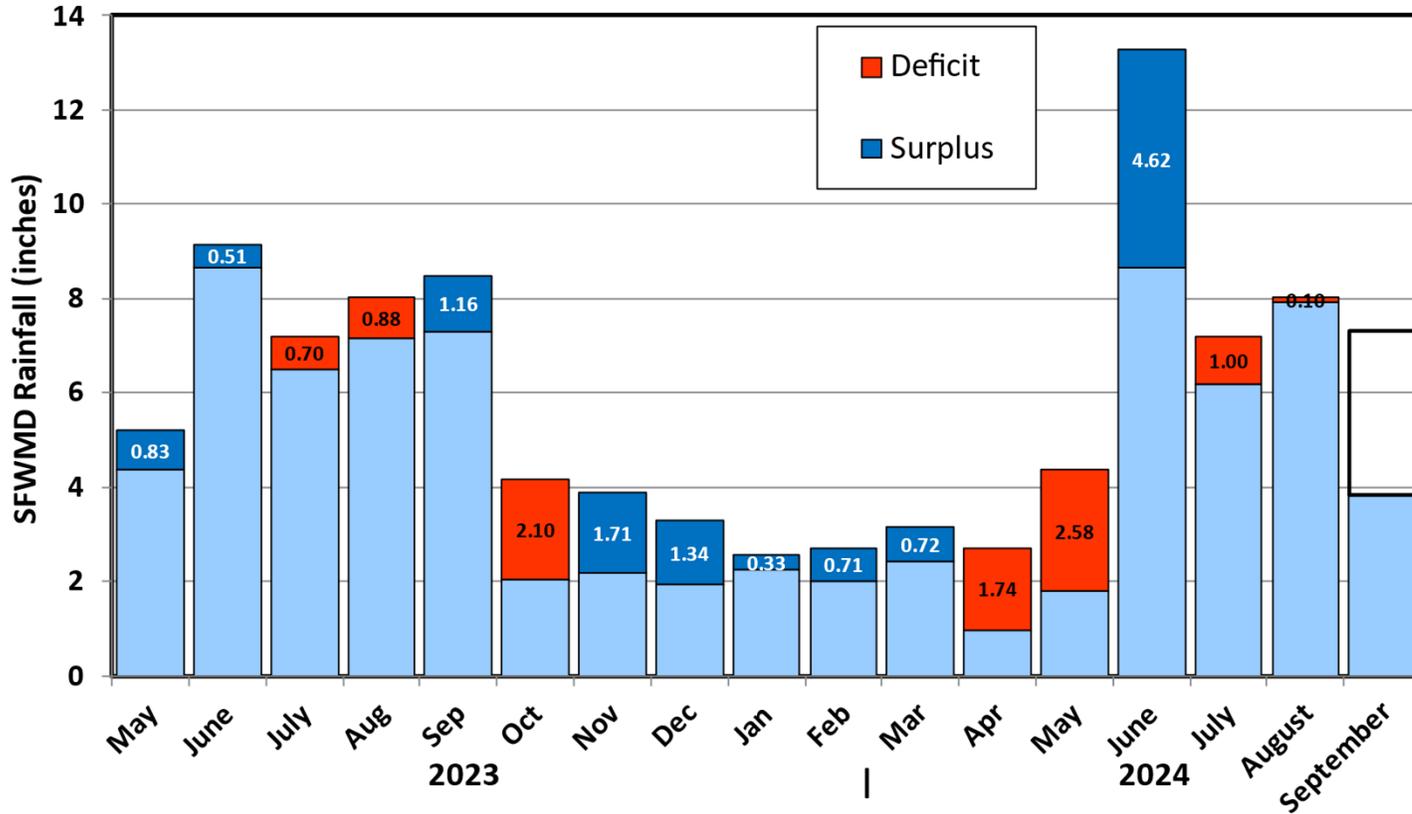


**John P. Mitnik, PE**  
Chief District Engineer  
Assistant Executive Director



**Lawrence Glenn**  
Division Director  
Water Resources

### SFWMD Rainfall Distribution Comparison (May 2023 - September 2024)



**Dry-Season Rainfall**

- Total rainfall 98% of normal since the start of the 2023-24 dry season (01 Oct)
- Oct was dry (~20<sup>th</sup> percentile)
- Nov – Mar were wet (avg. 70<sup>th</sup> percentile) due to a strong El Niño
- April was dry (~15<sup>th</sup> percentile)

**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

**2023 WET SEASON**

- Started 5/14/2023 ended 9/30/2023
- May, June and September were above Normal
- July and August were below Normal
- 8% above Normal overall

**2023-2024 DRY SEASON**

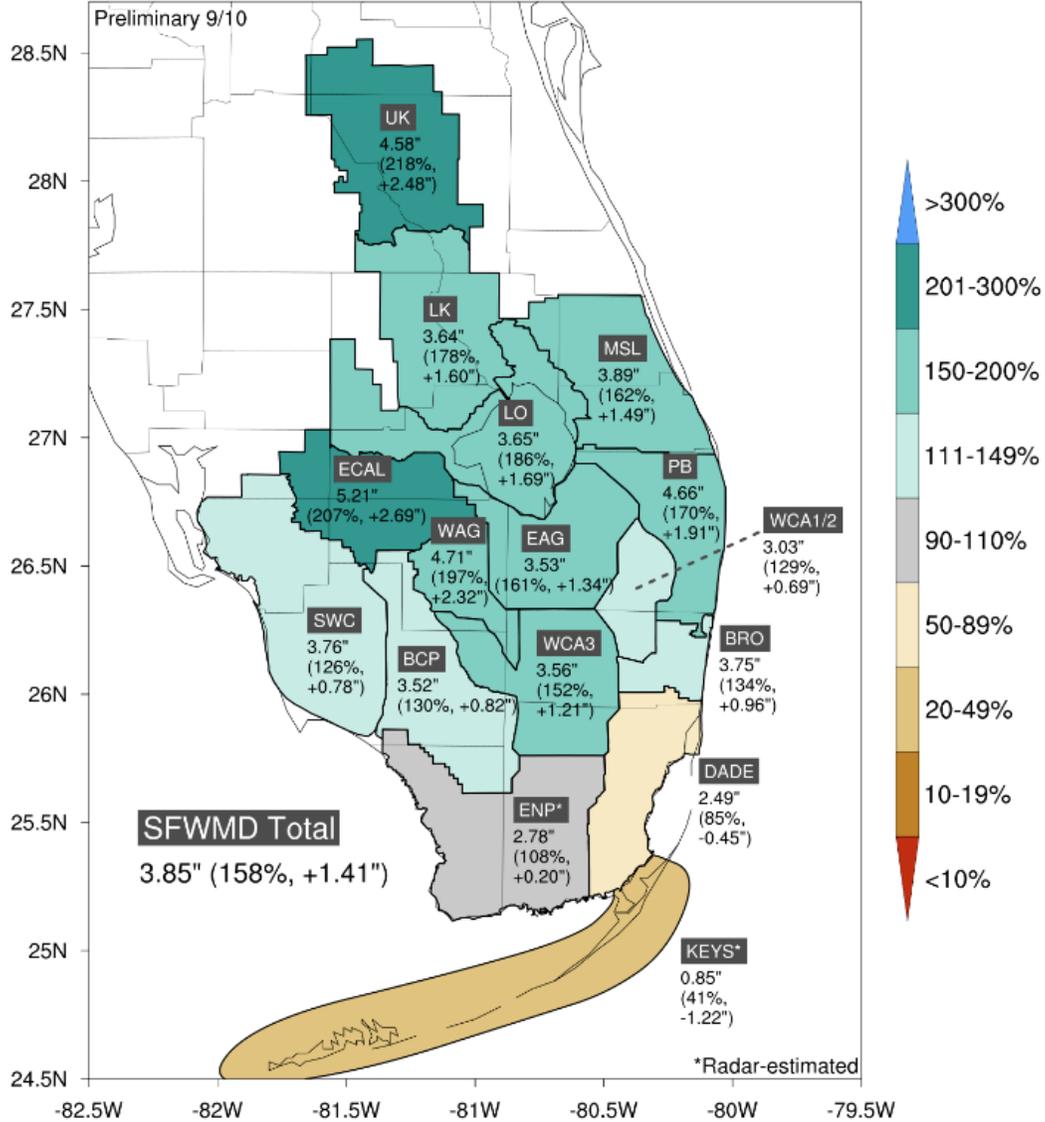
- Started 10/01/2023 ended 5/12/2024
- October 2023 and April 2024 were extremely dry
- Large isolated rainfall events November to March
- November 2023 through March 2024 above normal

**2023 WET SEASON**

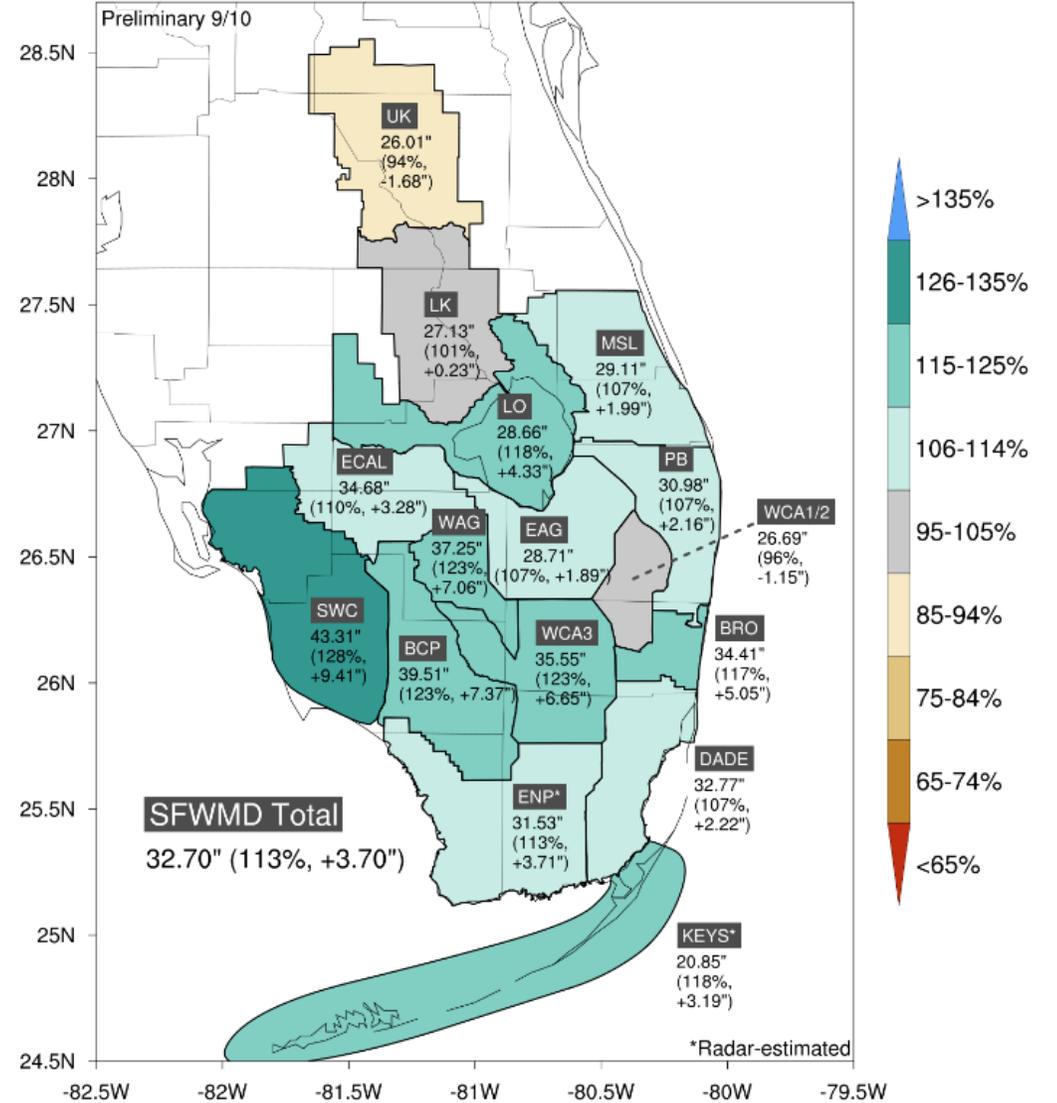
- Total rainfall 110% of normal (13 May – present)
- May rainfall under 10th percentile
- June finished above 90th percentile
- July finished near 30th percentile
- August near normal



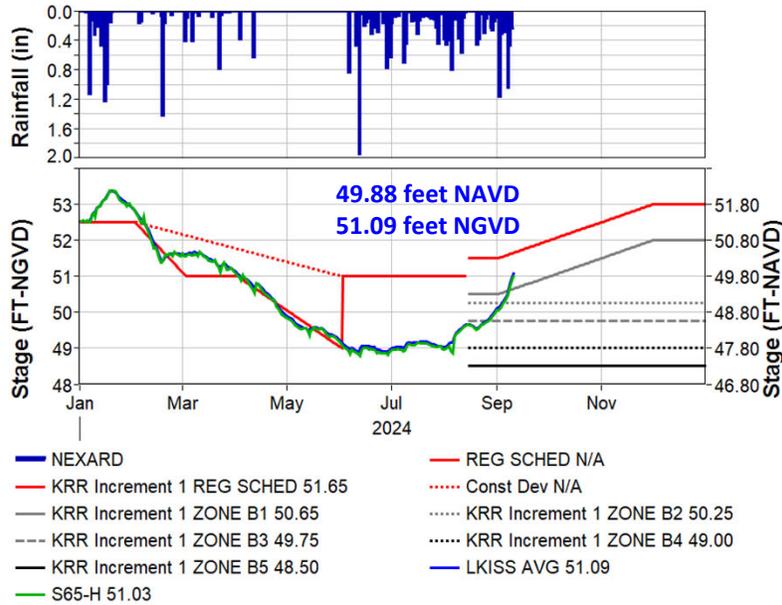
**September 2024 (9/1/24 to 9/10/24)**  
 Rainfall, Percent of Normal, and Departures



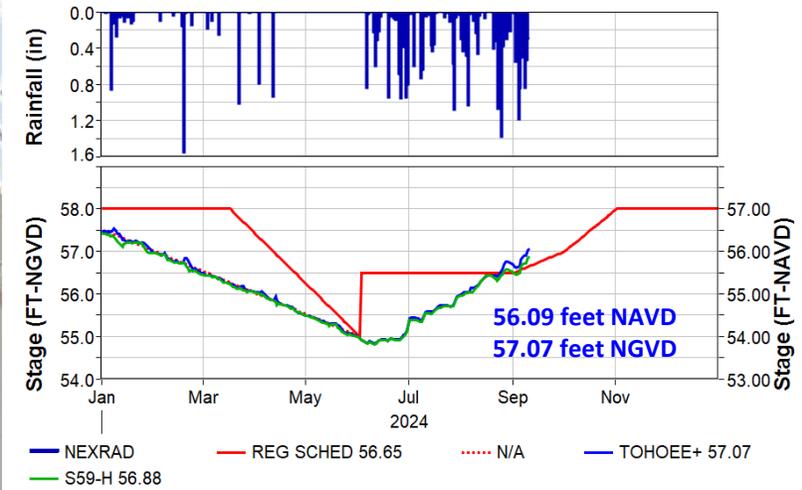
**2024 Dynamic Wet Season (5/13/24 to 9/10/24)**  
 Rainfall, Percent of Normal, and Departures



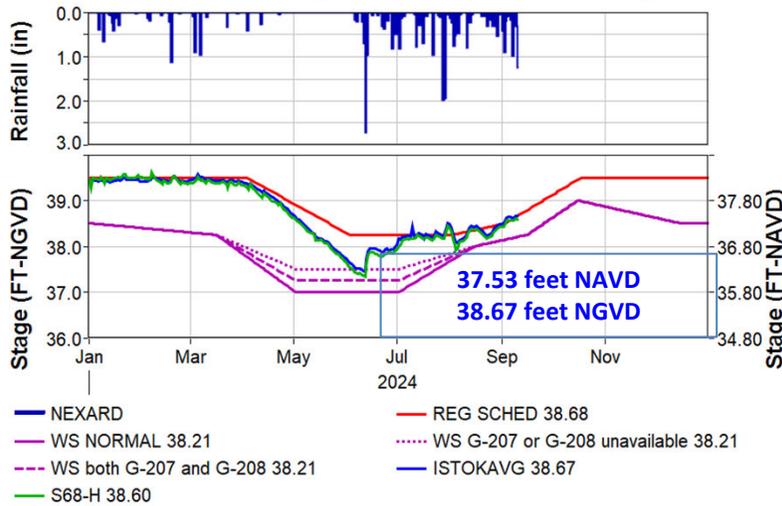
### Lake Kissimmee (10 September 2024)



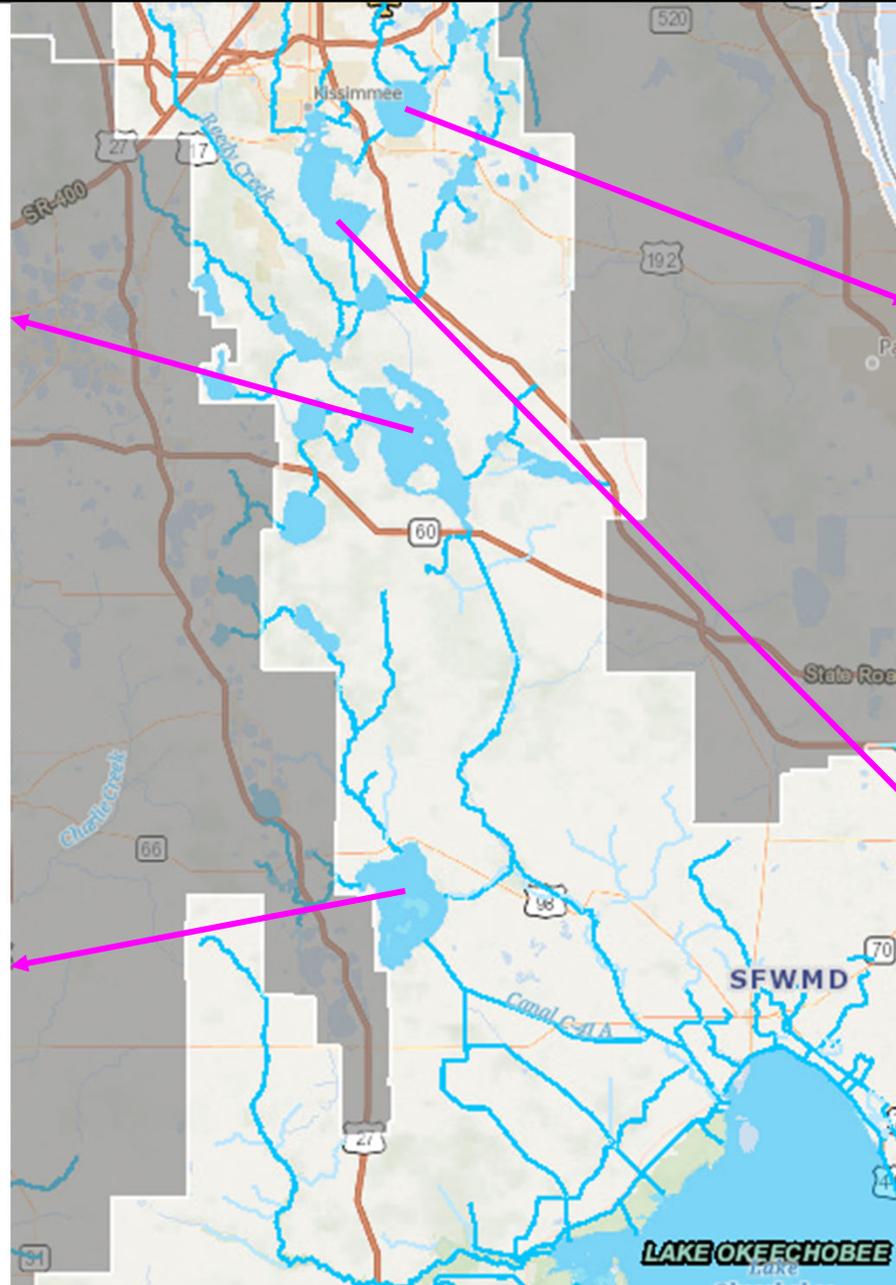
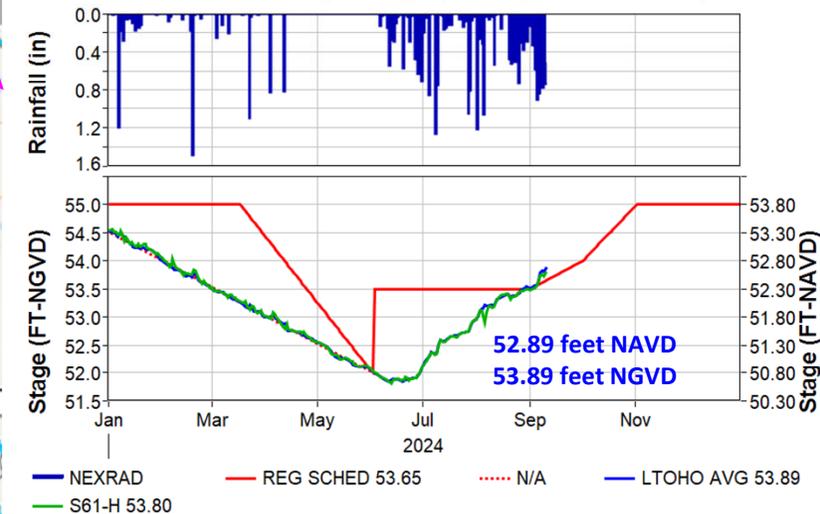
### Lake East Tohopekaliga (10 September 2024)



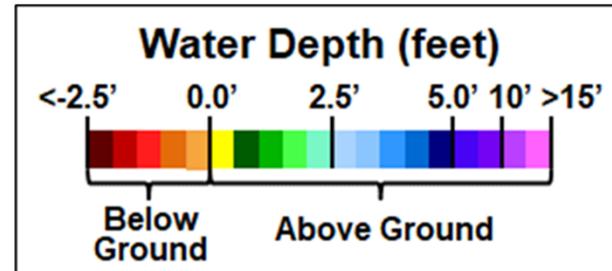
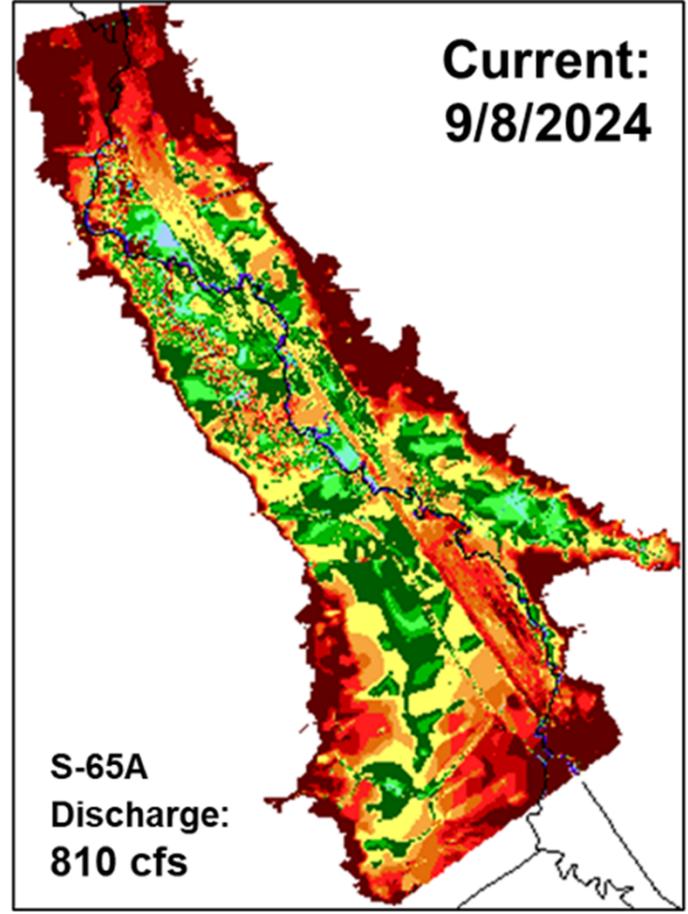
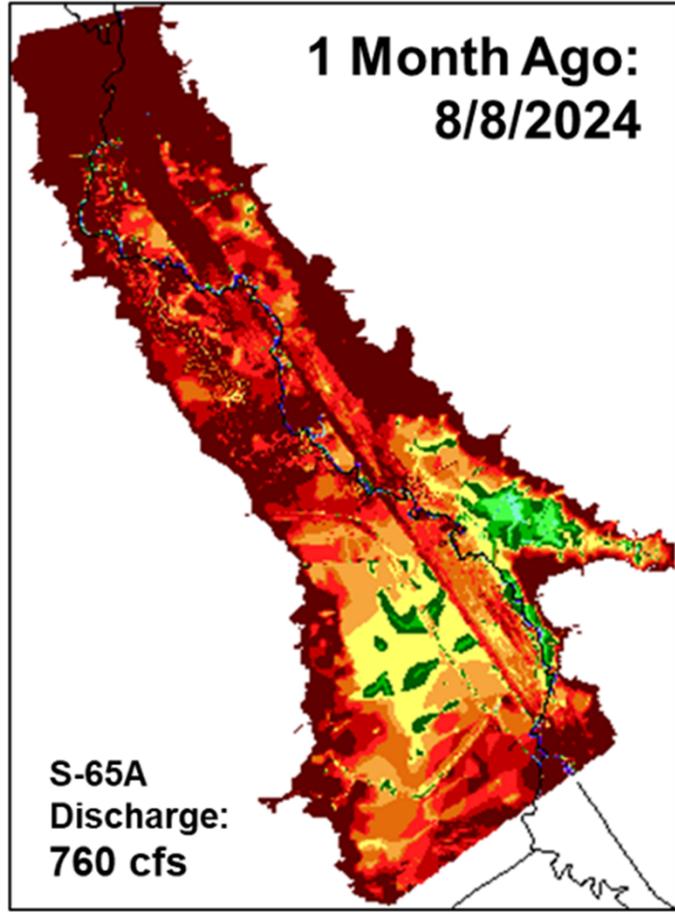
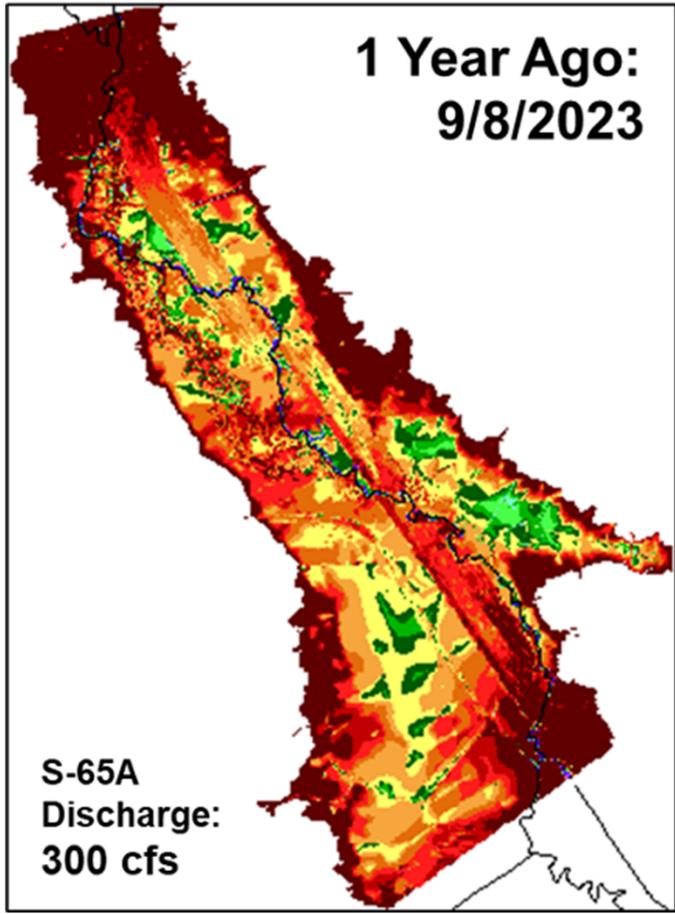
### Lake Istokpoga (10 September 2024)



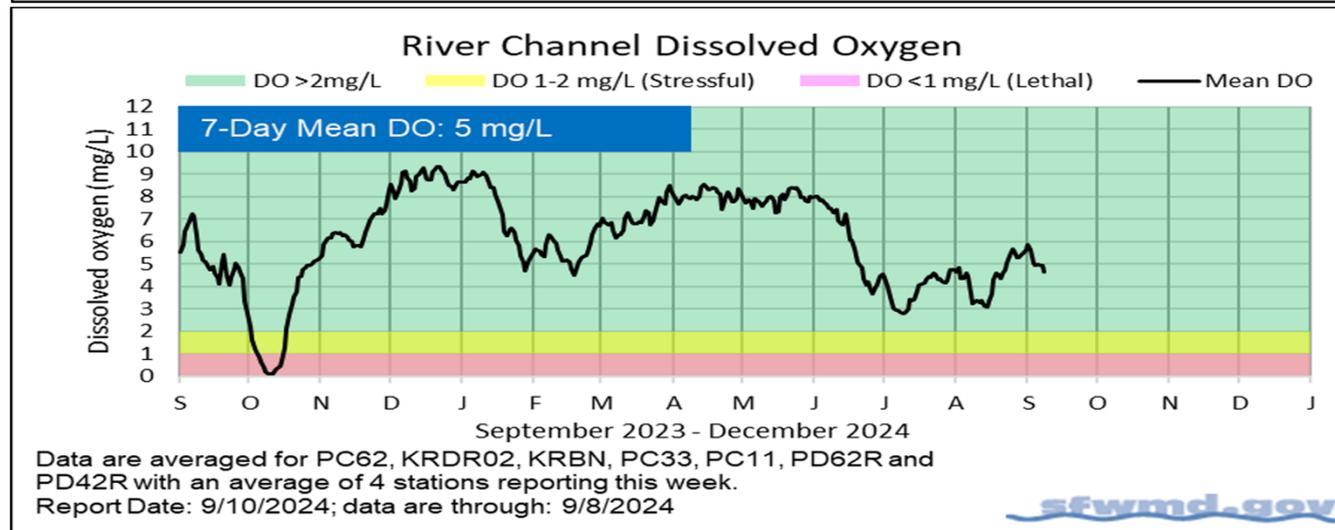
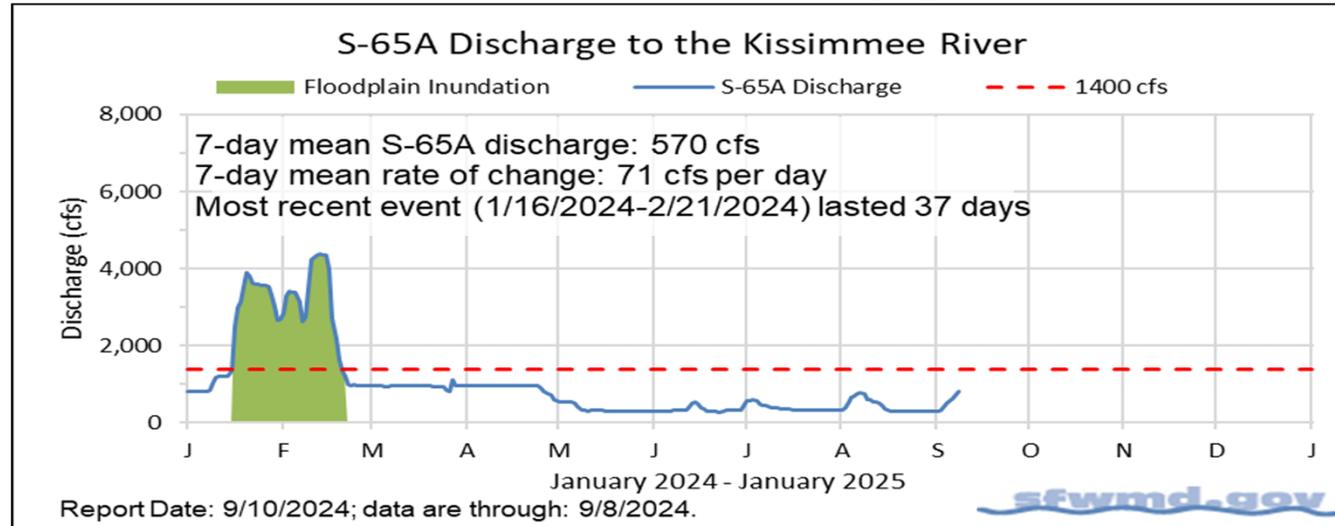
### Lake Tohopekaliga (10 September 2024)

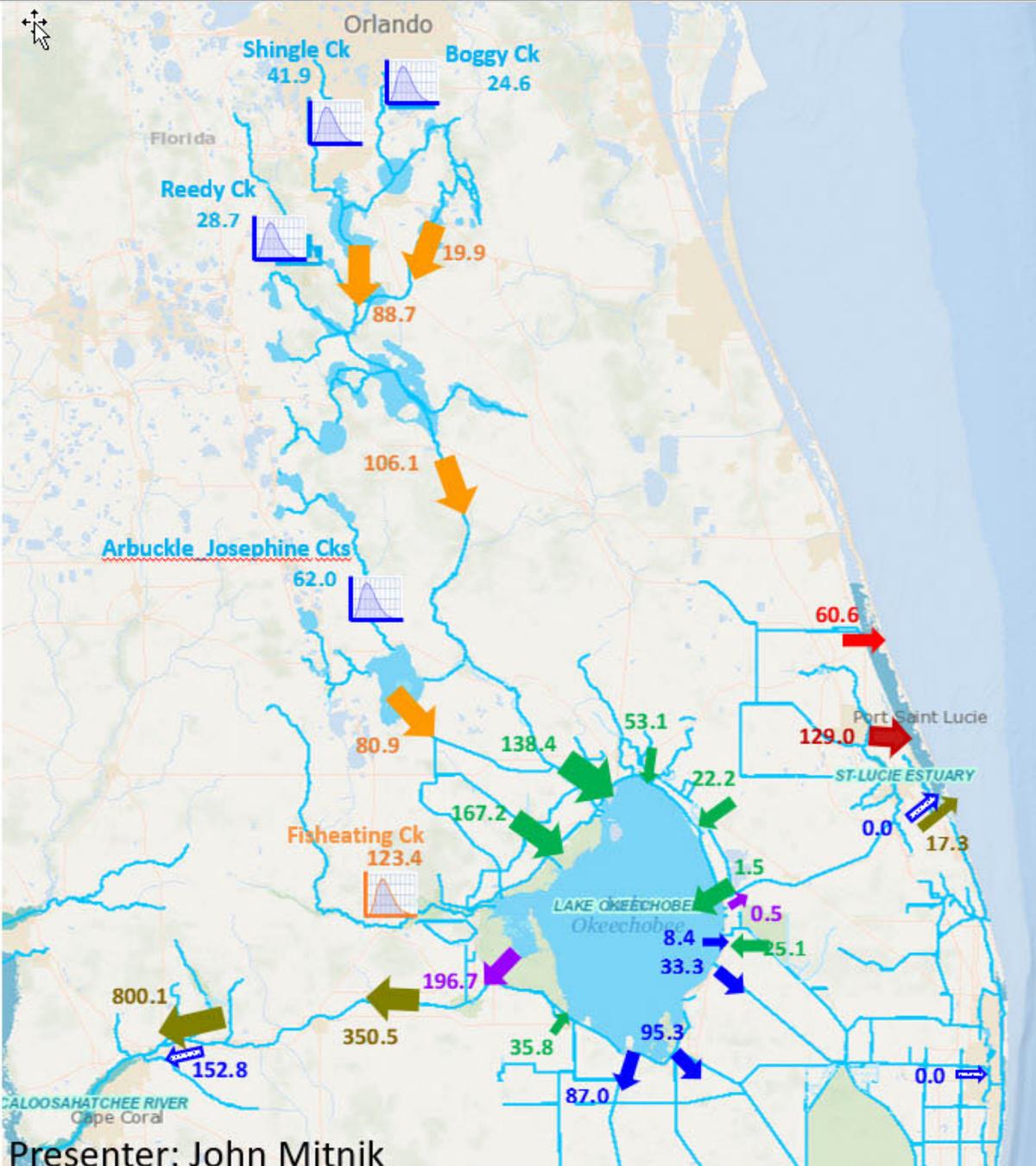


# Kissimmee River Floodplain Inundation



# Kissimmee River Discharge and Dissolved Oxygen



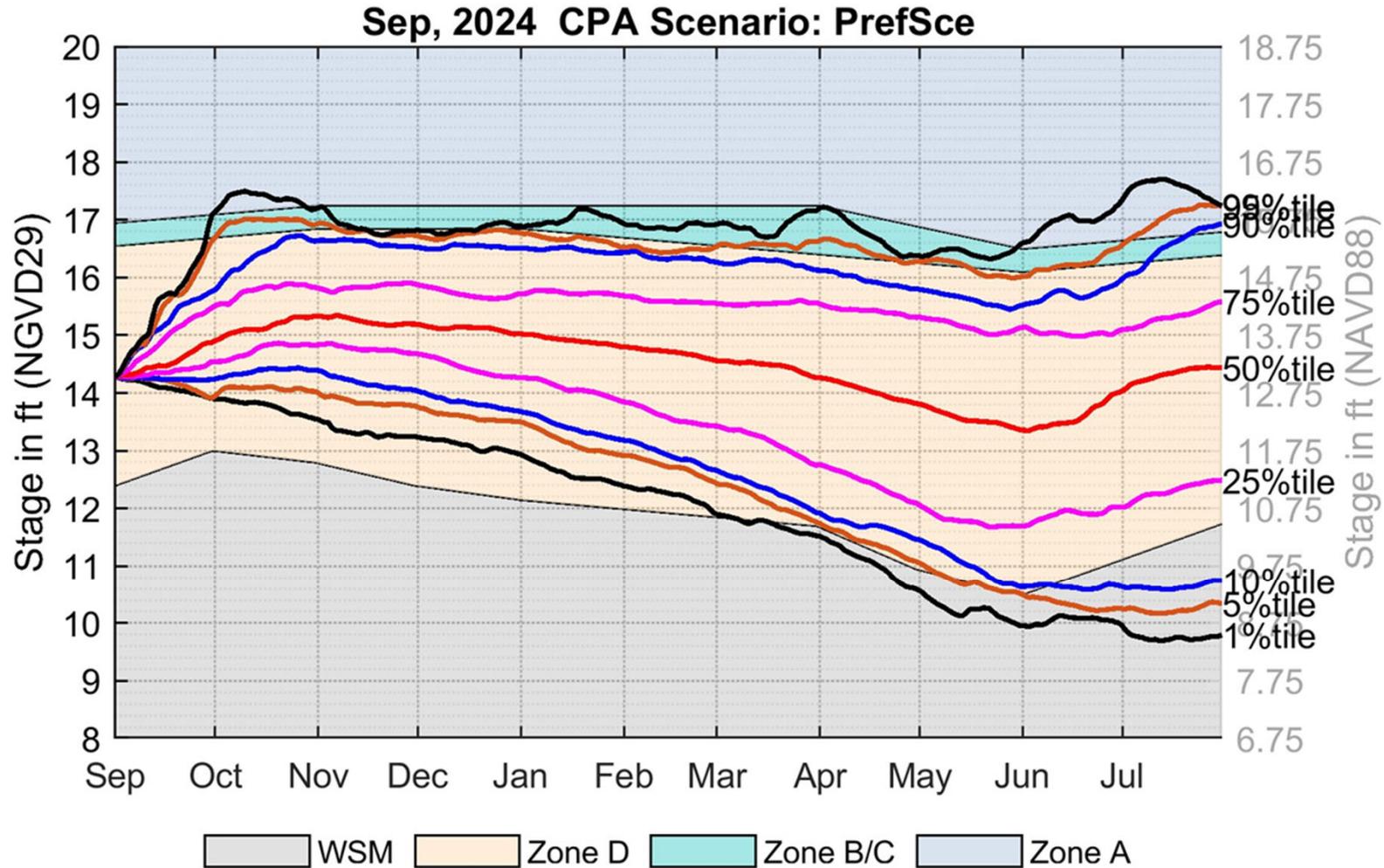


**SFWMD – Selected Release Volumes for the Period May 1, 2024 to September 10, 2024**  
(volumes in 1,000 acre-feet)

Symbol	Description	Volume (1,000 acre-feet)	
		WYR 2025	Last Month
	Upper Kissimmee to Lower Kissimmee	106.1	27.4
	Inflows to Lake Okeechobee (including Fisheating Creek)	566.7	240.4
	Lake Releases and Basin Runoff	817.4	199.8
	Lake Releases East and West	197.2	5.9
	Lake Flood Control to Estuaries	152.8	5.9
	Total Lake Releases South	224.0	0.9
	Releases to Indian River Lagoon	60.6	22.4
	Upper East Coast discharges to St. Lucie Estuary	129.0	48.7
	Uncontrolled flows - Creeks (does not include Fisheating Creek)	157.2	85.0

**1,000 acre-feet = 325.9 Million Gallons**

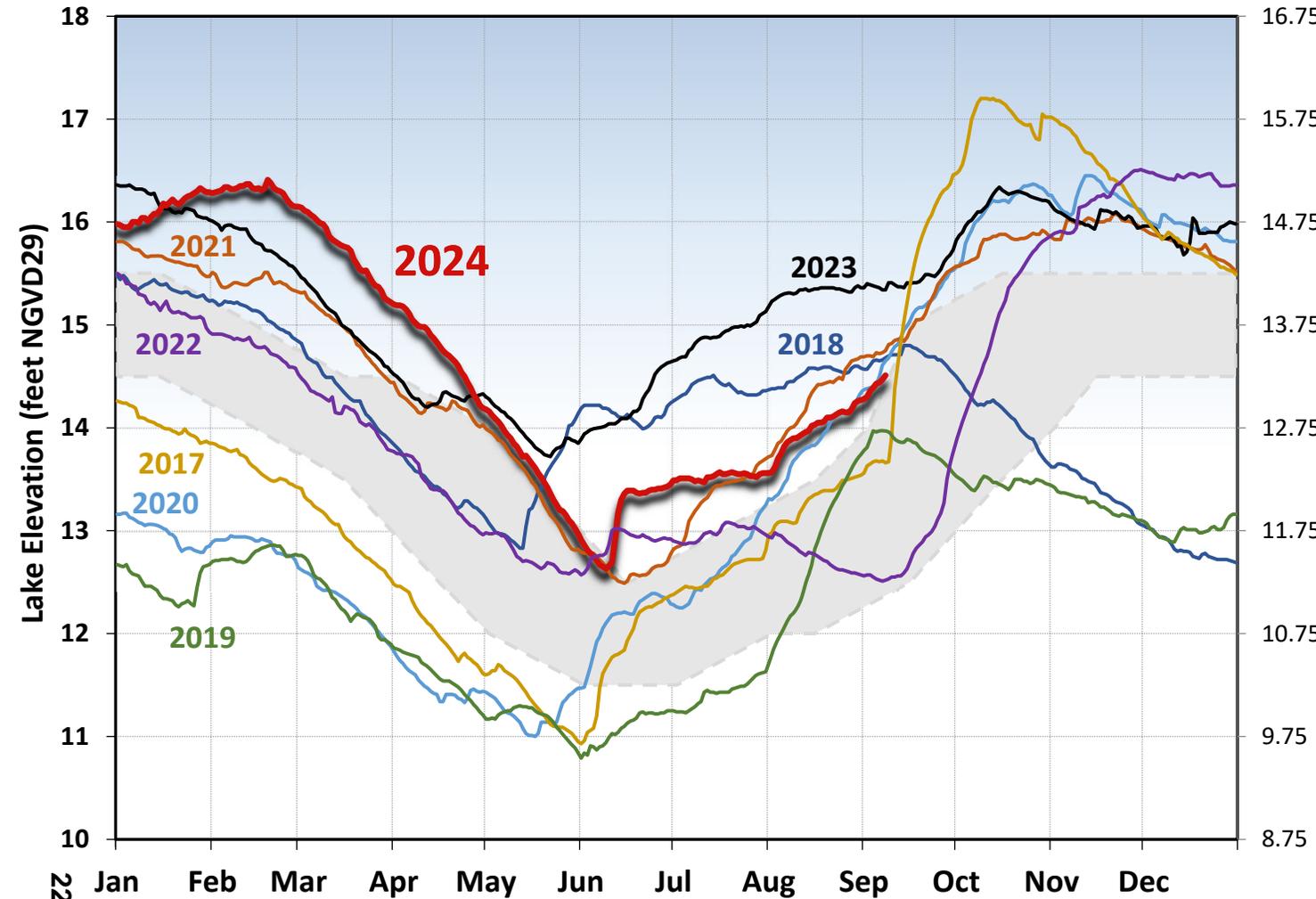
# Conditional Position Analysis (CPA) LOK



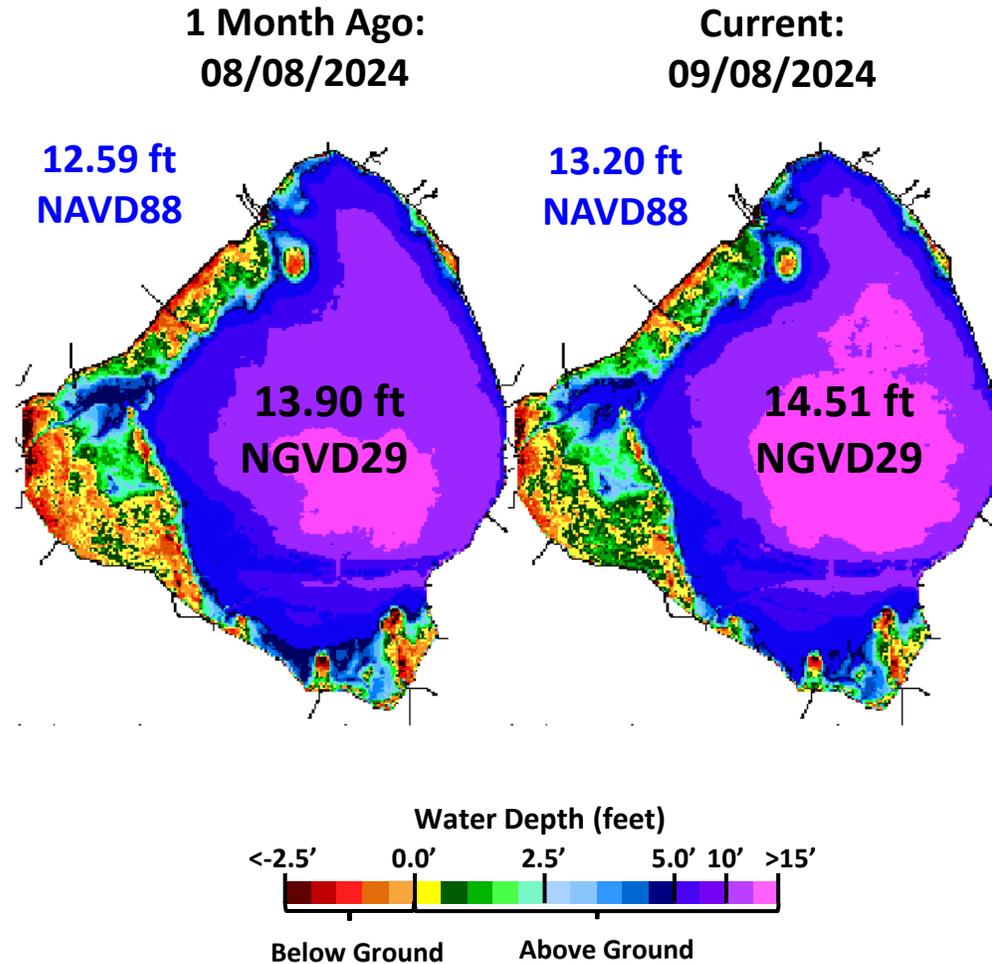
- Conditional Position Analysis (CPA) improves DPA predicted stages by taking into account the anticipated rainfall conditions.
- Conditional Position Analysis (CPA) is a stochastic technique that utilizes robust and well-established approaches, such as Monte Carlo simulation and NonLinear Programming, to correctly apply the rainfall to stage Transition Probability Matrix and recognize non-unique solutions.

# Ecological Envelope and Water Depths

## Lake Okeechobee Stage vs Ecological Envelope

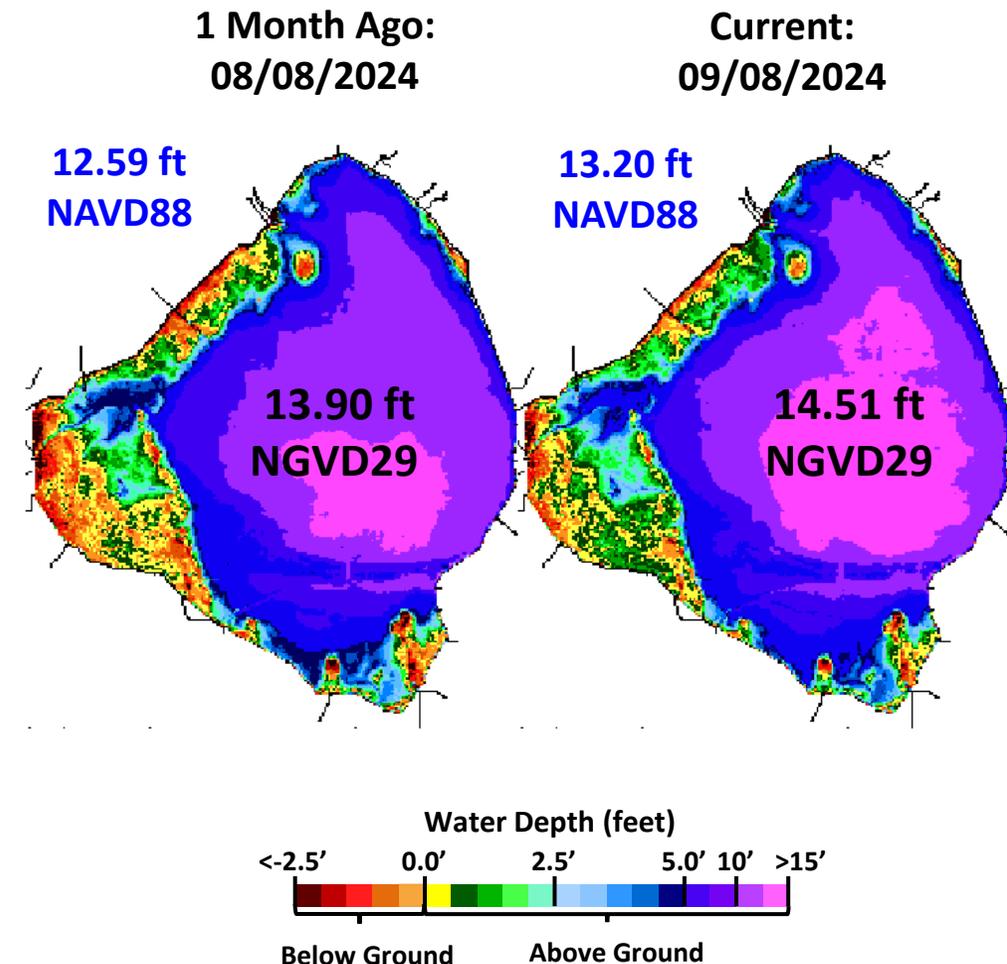
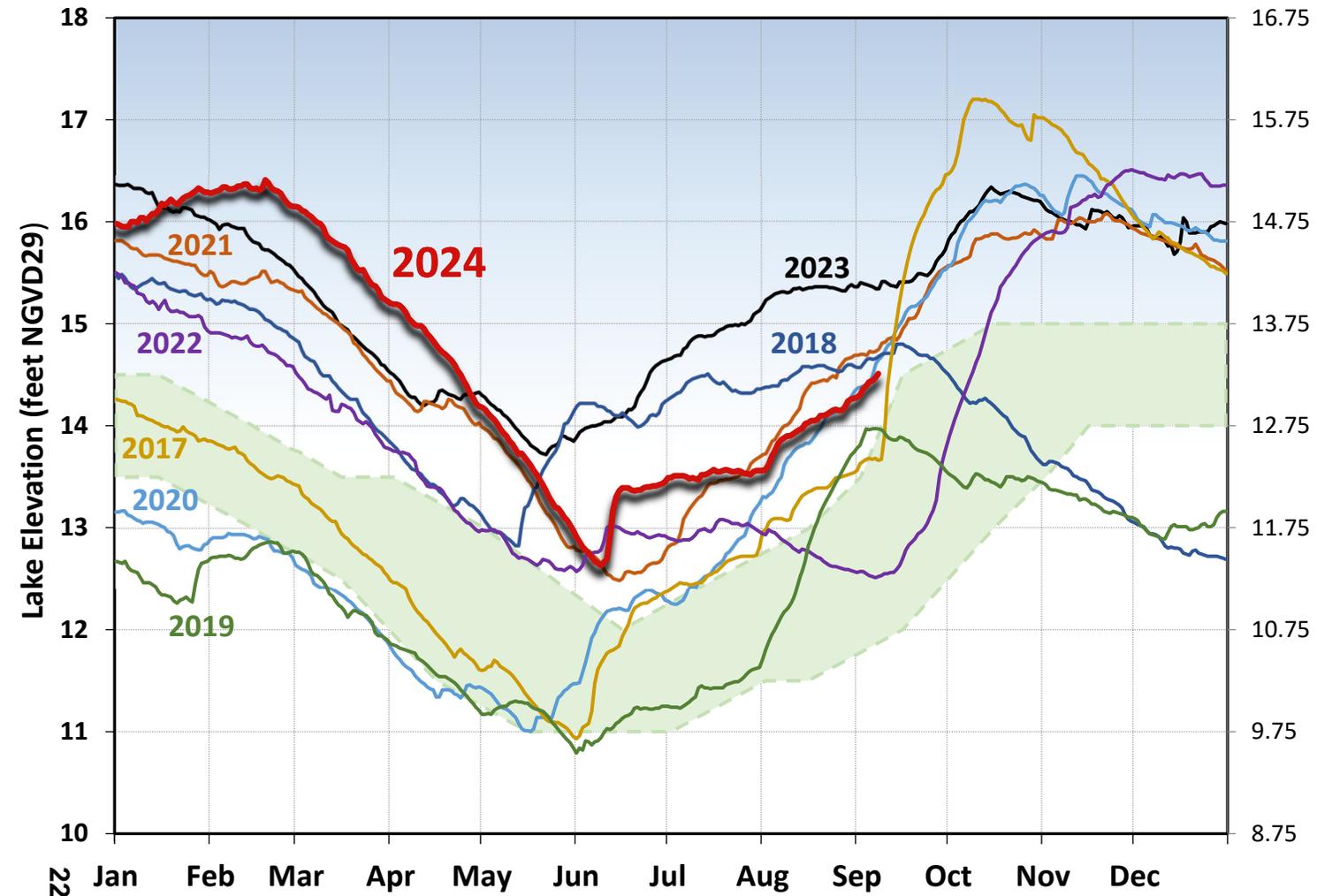


Presenter: Lawrence Glenn



# Ecological Envelope and Water Depths

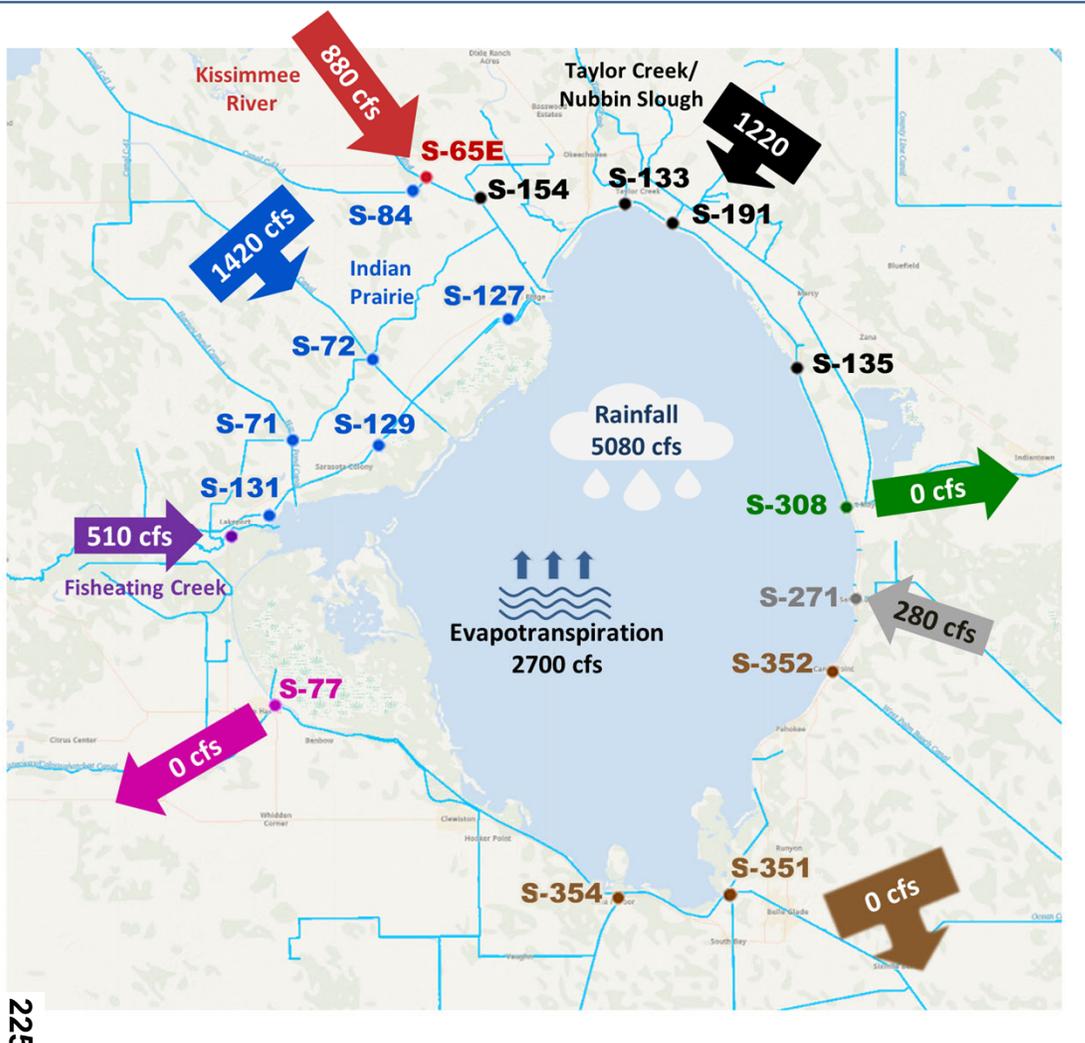
Lake Okeechobee Stage vs Recovery Ecological Envelope



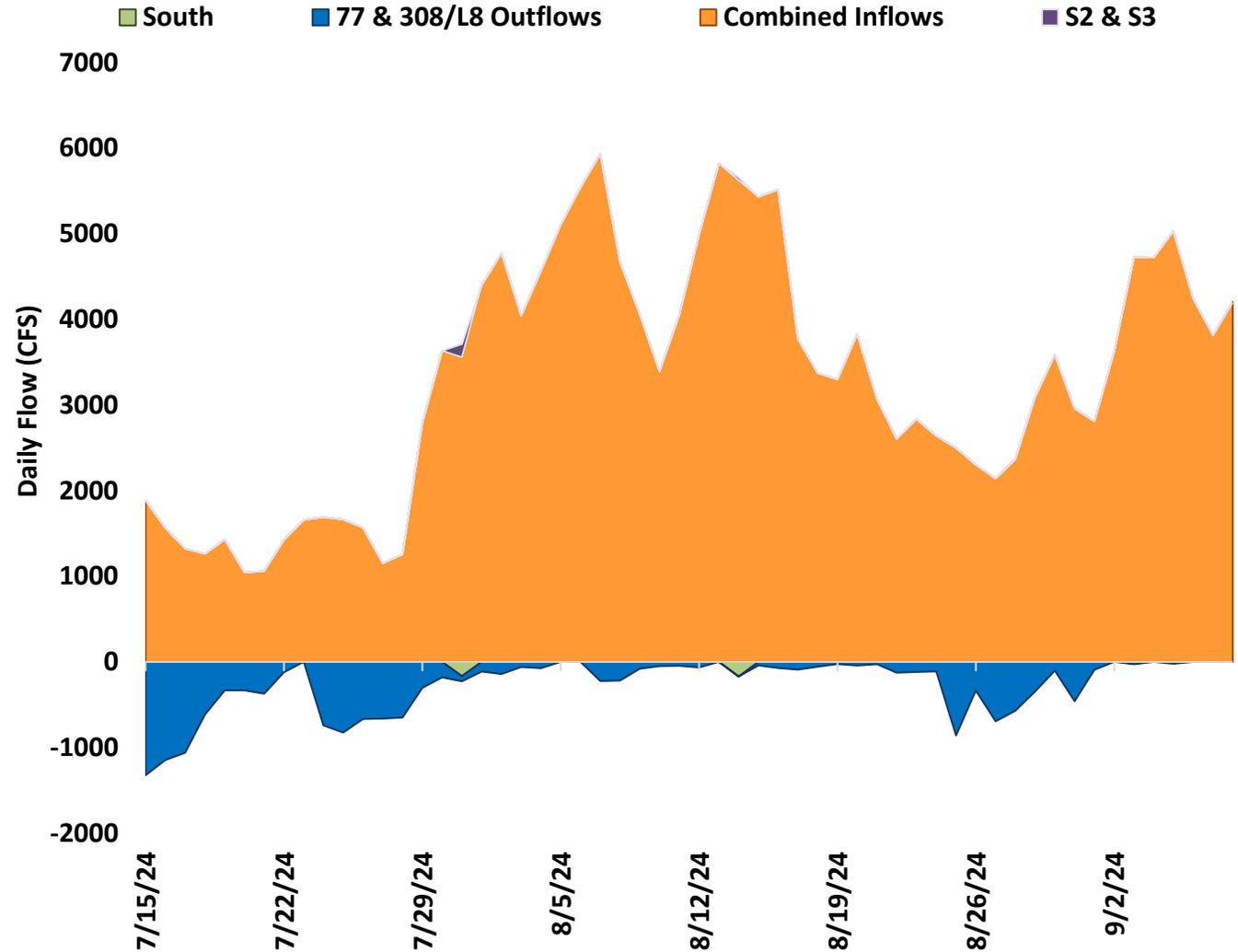
# Lake Okeechobee Hydrology

(\*Provisional Data)

September 02 – 08, 2024 Inflows and Outflows

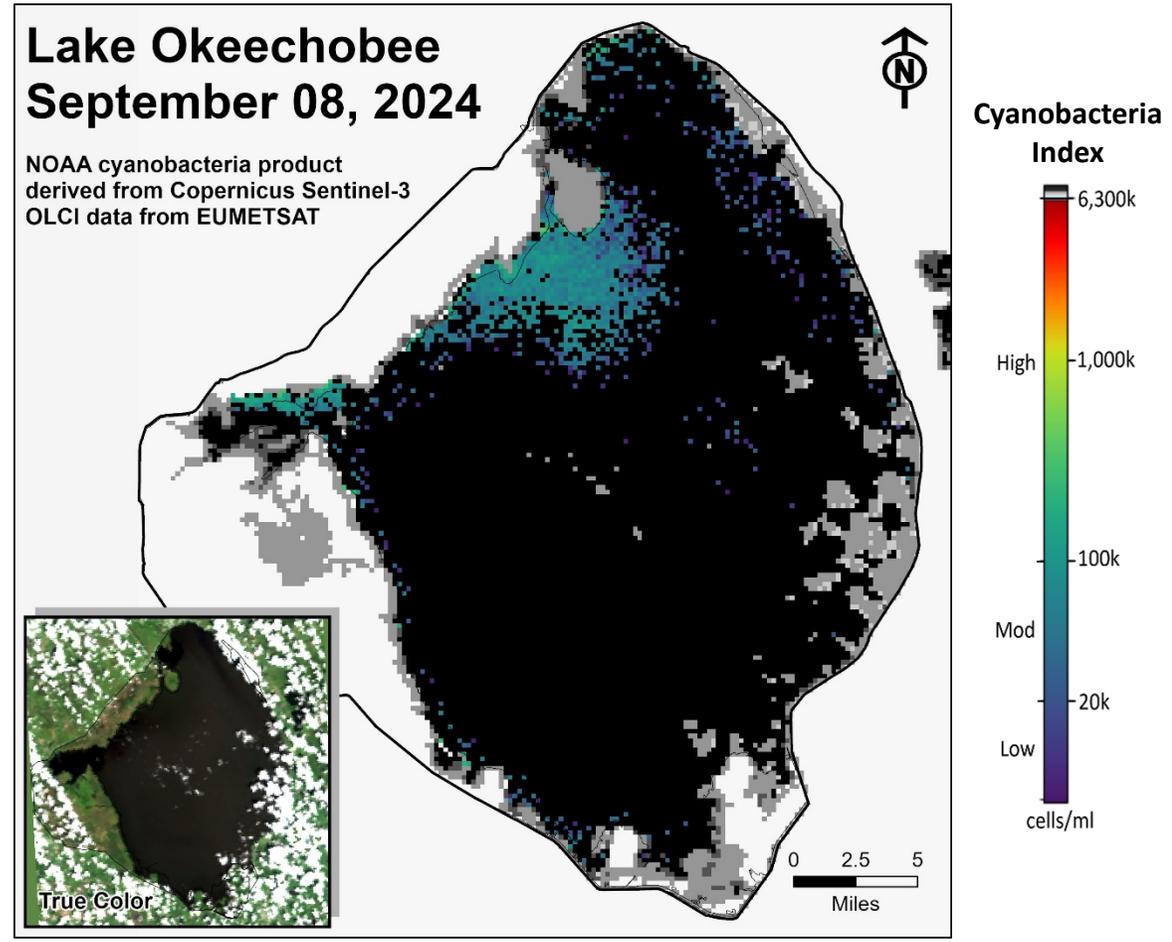
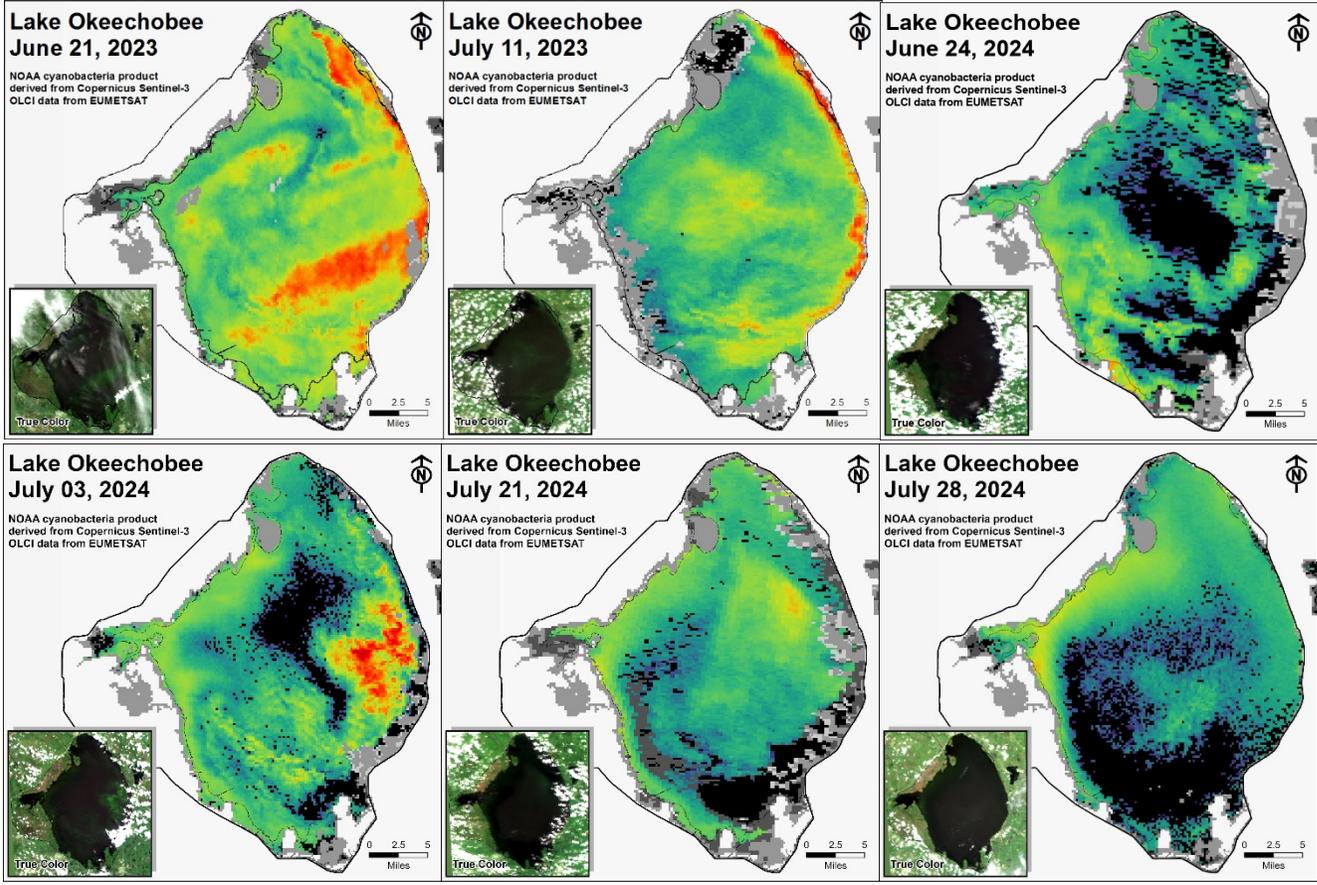


Prior 8 Weeks Inflows and Outflows



# Lake Okeechobee

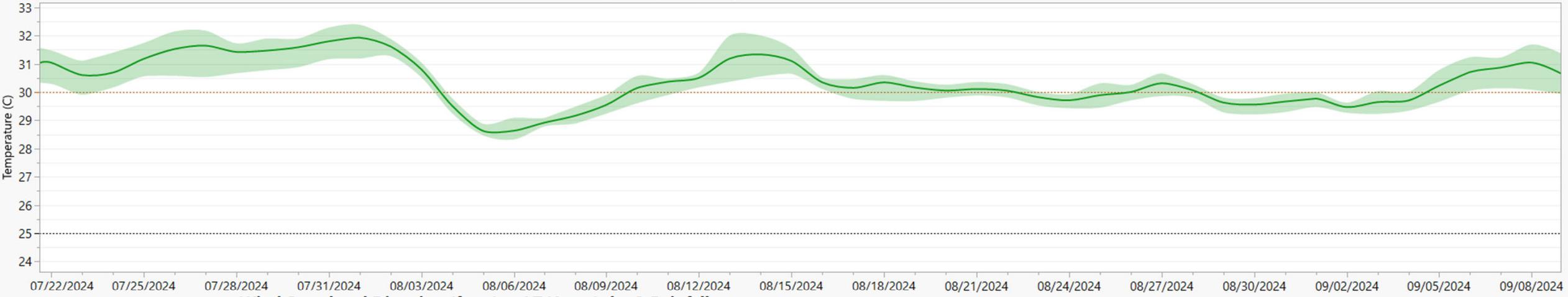
## Cyanobacteria Bloom Distribution and Intensity



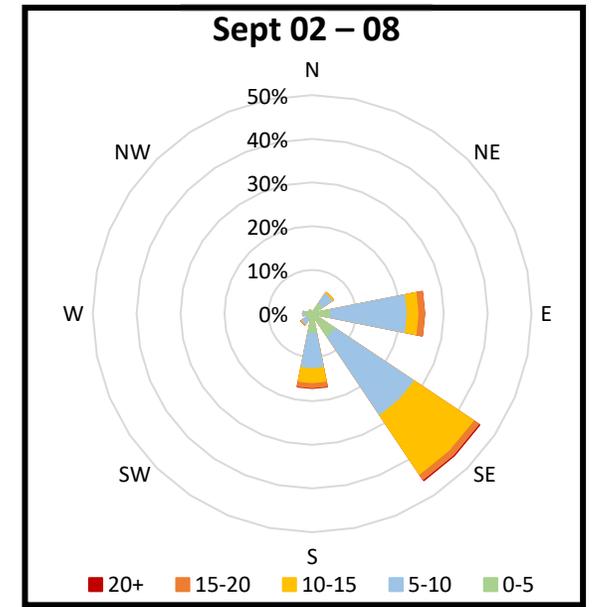
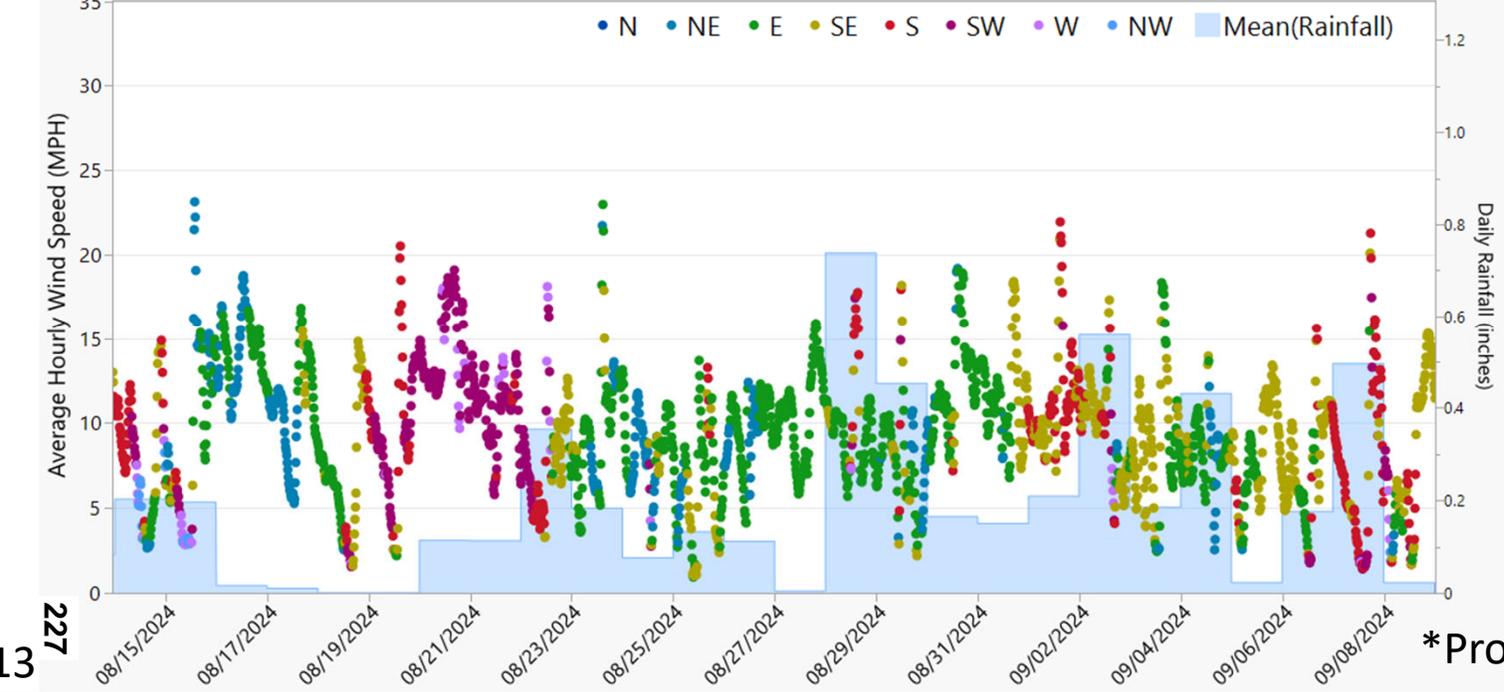
NOAA cyanobacteria product derived from Copernicus Sentinel-3 OLCI data from EUMETSAT

# Lake Okeechobee Wind, Precipitation, and Temperature Patterns

Daily Mean (& IQR) Temperature from Lake O Platform Stations



Wind Speed and Direction (from) at LZ40 + Lake O Rainfall



\*Provisional Data\*

# Lake Okeechobee

## Chlorophyll *a*, Total Microcystins, and Dominant Taxa

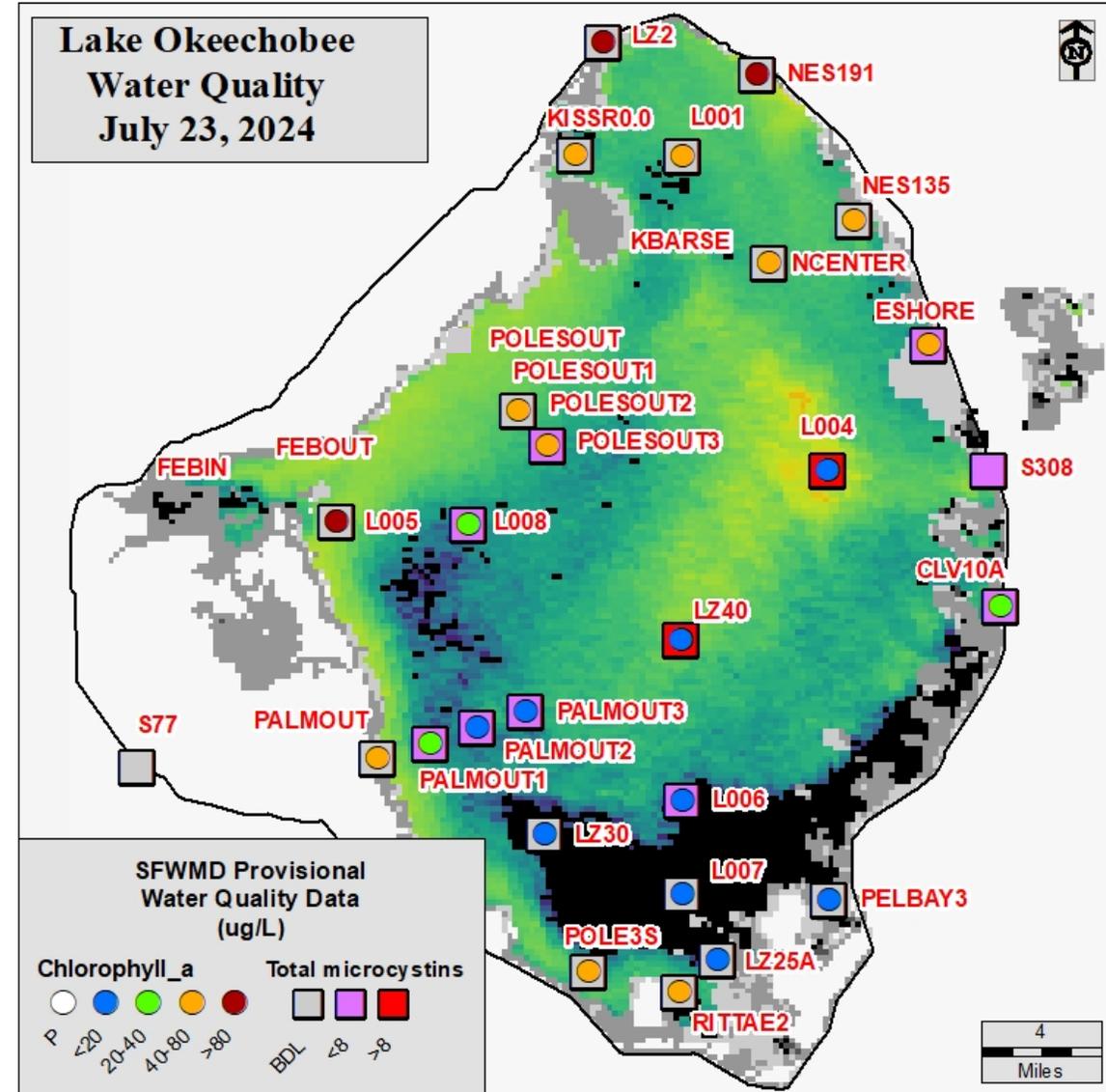
Collection Date: July 22-24, 2024

Station	CHL <i>a</i> (ug/L)	TOXIN (ug/L)	TAXA
FEBIN			NS
FEBOUT			NS
KISSR0.0	46.3	BDL	Raphidio
L005	86.4	BDL	Micro/Dolic
LZ2	81.4	BDL	mixed
KBARSE			NS
RITTAE2	54.3	BDL	Microcys
PELBAY3	4.4	BDL	mixed
POLE3S	74.2	BDL	mixed
LZ25A	10.6	BDL	Micro/Pseud
PALMOUT	47.2	BDL	Microcys
PALMOUT1	20.3	1.3	Microcys
PALMOUT2	12.9	3.0	Micro/Pseud
PALMOUT3	17.3	3.1	Microcys
POLESOUT			NS
POLESOUT1			NS
POLESOUT2	79.4	BDL	Micro/Dolic
POLESOUT3	58.5	0.3	Microcys
EASTSHORE	55.7	0.5	Microcys
JES135	43.2	BDL	mixed
NES191	152.0	BDL	mixed

Station	CHL <i>a</i> (ug/L)	TOXIN (ug/L)	TAXA
L001	69.8	BDL	mixed
<b>L004</b>	17.8	22.0	Microcys
<b>L006</b>	14.4	1.3	Microcys
L007	3.6	BDL	mixed
<b>L008</b>	26.4	3.4	Microcys
LZ30	7.0	BDL	Microcys
<b>LZ40</b>	17.0	8.8	Microcys
CLV10A	22.7	1.2	Microcys
<b>NCENTER</b>	56.8	BDL	Microcys
S308C		0.4	Microcys
<b>S77</b>		BDL	mixed

- > SFWMD considers >40 µg/L Chlorophyll *a* (Chl*a*) an algal bloom
  - > BDL – Below Detectable Limit of 0.25 µg/L
  - > ND – No Dominant taxa
  - > P – Pending (white squares)
  - > 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;  
 Pseud = Pseudanabaena; Raphi = Raphidiopsis

14 Presenter: Lawrence Glenn



# Lake Okeechobee

## Chlorophyll *a*, Total Microcystins, and Dominant Taxa

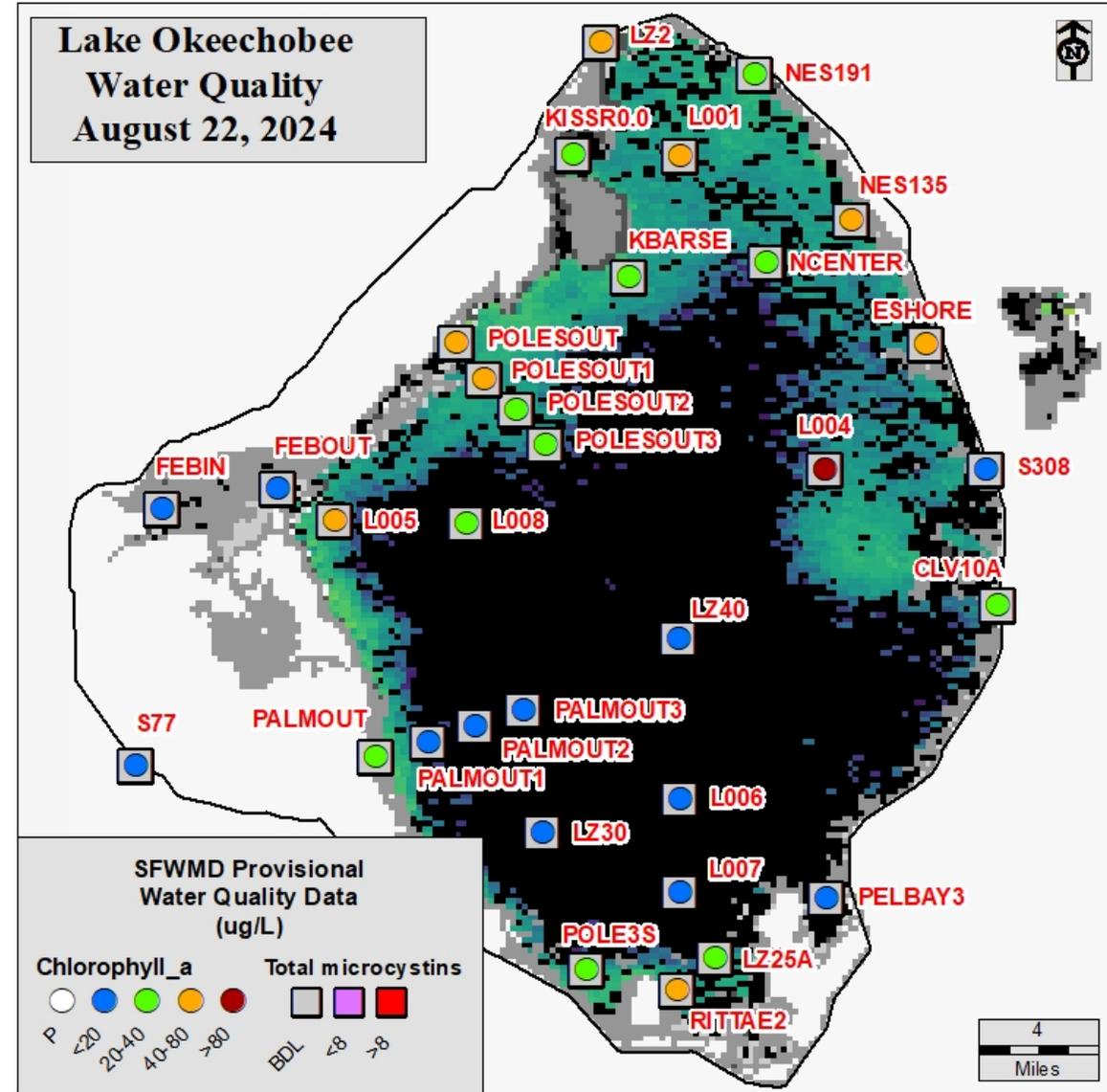
Collection Date: August 19-21, 2024

Station	CHL <i>a</i> (ug/L)	TOXIN (ug/L)	TAXA
FEBIN	3.7	BDL	<i>mixed</i>
FEBOUT	16.0	BDL	<i>mixed</i>
KISSR0.0	<b>37.8</b>	BDL	<i>Microcys</i>
L005	<b>52.6</b>	BDL	<i>Micro/Raphi</i>
LZ2	<b>43.2</b>	BDL	<i>Micro/Raphi</i>
KBARSE	<b>38.5</b>	BDL	<i>Microcys</i>
RITTAE2	<b>73.3</b>	BDL	<i>Micro/Dolic</i>
PELBAY3	17.4	BDL	<i>mixed</i>
POLE3S	<b>26.8</b>	BDL	<i>Micro/Dolic</i>
LZ25A	<b>31.9</b>	BDL	<i>mixed</i>
PALMOUT	<b>31.0</b>	BDL	<i>Dolichos</i>
PALMOUT1	9.1	BDL	<i>Micro/Dolic</i>
PALMOUT2	5.2	BDL	<i>mixed</i>
PALMOUT3	7.5	BDL	<i>mixed</i>
POLESOUT	<b>48.1</b>	BDL	<i>Microcys</i>
POLESOUT1	<b>44.8</b>	BDL	<i>Microcys</i>
POLESOUT2	<b>28.0</b>	BDL	<i>Microcys</i>
POLESOUT3	<b>28.5</b>	BDL	<i>mixed</i>
EASTSHORE	<b>66.5</b>	BDL	<i>Micro/Raphi</i>
JES135	<b>48.6</b>	BDL	<i>Raphidio</i>
NES191	<b>25.1</b>	BDL	<i>Microcys</i>

Station	CHL <i>a</i> (ug/L)	TOXIN (ug/L)	TAXA
L001	<b>42.4</b>	BDL	<i>Raphidio</i>
L004	<b>96.6</b>	BDL	<i>Raphidio</i>
L006	7.7	BDL	<i>mixed</i>
L007	5.4	BDL	<i>mixed</i>
L008	<b>37.0</b>	BDL	<i>mixed</i>
LZ30	5.7	BDL	<i>mixed</i>
LZ40	15.6	BDL	<i>mixed</i>
CLV10A	<b>25.6</b>	BDL	<i>Microcys</i>
NCENTER	<b>25.8</b>	BDL	<i>mixed</i>
S308C	<b>20.0</b>	BDL	<i>Microcys</i>
S77	4.4	BDL	<i>mixed</i>

- > SFWMD considers >40 µg/L Chlorophyll *a* (Chl*a*) an algal bloom
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  - > P – Pending (white squares)
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  - > Chlorophyll *a* analyzed by SFWMD
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- Microcys* = *Microcystis*; *Cylindro* = *Cylindrospermopsis*;  
*Planktol* = *Planktolyngbya*; *Dolicho* = *Dolichospermum*;  
*Pseud* = *Pseudanabaena*; *Raphi* = *Raphidiopsis*

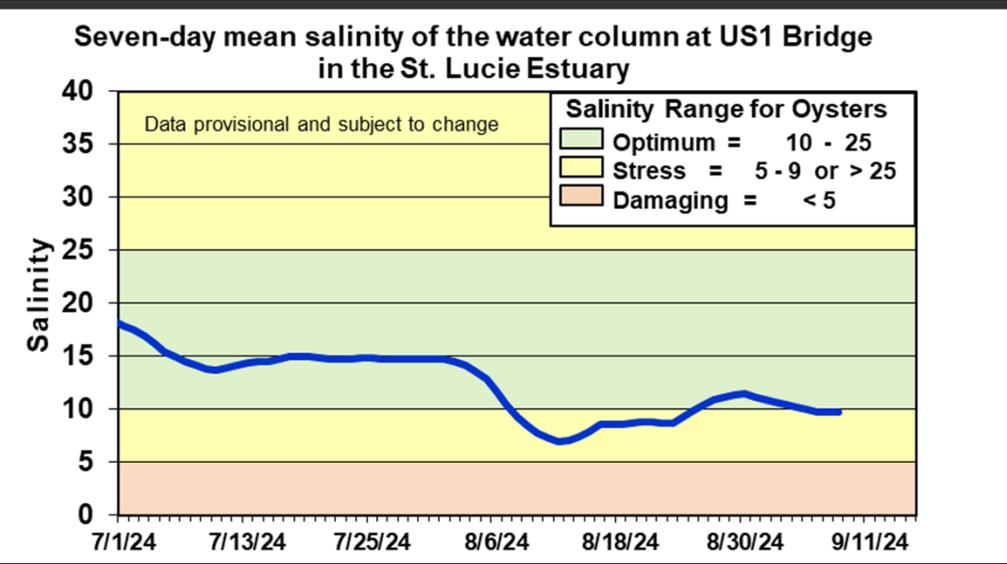
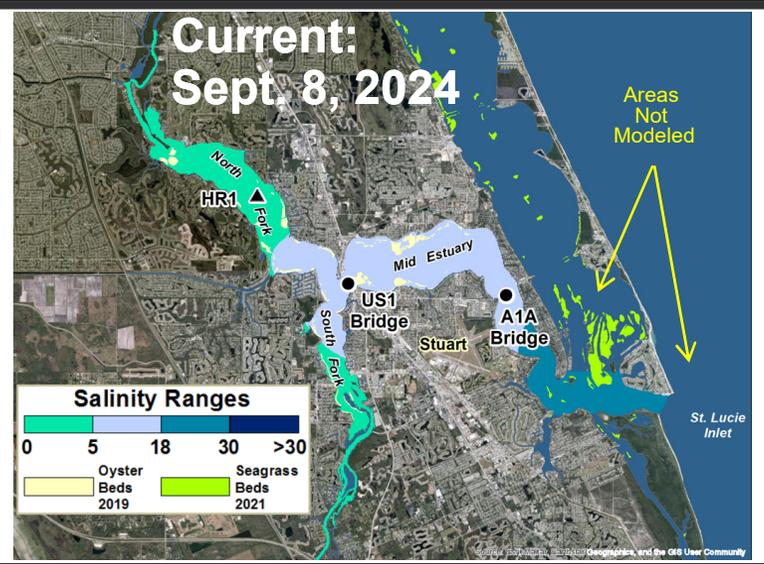
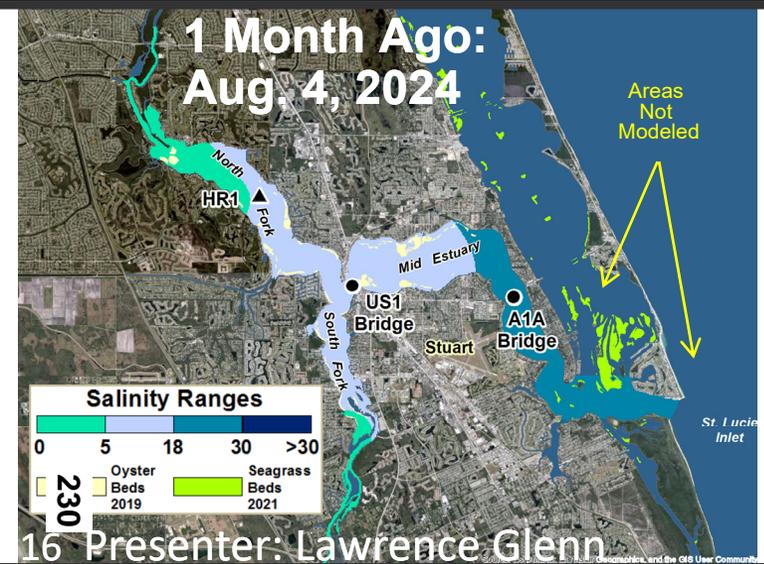
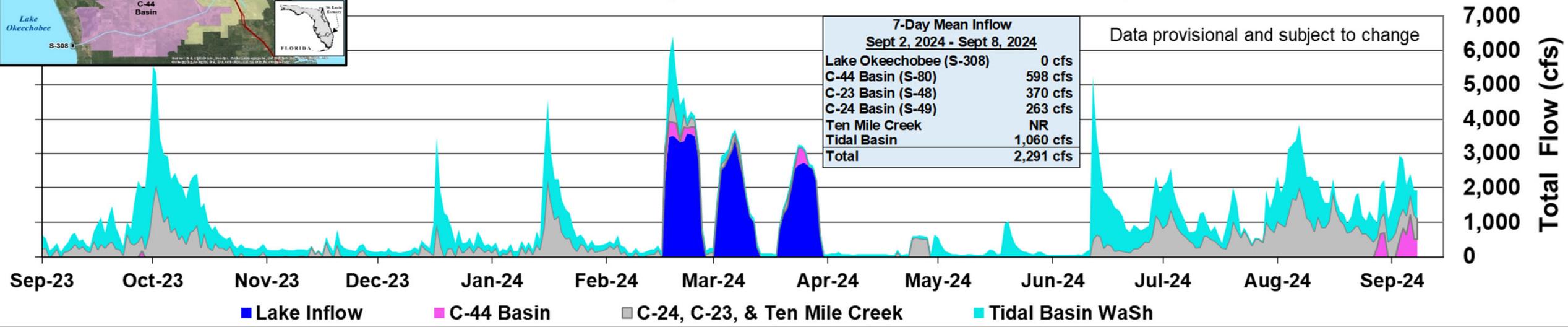
15 Presenter: Lawrence Glenn



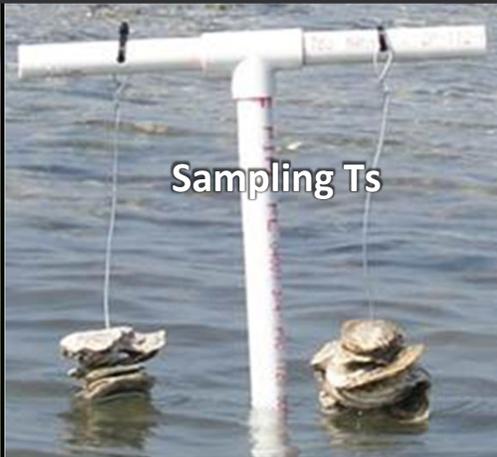
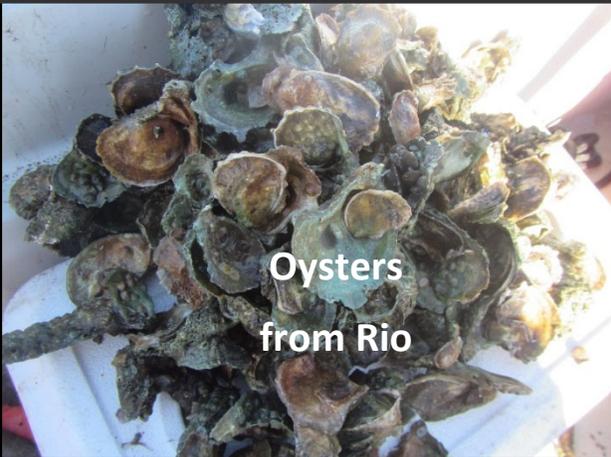
# St. Lucie Inflows and Salinity Conditions



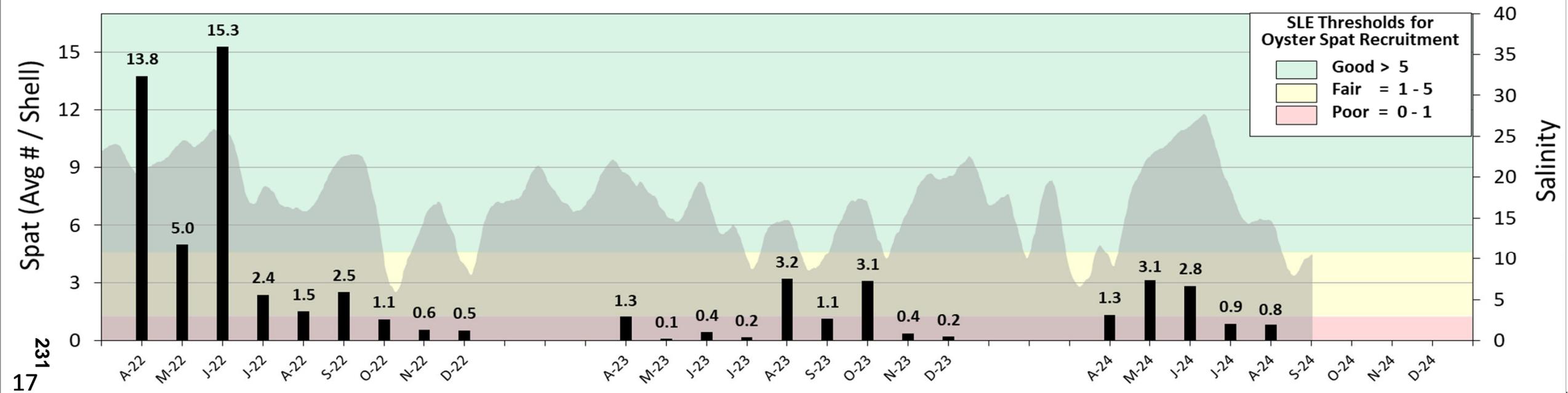
## Total Daily Inflow into the St. Lucie Estuary



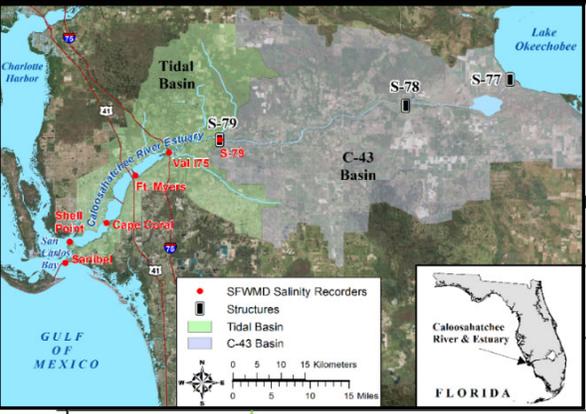
# St. Lucie Estuary – Oyster Recruitment



2022 - 2024 Rio Oyster Recruitment and 14-Day Mean Salinity at US1 Bridge



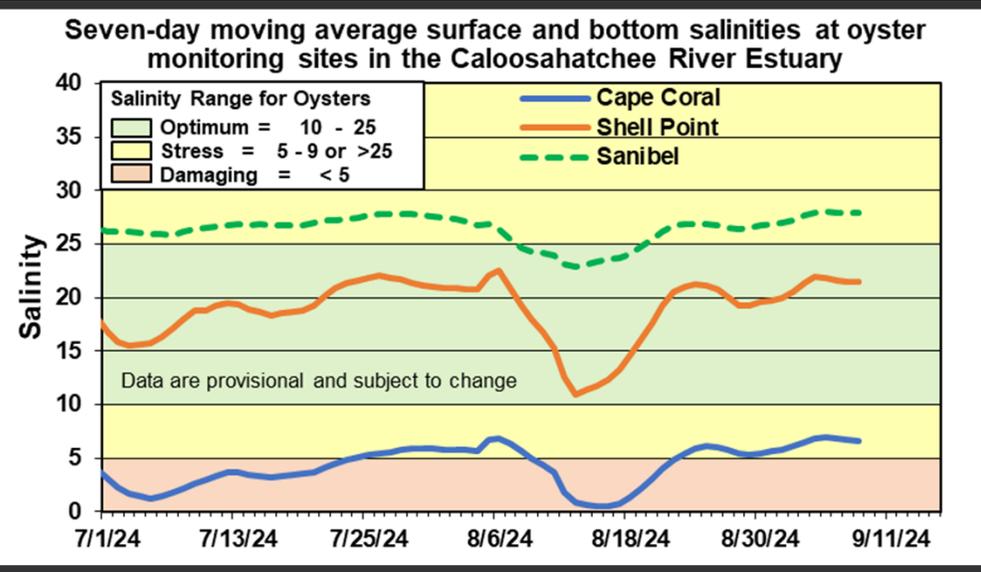
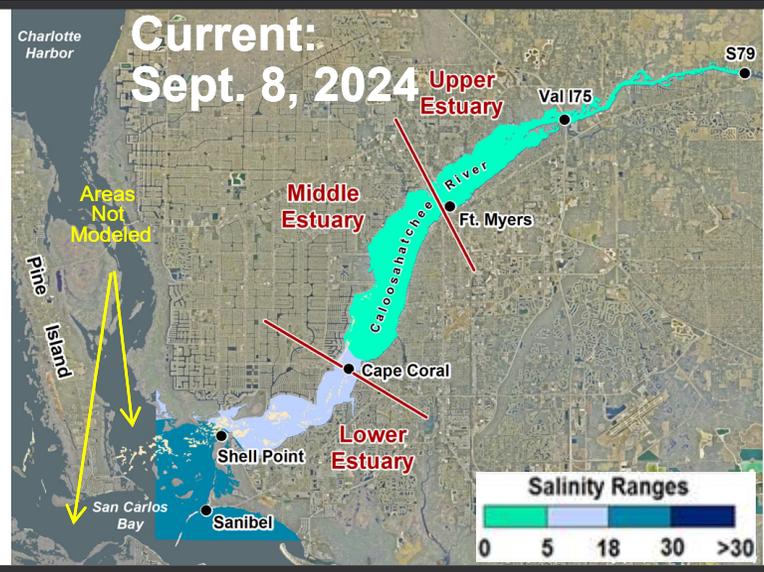
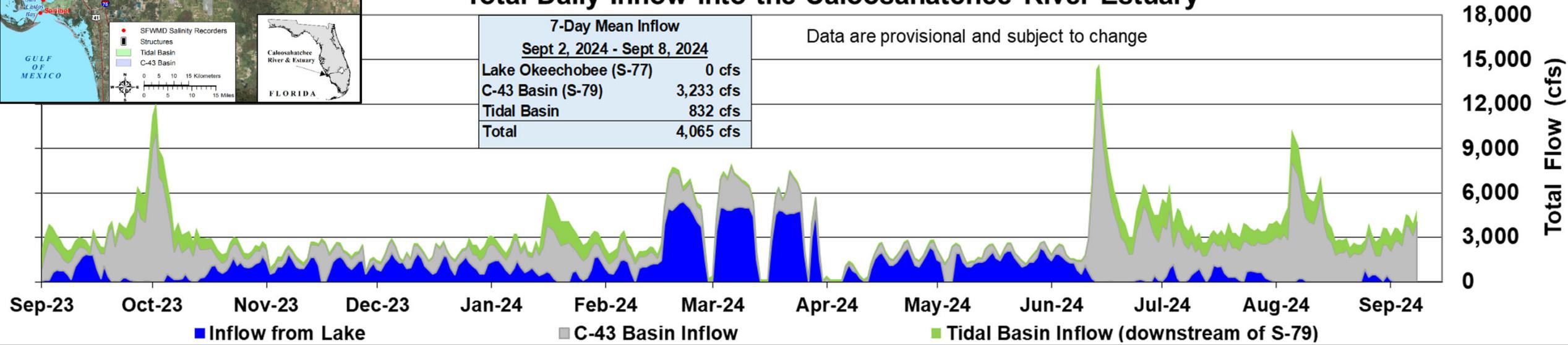
# Caloosahatchee Inflows and Salinity Conditions



## Total Daily Inflow into the Caloosahatchee River Estuary

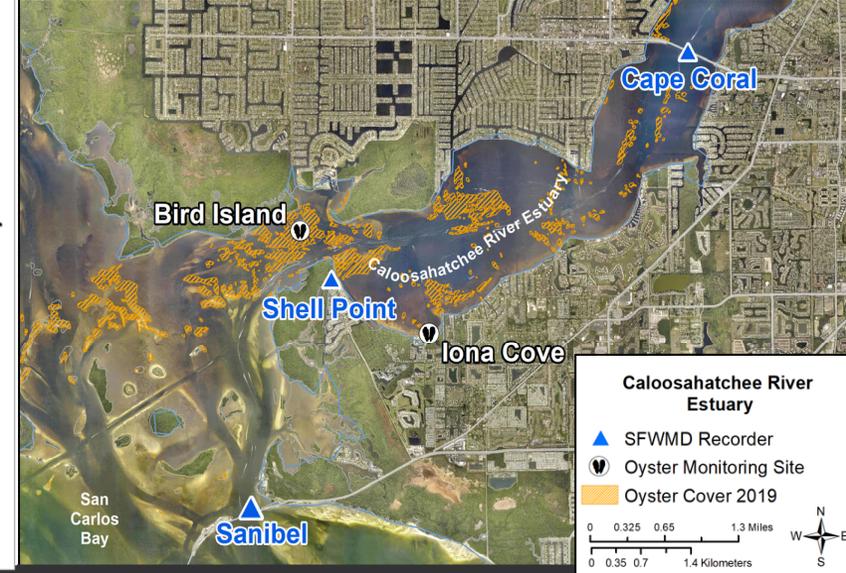
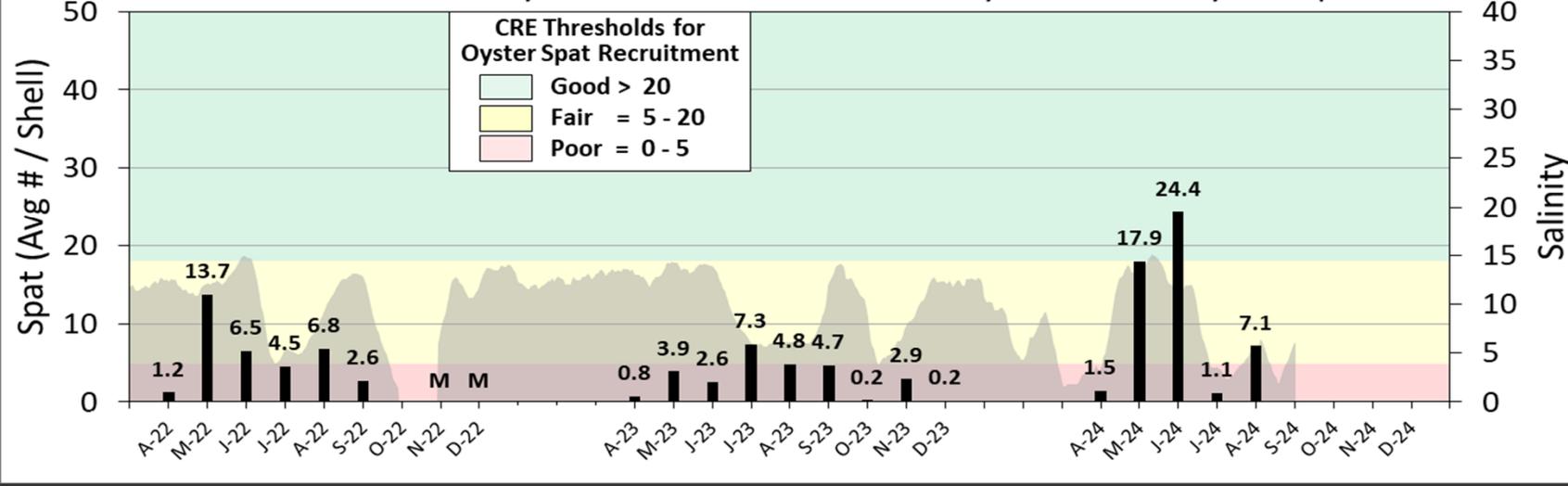
7-Day Mean Inflow Sept 2, 2024 - Sept 8, 2024	
Lake Okeechobee (S-77)	0 cfs
C-43 Basin (S-79)	3,233 cfs
Tidal Basin	832 cfs
<b>Total</b>	<b>4,065 cfs</b>

Data are provisional and subject to change

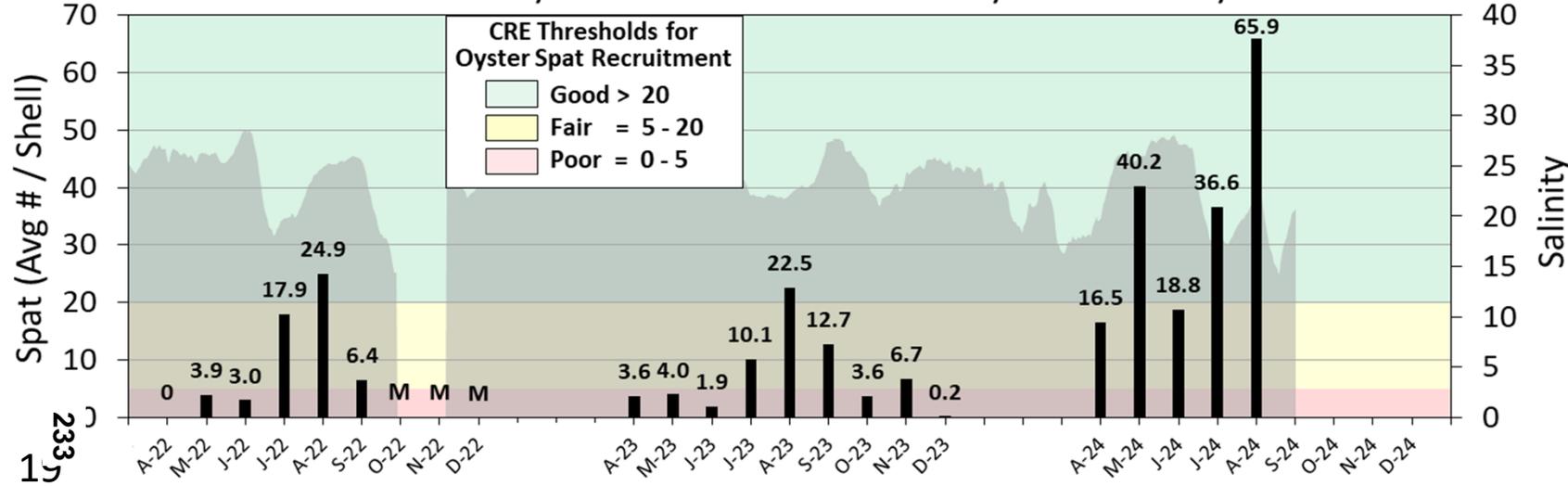


# Caloosahatchee River Estuary – Oyster Recruitment

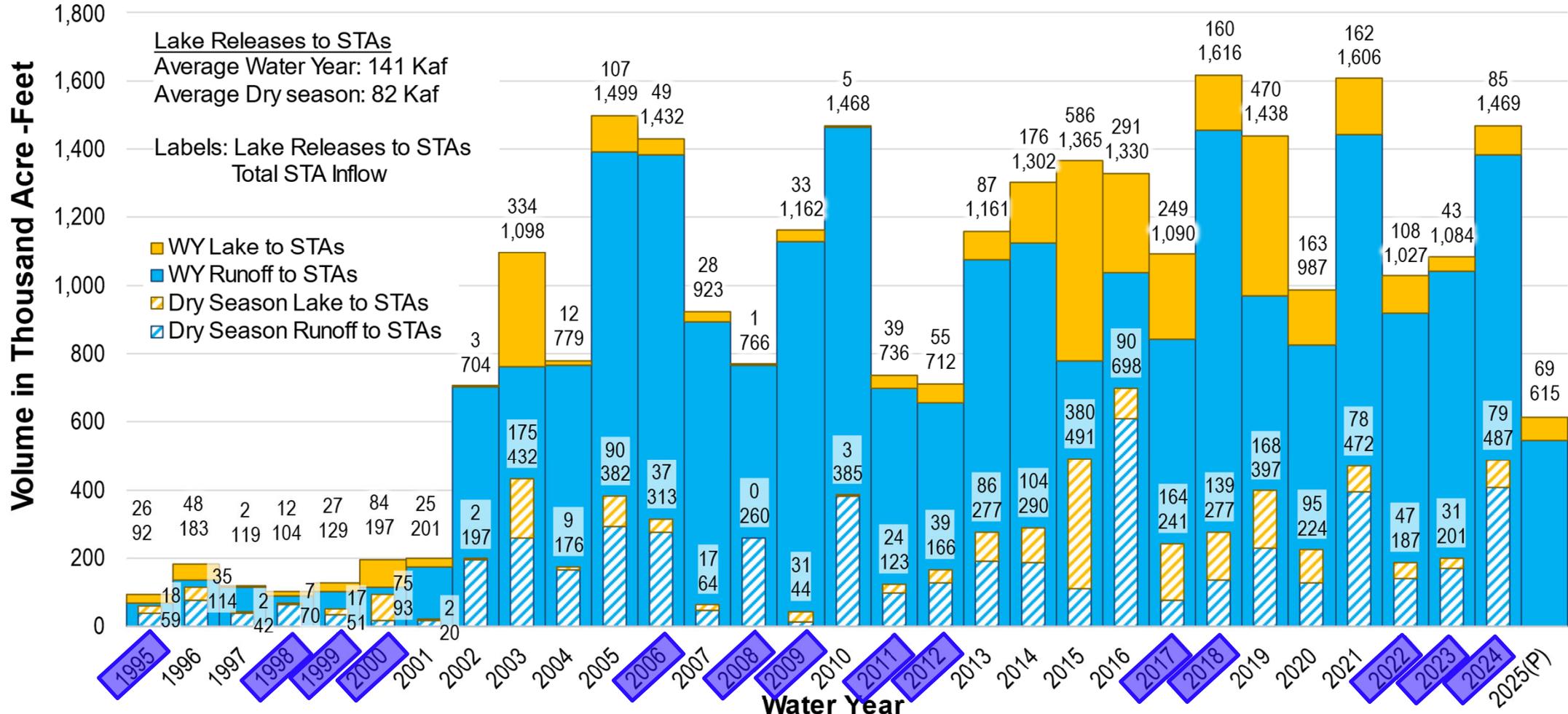
2022 - 2024 Iona Cove Oyster Recruitment and 14-Day Mean Salinity at Cape Coral



2022 - 2024 Bird Island Oyster Recruitment and 14-Day Mean Salinity at Shell Point



## Total STA Inflow and Lake Releases to STAs

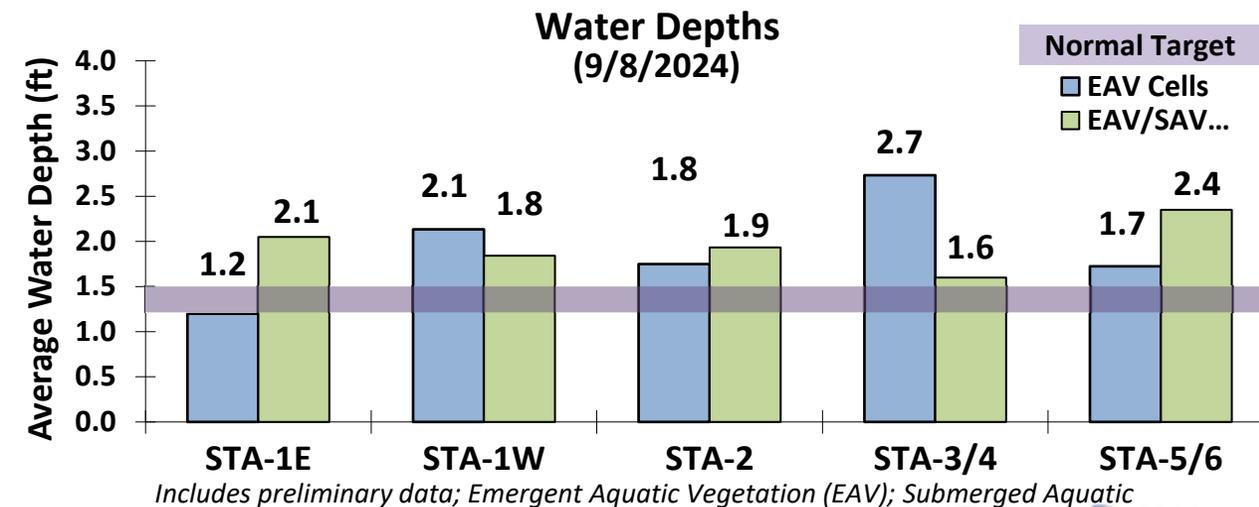
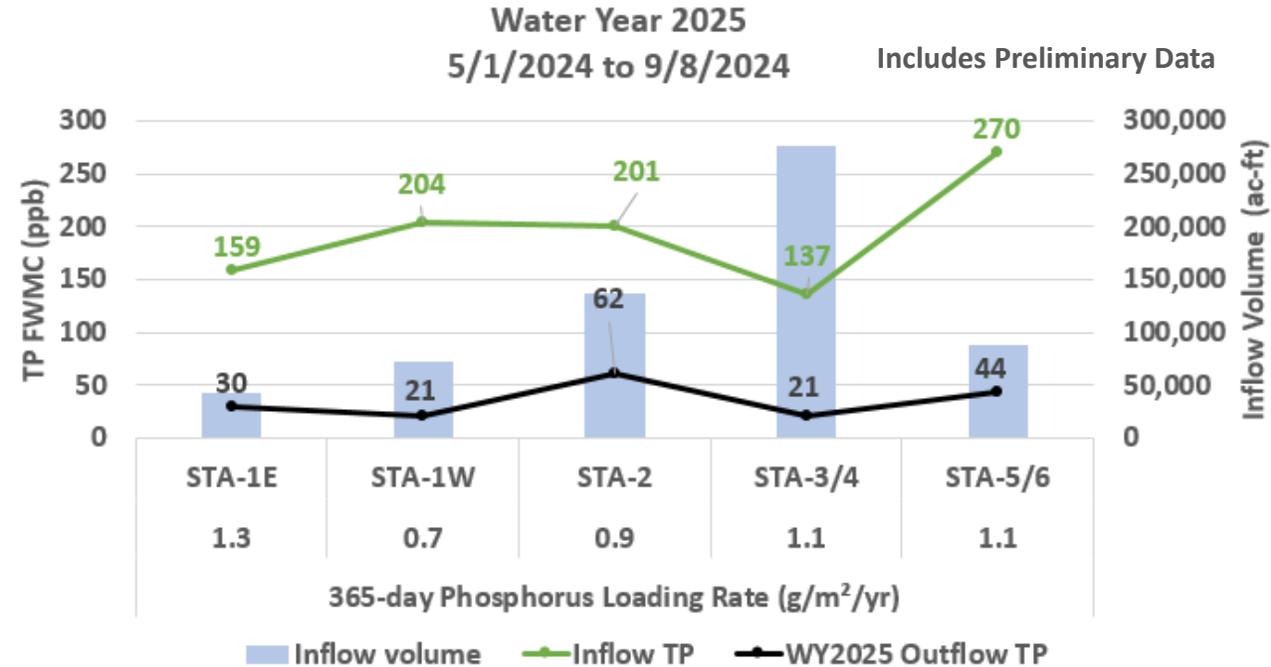


2025(p): Data from May 1, 2024 to September 8, 2024. Total STA Inflow includes inflows to STA -1E, STA-1W, STA-2, STA-3/4, and STA-5/6.

La Niña Water Years

# Everglades Stormwater Treatment Areas - STAs

- STAs treated basin runoff and Lake Okeechobee releases in August
  - Total WY2025 inflows to STAs (5/1/2024 to 9/8/2024): ~614,800 ac-ft
  - Lake Okeechobee releases to FEBs/STAs in WY2025: ~69,200 ac-ft
  
- Extensive vegetation management activities underway to address stressed and highly stressed vegetation in EAV cells
  
- Most treatment cells are above target water depth

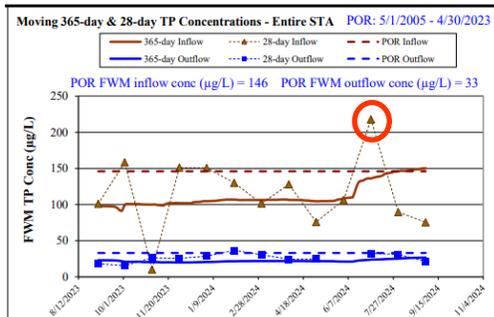


# Everglades Stormwater Treatment Areas - STAs

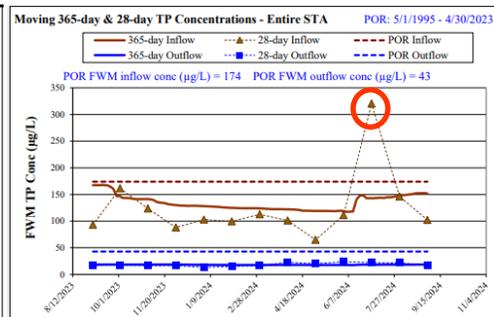
## Declining Trend in Flow-Weighted Mean Concentrations

		STA 1E	STA 1W	STA 2	STA 3/4	STA 5/6
WYTD	Inflow	162	210	210	139	282
	Outflow	31	21	64	21	45
365 d avg	Inflow	150	152	121	108	249
	Outflow	27	19	31	17	39
28d avg	Inflow	75	102	67	68	223
	Outflow	21	18	17	11	30
7d avg	Inflow	46	88	65	67	156
	Outflow	20	17	14	10	32

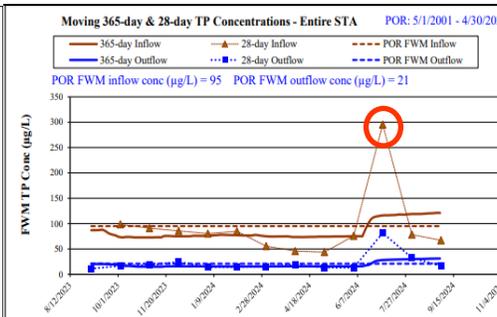
## June Event Increases in Flow-Weighted Mean Concentrations



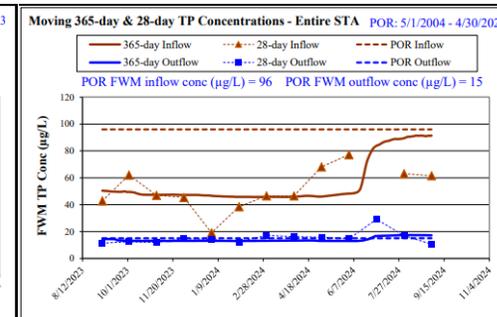
STA 1E



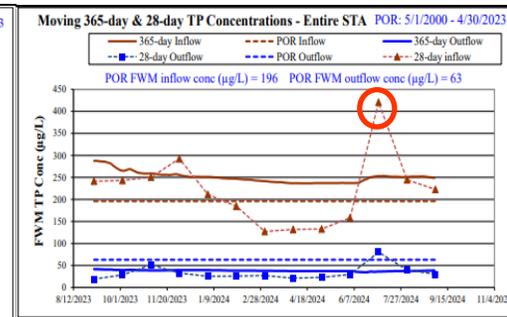
STA 1W



STA 2



STA 3/4

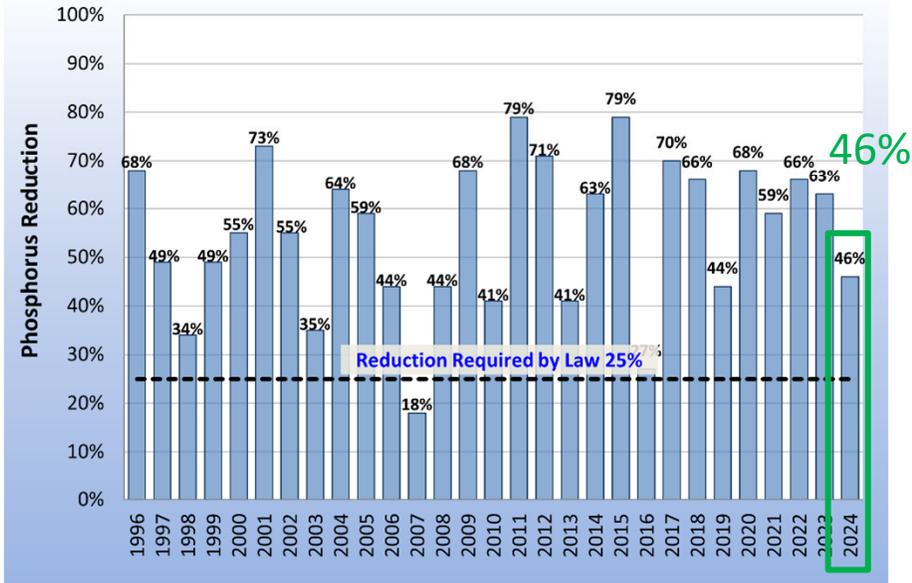


STA 5/6

# Everglades Agricultural Area Basin Source Control Program

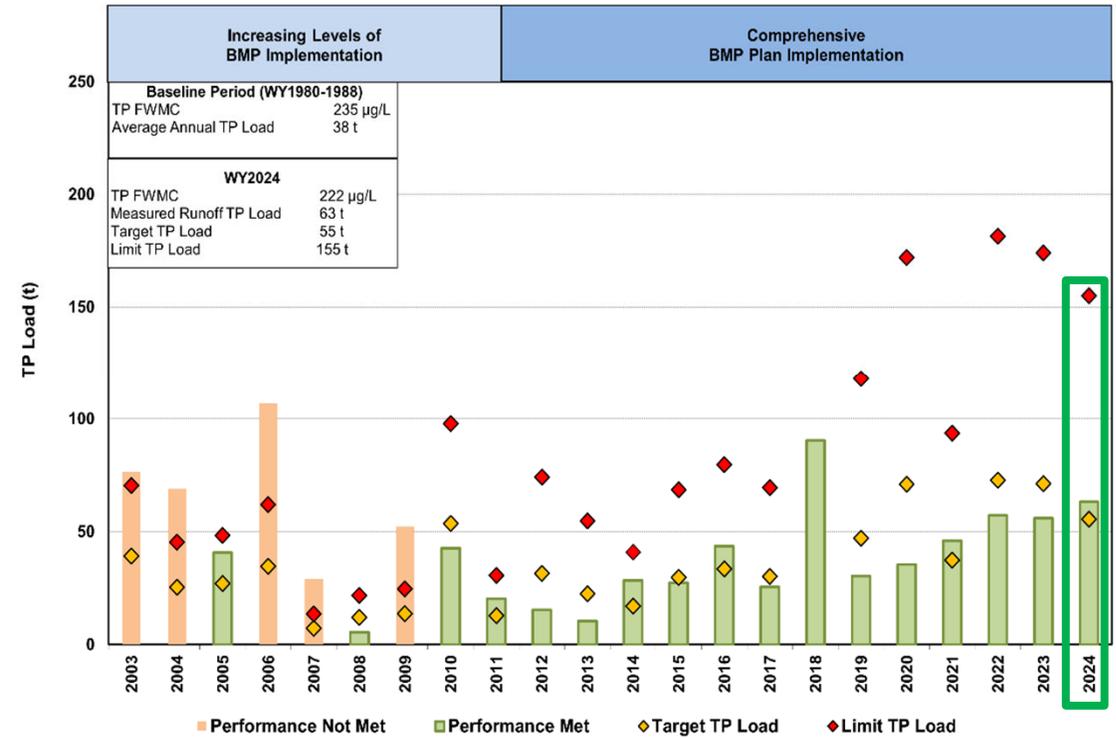
## EAA Basin Monitoring & Performance Results

The SFWMD monitors Basin discharges to collectively quantify TP loads from the EAA Basin. The TP load for the current Water Year is compared to a period before the BMP Program to determine compliance with the 25% reduction requirement. The Rule adopted compliance methodology is a 2-part test to account for statistical uncertainty. For example, if the 25% reduction is not met in a single year, the basin is considered to have achieved the expected performance level unless it is exceeded for three consecutive years.



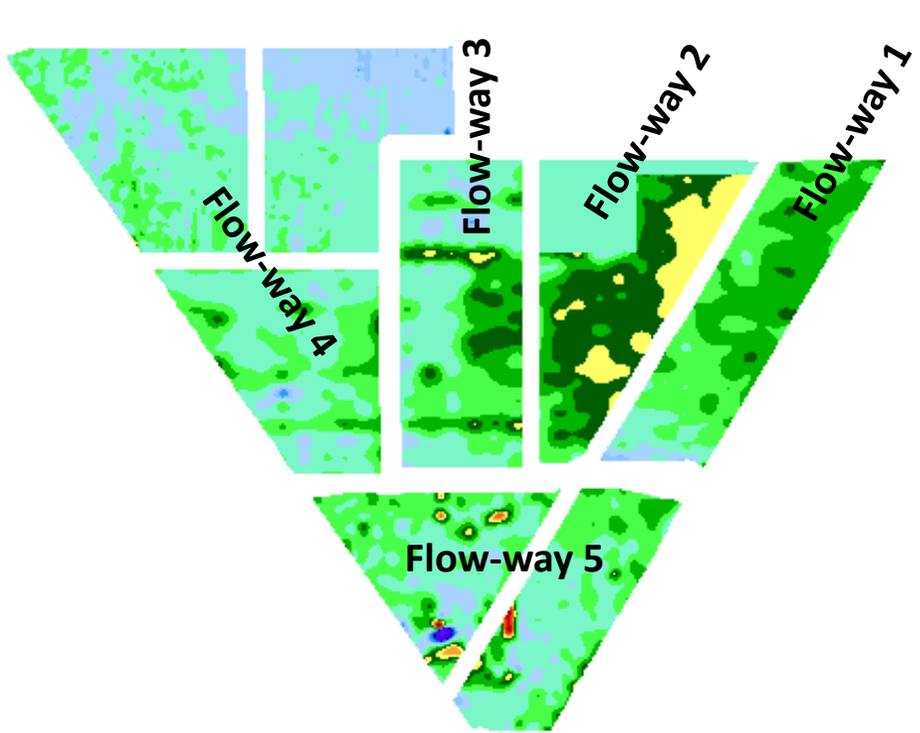
\*Water year 2007 phosphorus reduction was below 25%, however due to the 2-part test, the EAA Basin was in compliance.

## C-139 Basin Monitoring & Performance



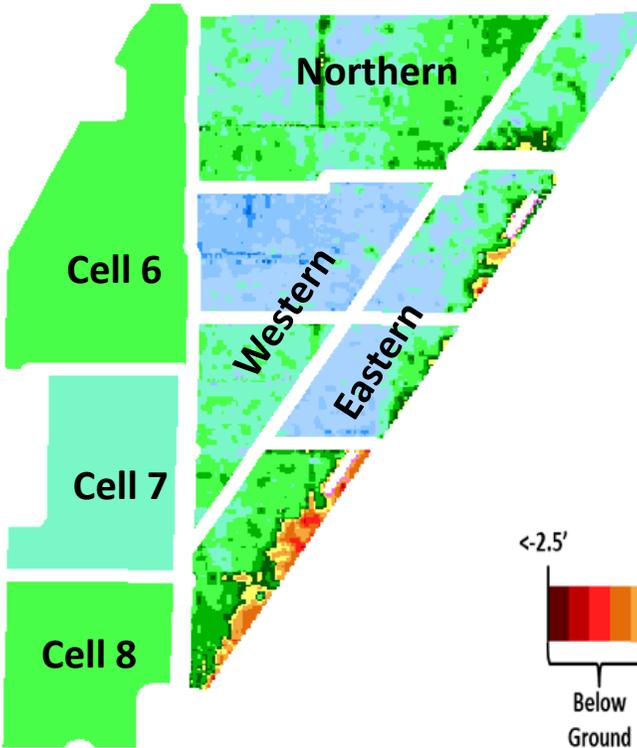
\*WY2018 Target and Limit TP loads are off-scale.

# Stormwater Treatment Areas Water Depths



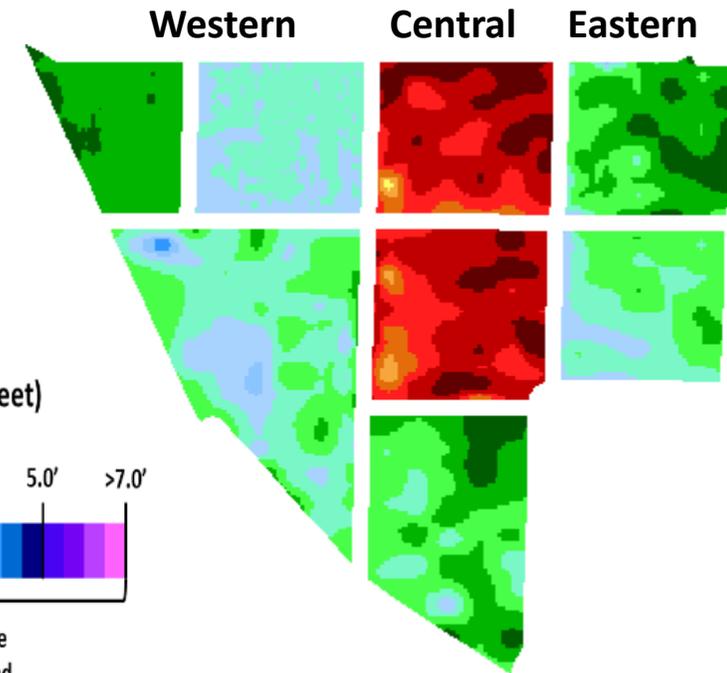
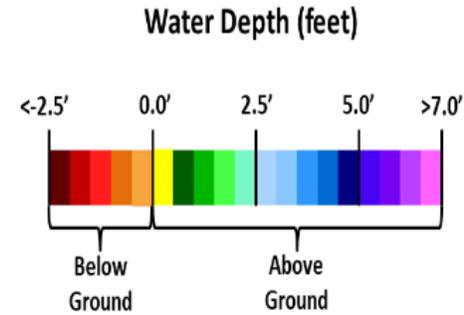
Flow-Way	Restrictions
1	On-line; upstream FAV control
2	On-line; vegetation management; upstream FAV control
3	On-line; upstream FAV control
4	On-line; vegetation management; upstream FAV control
5	On-line; construction activities

STA-2



Flow-way	Restrictions
Northern	On-line; vegetation management
Eastern	On-line
Western	On-line
Cell 6	On-line
Cell 7	On-line
Cell 8	On-line

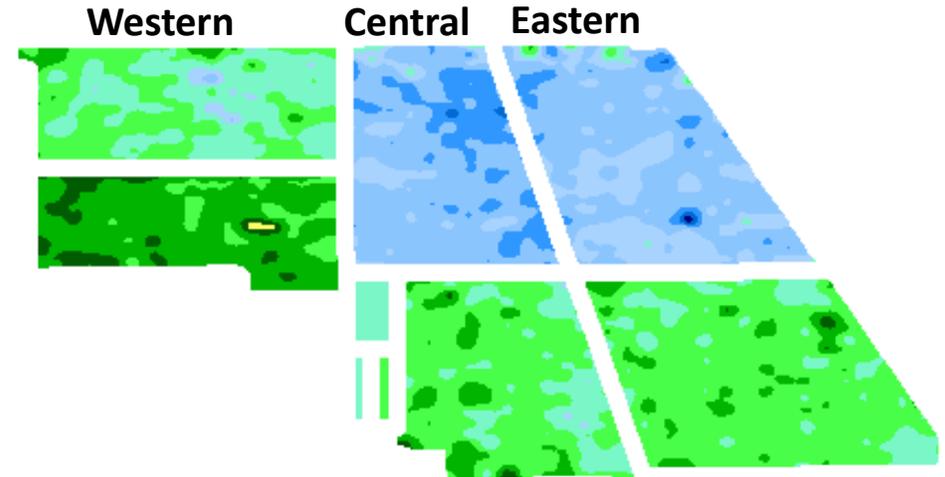
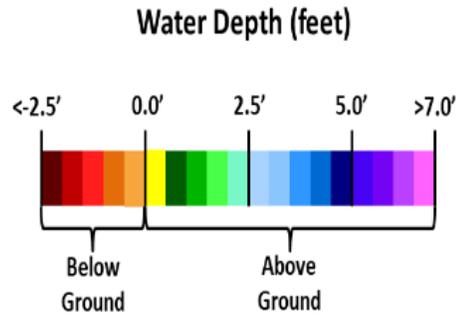
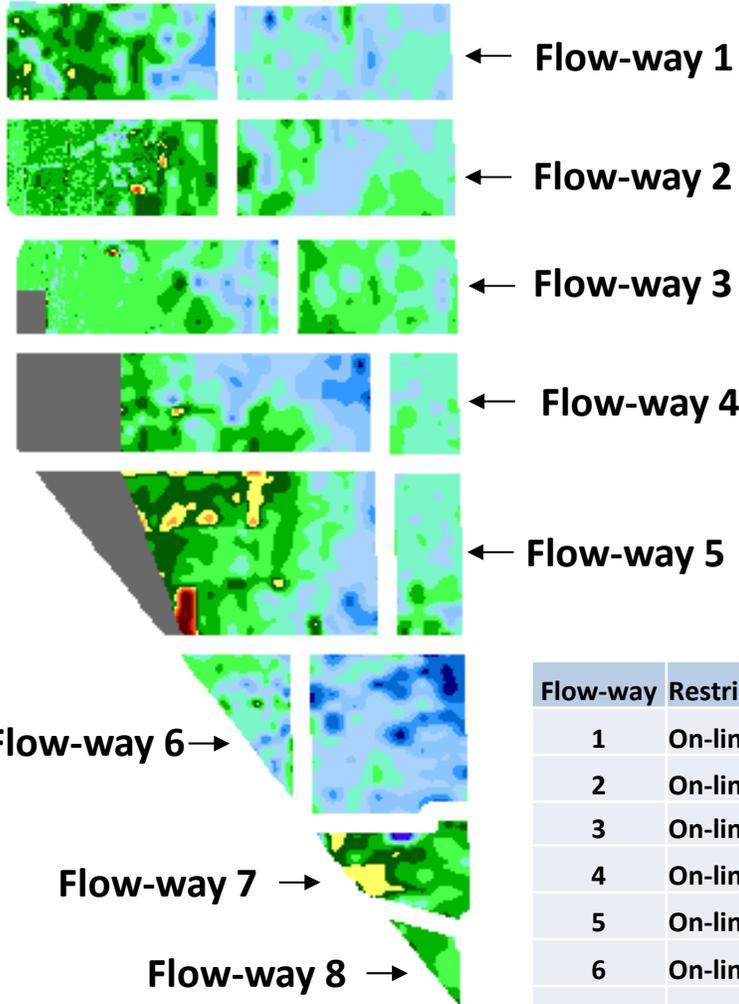
STA-1W



Flow-way	Restrictions	Back on-line
Western	On-line; post-construction grow in	
Central	<b>Off-line</b> ; construction activities	TBD
Eastern	On-line; Cell 2 post-erosion repair vegetation grow-in	

STA-1E

# Stormwater Treatment Areas Water Depths



Flow-way	Restrictions
1	On-line
2	On-line
3	On-line
4	On-line
5	On-line
6	On-line
7	On-line
8	On-line

Flow-way	Restrictions
Western	On-line
Central	On-line
Eastern	On-line; post-drawdown vegetation grow-in

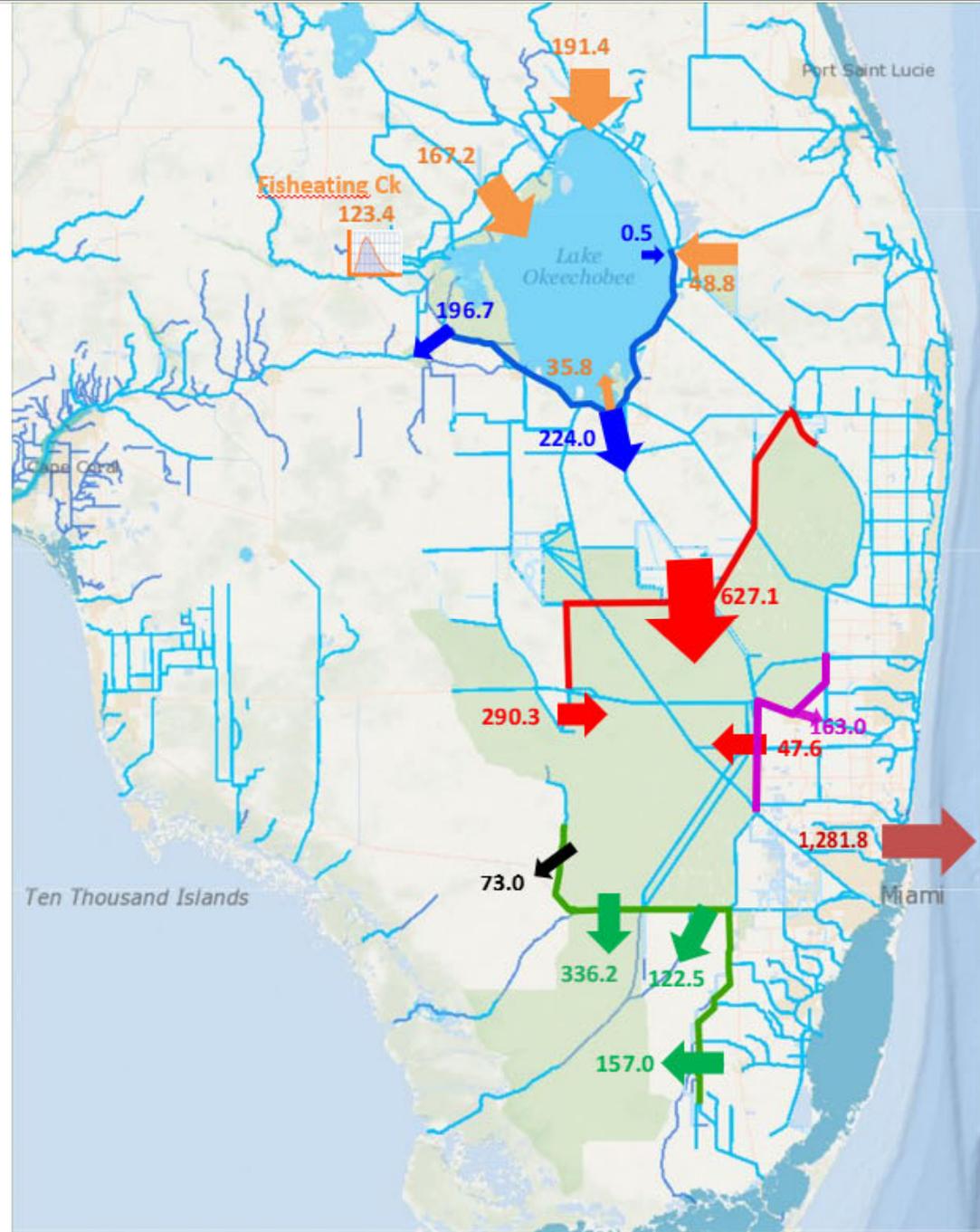
STA-3/4

STA-5/6

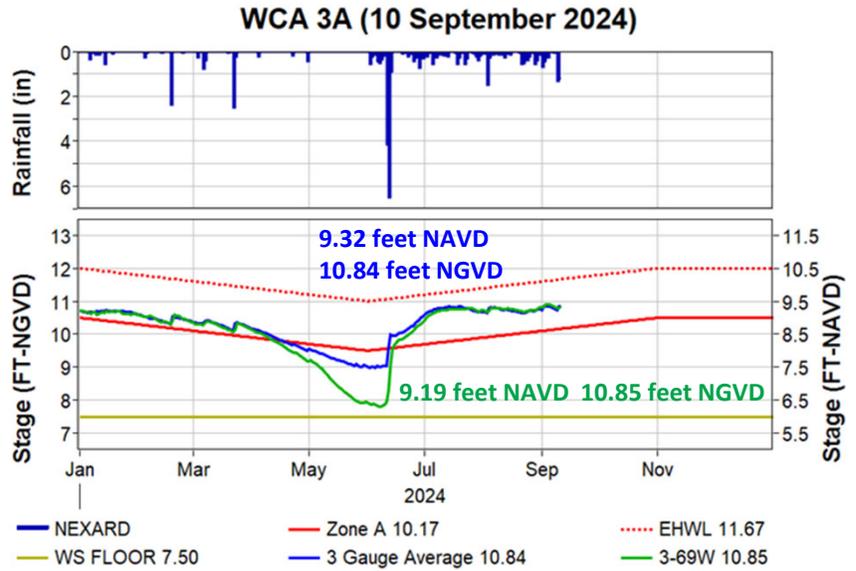
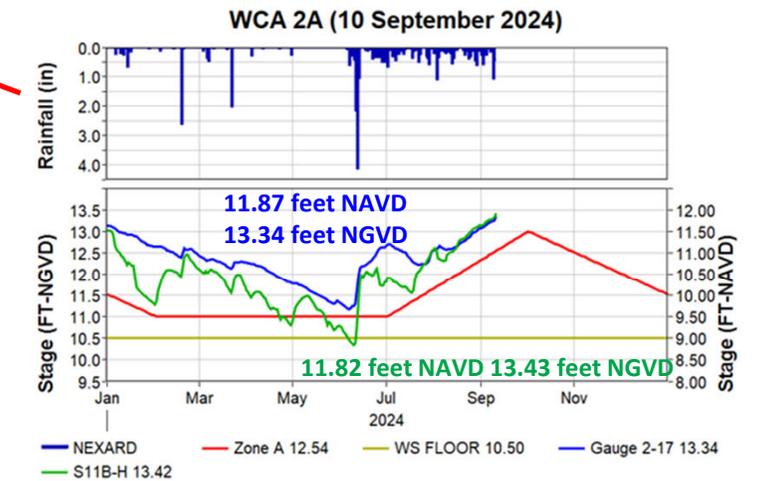
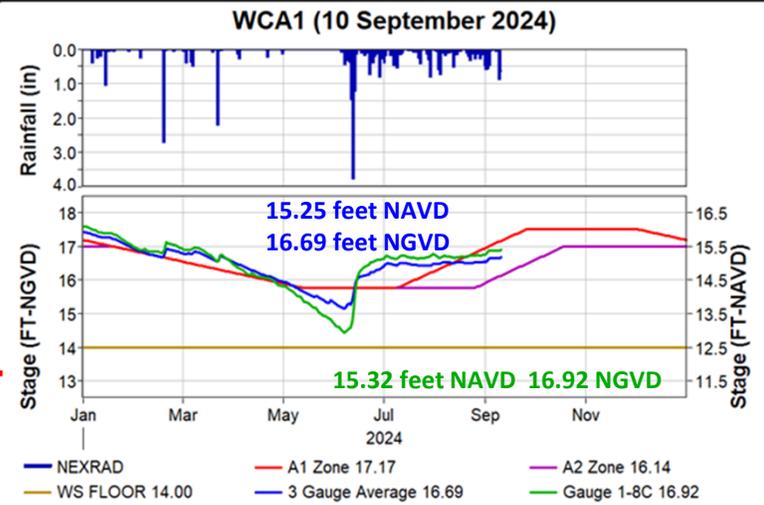
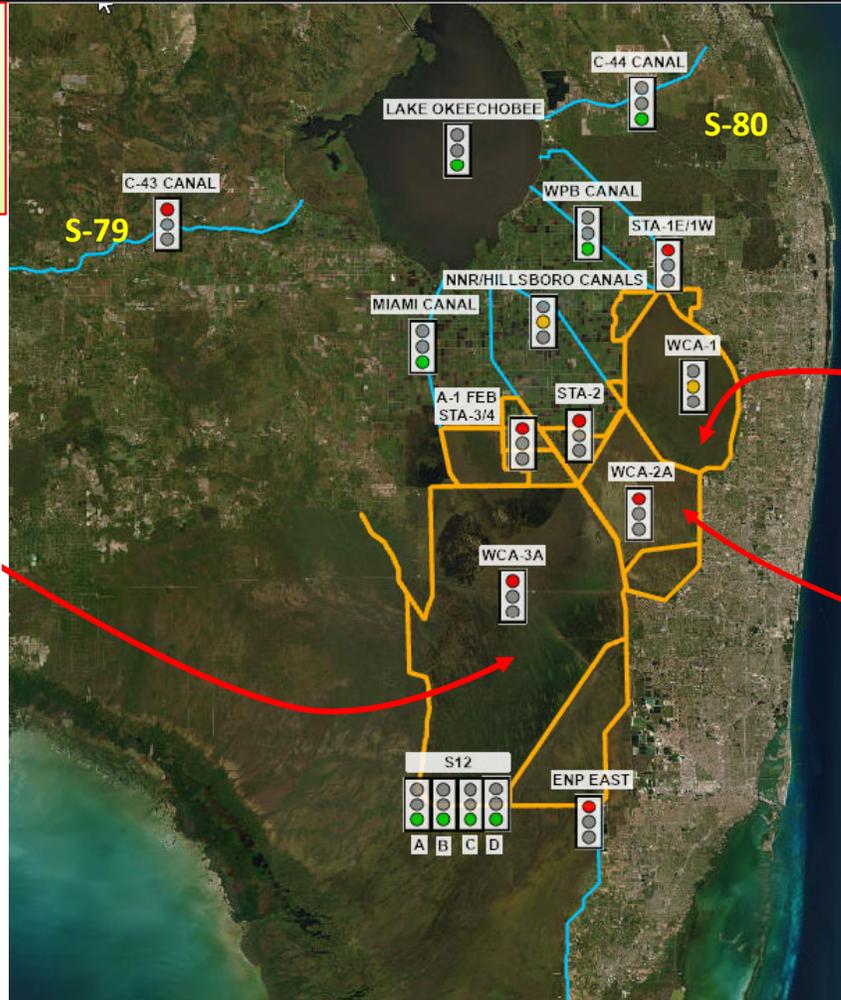
**SFWMD –Volumes Flowing  
Down the System for the  
Period May 1, 2024 to September 10, 2024**  
(volumes in 1,000 acre-feet)

Symbol	Description	Volume (1,000 acre- feet)	
		WYR 2025	Last Month
	Lake Okeechobee Inflows	566.7	240.4
	Lake Okeechobee Outflows	421.2	6.8
	WCAs Inflows	965.1	309.2
	ENP / Detention Cell Inflows	615.7	194.4
	WCAs to East	163.0	47.5
	Flows to Intracoastal	1281.8	393.2

1,000 acre-feet = 325.9 Million Gallons



Lake Okeechobee stage is in the bottom third of Zone D (Zone D2 of the PA25 simulation) of the LOSOM above the ecological envelope. LOSOM release guidance No releases at S-80, Up to 300 cfs at S-271 or S-352, Up to 2,000 cfs at S-79, and Up to 1,100 cfs at S-351 and S-354 combined.



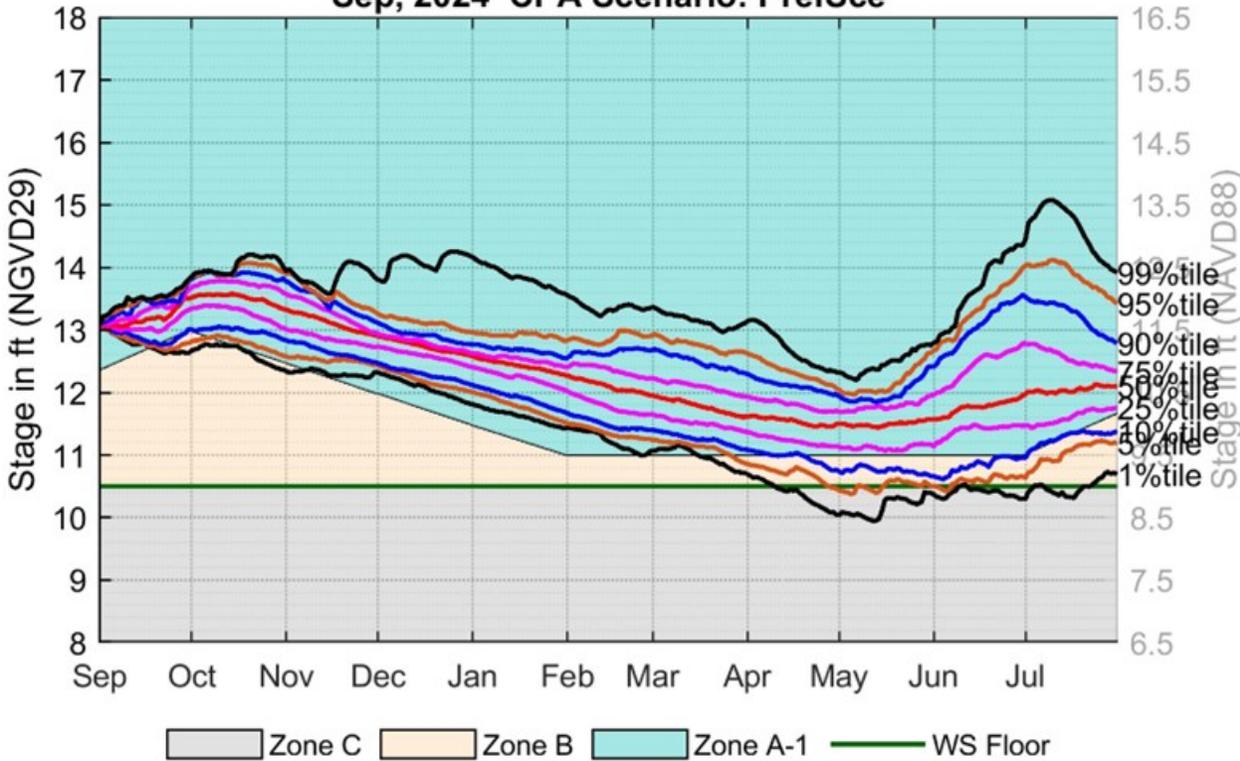
For this week, the Tamiami Trail Flow Formula calls maximum releases from WCA-3A to NESRS. Current L-29 stage constraint is at 7.0 feet NAVD (8.5 feet NGVD). South Dade Conveyance System is stable. S-335 and S-338 are open. S-356 is open. G-211 is open. S-332B and D are pumping as needed. S-176 and S-177 are closed. S-18C and S-197 are open. LPG-2 stage at 8.5 SMA is below ground. S-357 is pumping as needed to maintain stages 4.0 to 4.5 ft NGVD in the C-357 canal. S199 and S200 are pumping as needed to maintain the stage in the canal within range.

WCA-1 stage is below regulation schedule in Zone A2; WCA-2A stage is above regulation schedule; WCA-3A stage is above regulation schedule in Zone A. S-10s and S-11s are closed. S12s are opened ~2,000. S-333 and S-333N are limited by the constraint in L-29 canal stage. S-343 A and B are opened ~400 cfs. Interior structures to WCA-3A S-339 and S-340 are closed. WCA-2A reg releases through C-14 (S-38 ~300 cfs). WCA-3A to tide via S-151 (~200 cfs), S-31 (~200 cfs) into the C-6 canal and then S-26 (~200 cfs) and NNR (S-34E ~300 cfs).

# Conditional Position Analysis (CPA)

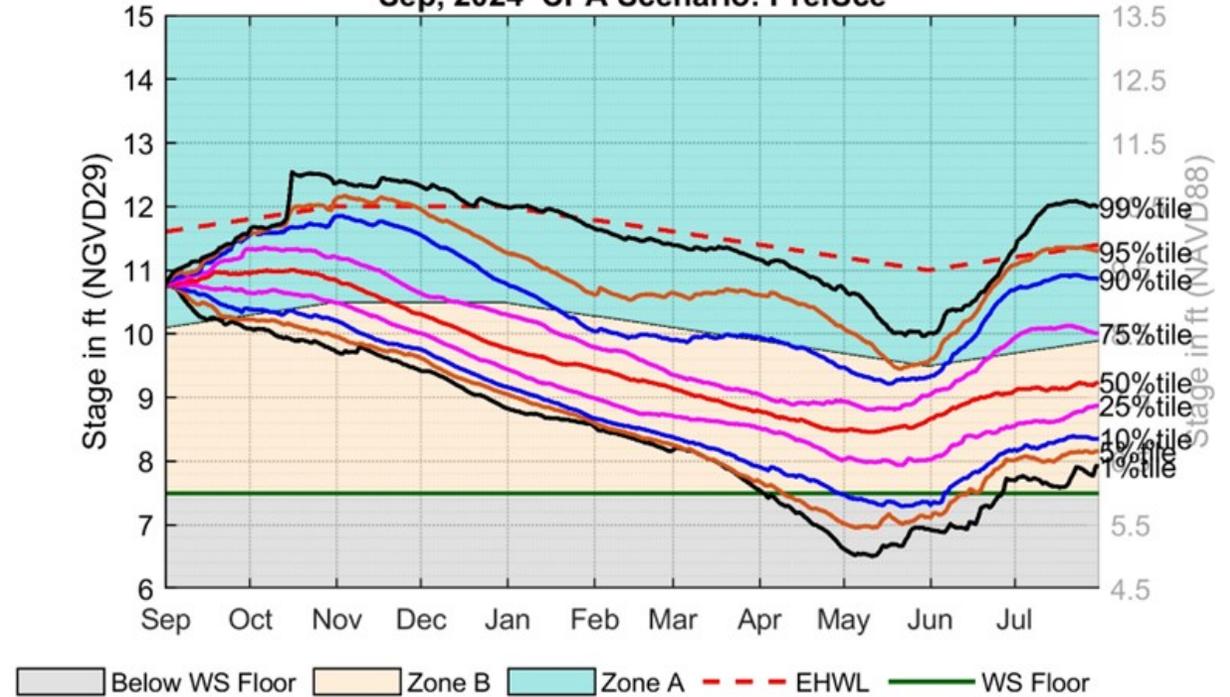
SITE\_17

Sep, 2024 CPA Scenario: PrefSce



WCA3AAvg

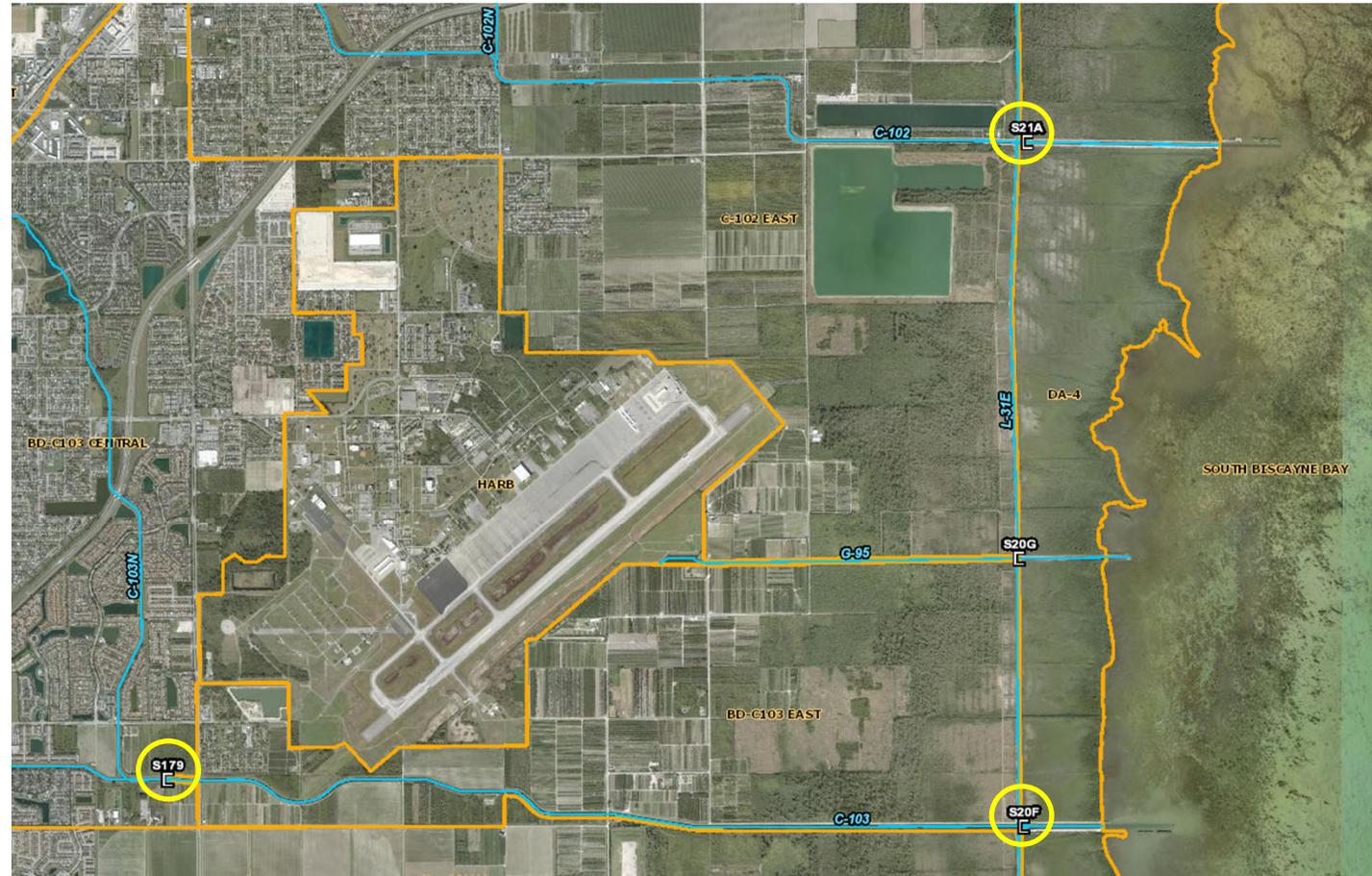
Sep, 2024 CPA Scenario: PrefSce



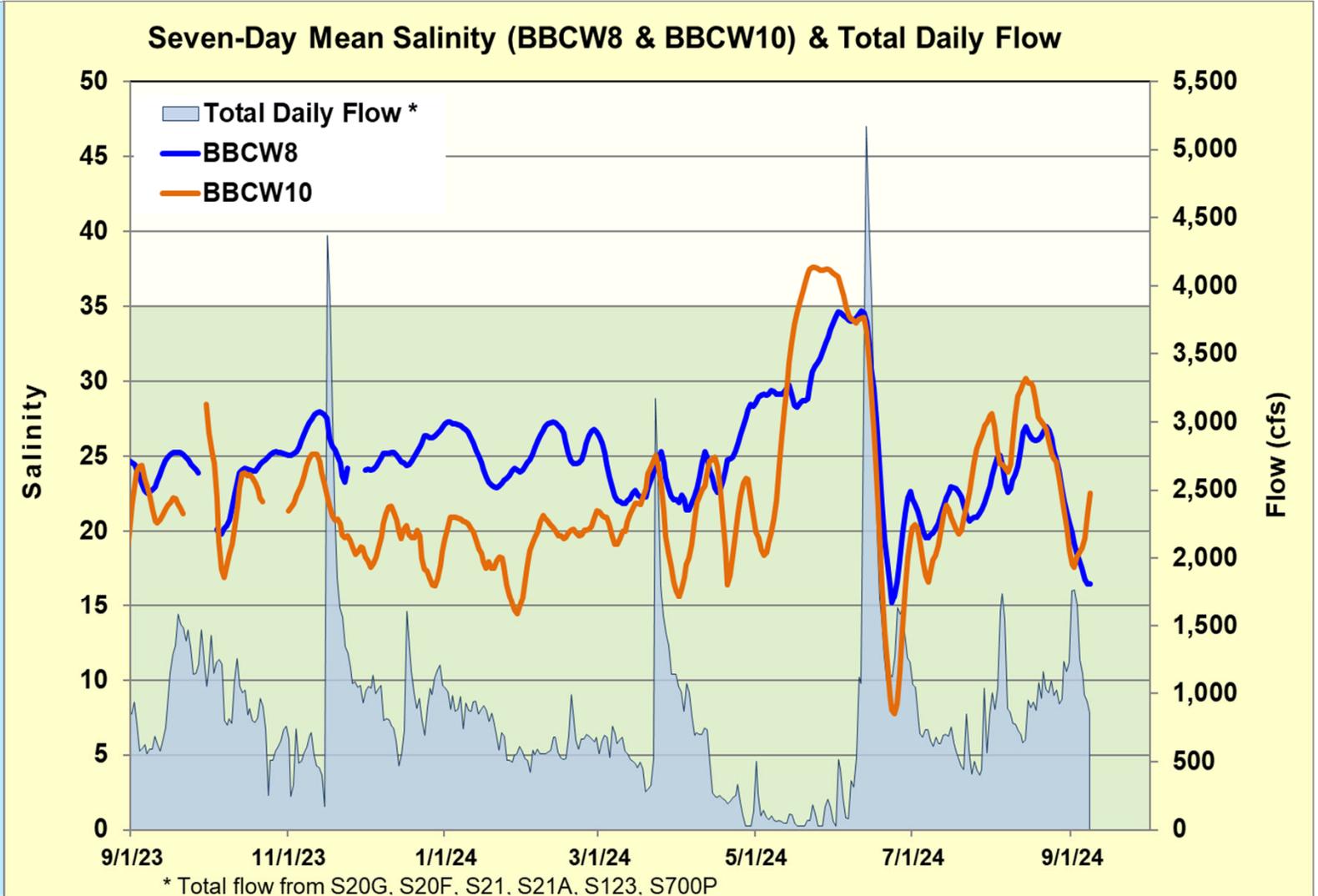
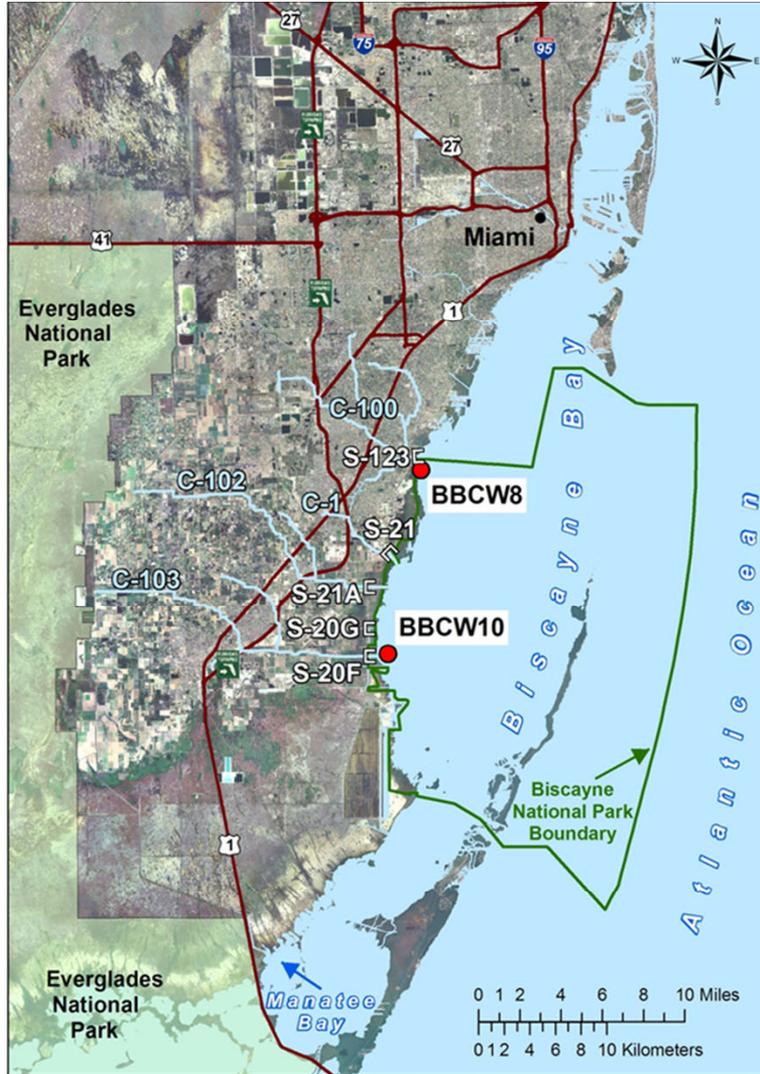
Secondary vertical axis shows stages in NAVD88. These stages are based on Agreed Upon Regulation Schedule Conversion Offsets between NGVD29 and NAVD88 (1.5 ft for WCA2&3).

# 2024-2025 South Miami-Dade Seasonal Agricultural Operations

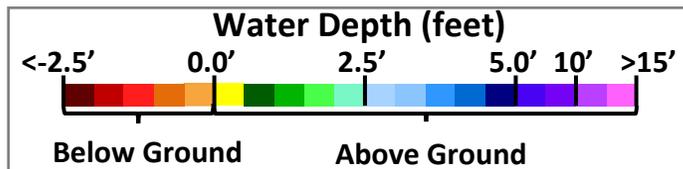
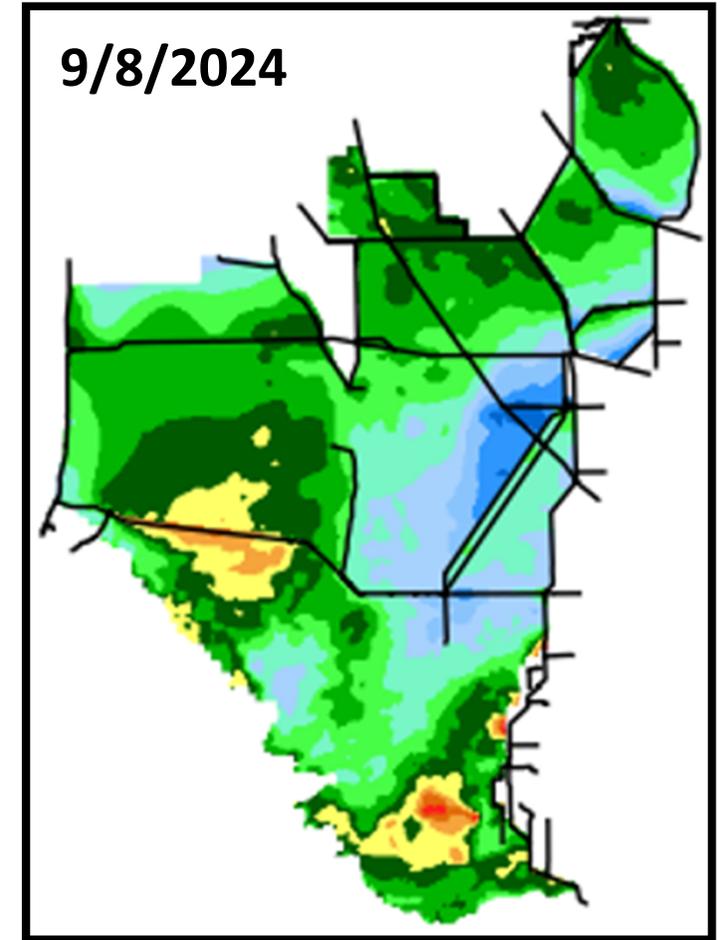
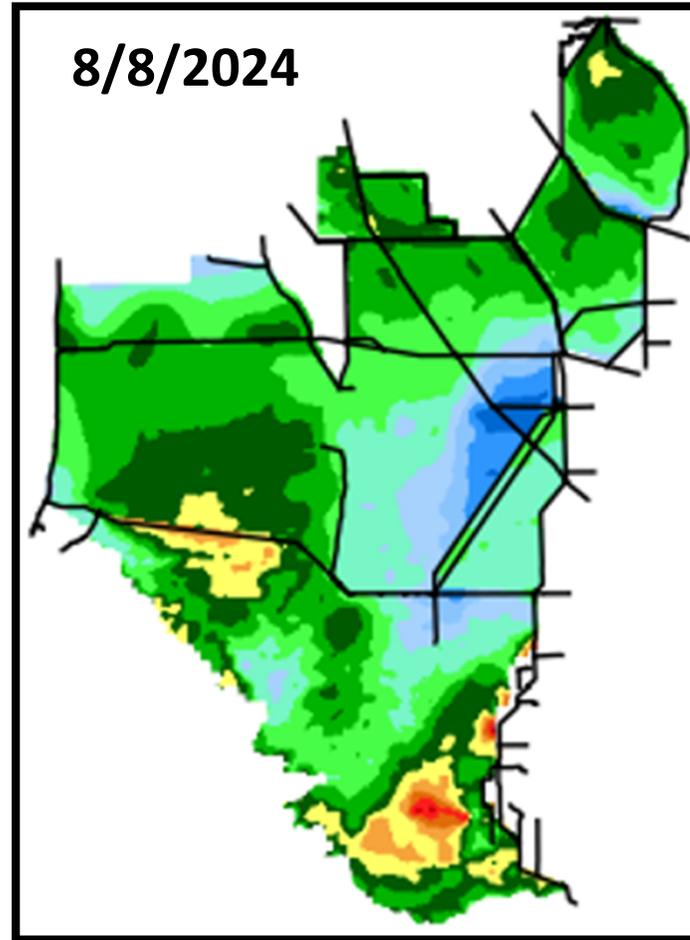
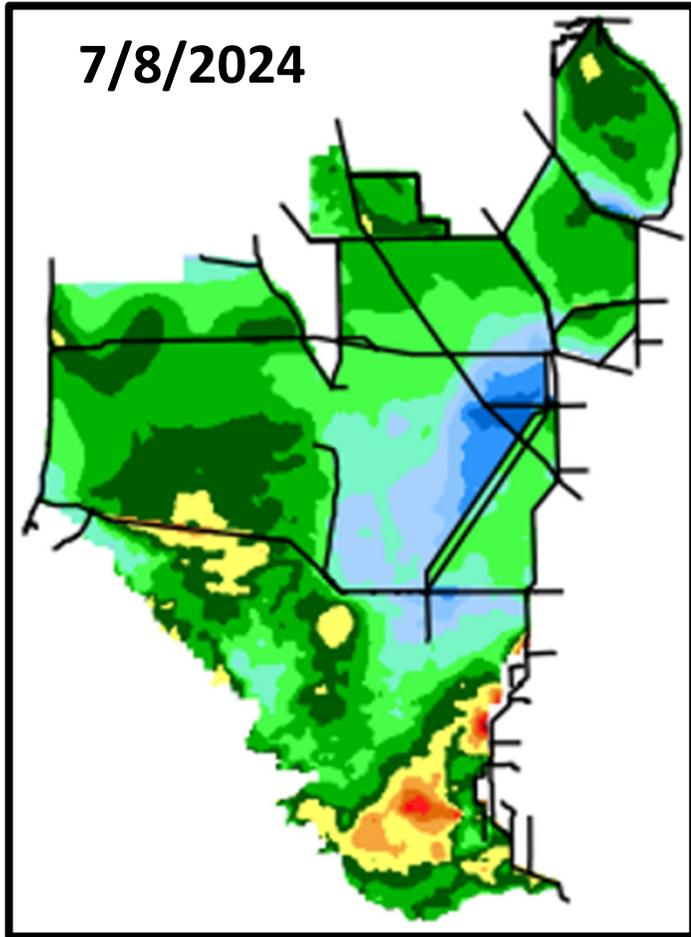
- Stages at S-21A, S-20F and S-179 are maintained in the lower operational range to facilitate drainage of agricultural lands in the area.
- Based on field conditions and groundwater levels, the District will proceed with the canal drawdown on or around October 15<sup>th</sup>.
- Homestead Field Station conducts regular site visits and field condition assessments.
- Consider nearshore salinity conditions when shifting operational ranges
- Water Managers direct operational changes as necessary.



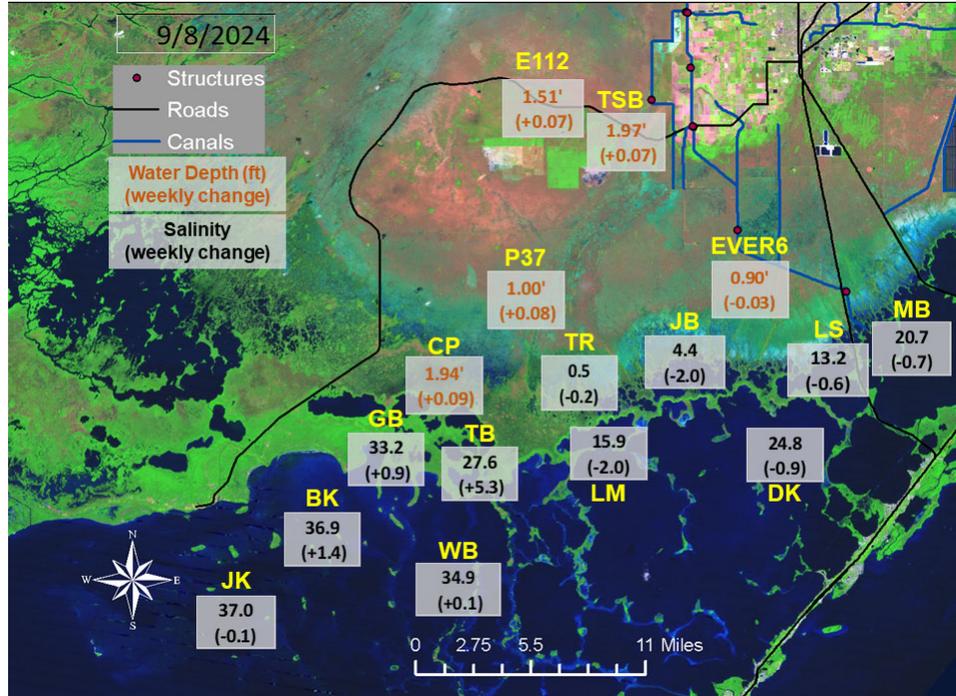
# Biscayne Bay Salinity Conditions



# Everglades Water Depths

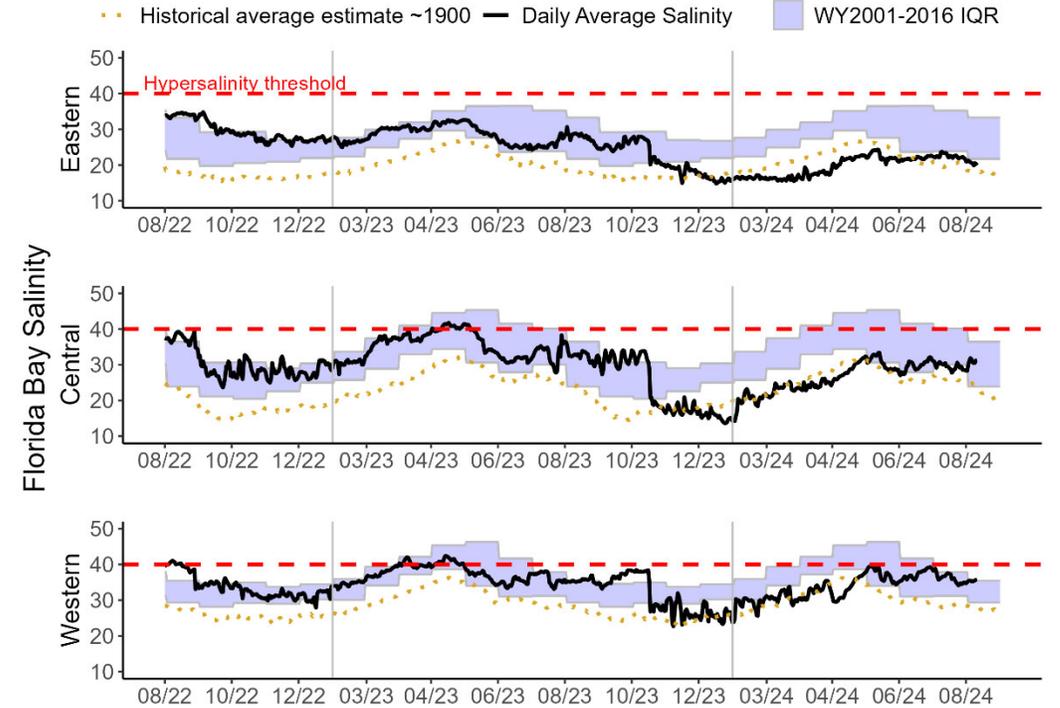
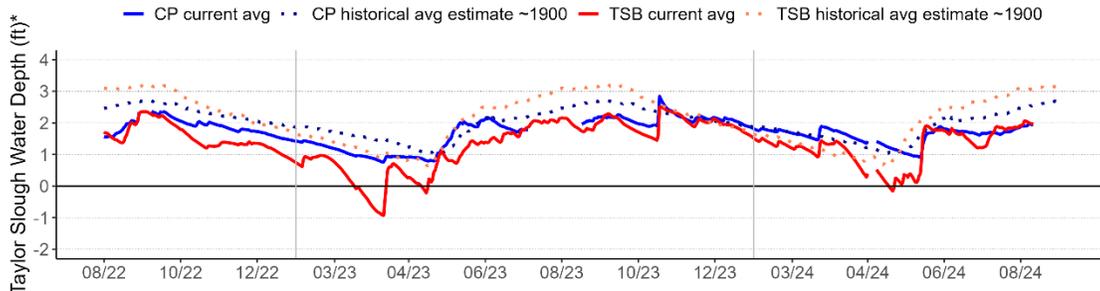


# Florida Bay Salinity

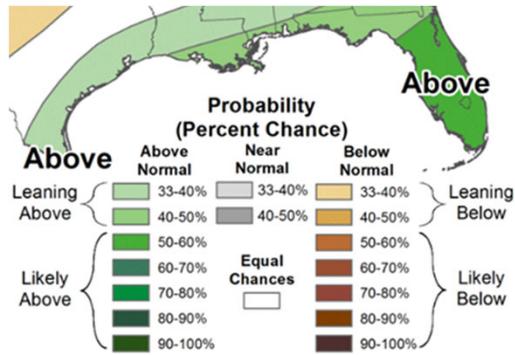


Taylor Slough Water Depths

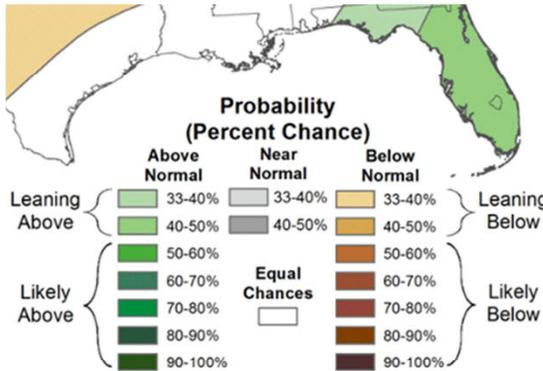
\*note: calculated using ground surface elevations values (NAVD88) from EDEN



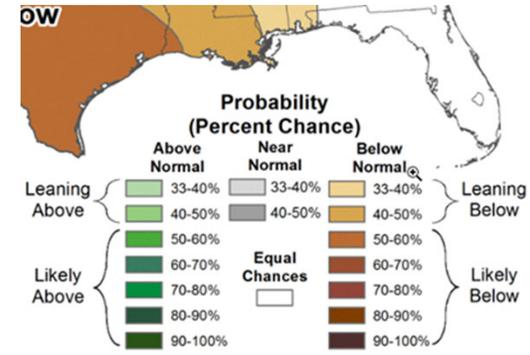
# CPC Precipitation Outlook for South Florida



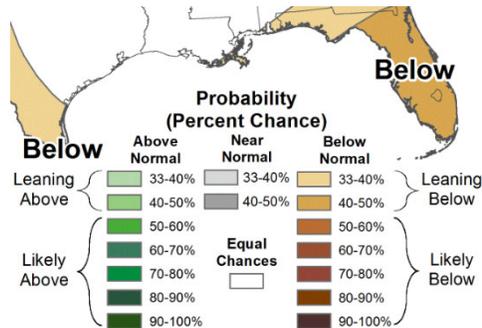
Sep 2024



Sep 2024 – Nv 2024



Oct 2024 – Dec 2024



Feb 2025 – Apr 2025

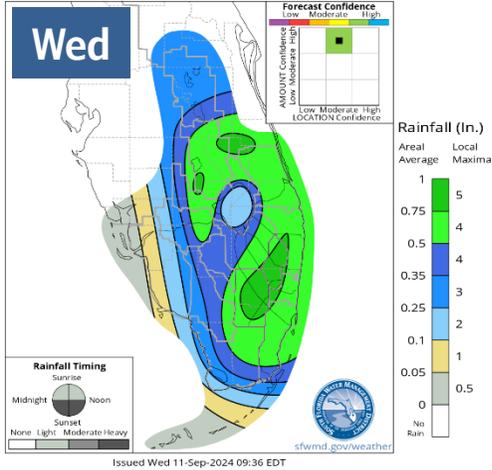
Updated Aug 15, 2024

- The most recent CPC precipitation outlook for Sep 2024 is for substantial increased chances (50-60%) of above Normal rainfall for south Florida.
- The 3-month window of Sep 2024 - Nov 2024 shows increased chances (40-50%) of above Normal rainfall for south Florida.
- The transition into the 2024 – 2025 Dry Season goes through the 3-month window of Oct 2024 – Dec 2024 with equal chances of below, normal, and above normal (EC) for south Florida.
- The 3-month windows of Nov 2024 – Jan 2025 and Feb 2025 – April 2025 show increased chances (40-50%) of below normal rainfall for the entire District.
- The 3-month windows of Dec 2024 – Feb 2025 and Jan 2025 – Mar 2025 show outlooks for substantial increased chances (50-60%) of below normal rainfall for the entire District.
- The 3-month windows Mar 2025 – May 2025 shows slightly increased chances (33-40%) of below normal rainfall for south Florida.
- The transition into the 2025 wet season shows equal chances (EC) of rainfall for the state of Florida.

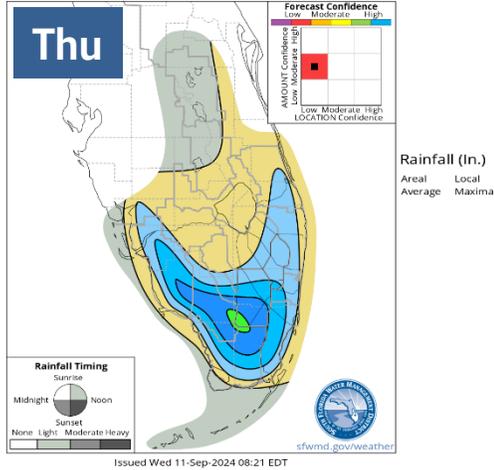
<https://www.cpc.ncep.noaa.gov/products/predictions/30day/>

# Short-, Medium-, & Extended-Range Outlooks

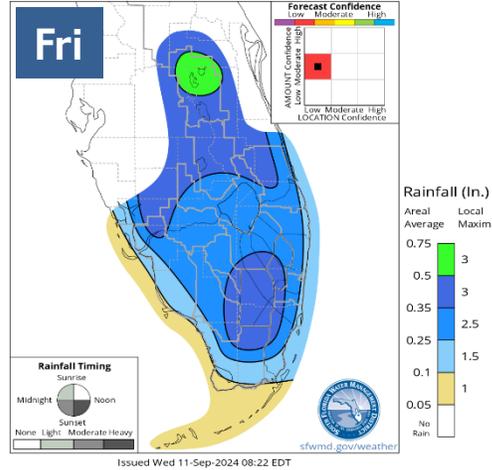
**SFWMD Quantitative Precipitation Forecast (QPF)**  
Day 1 24-Hour Period Beginning 8am EDT Wednesday



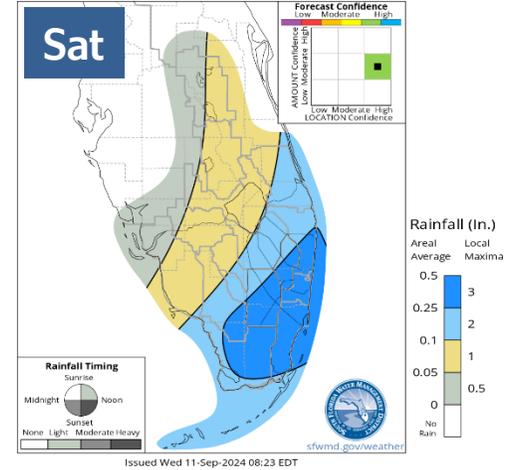
**SFWMD Quantitative Precipitation Forecast (QPF)**  
Day 2 24-Hour Period Beginning 8am EDT Thursday



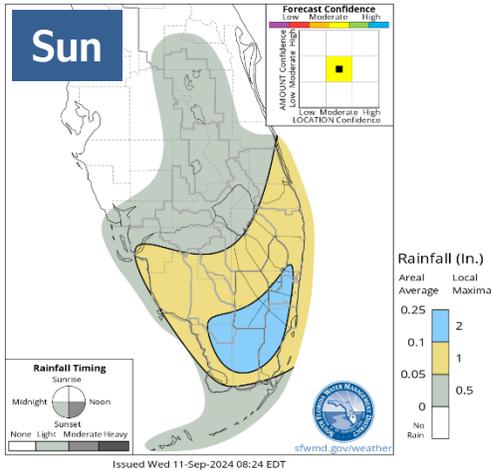
**SFWMD Quantitative Precipitation Forecast (QPF)**  
Day 3 24-Hour Period Beginning 8am EDT Friday



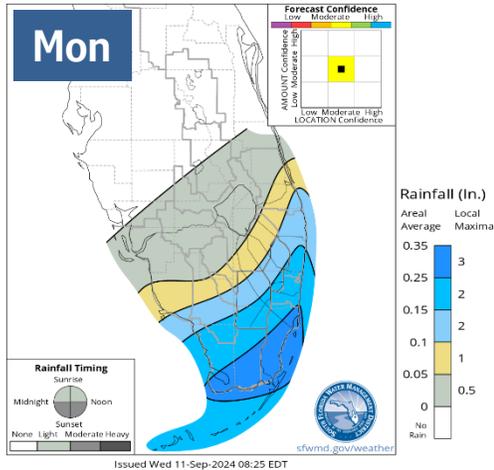
**SFWMD Quantitative Precipitation Forecast (QPF)**  
Day 4 24-Hour Period Beginning 8am EDT Saturday



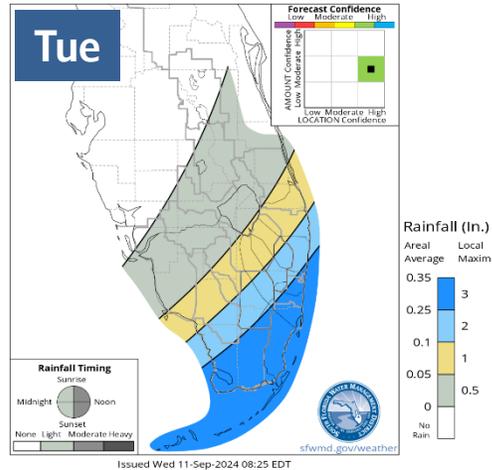
**SFWMD Quantitative Precipitation Forecast (QPF)**  
Day 5 24-Hour Period Beginning 8am EDT Sunday



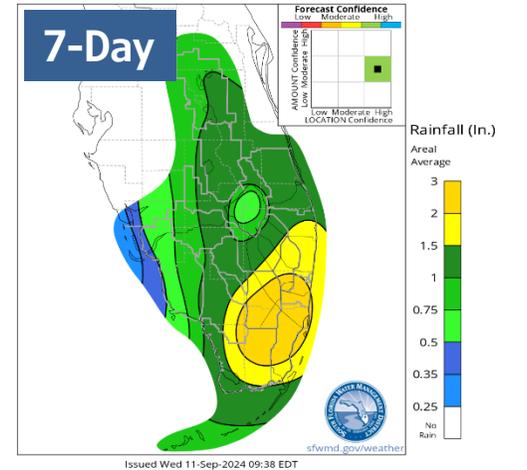
**SFWMD Quantitative Precipitation Forecast (QPF)**  
Day 6 24-Hour Period Beginning 8am EDT Monday



**SFWMD Quantitative Precipitation Forecast (QPF)**  
Day 7 24-Hour Period Beginning 8am EDT Tuesday



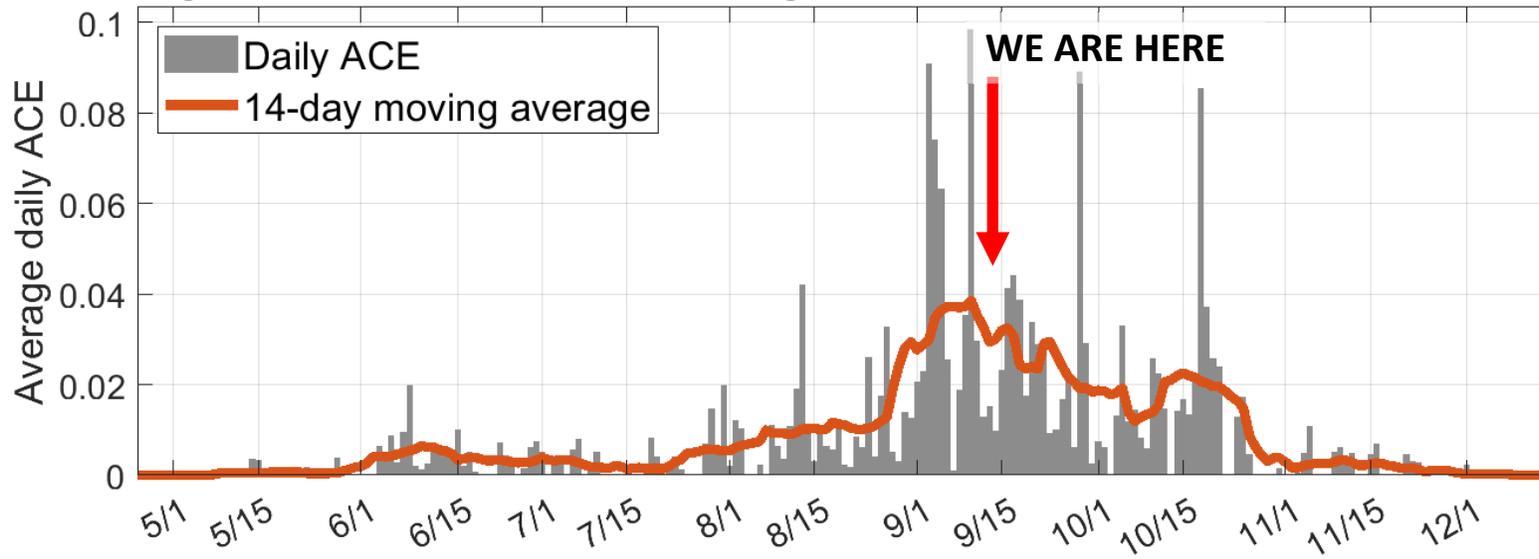
**SFWMD Quantitative Precipitation Forecast (QPF)**  
Days 1-7 Total Accumulated Precipitation



## Weekly Summary

Week 1 (Historical Avg: 1.71"): Below normal  
Week 2 (Historical Avg: 1.54"): Quite unclear

### Daily distribution of TC activity within 50km of Florida, 1900-2022



[weathertiger.substack.com](http://weathertiger.substack.com), @wx\_tiger

