



South Florida Water Management District

GOVERNING BOARD MONTHLY MEETING AGENDA

This meeting is open to the public

February 13, 2014

9:00 AM

Lee County Commission Chambers

2120 Main Street

Ft. Myers, FL 33901

FINAL REVISED 02/11/2014 2:21 PM

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

The Governing Board may take official action at this meeting on any item appearing on this agenda and on any item that is added to this agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes. The order of items appearing on the agenda is subject to change during the meeting and is at the discretion of the presiding officer. Public Comment will be taken after each presentation and before any Governing Board action(s) except for Governing Board hearings that involve the issuance of final orders based on recommended Orders received from the Florida Division of Administrative Hearings.

1. Call to Order - Dan O'Keefe, Chairman, Governing Board
2. Pledge of Allegiance - Dan O'Keefe, Chairman, Governing Board
3. Local Governmental Officials
4. Agenda Revisions - Jacki McGorty, District Clerk
5. Abstentions by Board Members from items on the Agenda
6. Water Resources Advisory Commission (WRAC) Report - Tim Sargent, Chair

Consent Agenda

Members of the public wishing to address the Governing Board are to complete a Public Comment Card and submit the card to the front desk attendant. You will be called by the Board Chair or designee to speak. If you want to request that an item be removed from the Consent Agenda and be discussed by the Governing Board, please advise the Governing Board when you are called upon to speak. Governing Board directives limit comments from the public to 3 minutes unless otherwise determined by the Governing Board Chair. Your comments will be considered by the Governing Board prior to adoption of the Consent Agenda.

Unless otherwise determined by the Chair, Board action on pulled Consent Agenda items will occur at or after 9:00 a.m. on Thursday. Regulatory items pulled from the Consent Agenda for discussion will be heard during the Discussion Agenda. **Unless otherwise noted, all Consent Agenda items are recommended for approval.**

7. Public Comment on Consent Agenda
8. Pull Items for Discussion from Consent Agenda
9. Board Comment on Consent Agenda
10. Approval of the Minutes for the January 9, 2014 Regular Business meeting held in West Palm Beach, Florida
11. Waivers for Water Resources Advisory Commission (WRAC) members pursuant to Section 112.313, Florida Statutes
12. Regulatory Consent Items - **ITEM REVISED**
 - ~~Denials~~
 - o ~~Hull Boat Storage; Mr. James D. Hull (ERP-Glades County)~~ - Staff recommends denial due to applicant's failure to complete the application.
 - *Consent Orders*
 - o **WRI-TC Marketplace at Dr. Phillips, LLC; Marketplace at Dr. Phillips (Orange County)** - Settlement of an enforcement action regarding unpermitted dewatering and unauthorized excavation.
 - *Conservation Easements, Amendments and Releases*
 - o **Braha Sebring, LLC, Swamp Hammock Outdoor Recreation Club (Highlands County)** - Staff recommends the approval of a request for the release of a 1.77 acre area of wetlands and associated buffer within an overall 342.21 acre conservation easement for the Swamp Hammock Recreation Club project in Highlands County. The release is requested in order to use the area for recreational purposes and is being processed concurrently with an Environmental Resource Permit Modification (Application No. 131219-11). Wetland impacts will be offset through onsite mitigation that includes enhancement of other existing wetlands such that no net loss of wetland functions occurs as a result of the proposed project.
 - o **Marsh Landing Community Association at Estero, Inc., Marsh Landing (Lee County)** - Staff recommends the approval of a request

for the partial release of a recorded conservation easement over an existing 3.13-acre preserve area within a development known as Marsh Landing, located in Estero, Lee County, Florida. The original Application Number is 950202-10 and the Environmental Resource Permit Number is 36-00575-S-02.

The partial release of conservation easement reflects the removal of 0.14-acres of preserved upland buffer due to encroachment by existing homes. To compensate for the release of the 0.14-acres of conservation easement, the applicant has proposed to preserve a 0.16-acre tract of uplands, which is adjacent to the removal area and contiguous with the existing preserve. This 0.16-acre tract will be placed under a new conservation easement. The result is a contiguous preserve area of 3.15-acres, a net gain of 0.02-acres.

- *Seminole Tribe Work Plan*
 - o Staff recommends concurrence with the Sixth Amendment to the **Twenty Seventh Annual Work Plan for the Seminole Tribe of Florida**. Works in the Brighton Reservation include the construction expansion of the Brighton Charter School (new gymnasium, media center, parking and associated stormwater management improvements); works in the Immokalee Reservation include construction of a new hotel and associated parking and stormwater management improvements.

13. **Resolution No. 2014 - 0201** Approving release of canal reservations and issuance of a non-use commitment. (OMC, Kathy Massey, ext. 6835)

Summary

The District has jurisdiction over certain reserved rights to construct canal and road right of ways, and mineral rights, together with the right of ingress, egress and exploration. Applications requesting releases of these reservations are routinely received from landowners, attorneys, title companies and lending institutions, who consider the reservations to be title defects. Applications are reviewed by appropriate District staff and applicable local governmental agencies to determine that there is no present or future need for the reservations.

- Release of District canal reservation and issuance of non-use commitment for MC Lowe Investments, Inc., (File No. 18568 and NUC 1637) for 2.50 acres in Palm Beach County.
- Release of District and Trustee canal reservation for MCP The Palms at Doral, LLC, (File No. 18567 and 1-14-2) for 2.77 acres in Miami-Dade County.
- Release of Trustees canal reservation for Sammoury Investment, Inc., (File No. 12-13-1) for 5.86 acres in Miami-Dade County.

14. **Resolution No. 2014 - 0202** Authorizing an amendment to an existing flowage, conservation, monitoring and access easement and restoration and maintenance agreement in favor of the South Florida Water Management District containing 410.96 acres, more or less, along with an amendment to an access road and maintenance easement in favor of the South Florida Water Management District, all for the Lake Okeechobee Isolated Wetland Restoration and Creation Project, in Okeechobee County. (OMC, Bob Schaeffer, ext. 2985)

Summary

As part of the Lake Okeechobee Isolated Wetland Restoration and Creation Project in Okeechobee County, the District was granted a Perpetual Flowage, Inundation, Conservation, Monitoring and Access Easement and Restoration and Maintenance Agreement (the "Conservation/Flowage Easement") with respect to 410.96 acres, more or less, (See Exhibit "A"). Simultaneous with and for access to the Conservation/Flowage Easement property, the District was granted a Perpetual Access Road and Maintenance Easement (the "Access Easement") (See Exhibit "A"). The Conservation/Flowage Easement referred to an attached Wetland Management Plan ("WMP") that was inadvertently omitted. The District and the current land owner of the Conservation/Flowage Easement property desire to incorporate the WMP in the Conservation/Flowage Easement. Also, pursuant to a request by the current land owner, the District and the current owner desire to modify the Conservation/Flowage Easement property by releasing a portion of said property and encumbering another parcel containing an equal amount of acreage and to modify the Access Easement property by releasing a portion of said Access Easement property and relocating it to another parcel that causes the Access Easement to still provide equivalent access to the Conservation/Flowage Easement property

Staff Recommendation

Staff recommends approval of the amendments to the Conservation and Flowage Easement and the Access Easement as detailed herein.

15. **Resolution No. 2014 - 0203** Authorize entering into an amendment to the Cooperative Agreement with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for dedication and certification of lands owned by the Board of Trustees to the Picayune Strand Restoration Project. (Contract No. 4600001758) (EPC, Tom Teets, ext. 6993)

Summary

As the Non-Federal Sponsor for the Picayune Strand Restoration Project, the District is responsible for ensuring that all lands needed for the project are in public ownership. The lands for the project are primarily owned by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (Board of Trustees). The existing Cooperative Agreement with the Board of Trustees outlines the terms and conditions for the South Florida Water Management District to utilize the lands for the purposes of the Picayune Strand Restoration Project. The proposed amendment addresses additional lands not covered in the Cooperative Agreement.

The Cooperative Agreement commits the SFWMD to enter into dispute resolution with the U.S. Army Corps of Engineers if the Board of Trustees determines that the Corps is not fulfilling its obligations under the Picayune Strand Project Partnership Agreement.

Staff Recommendation

Staff recommends approving the Amendment to the Cooperative Agreement with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the Picayune Strand Restoration Project.

16. **Resolution No. 2014 - 0204** Authorizing the Florida Fish and Wildlife Conservation Commission to establish District lands, consisting of approximately 1800 acres of Tract 18121-001 located in Polk County, as part of the Kissimmee Chain of Lakes Managed Area through the end of the 2014 spring turkey season; subject to terms and conditions. (OMC, Steve Coughlin, ext. 2603)

Summary

The agenda item proposes authorizing the Florida Fish and Wildlife Conservation Commission (FWC) to re-establish approximately 1800 acres of the Rolling Meadows land tract 18121-001 located in Polk County into the existing Kissimmee Chain of Lakes Managed Area to provide public access and hunting opportunities through the end of the 2014 spring turkey season. The Rolling Meadows property was previously incorporated into the existing Managed Area, on an interim basis, to provide public use during the 2013-14 fall hunting season. Construction activities to implement a wetland mitigation restoration project on the Rolling Meadows property have been rescheduled to begin in the fall of 2014. Due to changes in the construction schedule, this property is available for public recreation through the end of the 2014 spring turkey season. Rules for the interim use of this property would allow public access and hunting on the weekends only and would prohibit the use of motorized vessels and vehicles, center-fire and rim-fire rifles, and the use of dogs for hunting purposes. FWC would remove the property from the Managed Area following the close of 2014 spring turkey season. Future recreation opportunities and area specific regulations will be evaluated upon completion of the restoration project.

Staff Recommendation

Staff recommends authorizing the Florida Fish and Wildlife Conservation Commission to re-establish approximately 1800 acres of the Rolling Meadows land tract as part of the existing Kissimmee Chain of Lakes Managed Area through the end of the 2014 spring turkey season.

17. **Resolution No. 2014 - 0205** Adopting the FY2014 Five-Year Capital Improvements Plan. (AS, Doug Bergstrom, ext. 6214)

Summary

Section 373.536(6)(a)3, Florida Statutes, requires the District to develop a five-year Capital Improvements Plan (CIP). The plan must include expected sources of revenue for planned improvements and must be prepared in a manner comparable to the fixed capital outlay format set forth in Section 216.043, F.S. Pursuant to Section 373.036(7) F.S., the FY2014 Five-Year Capital Improvements Plan will be published in the 2014 South Florida Environmental Report, Volume II, Chapter 4. The FY2014 Five-Year CIP identifies the following: the capital projects contained in the FY2014 adopted budget, an FY2014 adjusted projection based on updated cash flow projections, and planned future capital projects for the period of FY2015 through FY2018.

Staff Recommendation

Staff recommends approval of the District's FY2014 Five-Year Capital Improvements Plan as the District is required by Section 373.536(6)(a)3, Florida Statutes to furnish copies of this report to, among others, the Governor, the President of the Senate and the Speaker of the House of Representatives.

18. Board Vote on Consent Agenda

19. General Public Comment

20. Board Comment

Discussion Agenda

21. Lower West Coast Initiatives - Introduced by Dan DeLisi, Chief of Staff
 - A) Caloosahatchee Science Workshop Results - Dr. Michael Parsons, Director, Coastal Watershed Institute, Florida Gulf Coast University
 - B) Lee County Water Resource Projects - Kurt Harclerode, Operations Manager, Lee County Natural Resources Division
 - C) Corkscrew Regional Ecosystem Watershed (CREW) Update - Brenda Brooks, Executive Director, CREW Land & Water Trust
 - D) Lower West Coast Projects Update - Jeff Kivett, Division Director, Engineering & Construction Division (ext. 2680)
22. Technical Reports
 - A) Water Conditions Report - Tommy Strowd, Assistant Executive Director, Operations, Maintenance & Construction (ext. 6998)
 - B) Ecological Conditions Report - Terrie Bates, Division Director, Water Resources (ext. 6952)
23. **Resolution No. 2014 - 0206** Approving the Letter of Support and Financial Capability Statement for the Picayune Strand Restoration Project Limited Re-evaluation Report. (EPC, Tom Teets, ext. 6993) - ***SUPPORTING DOCUMENTS MODIFIED***

Summary

The total cost of the Picayune Strand Restoration Project has increased and requires additional authorization from Congress. The Limited Reevaluation Report requests Congressional authorization of an increase in project cost from \$522,644,000 (2013 dollars) to \$619,626,000. The cost increase is related to design refinements including the addition of a tie-back levee, spreader channels, manatee mitigation feature, and redundant pumps at each pump station. In addition, construction management service cost has been higher than originally estimated and the savings and takings analysis for real estate has been revised resulting in an increase in the lands required for the project. The need for the additional cost is detailed in the Limited Reevaluation Report. Until the additional authorization occurs there is not adequate spending authority to initiate construction of the Southwestern Flood Protection Levee, Manatee Mitigation Feature, and remaining road removal and canal plugs (Faka Union and Miller Canals).

Staff Recommendation

Staff recommends approving the Letter of Support and Financial Capability Statement for the Picayune Strand Restoration Project.

24. Authorize publication of Notice of Proposed Rule in the Florida Administrative Register to amend Rules 40E-2.091, 40E-10.021, 40E-10.031, and 40E-10.041, F.A.C., and the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District”, and request review by the Office of Fiscal Accountability and Regulatory Reform, to establish a water reservation and criteria for the CERP Caloosahatchee River (C-43) West Basin Storage Reservoir. (EPC, Beth Lewis ext. 6343)

Summary

The Caloosahatchee River (C-43) West Basin Storage Reservoir Project is a Comprehensive Everglades Restoration Plan (CERP) project, which is anticipated to be authorized by a Water Resources Development Act in the future.

As a prerequisite to the Corps’ execution of a Project Partnership Agreement to cost-share construction, the District must legally protect the water for the natural system as identified in the Project Implementation Report. The District will use its water reservation authority described in Section 373.223(4), F.S., to reserve all of the water contained within and released from the Caloosahatchee River (C-43) West Basin Storage Reservoir for the protection of fish and wildlife found in the Caloosahatchee River. The District is proposing to amend several rules in Chapter 40E-10, F.A.C., adopt definitions, describe the reservoir and reservation, and adopt implementing provisions. The District is also proposing an amendment to Rule 40E-2.091, F.A.C., to incorporate consumptive use permitting review criteria relevant to the reservation in the Basis of Review for Water Use Permit Applications (or Applicant’s Handbook).

Staff Recommendation

Authorize publication of Notice of Proposed Rule in the Florida Administrative Register to amend Rules 40E-2.091, 40E-10.021, 40E-10.031, and 40E-10.041, F.A.C., and the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District”, and request review by the Office of Fiscal Accountability and Regulatory Reform, to establish a water reservation and criteria for the CERP Caloosahatchee River (C-43) West Basin Storage Reservoir.

25. Status update on Memorandum of Agreement for conveyance of real property interests in the Corbett Wildlife Management Area - Jeff Kivett, Division Director, Operations, Engineering & Construction Division (ext. 2680)

Summary

The Governing Board approved the subject Memorandum of Agreement (MOA) with Florida Fish and Wildlife Conservation Commission (FFWCC) at the October 10, 2013 Governing Board meeting. The MOA provides for the South Florida Water Management District (District) conveying to FFWCC approximately a 150 acre parcel located within the District’s 1,896 acre Mecca Farms parcel in Palm Beach County. FFWCC intends to use the land for a public shooting range. FFWCC is to convey to the District approximately a 92 acre water management easement within the Corbett Wildlife Management Area, along with facilitating conveyance of an approximately 2,273 acre flowage easement to the District by the Trustees of the Internal Improvement Trust Fund. The addition of the flowage easement and the location of the water management easement were not resolved at the time of the October Governing Board meeting, but has now have been generally agreed to by the District and FFWCC. This update is to inform the Governing Board of the location of the easement areas as identified on the attached map.

Staff Recommendation

This item is update only; no action is required.

26. **Resolution No. 2014 - 0207** Approving a non-binding Memorandum of Understanding for exchange of lands under which the South Florida Water Management District will receive approximately 360 acres, more or less, of land in fee from the owners of certain tracts within the Shingle Creek Project in Orange County in consideration for and exchange of approximately 100 acres, more or less, of land to be conveyed by the District in fee within the Shingle Creek Project in Orange County, all subject to approval of a land exchange agreement by the Governing Board of the South Florida Water Management District. (OMC, Richard Bassell, ext. 2510)

Summary

The proposed Shingle Creek - Munger Exchange Areas located in Orange County consists of about 1,789 acres and contains a large number of real estate parcels owned by a number of different parties. A general map of the area is attached as Exhibit A and depicts that the South Florida Water Management District ("District") owns a large number of parcels and various private owners ("Private Owners") own other parcels. The ownership of these parcels is currently configured in a scattered ownership pattern. The Private Owners and the District wish to effectuate an exchange of parcels to consolidate and to separate the ownership of the privately-owned lands and the District-owned lands. Consolidation of these property holdings will allow the Private Owners to pursue their goal of sale to an owner or owners with the intent of eventual development; while the District will achieve a more unified tract consistent with its environmental goals.

Staff Recommendation

Staff recommends approving a non-binding Memorandum of Understanding for exchange of lands under which the District will receive approximately 360 acres of land in fee from the owners of certain tracts within the Shingle Creek Project in Orange County in consideration for and exchange of approximately 100 acres of land to be conveyed by the District in fee within the Shingle Creek Project in Orange County.

27. **Resolution No. 2014 - 0208** Authorizing the official ranking of firms and entering into a 3-year contract, with 2 one year extensions, with MWH Americas, Inc.; CDM Smith Inc.; Brown and Caldwell (Corporation); URS Corporation Southern; Tetra Tech, Inc. and Jacobs Engineering Group, Inc. d/b/a J-Tech; CH2M Hill Engineers, Inc. d/b/a CH2M Hill; WRS Infrastructure & Environment, Inc. d/b/a WRScompass; HDR Engineers, Inc.; Carollo Engineers, Inc.; Arcadis US, Inc.; Parsons Brinckerhoff, Inc.; Erdman Anthony of Florida, Inc.; Gannett Fleming, Inc.; subject to successful negotiations to provide professional engineering services for the District Restoration Project, in an amount not-to-exceed \$150,000,000; for all 13 contracts, of which \$10,000,000 in Save Our Everglades Trust Fund, COPS and ad valorem funds are budgeted in FY14 and the remainder is subject to Governing Board approval of the FY15-FY20 budgets; providing an effective date. (Contract Numbers 4600003006, 4600003007, 4600003008, 4600003009, 4600003015, 4600003014, 4600003012, 4600003010, 4600003016, 4600003011, 4600003013, 4600003017, and 4600003018) (OMC, John Mitnik, x2679)

Summary

The purpose of this Request For Proposals was to solicit qualifications and technical proposals to provide engineering services for the District's Restoration project, which includes accomplishing the needs of the environment and meeting water quality requirements. Multiple contract awards are anticipated. Contracts will be for a three year period with two, one year options to renew.

Staff Recommendation

Staff recommends approval to enter into contract negotiations with MWH Americas, Inc.; CDM Smith Inc.; Brown and Caldwell (Corporation); URS Corporation Southern; Tetra Tech, Inc. and Jacobs Engineering Group, Inc. d/b/a J-Tech; CH2M Hill Engineers, Inc. d/b/a CH2M Hill; WRS Infrastructure & Environment, Inc. d/b/a WRSccompass; HDR Engineers, Inc.; Carollo Engineers, Inc.; Arcadis US, Inc.; Parsons Brinckerhoff, Inc.; Erdman Anthony of Florida, Inc.; Gannett Fleming, Inc.

28. **Resolution No. 2014 - 0209** Approve a Three-Year Purchase Order Cooperative Agreement with FDEP for Laboratory Analyses for an amount not to exceed \$1,500,000, of which \$230,000 in ad valorem funds are budgeted and the remainder is subject to Governing Board approval of the FY15-17 budgets. (Contract No. 4600002995) (WR, Dave Struve, ext. 4521)

Summary

To supplement the in-house laboratory capacity and capabilities, the District laboratory must procure approximately another 20,000 laboratory tests through contractual services each year, most of which are for parameters (e.g. organics and ultra-trace mercury) that cannot cost-effectively be analyzed by the District laboratory. Approximately 75% of these contracted samples are sent to the Florida Department of Environmental Protection (FDEP) laboratory. This three-year, \$1,500,000 purchase order contract will be utilized on an as-needed basis for the analyses of water quality monitoring samples collected to support water quality improvement and ecosystem restoration efforts undertaken by several District programs. Additionally, the FDEP laboratory is part of the Continuity of Operations Plan (COOP) for the Water Quality Bureau, which would supplement or temporarily replace services of the District laboratory in the event of a natural disaster or other emergency.

Staff Recommendation

Staff recommends approval of this agreement, which will provide analysis of environmental samples by the FDEP laboratory for tests that the District laboratory does not have the capabilities to conduct.

29. General Public Comment
30. Board Comment

Public Hearing

31. Adopt proposed Rules 40E-1.021, 40E-1.602, 40E-1.603, 40E-1.6065, 40E-1.607, 40E-1.6107, 40E-1.615, 40E-1.659, 40E-2.011, 40E-2.041, 40E-2.061, 40E-2.071, 40E-2.091, 40E-2.101, 40E-2.301, 40E-2.321, 40E-2.331 40E-2.381, 40E-3.011, 40E-3.021, 40E-3.040, 40E-3.051, 40E-3.301, 40E-3.451, 40E-5.011, 40E-5.041, 40E-5.301, 40E-8.011, 40E-8.421, 40E-8.431, 40E-10.011, 40E-10.031, 40E-10.051, 40E-20.010, 40E-20.011, 40E-20.061, 40E-20.091, 40E-20.101, 40E-20.301, 40E-20.302, 40E-20.321, 40E-20.331, 40E-20.351, 40E-20.381, 40E-24.011, 40E-24.101, 40E-24.201, F.A.C., and reorganize and rename the Basis of Review for Water Use Permit Applications within the South Florida Water Management District with the proposed changes to address JAPC and public comment. (REG, Maria Clemente, ext. 2308)

Summary

The Florida Department of Environmental Protection (DEP) is leading a statewide effort (referred to as CUPcon) to improve consistency in the consumptive use permitting programs implemented by the water management districts (WMDs). The CUPcon goals include: 1) making the consumptive use permitting program less confusing for applicants; 2) treating applicants equitably statewide; 3) providing consistent protection of the environment; 4) streamlining the process; and 5) incentivizing behavior that protects water resources. The key changes to the rules include:

- Incorporation of updates to Chapter 62-40, F.A.C.;
- Revision of permit types to include: 1) General Permits by Rule for landscape irrigation, short-term dewatering, and closed-loop systems; 2) Noticed General Permits; and 3) Individual Permits;
- Revision of standard public water supply conservation plan and inclusion of goal based plans;
- Consistent standard permit conditions with the other water management districts and updating existing permit conditions;
- Reorganization of Applicant's Handbook (formerly Basis of Review);
- Inclusion of semi-annual pumpage reporting instead of quarterly reporting; and
- Incorporation of standardized application and compliance forms

Staff Recommendation

Adopt proposed Rules 40E-1.021, 40E-1.602, 40E-1.603, 40E-1.6065, 40E-1.607, 40E-1.6107, 40E-1.615, 40E-1.659, 40E-2.011, 40E-2.041, 40E-2.061, 40E-2.071, 40E-2.091, 40E-2.101, 40E-2.301, 40E-2.321, 40E-2.331 40E-2.381, 40E-3.011, 40E-3.021, 40E-3.040, 40E-3.051, 40E-3.301, 40E-3.451, 40E-5.011, 40E-5.041, 40E-5.301, 40E-8.011, 40E-8.421, 40E-8.431, 40E-10.011, 40E-10.031, 40E-10.051, 40E-20.010, 40E-20.011, 40E-20.061, 40E-20.091, 40E-20.101, 40E-20.301, 40E-20.302, 40E-20.321, 40E-20.331, 40E-20.351, 40E-20.381, 40E-24.011, 40E-24.101, 40E-24.201, F.A.C., and reorganize and rename the Basis of Review for Water Use Permit Applications within the South Florida Water Management District with the proposed changes to address JAPC and public comment. The proposed rules are included in the Governing Board materials for this agenda item.

Staff Reports

32. Monthly Financial Report - Doug Bergstrom, Division Director, Administrative Services Division
33. General Counsel's Report - Carolyn Ansay
34. Executive Director's Report - Blake Guillory
Report on permits issued by authority delegated to the Executive Director from January 1-31, 2014.
35. Board Comment

Attorney Client Sessions

36. Attorney Client Session - USA - *ITEM DELETED*

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2013), to discuss strategy related to litigation expenditures and/or settlement negotiations in United States of America v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 88-1886-CIV-Moreno.

ATTENDEES: Governing Board Members F. Barber, S. Batchelor, M. Hutchcraft, J. Moran, D. O'Keefe, J. Portuondo, K. Powers, T. Sargent, G. Waldman; Executive Director B. Guillory; District attorneys C. Ansay, K. Burns, C. Kowalsky, D. MacLaughlin. (Carolyn S. Ansay, ext. 6976)

Action Items (if any) Stemming from Attorney Client Session

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2013), to discuss strategy related to litigation expenditures and/or settlement negotiations in United States of America v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 88-1886-CIV-Moreno. (Carolyn S. Ansay, ext. 6976)

37. Attorney Client Session - FEMA - *ITEM DELETED*

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2013), to discuss strategy related to litigation expenditures and/or settlement negotiations in South Florida Water Management District v. FEMA, et al., United States District Court, Southern District of Florida, Case No. 13-80533-CIV-Middlebrooks/Brannon and the Administrative Appeal dated November 15, 2012, by the South Florida Water Management District to Major Phillip May, Regional Administrator, Region IV, Federal Emergency Management Agency (FEMA) of the FEMA decision to deobligate funds for the 2004-2005 Hurricanes. (Carolyn S. Ansay, ext. 6976)

ATTENDEES: Governing Board Members F. Barber, S. Batchelor, M. Hutchcraft, J. Moran, D. O'Keefe, J. Portuondo, K. Powers, T. Sargent, G. Waldman; Executive Director B. Guillory; District attorneys C. Ansay, K. Burns, C. Kowalsky, D. MacLaughlin. (Carolyn S. Ansay, ext. 6976)

Action Items (if any) Stemming from Attorney Client Session

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2013), to discuss strategy related to litigation expenditures and/or settlement negotiations in Administrative Appeal dated November 15, 2012, by the South Florida Water Management District to Major Phillip May, Regional Administrator, Region IV, Federal Emergency Management Agency (FEMA) of the FEMA decision to deobligate funds for the 2004-2005 Hurricanes. (Carolyn S. Ansay, ext. 6976)

38. Adjourn