South Florida Water Management District

GOVERNING BOARD MONTHLY MEETING AGENDA

This meeting is open to the public

July 11, 2013
9:00 AM
District Headquarters - B-1 Auditorium
3301 Gun Club Road
West Palm Beach, FL 33406

FINAL REVISED 07/10/2013 2:31 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. Employee Recognitions - Ernie Barnett, Interim Executive Director

   - June Employee of the Month: John Brown, Excavation/Earthmoving Operator, Operations, Maintenance & Construction
   - June Team of the Month: Operations Decision Support System 1.0 Project Team
   - July Employee of the Month: Darlene Bass, Administrative Assistant 3, Operations, Maintenance & Construction
   - July Team of the Month: Tropical Storm Isaac FEMA Reimbursement Team

- 30 Year Service Recognitions: Pedro 'Pete' Loveira, Miami Field Station, and Augusta 'Gus' Odom, Jr., St. Cloud Field Station, Operations, Maintenance & Construction

4. Agenda Revisions - Reagan Walker, Director, Office of Governing Board & Executive Services

5. Discussion on Executive Director position

6. Abstentions by Board Members from items on the Agenda

7. 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.***

8. Public Comment on Consent Agenda

9. Pull Items for Discussion from Consent Agenda

10. Board Comment on Consent Agenda

Consent Items

11. Approval of Minutes for the June 12, 2013, Workshop, held in Biscayne National Park, and the June 13, 2013, Regular Business Meeting held in the Village of Key Biscayne, Florida

12. Regulatory Consent Items

- Conservation Easement Amendments and Releases
- Water Use Variances

13. Right of Way Regulatory Consent Items

- Right of Way Occupancy New Permits
- Right of Way Occupancy Permit Modifications
- Right of Way Occupancy Permit Requests With Waiver of District Criteria
- Relaxation of Standards As Allowed Under District Rule 40E-6.011(9) F.A.C.

14. Waivers for Water Resources Advisory Commisison (WRAC) Members pursuant to Section 112.313, Florida Statutes

15. **Resolution No. 2013 - 0701** A Resolution of the Governing Board of the South Florida Water Management District authorizing the transfer of excess Wetland Mitigation Special Revenue Funds to Comprehensive Everglades Restoration Plan Other Creditable Funds within the District FY13-14 budget to fund components of the Comprehensive Everglades Restoration Plan, Biscayne Bay Coastal Wetlands Restoration Phase I Project; providing an effective date. (WR, Terrie Bates, ext. 6952)

16. **Resolution No. 2013 - 0702** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a nine month cooperative agreement with Martin County for the Rio St. Lucie Stormwater Retrofit in the amount of $310,000, for which dedicated funds from the Save Our Everglades Trust Fund are subject to Governing Board approval of the FY14 budget; providing an effective date. (Contract Number 4600002894) (Kathy LaMartina, ext. 6594)

17. **Resolution No. 2013 - 0703** A Resolution of the Governing Board of the South Florida Water Management District approving release of District canal, mineral and road reservations, issuance of non-use commitments and release of Trustees of the Internal Improvement Trust Fund canal reservations; providing an effective date. (OMC, Kathy Massey, ext. 6835)

18. **Resolution No. 2013 - 0704** A Resolution of the Governing Board of the South Florida Water Management District approving the release of any interest the District may have in a platted Canal Maintenance Easement containing 0.30 acres, more or less, to Broward County at no cost; being adjacent to the C-42 right of way, located within Tract C, PLAT OF SUNRISE GOLF VILLAGE SECTION TWENTYONE PART SEVEN, PB: 115-49, in Section 30, Township 49 South, Range 41 East, Broward County; providing an effective date. (OMC, Kathy Massey, ext. 6835)

19. **Resolution No. 2013 - 0705** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 220-day contract with the Natural Resource Conservation Services (NRCS) for repairs of canal banks damaged by Tropical Storm Isaac in an amount not-to-exceed $500,000, of which the District's total contribution is 25% in ad valorem funds subject to Governing Board approval of the FY14 budget; providing an effective date. (Contract Number 4600002897) (OMC, Jeff Kivett, ext. 2680)

20. Board Vote on Consent Agenda

21. General Public Comment

Discussion Agenda

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. Central Everglades Planning Project Update - Ernie Barnett, Interim Executive Director, and Kimberley Taplin, Chief, Central Everglades Branch, Planning & Policy Division, Jacksonville District, U.S. Army Corps of Engineers (ext. 2110)

24. **Resolution No. 2013 - 0706** A Resolution of the Governing Board of the South Florida Water Management District approving submission of the proposed FY2013-2014 millage rates for the purpose of advising county Property Appraisers for publication on Truth-in-Millage (TRIM) notices; providing an effective date. (AS, Doug Bergstrom, ext. 6214)

25. **Resolution No. 2013 - 0707** A Resolution of the Governing Board of the South Florida Water Management District authorizing staff to pay the Florida Department of Emergency Management an amount not to exceed $3,045,812 pursuant to its request as a result of the Federal Emergency Management Agency's (FEMA) deobligation of funds; providing an effective date. (AS, Doug Bergstrom, ext. 6214)

26. Dispersed Water Management Program Update - Temperince Morgan, Director, Office of Everglades Policy & Coordination (ext. 6987) ***- ITEM REVISED***

27. **Resolution No. 2013 - 0709** A Resolution of the Governing Board of the South Florida Water Management District to authorize staff to enter into negotiations with respondents in ranked order (attachment A) for the Dispersed Water Management Program Water Farming – Payment for Environmental Services Pilot Project solicitation number 6000000576 for 3 year contracts for the purpose of providing water retention services and pilot project implementation information and subject to Governing Board approval of FY14-FY16 budgets; providing an effective date. (EPC, Temperince Morgan, ext. 6987) ***- ITEM DELETED***

28. **Resolution No. 2013 - 0710** A Resolution of the Governing Board of the South Florida Water Management District, directing staff to move forward to analyze options, including but not limited to, disposal of land interests containing 1,723 acres, more or less, in St. Lucie and Martin Counties, together with any structures and improvements and personal property appurtenant thereto, and thereafter propose recommendations to the Governing Board for further approval; providing an effective date. (OMC, Ray Palmer, ext. 2246)

29. Everglades Agricultural Area and C-139 Basins Source Control Program Annual Update - Pam Wade, Bureau Chief, Everglades Regulation Bureau (ext. 6901)

30. 2013 Lower East Coast Water Supply Plan Update - Mark Elsner, Section Administrator, Water Supply Development (ext. 6156)

31. Approval of Inspector General's Audit Reports - Tim Beirnes, Inspector General (ext. 6398)

32. General Public Comment

Public Hearing

33. Adopt amendments to Rules 40E-7.669, 40E-7.670, 40E-7.671, 40E-7.672; 40E-7.674, 40E-7.675, 40E-7.677, F.A.C., regarding the District's procurement process as it relates to Small Business Enterprises. (OC, Frank Mendez, ext. 6260)

Staff Reports

34. Monthly Financial Statement - Doug Bergstrom, Division Director, Administrative Services

35. General Counsel's Report - Carolyn S. Ansay

36. Interim Executive Director's Report - Ernie Barnett

    Report on permits issued by authority delegated to the Interim Executive Director from June 1-30, 2013.

37. Board Comment

Attorney Client Sessions

38. Attorney Client Session ***- ITEM DELETED***

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2012), to discuss strategy related to litigation expenditures and/or settlement negotiations in Black & Veatch Corp. v. South Florida Water Management District, Fifteenth Judicial Circuit, Palm Beach County, Case No. 2009-CA-31734 AH.

ATTENDEES: Governing Board Members F. Barber, S. Batchelor, M. Hutchcraft, J. Moran, D. O'Keefe, J. Portuondo, K. Powers, T. Sargent, G. Waldman; Interim Executive Director E. Barnett; District attorneys C. Ansay, K. Burns, C. Kowalsky, D. MacLaughlin, R. Holmes. (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 (2012) to discuss strategy related to litigation expenditures and/or settlement negotiations in Black & Veatch Corp. v. South Florida Water Management District, Fifteenth Judicial Circuit, Palm Beach County, Case No. 2009-CA-31734 AH. (Carolyn S. Ansay, ext. 6976)

39. Attorney Client Session ***- ITEM DELETED***

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2012), 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)

ATTENDEES: Governing Board Members F. Barber, S. Batchelor, M. Hutchcraft, J. Moran, D. O'Keefe, J. Portuondo, K. Powers, T. Sargent, G. Waldman; Interim Executive Director E. Barnett; District attorneys C. Ansay, K. Burns, C. Kowalsky, D. MacLaughlin, K. Williams. (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 (2012), 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)

40. Attorney Client Session

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2012), 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; Interim Executive Director E. Barnett; 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 (2012), 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)

41. Adjourn

July Employee of the Month

Darlene Bass - Administrative Assistant 3

Operations, Maintenance and Construction

Darlene was tasked with rolling out critical data storage projects in the OMC Division to maximize IT storage and accessibility. Implementation will save time and money by eliminating the number of servers that have to be maintained and searched for data.

Darlene conducted meetings with each Bureau/Section to coordinate project expectations and deadlines. She developed a training schedule and timeline for each project and conducted training which required travel to various sites.

During implementation, Darlend assisted other Bureaus and Sections to move data while conducting this monumental effort for her work group. She also presented a project overview at the OMC Manager's Meeting.

Darlene's persistence and attention to detail ensured success. Her work on these projects was accomplished over and above her normal job duties which she continued to perform in her usual excellent manner.

Congratulations, Darlene!

July Team of the Month
Tropical Storm Isaac FEMA Reimbursement Team
Rupa Pandit and Jeff Stokes

In the wake of Tropical Storm Isaac in August 2012, Rupa and Jeff took the lead to gather documentation for FEMA reimbursement. As a result of their efforts, the District is eligible to receive approximately $2 million for expenses incurred during and after this significant storm that impacted Monroe, Palm Beach, Glades, Martin, Glades and St. Lucie counties.

A kick-off meeting was held between the District, State and FEMA and work quickly began to meet a tight 60-day deadline. After three weeks of nonstop work, the District was advised by FEMA that the original directive communicated was incorrect and a new process and largely different documentation was now needed. Undaunted and determined, Jeff and Rupa redirected their efforts in the most efficient ways possible.

Capitalizing on his knowledge of SAP, Jeff single-handedly pulled together information such as fuel costs for pumping and other equipment usage. This required identifying all equipment and number of hours utilized for Isaac-related activities. Rupa utilized her knowledge of the FEMA Public Assistance program to document and validate staff expenses by creating spreadsheets containing thousands of lines of data.

Rupa and Jeff were able to recover from a significant setback and persevered to meet the deadline. Displaying skills and adaptability, they produced a comprehensive and excellent final product. Congratulations!

Attachment: Employee Recognitions(2) (1334 : Employee Recognitions)

30-Year Service Recognition

Pedro “Pete” Loveira

Miami Field Station

Operations, Maintenance and Construction

Pete was hired in June 1983 as a Field Worker on the Building & Structure Maintenance crew. Within a year, he was promoted to Maintenance Mechanic Trades Helper and two years later to Maintenance Mechanic.

In 1993, Pete’s position was reclassified to Facility Maintenance Mechanic and reclassified again to Structure Maintenance Technician in 1998. Pete was a member of the Dive Team from February 2000 to February 2006 and performed several hundred maintenance and inspection dives.

In July 2002, he was promoted to crew chief and led the structure maintenance team for five years. Pete mentors younger crew members and generously shares his knowledge and history of structures and canals.

Pete is currently a Structure Maintenance Technician on Miami’s Structure Maintenance Crew and his years of experience are vital to completing a multitude of projects. His honesty and integrity were recently displayed when he received the “Humanitarian Award” for returning over $13,000 in cash found on the road in a backpack while traveling to work.

Congratulations, Pete, for 30 years of service!

30-Year Service Recognition

Augusta “Gus” Odom Jr.

St. Cloud Field Station

Operations, Maintenance and Construction

Gus was hired in 1983 as a Field Worker and through the years was promoted to Herbicide Applicator Trades Helper, Herbicide Applicator 1 and 2 – reclassified in 1993 as Vegetation Management Technician. In 2012, Gus was redirected to the position of Excavation/Earthmoving Operator, the title he holds today.

A few of the highlights of his career include the opportunity to contribute to one of the largest and most successful Hydrilla/Sonar herbicide treatment projects in the country in 1999. The 2004 Hurricane season brought four major storms impacting central and southern Florida. Gus worked tirelessly in the Kissimmee area for weeks and months ensuring the District’s core mission of flood control. Other major projects where Gus played a key role are the STA5 project in Clewiston and the KICCO dredging project.

Gus has received 10 Bravo Awards and was a candidate for 2 Teams of the Month. He is a multi-talented and dependable employee and is trusted and respected by his peers. He is an individual who truly cares for his co-workers and fellow citizens and is actively involved in the community.

Congratulations, Gus, for 30 years of service!

Attachment: Employee Recognitions(2) (1334 : Employee Recognitions)

CONSENT AGENDA TABLE OF CONTENTS
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July 11, 2013

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II	WATER USE VARIANCES	3

Attachment: ca_rm_reg_100_sd (1329 : Regulatory Consent Agenda)

REGULATION AGENDA ITEMS

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

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

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

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

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

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

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

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

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

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

CONSERVATION EASEMENT: A perpetual fee ownership in real property that retains such land or water area in its predominantly natural, scenic, open, or wooded condition. Conservation easements generally limit the use of the conservation area to passive, recreational activities such as hiking and bicycling. The District will consider as mitigation for the adverse impacts to wetlands or other surface waters functions caused by a proposed project, the preservation, by conservation easement, of wetland ecosystems.

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

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

Attachment: ca_rm_reg_100_sd (1329 : Regulatory Consent Agenda)

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

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

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

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

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

Attachment: ca_rm_reg_100_sd (1329 : Regulatory Consent Agenda)

CONSERVATION EASEMENT AMENDMENTS AND RELEASES

1. PERMITTEE: OSCAR LEWIS DANIEL
   PROJECT: DANIEL RANCH

OKEECHOBEE COUNTY

PARTIAL RELEASE OF A CONSERVATION EASEMENT RECORDED ON NOVEMBER 1, 2006, THAT WAS GRANTED PURSUANT TO CONSENT AGREEMENT ORDER NO. SFWMD 2006 068 CO ERP ENTERED INTO BETWEEN OSCAR "BUCK" LEWIS DANIEL AND R BAR ESTATES, INC. (COLLECTIVELY, "DANIEL") AND THE DISTRICT, TO MITIGATE FOR UNAUTHORIZED WETLAND IMPACTS IN ANTICIPATION OF DANIEL APPLYING FOR AND OBTAINING AN ENVIRONMENTAL RESOURCE PERMIT ("PERMIT") TO ADDRESS THE WETLAND IMPACTS. SINCE THE CONSERVATION EASEMENT WAS GRANTED, DANIEL HAS CEASED THE AGRICULTURAL OPERATIONS THAT LED TO THE WETLAND VIOLATIONS AND HAS ADDRESSED CERTAIN WETLAND IMPACTS AND CONSEQUENTLY, NO LONGER INTENDS TO OBTAIN A PERMIT. DANIEL ALSO INTENDS TO MODIFY WATER CONTROL STRUCTURES IN ORDER TO PROVIDE HYDRATION TO SEVERAL WETLANDS. PARTIAL RELEASE OF 79.66 ACRES OF THE EXISTING 188 ACRE CONSERVATION EASEMENT IS BEING REQUESTED DUE TO THE CHANGE IN LAND USE AND SITE CONDITIONS AND IN CONJUNCTION WITH A CONSENT FINAL JUDGMENT THAT WILL RESOLVE THE ON-GOING LITIGATION OF THIS MATTER.

2. PERMITTEE: JUPITER GOLD CLUB, LLC
   PROJECT: TRUMP NATIONAL GOLF CLUB JUPITER PROJECT (FKA RITZ CARLTON GOLF COURSE & SPA)

PALM BEACH COUNTY

APPROVE A REQUEST FOR RELEASE OF A 0.59 ACRE (25,487 SQ. FT.) AREA WITHIN A CONSERVATION EASEMENT FOR THE TRUMP NATIONAL GOLF CLUB JUPITER PROJECT (F.K.A. RITZ CARLTON GOLF COURSE & SPA) IN JUPITER, FLORIDA. THE EASEMENT AREA IS WITHIN A BALD EAGLE MANAGEMENT ZONE PRESERVE AREA LOCATED IN TRACT I OF THE DEVELOPMENT. THE RELEASE OF CONSERVATION EASEMENT IS REQUESTED DUE TO THE LOSS OF THE EAGLE NEST AS A RESULT OF NATURAL FORCES AND ABANDONMENT OF THE AREA FOR NESTING BY EAGLES AS DEFINED BY THE CRITERIA SPECIFIED BY THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION. THE ORIGINAL BALD EAGLE MANAGEMENT PLAN, DEVELOPED IN CONCURRENCE WITH THE U.S. FISH & WILDLIFE SERVICE IN 2001, ANTICIPATED ALLOWING FOR OTHER USES IN THE EVENT THAT THE EAGLE NEST ABANDONMENT CRITERIA WERE MET. DISTRICT STAFF ARE REVIEWING A REQUEST FOR A PERMIT MODIFICATION (APPLICATION NO. 130522-15) TO ACCOMMODATE AN EMERGENCY ACCESS AND MAINTENANCE PATH AND THE INSTALLATION OF TWO NEW GOLF TEES WITHIN THE EASEMENT AREA REQUESTED FOR RELEASE.

Attachment: ca_rm_reg_100_sd (1329 : Regulatory Consent Agenda)

WATER USE VARIANCES

1. PERMITTEE: 8524 SUMMERVILLE PLACE
   PROJECT: 8524 SUMMERVILLE PLACE

ORANGE COUNTY

ENTER A FINAL ORDER GRANTING A PETITION FOR VARIANCE TO 8524 SUMMERVILLE PLACE AUTHORIZING A VARIANCE FROM THE DAY OF THE WEEK LANDSCAPE IRRIGATION MEASURES SPECIFIED IN CHAPTER 40E-24, F.A.C., TO PROVIDE FOR WATER CONSERVATION THROUGH IMPLEMENTATION OF AN ADVANCE IRRIGATION SYSTEM

2. PERMITTEE: MISSION VIEJO CONDOMINIUM ASSOCIATION
   PROJECT: MISSION VIEJO

PALM BEACH COUNTY

ENTER A FINAL ORDER GRANTING A PETITION FOR VARIANCE TO MISSION VIEJO CONDOMINIUM ASSOCIATION AUTHORIZING A VARIANCE FROM THE DAY OF THE WEEK LANDSCAPE IRRIGATION MEASURES SPECIFIED IN CHAPTER 40E-24, F.A.C., TO PROVIDE FOR WATER CONSERVATION THROUGH IMPLEMENTATION OF AN ADVANCE IRRIGATION SYSTEM.

Attachment: ca_rm_reg_100_sd (1329 : Regulatory Consent Agenda)

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RIGHT OF WAY OCCUPANCY CONSENT AGENDA FOR GOVERNING BOARD APPROVAL
July 11, 2013

		PAGES
I	**RIGHT OF WAY OCCUPANCY NEW PERMITS:** Governing Board action is required for routine requests for permits which conform to applicable rules for utilization of Works and Lands of the District. Items are placed on this Consent Agenda when the staff's recommendation is for approval.	2-3
II	**RIGHT OF WAY OCCUPANCY PERMIT MODIFICATIONS:** Governing Board action is required for routine requests which involve a change, addition or deletion to a use of the right of way which was previously permitted. Items are placed on this Consent Agenda when the staff's recommendation is for approval.	4-5
III	**RIGHT OF WAY OCCUPANCY PERMIT REQUESTS WITH WAIVER OF DISTRICT CRITERIA:** Governing Board action is required on petitions received requesting a waiver of District criteria. Section 120.542, F.S. and Rule 28-104.002, F.A.C., requires agencies to grant variances and waivers to their own rules when a person subject to the rules files a petition and demonstrates that he or she can achieve, or has achieved, the purpose of the underlying statute by other means and when application of rule would create a substantial hardship or would violate principles of fairness. A "substantial hardship" is defined as a demonstrated economic, technological, legal or other type of hardship to the person requesting the waiver. "Principles of fairness" are violated when the literal application of a rule affects a particular person in a manner significantly different from the way it affects other similarly situated persons who are subject to the rule. A "waiver" is defined as an agency decision not to apply all or part of a rule to the person subject to the rule.	6
IV	**RELAXATION OF STANDARDS AS ALLOWED UNDER DISTRICT RULE 40E-6.011(9) F.A.C.:** Governing Board reserves sole authority to make a determination that portions of the District's rights of way are inaccessible for routine maintenance activities due to a variety of physical limitations. While a determination that a certain segment of right of way is presently unusable for routine land-based maintenance activities and relaxation of the restrictions in Zones 2, 3, 4 and 5 may be allowed, such determination shall be at the sole discretion of the District and does not obviate the need for individuals with proposed or existing facilities within these areas to obtain permits from the District. Further the District reserves the right to enter these areas to conduct emergency operations or to require the removal of any encroachments that are inconsistent with these rules at such time as maintenance access is perfected through the area.	7

Attachment: ca_rm_om_101_sd (1330 : Right of Way Regulatory Consent Agenda)

RIGHT OF WAY OCCUPANCY NEW PERMITS

1. MIAMI-DADE COUNTY PUBLIC WORKS AND WASTE MANAGEMENT DEPT.
COUNTY: MIAMI-DADE

Permit Number: 14179
Appl No.: 13-0517-2
Easement

AUTHORIZING:
EXISTING 24" CMP CULVERT CONNECTION THROUGH THE NORTH RIGHT OF WAY OF C-2 WESTERLY OF S.W. 93RD AVENUE.

LAST DATE FOR BOARD ACTION: AUGUST 15, 2013

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2. MITCHELL C. GLASS
COUNTY: MIAMI-DADE

Permit Number: 14194
Appl No.: 13-0617-1
Easement

AUTHORIZING:
EXISTING BOAT RAMP AND FENCE ENCLOSURE ENCROACHING APPROXIMATELY 15 FEET WITHIN THE DISTRICT'S WEST RIGHT OF WAY OF C-100A AT THE REAR OF 16209 S.W. 77 COURT. (LOCATED WITHIN AREA PREVIOUSLY RELAXED BY THE DISTRICT'S GOVERNING BOARD).

LAST DATE FOR BOARD ACTION: AUGUST 15, 2013

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3. LAZARO MONTEAGUDO
COUNTY: MIAMI-DADE

Permit Number: 14188
Appl No.: 13-0509-1
Fee

AUTHORIZING:
EXISTING FENCE ENCLOSURE ENCROACHING APPROXIMATELY 15' INTO THE RIGHT OF WAY (APPROXIMATELY 40' FROM TOP OF BANK) WITHIN NORTH RIGHT OF WAY OF C-1W AT THE REAR OF 14922 SW 149 STREET.

LAST DATE FOR BOARD ACTION: JULY 11, 2013

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4. DAYNA L. KIMMINS
COUNTY: ST. LUCIE

Permit Number: 14182
Appl No.: 13-0513-3
Easement

AUTHORIZING:
EXISTING DOCK WITH LIFT, WATER AND ELECTRICAL SERVICE WITHIN THE NORTH RIGHT OF WAY OF C-24 CANAL AT THE REAR OF 2632 SW RIVER SHORE DRIVE (LOT 20, SOUTH RIVER SHORES SUBDIVISION).

LAST DATE FOR BOARD ACTION: JULY 11, 2013

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5. FORTUNYS INC
COUNTY: ST. LUCIE

Permit Number: 14177
Appl No.: 13-0508-1
Easement

AUTHORIZING:
EXISTING DOCK WITH LIFT, 12' X 15' ROOF, WATER AND ELECTRICAL SERVICE WITHIN THE NORTH RIGHT OF WAY OF C-24 CANAL AT THE REAR OF 2640 SW RIVER SHORE DRIVE (LOT 24, SOUTH RIVER SHORES SUBDIVISION).

LAST DATE FOR BOARD ACTION: JULY 11, 2013

Attachment: ca_rm_om_101_sd (1330 : Right of Way Regulatory Consent Agenda)

RIGHT OF WAY OCCUPANCY NEW PERMITS

6. NEAL COMMUNITIES OF SOUTHWEST FLORIDA
COUNTY: COLLIER

Permit Number: 14184
Appl No.: 13-0515-2
Agreement

AUTHORIZING:
REPLACEMENT OF AN EXISTING 24" OUTFALL PIPE THROUGH THE EAST RIGHT OF WAY OF C.R. 951 CANAL LOCATED APPROXIMATELY 1 MILE NORTH OF VANDERBILT BEACH ROAD, SERVING NEAL COMMUNITIES OF NAPLES.

LAST DATE FOR BOARD ACTION: AUGUST 15, 2013

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7. FRANK J. AND ARLENE G. LOPIANO
COUNTY: ST. LUCIE

Permit Number: 14174
Appl No.: 13-0425-2
Easement

AUTHORIZING:
EXISTING DOCK WITH LIFT, WATER AND ELECTRICAL SERVICE WITHIN THE NORTH RIGHT OF WAY OF C-24 CANAL AT THE REAR OF 2628 SW RIVER SHORE DRIVE (LOT 18, SOUTH RIVER SHORES SUBDIVISION).

LAST DATE FOR BOARD ACTION: JULY 11, 2013

Attachment: ca_rm_om_101_sd (1330 : Right of Way Regulatory Consent Agenda)

RIGHT OF WAY OCCUPANCY PERMIT MODIFICATIONS

1. GEORGE GONZALEZ AND LOUIS GUZMAN — Permit Number: 11524
   COUNTY: ST. LUCIE — Appl No.: 13-0430-1M
   Easement

   AUTHORIZING:
   TWO DOCK EXTENSIONS, TWO PILINGS AND TWO JET SKI LIFTS (EXISTING) ADDED TO PREVIOUSLY AUTHORIZED DOCK WITHIN THE NORTH RIGHT OF WAY OF C-24 CANAL AT THE REAR OF 2616 SW RIVER SHORE DRIVE (LOT 12, SOUTH RIVER SHORES SUBDIVISION).

   LAST DATE FOR BOARD ACTION: JULY 11, 2013

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2. GREGORY P. AND LINDA K. BARANIAK — Permit Number: 10237
   COUNTY: ST. LUCIE — Appl No.: 13-0429-3M
   Easement

   AUTHORIZING:
   EXISTING DOCK EXTENSION ADDED TO PREVIOUSLY AUTHORIZED DOCK WITHIN THE NORTH RIGHT OF WAY OF C-24 CANAL AT THE REAR OF 2646 SW RIVER SHORE DRIVE (LOT 27, SOUTH RIVER SHORES SUBDIVISION).

   LAST DATE FOR BOARD ACTION: JULY 11, 2013

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3. KENNETH D. GEORGE — Permit Number: 10744
   COUNTY: ST. LUCIE — Appl No.: 13-0425-1M
   Easement

   AUTHORIZING:
   EXISTING DOCK EXTENSION ADDED TO PREVIOUSLY AUTHORIZED DOCK WITHIN THE NORTH RIGHT OF WAY OF C-24 CANAL AT THE REAR OF 2616 SW RIVER SHORE DRIVE (LOT 14, SOUTH RIVER SHORES SUBDIVISION).

   LAST DATE FOR BOARD ACTION: JULY 11, 2013

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4. FRANK AND FRIEDA CARFAGNA — Permit Number: 11341
   COUNTY: ST. LUCIE — Appl No.: 13-0429-2M
   Easement

   AUTHORIZING:
   EXISTING 3' X 21' DOCK EXTENSION AND FOUR (4) PILINGS ADDED TO PREVIOUSLY AUTHORIZED DOCK WITHIN THE NORTH RIGHT OF WAY OF C-24 CANAL AT THE REAR OF 2582 SW BARBER LANE (LOT 1, PORT ST. LUCIE SECTION 18-BLOCK 773).

   LAST DATE FOR BOARD ACTION: JULY 11, 2013

Attachment: ca_rm_om_101_sd (1330 : Right of Way Regulatory Consent Agenda)

RIGHT OF WAY OCCUPANCY PERMIT MODIFICATIONS

5. CARL AND CATHERINE FRUMENTI — Permit Number: 11881
COUNTY: PALM BEACH — Appl No.: 13-0523-2M
Easement

AUTHORIZING:
EXISTING ELECTRICAL SERVICE TO PREVIOUSLY AUTHORIZED DOCK WITHIN THE SOUTH RIGHT OF WAY OF C-16 LOCATED ADJACENT TO THE EAST 45' OF LOT 41 OF HARBOR ESTATES (APPROXIMATELY 228' EAST OF STRUCTURE S-41).

LAST DATE FOR BOARD ACTION: AUGUST 15, 2013

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6. WATSON & CHRISTINE RITTENHOUSE — Permit Number: 12395
COUNTY: ST. LUCIE — Appl No.: 13-0415-2M
Easement

AUTHORIZING:
EXISTING 5' X 4' DOCK EXTENSION, PILING AND DAVIT ADDED TO PREVIOUSLY AUTHORIZED DOCK WITHIN THE NORTH RIGHT OF WAY OF C-24 CANAL AT THE REAR OF 2598 S.W. RIVER SHORE DRIVE (LOT 3, SOUTH RIVER SHORE SUBDIVISION).

LAST DATE FOR BOARD ACTION: JULY 11, 2013

Attachment: ca_rm_om_101_sd (1330 : Right of Way Regulatory Consent Agenda)

RIGHT OF WAY OCCUPANCY PERMIT REQUEST WITH WAIVER OF DISTRICT CRITERIA

1. Consideration of a request by **Florida Department of Transportation – District 1** (Application Number 13-0419-1) for issuance of Right of Way Occupancy Permit No. 14186 for the proposed placement of a cantilever overhead sign, post foundation and associated conduit; and waiver of District's criteria for the cantilever overhead sign and post foundation within the Cocohatchee Canal right of way. Location: Collier County, Section 20, Township 48 South, Range 26 East.

   The applicant's request for waiver of the District's criteria, which governs the placement of above-ground permanent and/or semi-permanent encroachments within 40' top of the canal bank located within Works or Lands of the District, is based on "substantial hardship." The applicant asserts that the proposed location of the cantilever overhead sign and post foundation are necessary for motorist safety and compliance with the Manual on Uniform Traffic Control Devices (MUTCD) standards. In addition, the proposed signage has a minimal footprint and will be placed within 5' of the existing guardrail to allow for guardrail deflection.

   The District's Operations, Maintenance and Construction Division (Big Cypress Basin) has stated that the proposed signage will not interfere with the District's ability to perform necessary construction, alteration, operation and routine maintenance activities, so the purpose of the underlying statue will be achieved.

   The applicant's petition has been reviewed by the Office of Counsel for compliance with applicable legal requirements. Pursuant to Section 120.542(6), F.S., notice of the petition was provided to the Department of State and published in *Volume 39, Number 87* of the Florida Administrative Register on *May 3, 2013*. No public comments were received.

   Therefore, staff recommends **approva**l of the issuance of Right of Way Occupancy Permit Number 14186 and **approva**l of the petition for Waiver of the District's criteria, which governs the placement of above-ground permanent and/or semi-permanent encroachments within 40' top of the canal bank within Works or Lands of the District.
   (Agreement)

Attachment: ca_rm_om_101_sd (1330 : Right of Way Regulatory Consent Agenda)

RELAXATION OF STANDARDS AS ALLOWED UNDER DISTRICT RULE 40E-6.011(9), F.A.C.

1. It is the recommendation of the staff of Operations, Maintenance and Construction Division that the Governing Board waive the requirement contained in District Rules which specifies that an unencumbered 40 foot wide strip of right of way as measured from the top of bank landward, which is required in order for the District to perform the routine operations and maintenance activities, along the north and south sides of C-51 from a point beginning at the eastern limit of the City of Lake Worth Spillway Park and continuing easterly approximately 2,940 feet to the Intracoastal Waterway requested in future Right of Way Occupancy Permit Applications.

   Staff's recommendation is based on the fact that portions of this reach of the District's C-51 Canal right of way has limited access by the West Palm Beach Field Station and/or is encumbered with encroachments. This reach of C-51 is located downstream of the S-155 coastal structure in tidal waters and, with the exception of a small portion of the south right of way west of Olive Avenue, is fortified with a U.S. Army Corps of Engineers (USACE) constructed seawall.

   For the areas that are currently fortified with the seawall, this relaxation does not include the first 20 feet of right of way landward and parallel to the seawall. For areas where there is no seawall, relaxation of 40 feet as measured from top of bank landward applies. Furthermore, this relaxation specifically excludes the adjacent owners whose properties lie adjacent to the District's required 100' long staging areas located upstream and downstream of all four quadrants of pile-supported bridge and utility crossings. Applications for encroachments within these specified staging areas when submitted shall be handled on an individual basis.

   Staff reserves the right to deny requests for any existing or proposed facilities that are not consistent with conditions for issuance of permits contained in District Rule 40E-6.221.

   District Rule 40E-6.011(9), F.A.C., (Policy and Purpose), asserts that "the District reserves sole authority to make a determination that portions of the District's rights of way are inaccessible for routine maintenance activities due to a variety of physical limitations. While a determination that a certain segment of right of way is presently unusable for routine land-based maintenance activities such determination shall be at the sole discretion of the District and does not obviate the need for individuals with proposed or existing facilities within these areas to obtain permits from the District. Further, the District reserves the right to enter these areas to conduct emergency operations or to require the removal of any encroachments that are inconsistent with these rules at such time as maintenance access is perfected through the area."

   Further, the establishment of the areas covered by Rule 40E-6.011(9), F.A.C. will be applied to all future applicants in the geographical area specified above.
   (Fee)

Attachment: ca_rm_om_101_sd (1330 : Right of Way Regulatory Consent Agenda)

M E M O R A N D U M

TO: Governing Board Members

FROM: Terrie Bates, Director, Water Resources Division

DATE: July 11, 2013

SUBJECT: Funds Transfer for Biscayne Bay Coastal Wetlands Restoration Phase I Project

Agenda Item Description

A resolution of the Governing Board authorizing transfer of $2,000,000 of excess special revenue funds from the Wetland Mitigation Fund to the Comprehensive Everglades Restoration Plan Other Creditable Funds for implementation of incremental components of the Comprehensive Everglades Restoration Plan - Biscayne Bay Coastal Wetlands Restoration Phase I Project as part of the planned FY14 Budget.

Background

In 1995, the District began accepting mitigation payments from Environmental Resource Permit (ERP) permittees needing mitigation to offset permitted wetland impacts. The mitigation payment was a cost per acre payment calculated based on the principles of full cost accounting. It included funds for land acquisition, restoration and long term management. The District established a mitigation fund to account for mitigation payments and segregated and tracked the Pennsuco money as “Land Acquisition”, “Restoration” and “Long-Term Management” accounts. Subsequently, funds were added to these accounts to similarly carry out mitigation activities associated with the Lake Belt mining area. As private mitigation banks became available as a mitigation option, the District stopped accepting mitigation funds for ERP permittees.

The District has fulfilled the Pennsuco land acquisition and restoration necessary to satisfy all of the mitigation requirements set forth in the ERP permits which made mitigation payments to the District. Mitigation activities associated with the Lake Belt are an ongoing responsibility and all current obligations have been satisfied, and future work has been fully funded with payments to the “Restoration” and “Long-Term Management” accounts.

Interest earned since 1995 on the Pennsuco “Land Acquisition” and “Restoration” accounts is separately accounted for and is designated as “Available for Land and Restoration” activities. Due to the efficiency and effectiveness of the District’s Pennsuco wetland restoration work, the interest earnings are not needed to complete mitigation activities in the project.

Core Mission and Strategic Priorities

The Biscayne Bay Coastal Wetlands Restoration Phase I Project is a component of the Comprehensive Everglades Restoration Plan. Staff responsible for the project include:

Everglades Policy and Coordination, Operations, Maintenance and Construction and Water Resources.

Funding Source
The principal funding source for the Biscayne Bay Coastal Wetlands Restoration Phase I Project is from excess special revenue funds from the Wetland Mitigation Fund.

Staff Recommendation
As presented and discussed at the June 13, 2013 Governing Board meeting, staff recommends $2,000,000 of these excess special revenue funds be transferred from the Pennsuco Wetland Mitigation Fund to the Comprehensive Everglades Restoration Plan Other Creditable Funds for implementation of incremental components of the CERP Biscayne Bay Coastal Wetlands Restoration Phase I Project.

If you have any questions, please call Terrie Bates at ext. 6952.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2013 - 0701

A Resolution of the Governing Board of the South Florida Water Management District authorizing the transfer of excess Wetland Mitigation Special Revenue Funds to Comprehensive Everglades Restoration Plan Other Creditable Funds within the District FY13-14 budget to fund components of the Comprehensive Everglades Restoration Plan, Biscayne Bay Coastal Wetlands Restoration Phase I Project; providing an effective date. (WR, Terrie Bates, ext. 6952)

WHEREAS, Section 373.536 (4)(a), Florida Statutes, provides that transfers of funds may be made within the budget by action of the Governing Board at a public meeting of the governing board; and

WHEREAS, a request is being brought to the Governing Board for the authorization to transfer funds from the Wetland Mitigation Special Revenue fund to the Comprehensive Everglades Restoration Plan Other Creditable Funds within the District FY13-14 budget for the purpose of implementation of incremental components of the Comprehensive Everglades Restoration Plan, Biscayne Bay Coastal Wetlands Restoration Phase I Project up to $2,000,000; and

WHEREAS the Executive Director recommends that this transfer be approved in order to facilitate the operations of the District; **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 FY13-14 budget transfer of funds for the purpose of the Biscayne Bay Coastal Wetlands Restoration Phase I project up to $2,000,000.

Section 2. This resolution shall take effect immediately upon adoption of the FY13-14

budget.

PASSED and **ADOPTED** this 11th day of July, 2013.

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

_____
Chairman

Attest:

_____
District Clerk/Secretary

Legal form approved:
By:

_____
Office of Counsel

Print name:

_____

M E M O R A N D U M

TO: Governing Board Members

FROM: Temperince Morgan,

DATE: July 11, 2013

SUBJECT: Rio St. Lucie Stormwater Retrofit Project - 4600002894

Agenda Item Description

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a nine month cooperative agreement with Martin County for the Rio St. Lucie Stormwater Retrofit in the amount of $310,000, for which dedicated funds from the Save Our Everglades Trust Fund are subject to Governing Board approval of the FY2014 budget.

Background

The Rio St. Lucie Stormwater Retrofit Project is funded through the Save Our Everglades Trust Fund in support of the Northern Everglades Specific Appropriation 1741 which provided $5 million for implementation of St. Lucie River Watershed projects identified for the purposes of improving hydrology, water quality, and aquatic habitats.

Martin County proposes to install exfiltration trench within County road right-of-way along NE Rio and Summer Avenues, NE Stuart, Bernard, Spencer, and Alice Streets, NE Waverly Terrace and NE St. Lucie Boulevard to provide one-inch of water quality treatment over an approximately 45-acre basin. A nutrient separating baffle box is proposed at the west end of NE River Terrace and the south end of the collector swale at NE St. Lucie Boulevard prior to discharging directly into the St. Lucie River Estuary.

Core Mission and Strategic Priorities

This project supports the District's 10-Year Strategic Plan's priority to restore the Northern Everglades through implementation of the St. Lucie River Watershed Protection Plan by expanding and improving water storage and treatment facilities needed to improve the quality and flow of water within the watershed.

Funding Source

This item is funded with dedicated funds from the Save Our Everglades Trust fund in the amount of $310,000. The total cost of the project is $800,316. $242,000 is provided from the Martin County Stormwater Municipal Service Taxing Unit (MSTU) for surveying, engineering and permitting and additional $240,000 is from a Florida Department of Environmental Protection (FDEP) Total Maximum Daily Load (TMDL) Water Quality Restoration Grant.

Staff Recommendation

Staff recommends entering into this cooperative agreement with Martin County not only to continue a successful collaborative relationship, but as a cost effective means of

carrying out essential water quality and habitat restoration projects within the St. Lucie River Estuary watershed.

If you have any questions, please call me at extension 6987 or Lesley Bertolotti at extension 6415.

TM/kl

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2013 - 0702

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a nine month cooperative agreement with Martin County for the Rio St. Lucie Stormwater Retrofit in the amount of $310,000, for which dedicated funds from the Save Our Everglades Trust Fund are subject to Governing Board approval of the FY14 budget; providing an effective date. (Contract Number 4600002894) (Kathy LaMartina, ext. 6594)

WHEREAS, the Rio St. Lucie Stormwater Retrofit Project is funded through the Save our Everglades Trust Fund; with no cost to the District; and

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to enter into an agreement with Martin County for the Rio St. Lucie Stormwater Retrofit in the amount of $310,000, for which dedicated funds from the Save Our Everglades Trust Fund are subject to Governing Board approval of the FY2014 budget; 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 execution of a nine month agreement with Martin County for the Rio St. Lucie Stormwater Retrofit in the amount of $310,000, for which dedicated funds from the Save Our Everglades Trust Fund are subject to Governing Board approval of the FY2014 budget.

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

PASSED and **ADOPTED** this 11 day of July, 2013.

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

_____
Chairman

Attest:

_____
District Clerk/Secretary

Legal form approved:
By:

_____
Office of Counsel

Print name:

_____

EXHIBIT "A"
STATEMENT OF WORK
Rio St. Lucie Stormwater Quality Retrofit

1.0 INTRODUCTION

The Rio St. Lucie Stormwater Quality Retrofit Project proposes to install exfiltration trench within County road right-of-way along NE Rio and Summer Avenues, NE Stuart, Bernard Spencer, and Alice Streets, NE Waverly Terrace and NE St. Lucie Boulevard to provide 1" of water quality treatment over an approximately 45-acre basin. A nutrient separating baffle box is proposed at the west end of NE River Terrace and the south end of the collector swale at NE St. Lucie Boulevard prior to discharging directly into the middle section of the St. Lucie Estuary.

Total cost of project: $800,316 – Cost Share Amount – Martin County Stormwater MSTU $242,000 for surveying, engineering, permitting and construction, 5/5/5 funding $310,000 for construction and Construction Engineering and Inspection, FDEP TMDL Water Quality Restoration Grant $240,000 for construction.

2.0 OBJECTIVES

The primary objective of the project is to provide 1" of water treatment for a 45-acres watershed that discharges directly into the St. Lucie Estuary. The project will improve the basin's hydraulics, provide water quality benefits, reduce sediment and nutrient loading in the estuary and enhance aquifer recharge.

3.0 LOCATION OF PROJECT

The project is located within Section 33, Township 37 South, Range 41 East, in Rio, northeast Martin County, Florida. The site is bounded by NE Dixie Highway on the north, the St. Lucie River on the south, NE Kubin Avenue and NE Santa Cruz Drive on the east and west, respectively. The approximately 45-acre watershed consists of a number of relatively small plats, platted between the 1920's and 1940's, prior to today's water quality standards.

4.0 SCOPE OF WORK

The Rio St. Lucie Stormwater Quality Retrofit Project proposes to install exfiltration trench within County road right-of-way along NE Rio and Summer Avenues, NE Stuart, Bernard, Spencer, and Alice Streets, NE Waverly Terrace and NE St. Lucie Boulevard to provide 1" of water quality treatment over an approximately 45-acre basin. A nutrient separating baffle box is proposed at the west end of NE River Terrace and the south

Attachment: 4600002894 exh A (Resolution No. 2013 - 0702 : Rio St. Lucie Stormwater Retrofit Project - 4600002894)

end of the collector swale at NE St. Lucie Boulevard prior to discharging directly into the St. Lucie River.

5.0 WORK BREAKDOWN STRUCTURE

Task 1: Construction

The County will bid the construction work, execute the necessary construction contracts, issue the Notices of Award, Notice to Proceed and Purchase Orders, construct the project, process contractor invoices and have the project certified by all permitting agencies.

Deliverables: One (1) copy of the following: a) signed and sealed "Approved for Construction" plans; b) Purchase Order for construction services; c) any Change Orders; d) approved monthly pay requests; e) As-Built plans.

Schedule: Deliverables will be provided with the Quarterly Reports on a quarterly basis in July, October, January and April. Deliverables will be provided within 12-months of an executed grant contract.

Upon completion of construction, the County will certify the work to the appropriate Federal, State and local agencies, as required.

Attachment: 4600002894 exh A (Resolution No. 2013 - 0702 : Rio St. Lucie Stormwater Retrofit Project - 4600002894)

EXHIBIT "B"
PAYMENT & DELIVERABLE SCHEDULE

The County shall be responsible for submitting Quarterly Reports starting after the first quarter following contract execution. The County shall be responsible for all aspects of managing and completing the project as described in Exhibit A. The County shall also be responsible for providing the below listed deliverables.

The County shall provide a preliminary invoice to the District following submission of the below deliverables in an amount not to exceed that indicated below. Upon completion of District review, the County shall invoice the District along with any requested additional documentation required for reimbursement in accordance with the Northern Everglades 5/5/5 grant. The District shall only be obligated to pay for documented actual expenditures deemed eligible for reimbursement for Save Our Everglades Trust Funds (as determined by the Florida Department of Environmental Protection) within the not-to-exceed amount specified below.

It will be the responsibility of the County to reimburse the District for expenditures paid, if the project is abandoned or not maintained.

If the total consideration for this Agreement is subject to multi-year funding allocations, funding for each applicable fiscal year of this Agreement will be subject to Governing Board budgetary appropriation. In the event the District does not approve funding for any subsequent fiscal year, this Agreement shall terminate upon expenditure of the current funding, notwithstanding other provisions in this Agreement to the contrary.

TASK	DELIVERABLE	SCHEDULE	NOT-TO-EXCEED PAYMENT VIA DISTRICT
Task 1: Construction	One (1) copy of the following: a) Signed /sealed Approved for Construction Plans b) Purchase Order for construction c) Any Change Orders d) Approved monthly Pay Requests e) As-built plans	April 2014	$310,000
Task 2: Reports	Quarterly Progress Reports	Quarterly	
Total Payment			**$310,000**

Attachment: 4600002894Exh B (Resolution No. 2013 - 0702 : Rio St. Lucie Stormwater Retrofit Project - 4600002894)

EXHIBIT "C"

FUNDS AWARDED TO THE ENTITY PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

Federal Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following:

Federal Program Number	Federal Agency	CFDA Number	CFDA Title	Funding Amount	State Appropriation Category

State Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following Matching Resources for Federal Programs:

Federal Program Number	Federal Agency	CFDA Number	CFDA Title	Funding Amount	State Appropriation Category

State Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following Resources Subject to Section 215.97, F.S.:

Federal Program Number	Federal Agency	State Fiscal Year	Number	CSFA Title Or Funding Source Description	Funding Amount	State Appropriation Category
		2007	61	For implementation of projects within the St. Lucie River watershed identified for the purposes of improving the hydrology, water quality and aquatic habitats.	$310,000	SA1741

Total Award		$310,000

For each program identified above, the recipient shall comply with the program requirements described in the Catalog of Federal Domestic Assistance (CFDA) [http://12.46.245.173/cfda/cfda.html] and/or the Florida Catalog of State Financial Assistance (CSFA) [http://state.fl.us/fsaa/catalog]. The services/purposes for which the funds are to be used are included in the Contract scope of services/work. Any match required by the recipient is clearly indicated in the Contract.

Attachment: 4600002894 Exh C (Resolution No. 2013 - 0702 : Rio St. Lucie Stormwater Retrofit Project -

INVOICE REFERENCE NO. 950000_____

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
LOCAL GOVERNMENTAL AGREEMENT

AGREEMENT NO. 4600002894

BETWEEN THE

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

AND

MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS

THIS AGREEMENT is entered into as of the _____ by and between the South Florida Water Management District (**DISTRICT**) and Martin County Board of County Commissioners (**COUNTY**).

WHEREAS, the **DISTRICT** is a government entity created by Chapter 373, Florida Statutes; and

WHEREAS, the **DISTRICT** desires to provide financial assistance to the **COUNTY** to construct the Rio St. Lucie Stormwater Quality Retrofit Project (Project); and

WHEREAS, the **COUNTY** warrants and represents that it has no obligation or indebtedness that would impair its ability to fulfill the terms and conditions of this **AGREEMENT**; and

WHEREAS, the Project will provide 1" of water treatment for a 45-acre watershed that discharges directly into the St. Lucie Estuary; and

WHEREAS, the project will improve the basin's hydraulics, provide water quality benefits, reduce sediment and nutrient loading in the estuary and enhance aquifer recharge; and

WHEREAS, the Governing Board of the **DISTRICT,** at its July 11, 2013 meeting, approved entering into this **AGREEMENT** with the **COUNTY.**

NOW, THEREFORE, in consideration of the covenants and representations set forth herein and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

Attachment: 4600002894 (Resolution No. 2013 - 0702 : Rio St. Lucie Stormwater Retrofit Project - 4600002894)

1. The **DISTRICT** agrees to contribute funds and the **COUNTY** agrees to perform the work set forth in Exhibit "A" attached hereto and made a part hereof, subject to availability of funds and in accordance with their respective authorities for the Project.

2. The period of performance of this **AGREEMENT** shall commence on the date of execution of this **AGREEMENT** and shall continue for a period of nine (9) months.

3. The total **DISTRICT** contribution shall not exceed the amount of $310,000.00. The **DISTRICT** shall make payment upon completion and acceptance of the deliverables as described in the Payment and Deliverable Schedule set forth in Exhibit "B", which is attached hereto and made a part of this **AGREEMENT**. The **DISTRICT's** payment is a reimbursement of actual expenditures and therefore is subject to adequate documentation to support actual expenditures within the not-to-exceed **AGREEMENT** funding limitation of $310,000. In no event shall the **DISTRICT** be liable for any contribution hereunder in excess of this amount. In the event the **COUNTY** is providing a cost sharing contribution as provided for in paragraph 5 below, the **COUNTY** shall provide evidence that its minimum cost share has been met for each invoice submitted. The subject cost share documentation shall be included with each invoice. If the total consideration for this **AGREEMENT** is subject to multi-year funding allocations, funding for each applicable fiscal year of this **AGREEMENT** will be subject to Governing Board budgetary appropriation. In the event the **DISTRICT** does not approve funding for any subsequent fiscal year, this **AGREEMENT** shall terminate upon expenditure of the current funding, notwithstanding other provisions in this **AGREEMENT** to the contrary. The **DISTRICT** will notify the **COUNTY** in writing after the adoption of the final **DISTRICT** budget for each subsequent fiscal year if funding is not approved for this **AGREEMENT**.

4. The **COUNTY** shall submit quarterly financial reports to the **DISTRICT** providing a detailed accounting of all expenditures incurred hereunder throughout the term of this **AGREEMENT**. The **COUNTY** shall report and document the amount of funds expended per month during the quarterly reporting period and the **AGREEMENT** expenditures to date within the maximum not-to-exceed **AGREEMENT** funding limitation.

5. The **COUNTY** shall cost share in the total amount of $N/A in conformity with the laws and regulations governing the COUNTY**.**

6. All work to be performed under this **AGREEMENT** is set forth in Exhibit "A", Statement of Work, which is attached hereto and made a part of this **AGREEMENT**. The **COUNTY** shall submit quarterly progress reports detailing the status of work to date for each task. The work specified in Exhibit "A" shall be under the direction of the **COUNTY** but shall be open to periodic review and inspection by either party. No work set forth in Exhibit "A" shall be performed beyond the expiration date of this **AGREEMENT** unless authorized through execution of an amendment to cover succeeding periods.

7. The **COUNTY** is hereby authorized to contract with third parties (subcontracts) for services awarded through a competitive process required by Florida Statutes. The

Attachment: 4600002894 (Resolution No. 2013 - 0702 : Rio St. Lucie Stormwater Retrofit Project - 4600002894)

COUNTY shall not subcontract, assign or transfer any other work under this **AGREEMENT** without the prior written consent of the **DISTRICT's** Project Manager. The **COUNTY** agrees to be responsible for the fulfillment of all work elements included in any subcontract and agrees to be responsible for the payment of all monies due under any subcontract. It is understood and agreed by the **COUNTY** that the **DISTRICT** shall not be liable to any subcontractor for any expenses or liabilities incurred under the subcontract(s).

8. Both the **DISTRICT** and the **COUNTY** shall have joint ownership rights to all work items, including but not limited to, all documents, technical reports, research notes, scientific data, computer programs, including the source and object code, which are developed, created or otherwise originated hereunder by the other party, its subcontractor(s), assign(s), agent(s) and/or successor(s) as required by the Exhibit "A", Statement of Work. Both parties' rights to deliverables received under this **AGREEMENT** shall include the unrestricted and perpetual right to use, reproduce, modify and distribute such deliverables at no additional cost to the other party. Notwithstanding the foregoing, ownership of all equipment and hardware purchased by the **COUNTY** under this **AGREEMENT** shall be deemed to be the property of the **COUNTY** upon completion of this **AGREEMENT**. The **COUNTY** shall retain all ownership to tangible property.

9. The **COUNTY**, to the extent permitted by law, assumes any and all risks of personal injury, bodily injury and property damage attributable to negligent acts or omissions of the **COUNTY** and the officers, employees, servants and agents thereof. The **COUNTY** represents that it is self-funded for Worker's Compensation and liability insurance, covering bodily injury, personal injury and property damage, with such protection being applicable to the **COUNTY,** its officers and employees while acting within the scope of their employment during performance of under this **AGREEMENT**. In the event that the **COUNTY** subcontracts any part or all of the work hereunder to any third party, the **COUNTY** shall require each and every subcontractor to identify the **DISTRICT** as an additional insured on all insurance policies as required by the **COUNTY**. Any contract awarded by the **COUNTY** shall include a provision whereby the **COUNTY's** subcontractor agrees to indemnify, pay on behalf, and hold the **DISTRICT** harmless from all damages arising in connection with the **COUNTY's** subcontract.

10. The **COUNTY** and the **DISTRICT** further agree that nothing contained herein shall be construed or interpreted as (1) denying to either party any remedy or defense available to such party under the laws of the State of Florida; (2) the consent of the State of Florida or its agents and agencies to be sued; or (3) a waiver of sovereign immunity of the State of Florida beyond the waiver provided in Section 768.28, Florida Statutes.

11. The parties to this **AGREEMENT** are independent entities and are not employees or agents of the other parties. Nothing in this **AGREEMENT** shall be interpreted to establish any relationship other than that of independent entities, between the **DISTRICT**, the **COUNTY**, their employees, agents, subcontractors or assigns, during or after the term of this **AGREEMENT**. The parties to this **AGREEMENT** shall not assign, delegate or otherwise transfer their rights and obligations as set forth in this

Attachment: 4600002894 (Resolution No. 2013 - 0702 : Rio St. Lucie Stormwater Retrofit Project - 4600002894)

AGREEMENT without the prior written consent of the other parties. Any attempted assignment in violation of this provision shall be void.

12. The parties to this **AGREEMENT** assure that no person shall be excluded on the grounds of race, color, creed, national origin, handicap, age or sex, from participation in, denied the benefits of, or be otherwise subjected to discrimination in any activity under this **AGREEMENT**.

13. The **COUNTY**, its employees, subcontractors or assigns, shall comply with all applicable federal, state and local laws and regulations relating to the performance of this **AGREEMENT**. The **DISTRICT** undertakes no duty to ensure such compliance, but will attempt to advise the **COUNTY**, upon request, as to any such laws of which it has present knowledge.

14. Either party may terminate this **AGREEMENT** at any time for convenience upon thirty (30) calendar days prior written notice to the other party. In the event of termination, all funds not expended by the **COUNTY** for authorized work performed through the termination date shall be returned to the **DISTRICT** within sixty (60) days of termination.

15. The **COUNTY** shall allow public access to all project documents and materials in accordance with the provisions of Chapter 119, Florida Statutes. Should the **COUNTY** assert any exemptions to the requirements of Chapter 119 and related Statutes, the burden of establishing such exemption, by way of injunctive or other relief as provided by law, shall be upon the **COUNTY**.

16. The **COUNTY** shall maintain records and the **DISTRICT** shall have inspection and audit rights below. The **COUNTY** shall similarly require each subcontractor to maintain and allow access to such records for audit purposes:

A. Maintenance of Records: The **COUNTY** shall maintain all financial and non-financial records and reports directly or indirectly related to the negotiation or performance of this **AGREEMENT** including supporting documentation for any service rates, expenses, research or reports. Such records shall be maintained and made available for inspection for a period of five (5) years from the expiration date of this **AGREEMENT**.

B. Examination of Records: The **DISTRICT** or designated agent shall have the right to examine in accordance with generally accepted governmental auditing standards all records directly or indirectly related to this **AGREEMENT**. Such examination may be made only within five (5) years from the expiration date of this **AGREEMENT**.

C. Extended Availability of Records for Legal Disputes: In the event that the **DISTRICT** should become involved in a legal dispute with a third party arising from performance under this **AGREEMENT**, the **COUNTY** shall extend the period of maintenance for all records relating to the **AGREEMENT** until the final disposition of the legal dispute. All such records shall be made readily available to the **DISTRICT**.

Attachment: 4600002894 (Resolution No. 2013 - 0702 : Rio St. Lucie Stormwater Retrofit Project - 4600002894)

17. Whenever the **DISTRICT's** contribution includes state or federal appropriated funds, the **COUNTY** shall, in addition to the inspection and audit rights set forth in paragraph 16 above, maintain records and similarly require each subcontractor to maintain and allow access to such records in compliance with the requirements of the Florida State Single Audit Act and the Federal Single Audit Act, as follows:

A. Maintenance of Records: The **DISTRICT** shall provide the necessary information to the **COUNTY** as set forth in Exhibit "C". The **COUNTY** shall maintain all financial/non-financial records through:

(1) Identification of the state or federal awarding agency, as applicable
(2) Project identification information included in the Catalog of State Financial Assistance (CSFA) or the Catalog of Federal Financial Assistance (CFDA), as applicable
(3) Audit and accountability requirements for state projects as stated in the Single Audit Act and
applicable rules of the Executive Office of Governor, rules of the Chief Financial Officer and rules of the Auditor General and the State Projects Compliance Supplement
(4) Audit/accountability requirements for federal projects as imposed by federal laws and regulations
(5) Submission of the applicable single audit report to the **DISTRICT**, as completed per fiscal year

B. Examination of Records: The **DISTRICT** or designated agent, the state awarding agency, the state's Chief Financial Officer and the state's Auditor General and/or federal awarding agency shall have the right to examine the **COUNTY's** financial and non-financial records to the extent necessary to monitor the **COUNTY's** use of state or federal financial assistance and to determine whether timely and appropriate corrective actions have been taken with respect to audit findings and recommendations which may include onsite visits and limited scope audits.

18. All notices or other communication regarding this **AGREEMENT** shall be in writing and forwarded to the attention of the following individuals:

South Florida Water Management District

Attn: Kathy LaMartina, Project Manager
Attn: Donna Lavery, Contract Specialist
3301 Gun Club Road
West Palm Beach, FL 33406
Telephone No. (561) 682-6594
Email: klamart@sfwmd.gov

Martin County Board of County Commissioners

Attn: Greg Nolte, Project Manager

2401 SE Monterey Road
Stuart, FL 34996
Telephone No. (772) 221-2380
Email: gnolte@martin.fl.us

19. Invoices, clearly marked "ORIGINAL", shall be sent to the attention of Accounts Payable at the **DISTRICT's** address specified below. All invoices shall reference the **AGREEMENT** and Invoice Reference Numbers specified on page one of this **AGREEMENT**. In addition, a copy of the invoice shall be sent to the attention of the **DISTRICT's** Project Manager either at the address specified in paragraph 18 above.

Attachment: 4600002894 (Resolution No. 2013 - 0702 : Rio St. Lucie Stormwater Retrofit Project - 4600002894)

South Florida Water Management District
Attention: Accounts Payable
P.O. Box 24682
West Palm Beach, Florida 33416-4682

20. **COUNTY** recognizes that any representations, statements or negotiations made by **DISTRICT** staff do not suffice to legally bind **DISTRICT** in a contractual relationship unless they have been reduced to writing and signed by an authorized **DISTRICT** representative. This **AGREEMENT** shall inure to the benefit of and shall be binding upon the parties, their respective assigns, and successors in interest.

21. This **AGREEMENT** may be amended, extended or renewed only with the written approval of the parties. The **DISTRICT** shall be responsible for initiating any amendments to this **AGREEMENT**, if required.

22. This **AGREEMENT**, and any work performed hereunder, is subject to the Laws of the State of Florida. Nothing in this **AGREEMENT** will bind any of the parties to perform beyond their respective authority, nor does this **AGREEMENT** alter the legal rights and remedies which the respective parties would otherwise have, under law or at equity.

23. Should any term or provision of this **AGREEMENT** be held, to any extent, invalid or unenforceable, as against any person, entity or circumstance during the term hereof, by force of any statute, law, or ruling of any forum of competent jurisdiction, such invalidity shall not affect any other term or provision of this **AGREEMENT**, to the extent that the **AGREEMENT** shall remain operable, enforceable and in full force and effect to the extent permitted by law.

24. Failures or waivers to insist on strict performance of any covenant, condition, or provision of this **AGREEMENT** by the parties shall not be deemed a waiver of any of its rights or remedies, nor shall it relieve the other party from performing any subsequent obligations strictly in accordance with the terms of this **AGREEMENT**. No waiver shall be effective unless in writing and signed by the party against whom enforcement is sought. Such waiver shall be limited to provisions of this **AGREEMENT** specifically referred to therein and shall not be deemed a waiver of any other provision. No waiver shall constitute a continuing waiver unless the writing states otherwise.

25. Any dispute arising under this **AGREEMENT** which cannot be readily resolved shall be submitted jointly to the signatories of this **AGREEMENT** with each party agreeing to seek in good faith to resolve the issue through negotiation or other forms of non-binding alternative dispute resolution mutually acceptable to the parties. A joint decision of the signatories, or their designees, shall be the disposition of such dispute.

26. This **AGREEMENT** states the entire understanding and agreement between the parties and supersedes any and all written or oral representations, statements, negotiations, or agreements previously existing between the parties with respect to the subject matter of this **AGREEMENT**.

Attachment: 4600002894 (Resolution No. 2013 - 0702 : Rio St. Lucie Stormwater Retrofit Project - 4600002894)

27. Any inconsistency in this **AGREEMENT** shall be resolved by giving precedence in the following order:
(a) Terms and Conditions outlined in preceding paragraphs 1 – 26
(b) Exhibit "A" Statement of Work
(c) Exhibit "B" Payment and Deliverable Schedule
(d) all other exhibits, attachments and documents specifically incorporated herein by reference

IN WITNESS WHEREOF, the parties or their duly authorized representatives hereby execute this **AGREEMENT** on the date first written above.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
BY ITS GOVERNING BOARD

By:_____
Dorothy A. Bradshaw, Procurement Bureau Chief

SFWMD PROCUREMENT APPROVED
By: _____
Date: _____

MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS

By:_____
Name of Authorized Individual

Title:_____

Attachment: 4600002894 (Resolution No. 2013 - 0702 : Rio St. Lucie Stormwater Retrofit Project - 4600002894)

M E M O R A N D U M

TO: Governing Board Members

FROM: Karen Estock, Division Director

DATE: July 11, 2013

SUBJECT: Release of Reservations

BACKGROUND INFORMATION: Canal reservations evolved from efforts to provide infrastructure, without cost to the taxpayers, to carry out drainage and reclamation projects, and provide roads. Many, but not all, conveyances of land by the State of Florida through the Trustees of the Internal Improvement Trust Fund ("TIITF") and the Everglades Drainage District (EDD), a predecessor to the South Florida Water Management District, reserved rights to construct future water control works, percentages of the mineral rights, together with the right of ingress, egress and exploration, and reservations for State and County road rights-of-way.

The District routinely receives applications for releases of these reservations from landowners, attorneys, title companies and lending institutions, who consider the reservations to be title defects; applications are processed by the Real Estate Management Section. Applications are reviewed by appropriate District personnel and applicable local governmental agencies to determine that there is no present or future need for the canal reservation. Also, TIITF requires the District to review and issue a written approval to the Department of Environmental Protections (DEP) prior to releasing TIITF canal reservations. Road reservations are released upon review and approval by the affected county and the Florida Department of Transportation. Mineral reservations are released for parcels containing 1.25+/- acres or less, and non-use commitments are issued for parcels greater than 1.25+/- acres. When a non-use commitment is issued, the District agrees not to exercise its right of ingress and egress for the exploration of minerals, provided the landowner does not explore for the same. The District retains its interest in the mineral estate and is entitled to any future proceeds should exploration occur

CONSIDERATIONS: See Exhibit "A" attached hereto and made a part hereof, which contains the details of releases and approvals to be approved and issued.

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

FISCAL IMPACT: None; reservations were acquired at no cost to the District.

RECOMMENDATION: A Resolution of the Governing Board of the South Florida Water Management District approving release of District canal, mineral and road reservations, issuance of non-use commitments, and release of Trustees of the Internal Improvement Trust Fund canal reservations; providing an effective date.

EXHIBIT "A"

File Nos.:	18523 and 1-13-1
Applicant:	E.A.P. Management Corp., a Florida corporation
Reserving Deeds:	EE-365 (DB 439-518, 3/18/1944) and 16333 (DB 77-92 (Dade), 11/3/1911)
Fee paid:	$500.00
Action:	Approve release of District canal and road reservations, and TIITF canal reservations
Acres:	0.61 acres, more or less
Legal Description:	Lots 1, 2, 23 and 24, Block 3, FIRST ADDITION TO DAVIE, PB 6-39, Section 26, Township 50 South, Range 41 East
Location:	4200 SW 64th Avenue, Davie, Broward County
Reviewed by:	South Broward Drainage District, FDOT and Broward County (no internal review required due to size and land use)

File Nos.:	18541 and 5-13-2
Applicant:	Terry J. Maylor and Prida Maylor, husband and wife
Reserving Deeds:	E-2179 (DB 470-160, 1/25/1945) and 16198 (DB 46-240 (Dade), 12/24/1908)
Fee paid:	$500.00
Action:	Approve release of District canal, mineral and road reservations, and TIITF canal reservations
Acres:	.21 acres, more or less
Legal Description:	Lot 90, SUNSET FALLS PLAT 1, PB 175-40, Section 31, Township 51 South, Range 40 East
Location:	11703 SW 47th Street, Miramar, Broward County
Reviewed by:	South Broward Drainage District, FDOT and Broward County (no review needed due to size and land use)

File Nos.:	18548 and NUC 1627
Applicant:	In Harmony With Nature, LLC, a Florida limited liability company
Reserving Deed:	E-7012 (DB 929-169, 12/12/1950)
Fee paid:	$350.00
Action:	Approve release of District canal reservations and issuance of non-use commitment
Acres:	5.01 acres, more or less
Legal Description:	Tract 103, Block 45, THE PALM BEACH FARMS CO. PLAT NO. 3, PB 2-45, Section 18, Township 46 South, Range 42 East
Location:	87th Place South, Lake Worth, Palm Beach County
Reviewed by:	Lake Worth Drainage District (no internal review required due to size and land use)

File Nos.:	18550 and 18551
Applicant:	Kirchman Oil Corporation, a Florida corporation
Reserving Deeds:	E-5650 (DB 779-449, 9/5/1946) and Warranty Deed (DB 103-172, 8/29/1917)
Fee paid:	$500.00
Action:	Approve release of District canal and road reservations
Acres:	1.65 acres, more or less
Legal Description:	Portion of the Southeast one-quarter (SE¼) of Section 30, Township 43 South, Range 37 East
Location:	NW Avenue L, Belle Glade, Palm Beach County
Reviewed by:	South Florida Conservancy District (no internal review required due to size and land use)

File No.:	NUC 1625
Applicant:	Camondo Gold, LLC, a Florida limited liability company
Reserving Deed:	QCD (DB 919-35, 9/7/1950)
Fee paid:	$425.00
Action:	Approve issuance of non-use commitment
Acres:	7.72 acres, more or less
Legal Description:	Portion of Tracts 81 and 82, Block 45, THE PALM BEACH FARMS CO. PLAT NO. 3, PB 2-45, Section 18, Township 46 South, Range 42 East
Location:	87th Place South, Lake Worth, Palm Beach County
Reviewed by:	No routing required for non-use commitment

File No.:	NUC 1628
Applicant:	Jim Bowman
Reserving Deed:	QCD (DB 919-433, 9/12/1950)
Fee paid:	$300.00
Action:	Approve issuance of non-use commitment
Acres:	2.46 acres, more or less
Legal Description:	South ½ of Tract 42, THE PALM BEACH FARMS CO. PLAT NO. 1, PB 2-26, Section 18, Township 46 South, Range 42 East
Location:	Happy Hollow Road, Lake Worth, Palm Beach County
Reviewed by:	No routing required for non-use commitment

File No.:	NUC 1629
Applicant:	Jeffrey G. Sands and Sally Lee Sands, his wife
Reserving Deed:	QCD (DB 919-433, 9/12/1950)
Fee paid:	$350.00
Action:	Approve issuance of non-use commitment
Acres:	5.02 acres, more or less
Legal Description:	Tract 46, THE PALM BEACH FARMS CO. PLAT NO. 1, PB 2-26, Section 18, Township 46 South, Range 42 East
Location:	Happy Hollow Road, Lake Worth, Palm Beach County
Reviewed by:	No routing required for non-use commitment

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2013 - 0703

A Resolution of the Governing Board of the South Florida Water Management District approving release of District canal, mineral and road reservations, issuance of non-use commitments and release of Trustees of the Internal Improvement Trust Fund canal reservations; providing an effective date. (OMC, Kathy Massey, ext. 6835)

WHEREAS, certain underlying landowners have requested that the South Florida Water Management District ("District") release certain canal, mineral and road reservations, issue non-use commitments and approve release of certain Trustees of the Internal Improvement Trust Fund ("TIITF") canal reservations;

WHEREAS, the District is empowered to grant such releases and approvals pursuant to Section 373.096, Florida Statutes;

NOW THEREFORE, BE IT RESOLVED by the Governing Board of the South Florida Water Management District:

Section 1. The Governing Board of the South Florida Water Management District hereby approves the release of District canal, mineral and road reservations, issuance of non-use commitments and release of TIITF canal reservations, as described in Exhibit "A", attached hereto and made a part hereof.

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

PASSED and **ADOPTED** this 11th day of July, 2013.

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

_____
Chairman

Attest:

_____
District Clerk/Secretary

Legal form approved:
By:

_____
Office of Counsel

Print name:

_____

EXHIBIT "A"

File Nos.:	18523 and 1-13-1
Applicant:	E.A.P. Management Corp., a Florida corporation
Reserving Deeds:	EE-365 (DB 439-518, 3/18/1944) and 16333 (DB 77-92 (Dade), 11/3/1911)
Fee paid:	$500.00
Action:	Approve release of District canal and road reservations, and TIITF canal reservations
Acres:	0.61 acres, more or less
Legal Description:	Lots 1, 2, 23 and 24, Block 3, FIRST ADDITION TO DAVIE, PB 6-39, Section 26, Township 50 South, Range 41 East
Location:	4200 SW 64th Avenue, Davie, Broward County
Reviewed by:	South Broward Drainage District, FDOT and Broward County (no internal review required due to size and land use)

File Nos.:	18541 and 5-13-2
Applicant:	Terry J. Maylor and Prida Maylor, husband and wife
Reserving Deeds:	E-2179 (DB 470-160, 1/25/1945) and 16198 (DB 46-240 (Dade), 12/24/1908)
Fee paid:	$500.00
Action:	Approve release of District canal, mineral and road reservations, and TIITF canal reservations
Acres:	.21 acres, more or less
Legal Description:	Lot 90, SUNSET FALLS PLAT 1, PB 175-40, Section 31, Township 51 South, Range 40 East
Location:	11703 SW 47th Street, Miramar, Broward County
Reviewed by:	South Broward Drainage District, FDOT and Broward County (no review needed due to size and land use)

File Nos.:	18548 and NUC 1627
Applicant:	In Harmony With Nature, LLC, a Florida limited liability company
Reserving Deed:	E-7012 (DB 929-169, 12/12/1950)
Fee paid:	$350.00
Action:	Approve release of District canal reservations and issuance of non-use commitment
Acres:	5.01 acres, more or less
Legal Description:	Tract 103, Block 45, THE PALM BEACH FARMS CO. PLAT NO. 3, PB 2-45, Section 18, Township 46 South, Range 42 East
Location:	87th Place South, Lake Worth, Palm Beach County
Reviewed by:	Lake Worth Drainage District (no internal review required due to size and land use)

File Nos.:	18550 and 18551
Applicant:	Kirchman Oil Corporation, a Florida corporation
Reserving Deeds:	E-5650 (DB 779-449, 9/5/1946) and Warranty Deed (DB 103-172, 8/29/1917)
Fee paid:	$500.00

Attachment: ca_om_200_Exhibit A (Resolution No. 2013 - 0703 : Release of Reservations)

Action:	Approve release of District canal and road reservations
Acres:	1.65 acres, more or less
Legal Description:	Portion of the Southeast one-quarter (SE¼) of Section 30, Township 43 South, Range 37 East
Location:	NW Avenue L, Belle Glade, Palm Beach County
Reviewed by:	South Florida Conservancy District (no internal review required due to size and land use)

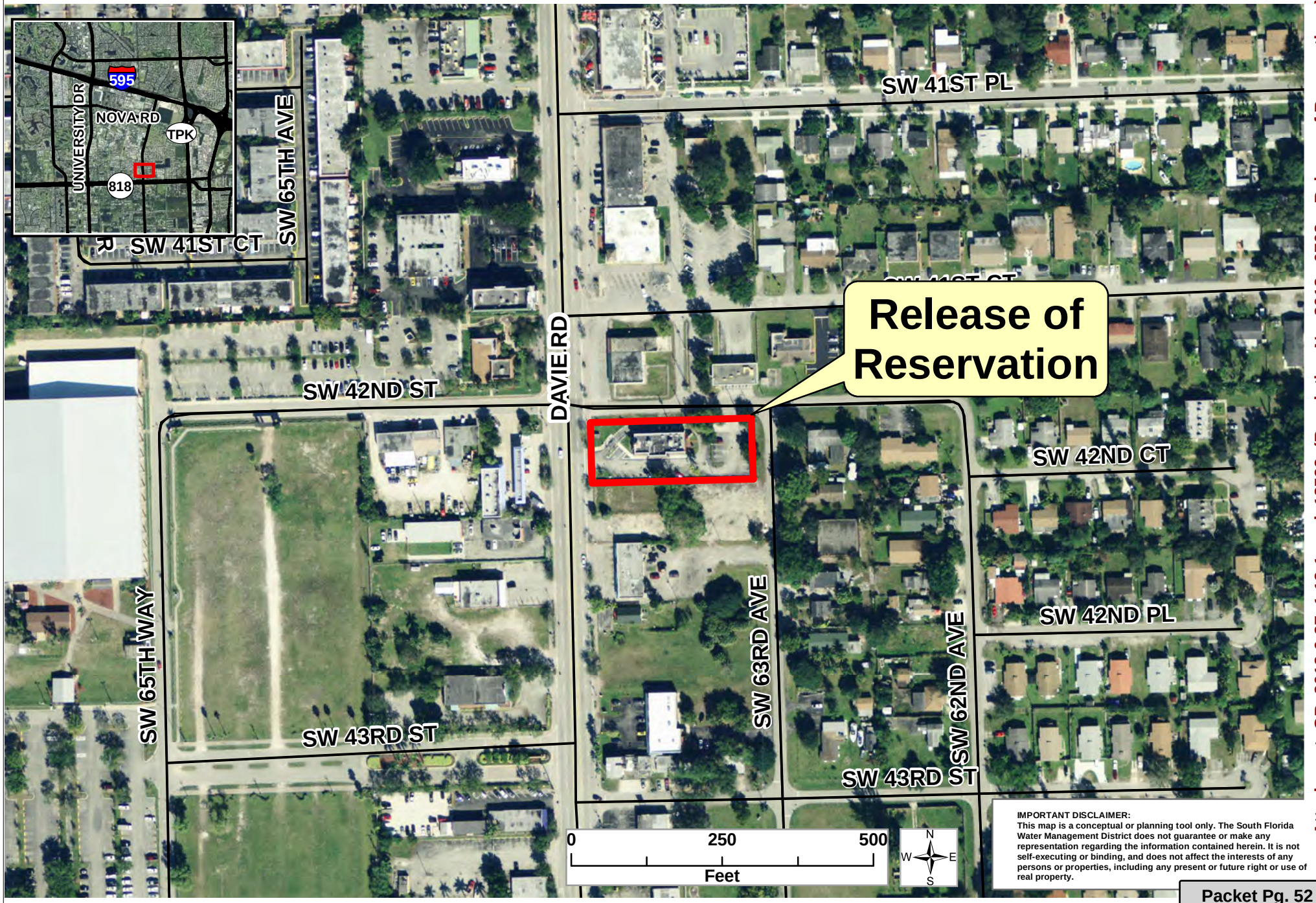
File No.:	NUC 1625
Applicant:	Camondo Gold, LLC, a Florida limited liability company
Reserving Deed:	QCD (DB 919-35, 9/7/1950)
Fee paid:	$425.00
Action:	Approve issuance of non-use commitment
Acres:	7.72 acres, more or less
Legal Description:	Portion of Tracts 81 and 82, Block 45, THE PALM BEACH FARMS CO. PLAT NO. 3, PB 2-45, Section 18, Township 46 South, Range 42 East
Location:	87th Place South, Lake Worth, Palm Beach County
Reviewed by:	No routing required for non-use commitment

File No.:	NUC 1628
Applicant:	Jim Bowman
Reserving Deed:	QCD (DB 919-433, 9/12/1950)
Fee paid:	$300.00
Action:	Approve issuance of non-use commitment
Acres:	2.46 acres, more or less
Legal Description:	South ½ of Tract 42, THE PALM BEACH FARMS CO. PLAT NO. 1, PB 2-26, Section 18, Township 46 South, Range 42 East
Location:	Happy Hollow Road, Lake Worth, Palm Beach County
Reviewed by:	No routing required for non-use commitment

File No.:	NUC 1629
Applicant:	Jeffrey G. Sands and Sally Lee Sands, his wife
Reserving Deed:	QCD (DB 919-433, 9/12/1950)
Fee paid:	$350.00
Action:	Approve issuance of non-use commitment
Acres:	5.02 acres, more or less
Legal Description:	Tract 46, THE PALM BEACH FARMS CO. PLAT NO. 1, PB 2-26, Section 18, Township 46 South, Range 42 East
Location:	Happy Hollow Road, Lake Worth, Palm Beach County
Reviewed by:	No routing required for non-use commitment

Attachment: ca_om_200_Exhibit A (Resolution No. 2013 - 0703 : Release of Reservations)

1-13-1 and 18523
Broward County



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Attachment: GB_2013-6-27_1-13-1_and_18523 (Resolution No. 2013 - 0703 : Release of Reservations)

5-13-2 and 18541
Miami-Dade County

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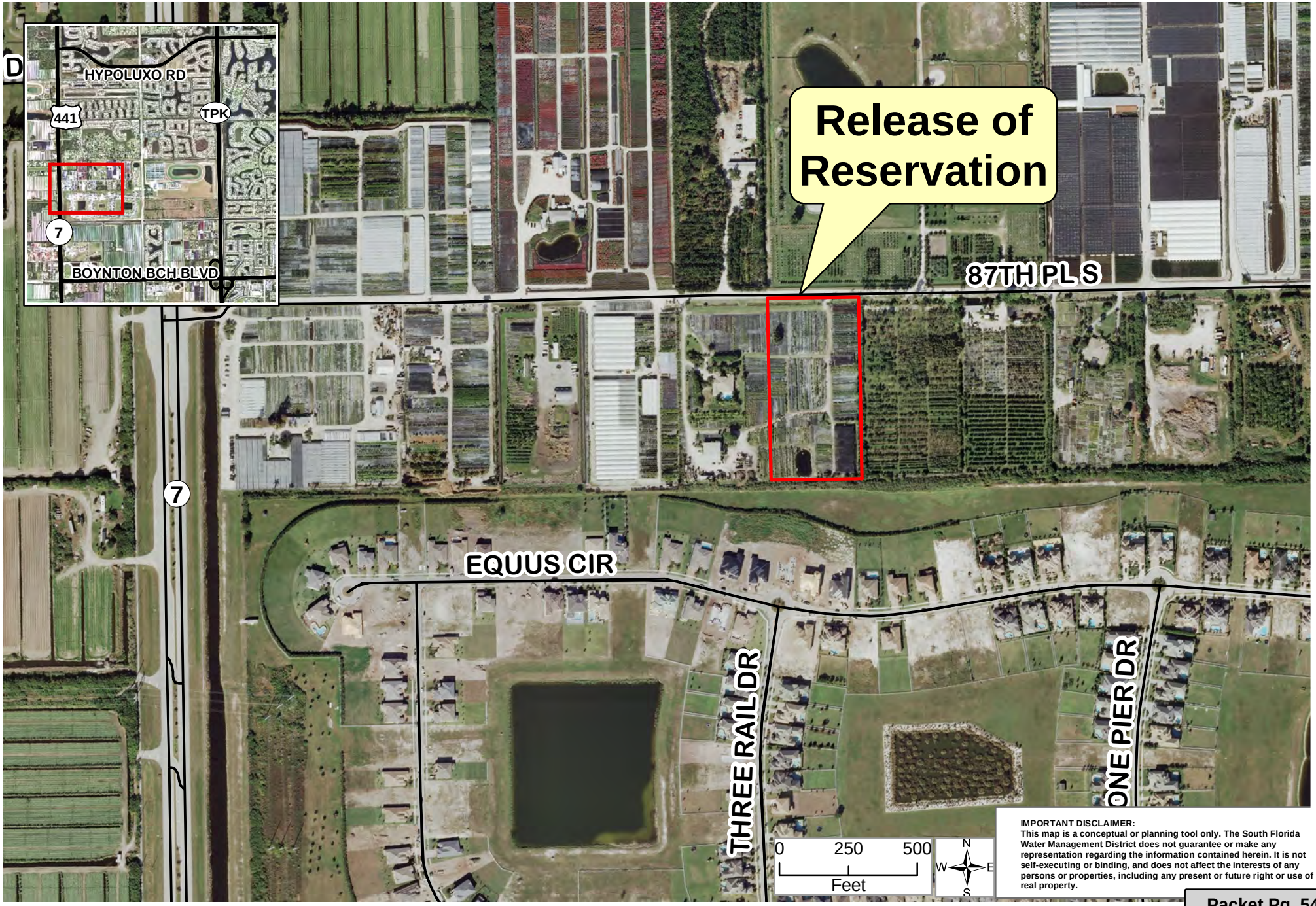
Attachment: GB_2013-6-27_5-13-218541 (Resolution No. 2013 - 0703 : Release of Reservations)

18548 and NUC 1627
Palm Beach County



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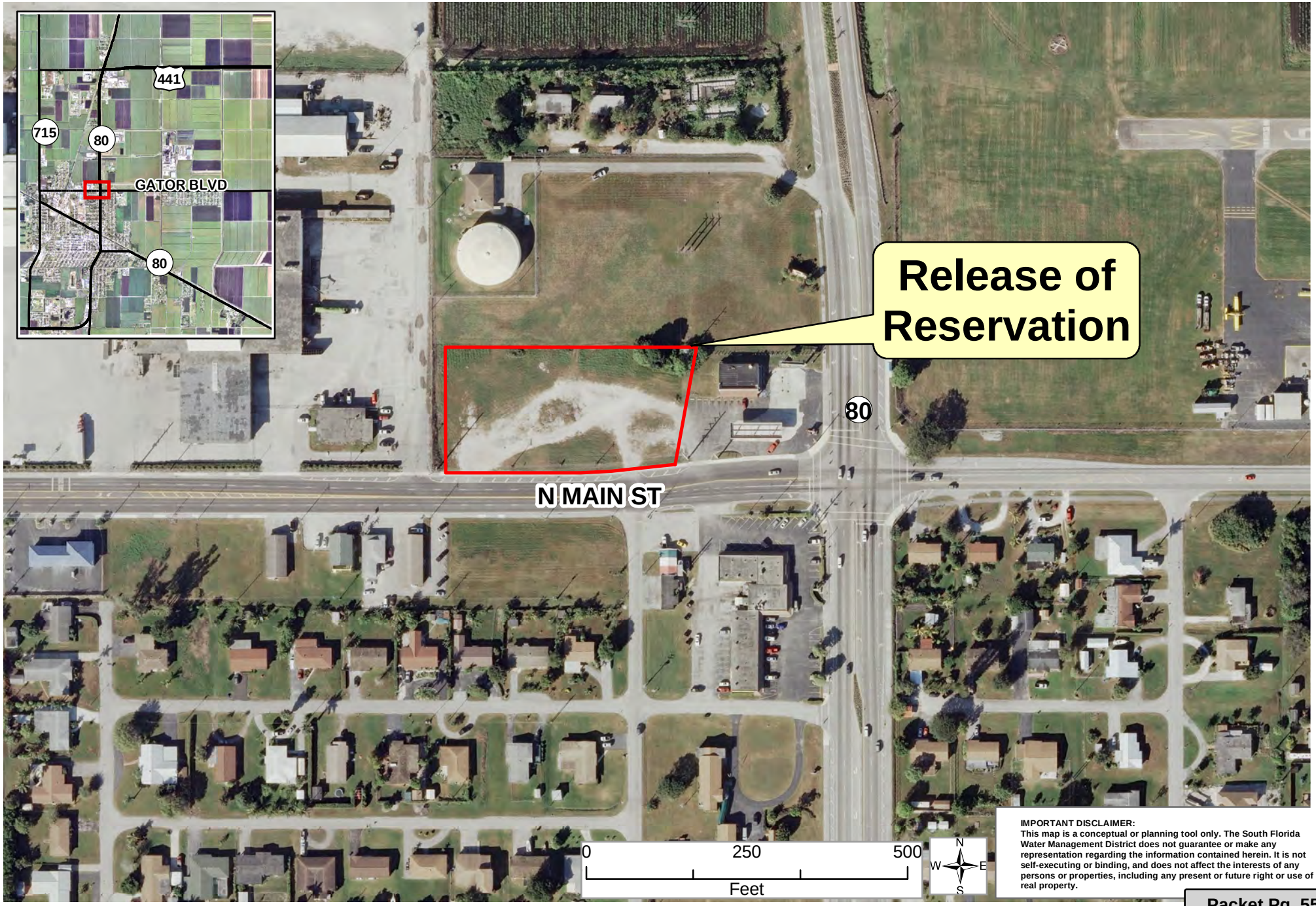
Attachment: GB_2013-6-27_18548NUC1627 (Resolution No. 2013 - 0703 : Release of Reservations)

18550 AND 18551
Palm Beach County



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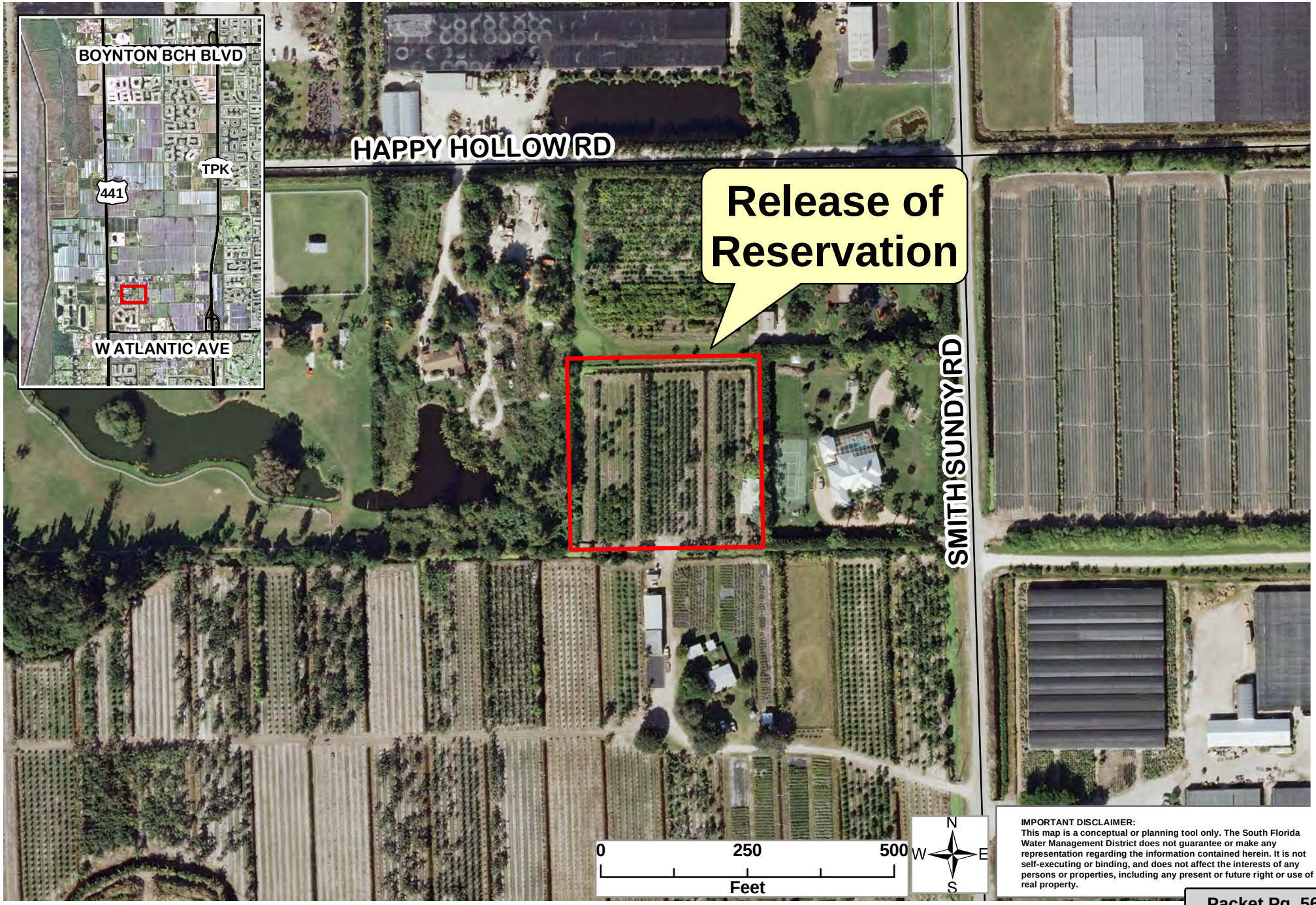
Attachment: GB_2013-6-27_1855018551 (Resolution No. 2013 - 0703 : Release of Reservations)

NUC 1628
Palm Beach County



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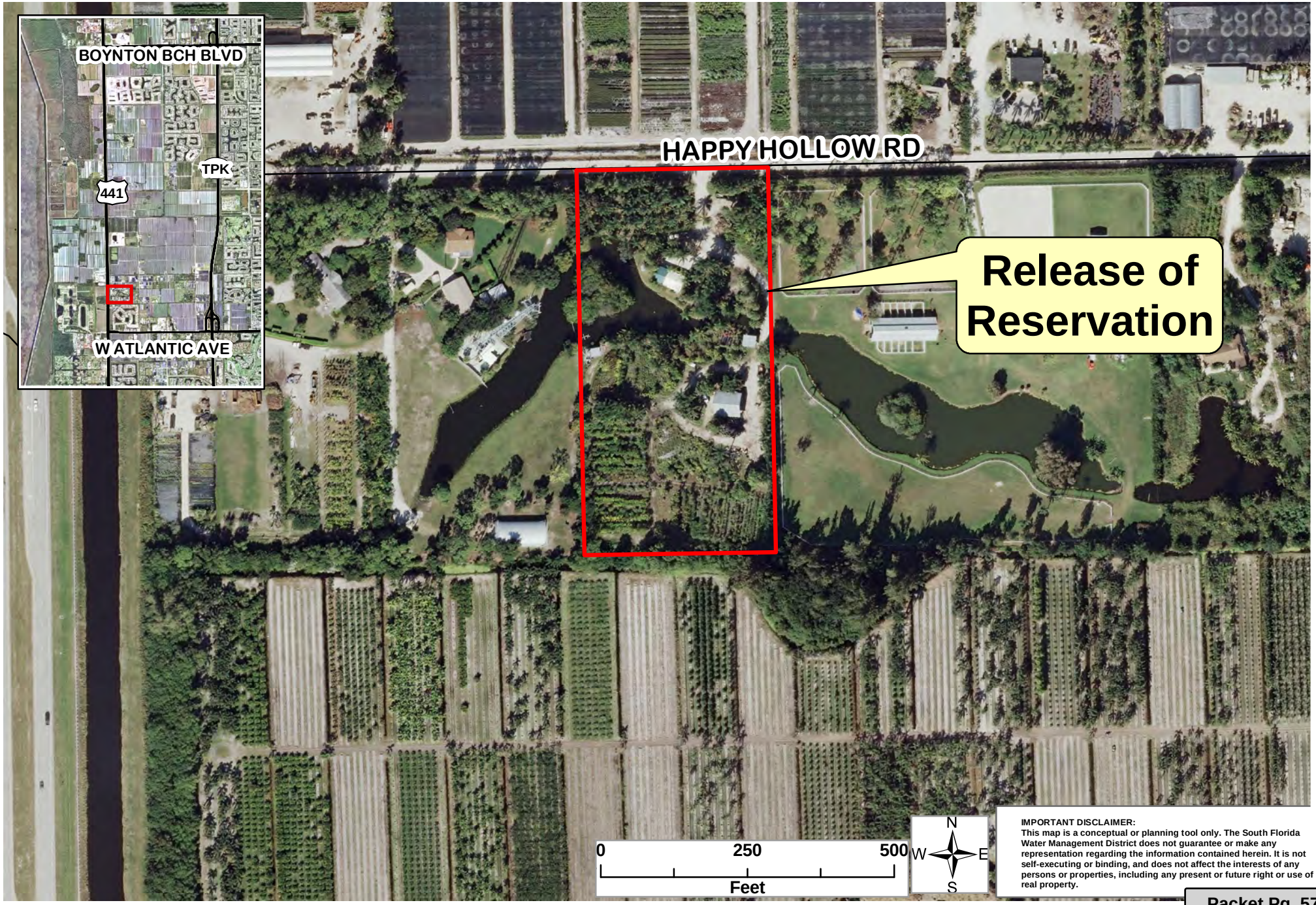
Attachment: GB_2013-6-27_NUC1628 (Resolution No. 2013 - 0703 : Release of Reservations)

NUC 1629
Palm Beach County



IMPORTANT DISCLAIMER:
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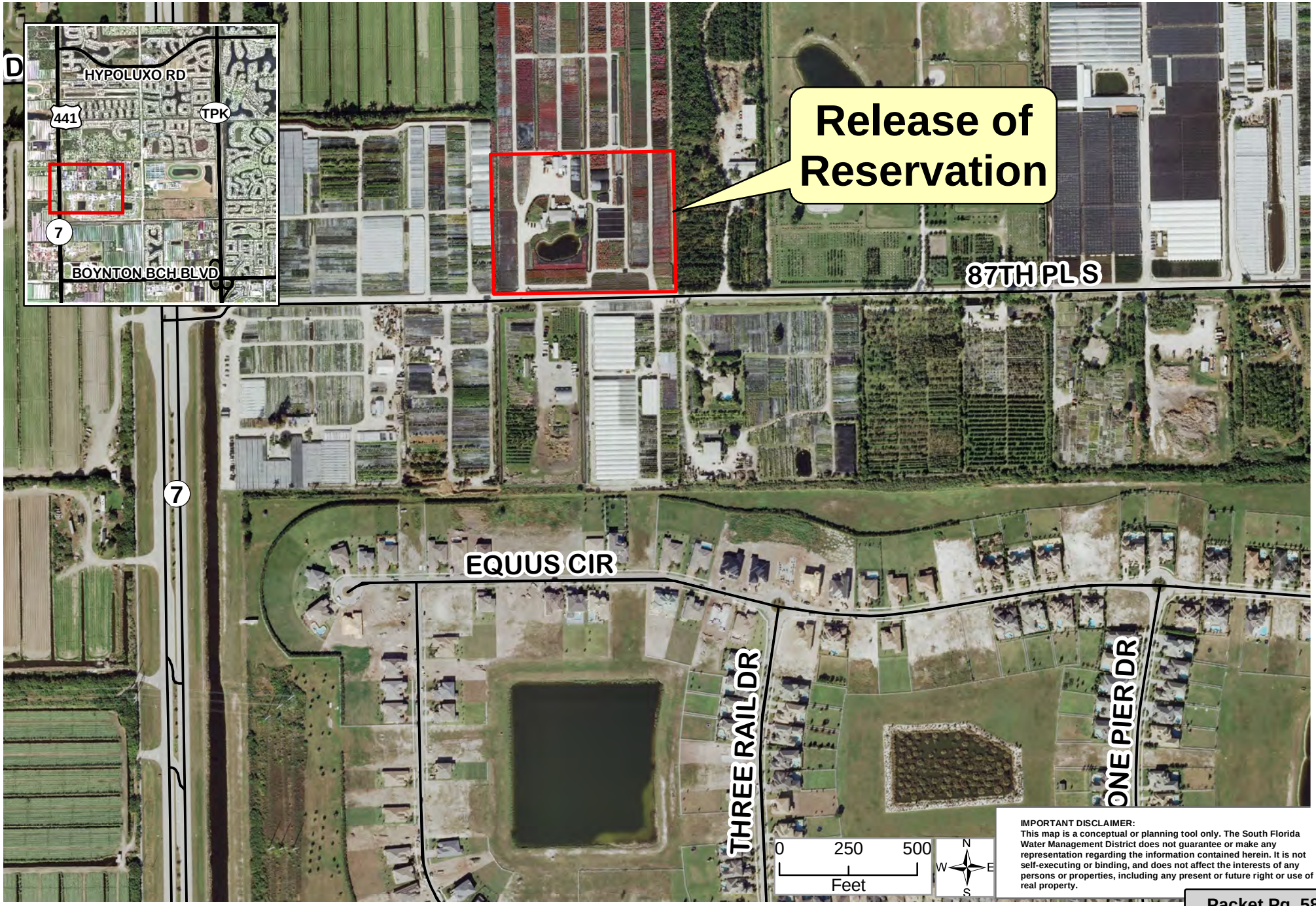
For copies of this map (\\Ad.sfwmd.gov\dfsroot\data\aa_gis\arc_data\maps\ReleaseofReservation\GB_2013-6-27_NUC1629.mxd), Created on 6/27/13 by CJR

Attachment: GB_2013-6-27_NUC1629 (Resolution No. 2013 - 0703 : Release of Reservations)

NUC 1625
Palm Beach County



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Attachment: GB_2013-7-1_NUC1625 (Resolution No. 2013 - 0703 : Release of Reservations)

M E M O R A N D U M

TO: Governing Board Members

FROM: Karen Estock, Division Director

DATE: July 11, 2013

SUBJECT: Approve the release of any interest in a platted Canal Maintenance Easement adjacent to C-42 ROW

CONSIDERATIONS: Broward County, the underlying fee title owner, has requested the District to release any interest the District may have in a portion of a 25 foot wide Canal Maintenance Easement, containing 0.30 acres, more or less, adjacent to the C-42 right of way in Section 30, Township 49 South, Range 41 East. District staff has reviewed this request and does not have any objections to this release.

FISCAL IMPACT: This Canal Maintenance Easement was dedicated to the public on the PLAT OF SUNRISE GOLF VILLAGE SECTION TWENTYONE PART SEVEN, recorded in Plat Book 115, page 49. The Easement has neither been acquired, received nor accepted by the District, is not used by the District to maintain the C-42, and the area is not needed for District operations.

AUTHORIZATION: Pursuant to Section 373.096, Florida Statutes, the Governing Board of the District may release any easement, reservation or right-of-way interests, conveyed to it for which it has no present or apparent future use under terms and conditions determined by the Governing Board. In addition, pursuant to Section 373.056(4) the District may convey interests or rights in land to another government entity, not required for its purposes under such terms and conditions as the Governing Board may determine.

RECOMMENDATION: A Resolution of the Governing Board of the South Florida Water Management District approving the release of any interest the District may have in a platted Canal Maintenance Easement containing 0.30 acres, more or less, to Broward County at no cost; being adjacent to the C-42 Right of Way, within Tract C, PLAT OF SUNRISE GOLF VILLAGE SECTION TWENTYONE PART SEVEN, PB 115-49, in Section 30, Township 49 South, Range 41 East, Broward County; providing an effective date.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2013 - 0704

A Resolution of the Governing Board of the South Florida Water Management District approving the release of any interest the District may have in a platted Canal Maintenance Easement containing 0.30 acres, more or less, to Broward County at no cost; being adjacent to the C-42 right of way, located within Tract C, PLAT OF SUNRISE GOLF VILLAGE SECTION TWENTYONE PART SEVEN, PB: 115-49, in Section 30, Township 49 South, Range 41 East, Broward County; providing an effective date. (OMC, Kathy Massey, ext. 6835)

WHEREAS, the PLAT OF SUNRISE GOLF VILLAGE SECTION TWENTYONE PART SEVEN, according to the Plat thereof as recorded in Plat Book 115, page 49 of the Public Records of Broward County, Florida (hereinafter referred to as the "Plat" dedicates a twenty-five (25) foot wide Canal Maintenance Easement located adjacent to the C-42 right of way, containing 0.30 acres, more or less, to the public (hereinafter referred to as the "25' Easement"); and

WHEREAS, the District has neither received, acquired nor accepted the 25' Easement, or any other easement dedicated on said Plat; and

WHEREAS, at the request of Broward County, the underlying fee title owner, the District is agreeable to clarifying that the District does not claim any interest with respect to the 25' Easement by recording a release in the public records; and

WHEREAS, this release is not intended to release any rights the District has in the C-42 right of way, located Westerly of and adjacent to said Plat.

WHEREAS, in accordance with Section 373.096, Florida Statutes, the Governing Board may release any easements, reservations, or right-of-way interests for which it has no present or apparent use, and pursuant to Section 373.056(4) the District may convey interests or rights in land to another government entity, not required for its purposes, all under such terms and conditions as the Governing Board may determine. .

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 to Broward County any interest the District may have with respect to the 25' Easement.

Section 2: The Governing Board of the South Florida Water Management District hereby authorizes the Chairman to execute the release document.

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

PASSED and **ADOPTED** this 11th day of July, 2013.

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

_____
Chairman

Attest:

_____
District Clerk/Secretary

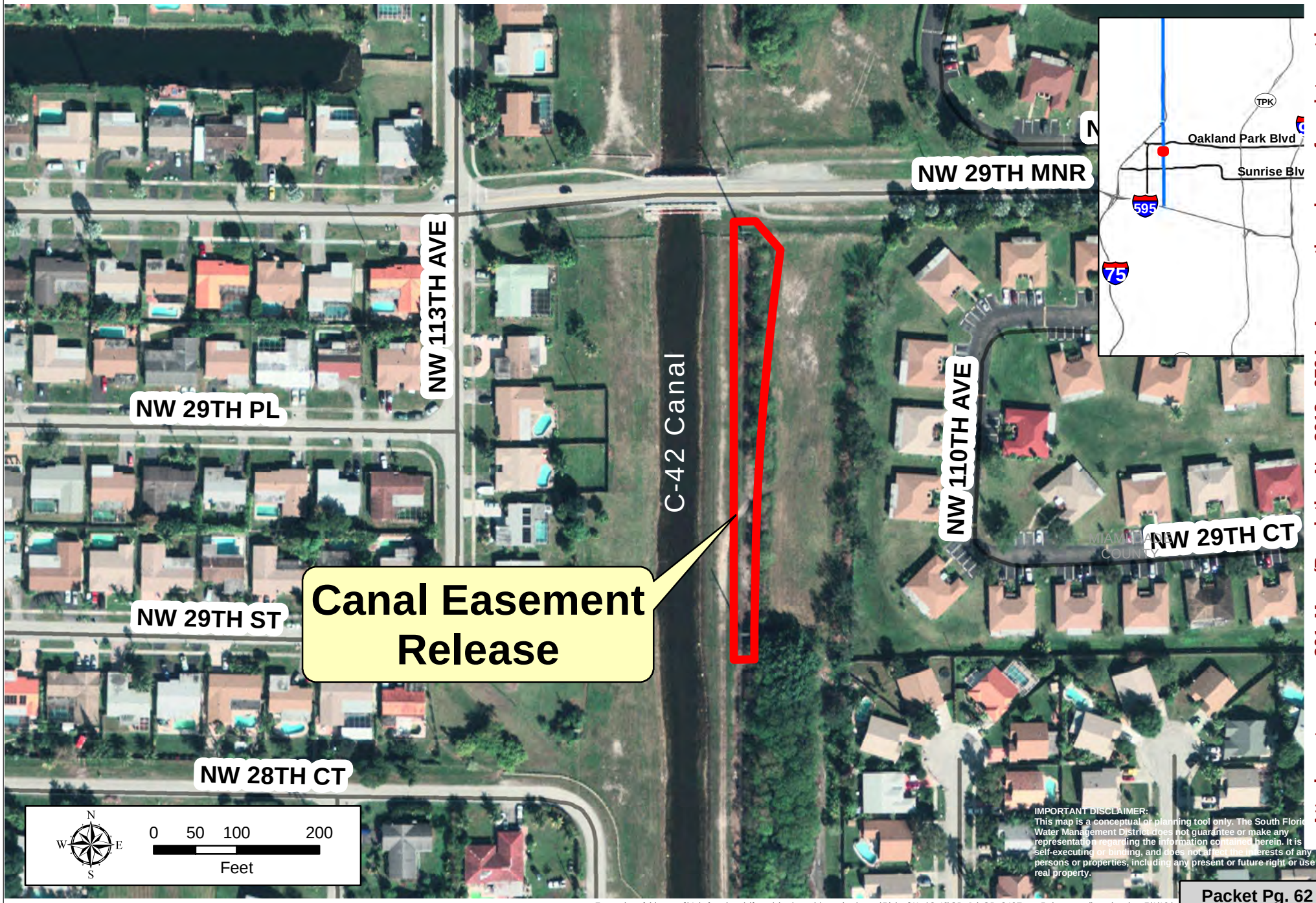
Legal form approved:
By:

_____
Office of Counsel

Print name:

_____

C-42 Canal Maintenance Easement Release
Broward County



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For copies of this map (\\Ad.sfwmd.gov\dfsroot\data\aa_gis\arc_data\maps\RightofWay\C-42\GB_JulyGB_C42Esmt_Release.mxd), updated on 7/1/13 by

Attachment: ca_om_201_Map (Resolution No. 2013 - 0704 : Approve the release of any interest in a

M E M O R A N D U M

TO: Governing Board Members

FROM: Jeff Kivett, Division Director

DATE: July 11, 2013

SUBJECT: NRCS - Contract Number 4600002897

Agenda Item Description
A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 220-day contract with the Natural Resource Conservation Services (NRCS) for repairs of canal banks damaged by Tropical Storm Isaac in an amount not-to-exceed $500,000, of which the District's total contribution is 25% in ad valorem funds subject to Governing Board approval of the FY14 budget; providing an effective date.

Background
In August 2012 Tropical Storm Isaac caused damages to District canals and structures in the northern and central portions of the District. The District is actively pursuing financial assistance through Federal programs and NRCS has received funding which is to be used as part of their Emergency Watershed Protection Program (EWPP) to assist municipalities and governmental agencies in the recovery efforts from tropical storm damage. This program shares the cost of repairs on a 75% (Federal) - 25% (Local Government) basis.

The District and NRCS have met, discussed and identified projects which meet the qualifying criteria for assistance under the EWPP. Accordingly, an Interagency Agreement is necessary to receive assistance from NRCS to implement the identified projects. The agreement will reimburse the District for costs associated with repairs of canal and levee banks. Two proposed repair projects have been approved by NRCS with a total cost of $500,000, of which the District will be responsible for 25% of the total cost. Additionally, NRCS will reimburse the District up to 7.5% of the total cost for technical services, which may include design, surveys, inspections and as-built drawings.

Core Mission and Strategic Priorities
Repairing the District's canal banks will minimize erosion and impacts to canal conveyance and maintenance access within the regional system.

Funding Source
Funding is provided by a grant from NRCS for 75% of the total construction costs up to $500,000 total. The remaining 25% of the total construction cost is to be provided by the District using ad valorem funds subject to Governing Board approval of the FY14 budget.

Staff Recommendation
Staff recommends authorizing the approval of Contract Number 4600002897, as this item supports continual operations and maintenance of the District canal system. If not repaired, these areas would become potential hazards and detrimental to the integrity of the canal system.

If you have any questions, please call Jeff Kivett, Division Director at ext. 2680 or John Mitnik, Bureau Chief at ext. 2679.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2013 - 0705

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 220-day contract with the Natural Resource Conservation Services (NRCS) for repairs of canal banks damaged by Tropical Storm Isaac in an amount not-to-exceed $500,000, of which the District's total contribution is 25% in ad valorem funds subject to Governing Board approval of the FY14 budget; providing an effective date. (Contract Number 4600002897) (OMC, Jeff Kivett, ext. 2680)

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 220-day contract with the Natural Resource Conservation Services (NRCS) for repairs of canal banks damaged by Tropical Storm Isaac in an amount not-to-exceed $500,000, of which the District's total contribution is 25% in ad valorem funds subject to Governing Board approval of the FY14 budget; 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 authorizes the execution of Contract Number 4600002897 with the NRCS

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

PASSED and **ADOPTED** this 11th day of July, 2013.

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

_____
Chairman

Attest:

_____
District Clerk/Secretary

Legal form approved:
By:

_____
Office of Counsel

Print name:

_____

M E M O R A N D U M

TO: Governing Board Members

FROM: Doug Bergstrom, Director, Administrative Services Division

DATE: July 11, 2013

SUBJECT: Proposed Millage Rates

Background:
Each year, the Governing Board discusses proposed millage rates as part of the statutorily mandated Truth-in-Millage (TRIM) process. These rates are then provided to each county property appraiser within the boundaries of the District for inclusion on TRIM required proposed property tax notices.

The millage rates proposed for FY2013-2014 have been calculated to comply with the TRIM process to calculate the rolled-back rate. To achieve the proposed level of ad valorem revenues, the following millage rates are proposed consistent with Governing Board strategic guidance:

District-at-Large:	0.1685 mils
Okeechobee Basin:	0.1838 mils
Everglades Construction Project:	0.0587 mils
Big Cypress Basin:	0.1593 mils

How this helps meet the District's 10-year Strategic Plan:
Certification of the proposed millage rates to county property appraisers for TRIM purposes is required as part of the District's annual compliance with Chapter 200, F.S.

Funding Source:
Ad Valorem Taxes

This Board item impacts what areas of the District, both organizational and geographical:
This item provides the ad valorem funding for the FY2013-2014 budget and serves to notify county property appraisers of the District's proposed millage rates.

What concerns could this Board item raise?
For illustration purposes, based on the proposed millage rates, a homeowner residing within the Okeechobee Basin (all counties except Collier and northwest Monroe) with a home assessed at $150,000 less a $50,000 homestead exemption will pay $41.10 in property taxes to the District this upcoming fiscal year. A comparable homeowner in the Big Cypress Basin will pay $32.78 in property taxes.

This action effectively sets the maximum millage rates that the Governing Board can approve for FY2013-2014, as it is cost-prohibitive (first class mail notification is statutorily required) to set a higher rate at the two required public hearings in September.

Why should the Governing Board approve this item?
The proposed FY2013-2014 millage rates for TRIM purposes are presented for discussion. The county property appraisers will be notified of these rates, with Governing Board concurrence, for publication on truth-in-millage (TRIM) notices which are sent to each tax payer within District boundaries. Approval of proposed FY2013-2014 millage rates for TRIM purposes by the Governing Board is an important part of our statutory compliance requirements for annual budget development.

If you have questions regarding FY2013-2014 budget development or the information above, please contact me at (561) 682-6214.

DB/MS/mq

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2013 - 0706

A Resolution of the Governing Board of the South Florida Water Management District approving submission of the proposed FY2013-2014 millage rates for the purpose of advising county Property Appraisers for publication on Truth-in-Millage (TRIM) notices; providing an effective date. (AS, Doug Bergstrom, ext. 6214)

WHEREAS, Section 200.065(2)(b), Florida Statutes, provides that each taxing authority shall advise the property appraiser of its proposed FY2013-2014 millage rates for publication on Truth-in-Millage TRIM notices; and

WHEREAS, the Governing Board is being requested to approve the proposed FY2013-2014 millage rates for submission to the property appraisers; and

WHEREAS the Executive Director recommends that these millage rates be approved in order for property appraisers to notify taxpayers of proposed FY2013-2014 millage rates to be levied; 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 submission of the following proposed FY2013-2014 millage rates in order for property appraisers to notify taxpayers of proposed millage rates to be levied:

District-at-Large:	0.1685 mils
Okeechobee Basin:	0.1838 mils
Everglades Construction Project:	0.0587 mils
Big Cypress Basin:	0.1593 mils

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

PASSED and **ADOPTED** this 11th day of July, 2013.

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

_____
Chairman

Attest:

_____
District Clerk/Secretary

Legal form approved:
By:

_____
Office of Counsel

Print name:

_____

M E M O R A N D U M

TO: Governing Board Members

FROM: Doug Bergstrom, Director, Administrative Services Division

DATE: July 11, 2013

SUBJECT: Payment to Florida Department of Emergency Management

Agenda Item Description

Staff is seeking Governing Board authorization to pay up to $3,045,812 to the Florida Department of Emergency Management pursuant to its request as a result of FEMA's deobligation of funds.

Background

In September, 2012, October, 2012, February 2013, and May, 2013, the Federal Emergency Management Agency ("FEMA") "deobligated" a total of $23,728,819 funds it previously approved and "obligated" to the South Florida Water Management District ("District") through the State of Florida Department of Emergency Management ("DEM") for repairs needed as a result of Hurricanes Charley, Frances, Jeanne and Wilma in 2004 and 2005. Of the $23,728,819 "obligated" by FEMA, the District received and spent $18,648,917 on hurricane related repairs. The District has filed administrative appeals with FEMA as well as a suit in federal court seeking reversal of FEMA's action. However, because DEM's ability to provide grant funds to other Florida communities has been impacted by FEMA's deobligation of SFWMD funds, DEM has requested that SFWMD now provide partial payment of approximately $3 million (subject to final invoice) rather than waiting until the legal proceedings are completed and a final decision is reached. Payment of these funds to DEM does not constitute agreement by the District with FEMA's deobligation action and does not affect the District's position in either its administrative appeal or its suit filed in federal district court.

Funding Source

This amount will be funded using ad valorem fund balance.

Staff Recommendation

Staff recommends that the Governing Board authorize payment of an amount not to exceed $3,045,812 to the Florida Department of Emergency Management and all budget transfers necessary to make this payment.

If you have any questions, please call Doug Bergstrom, Director, Administrative Services Division at ext. 6214.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2013 - 0707

A Resolution of the Governing Board of the South Florida Water Management District authorizing staff to pay the Florida Department of Emergency Management an amount not to exceed $3,045,812 pursuant to its request as a result of the Federal Emergency Management Agency's (FEMA) deobligation of funds; providing an effective date. (AS, Doug Bergstrom, ext. 6214)

WHEREAS, in September, 2012, October, 2012, February 2013, and May, 2013, the Federal Emergency Management Agency (FEMA) "deobligated" a total of $23,728,819 it previously approved and "obligated" to the South Florida Water Management District ("District") through the State of Florida Department of Emergency Management (DEM) for repairs needed as a result of Hurricanes Charley, Frances, Jeanne and Wilma in 2004 and 2005; and

WHEREAS, of the $23,728,819 "obligated" by FEMA, the District received and spent $18,648,917 on hurricane related repairs; and

WHEREAS, the District has filed administrative appeals with FEMA as well as a suit in federal court seeking reversal of FEMA's action; and

WHEREAS, because DEM's ability to provide grant funds to other Florida communities has been impacted by FEMA's deobligation of SFWMD funds, DEM has requested that the District now provide partial payment of approximately $3 million (subject to final invoice) rather than waiting until the legal proceedings are completed and a final decision is reached; and

WHEREAS, payment of these funds to DEM does not constitute agreement by the District with FEMA's deobligation action; and

WHEREAS, payment of these funds to DEM does not affect the District's position in either its administrative appeal or its suit filed in federal district court.

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 District staff to pay to DEM an amount not to exceed $3,045,812.

Section 2. The Governing Board authorizes District staff to implement any budget transfers necessary to pay DEM.

Section 3. The Governing Board directs District staff to continue to vigorously pursue reversal of FEMA's deobligation action through all available legal means including but not limited to the recovery of the approximately $3 million the District will transfer to DEM.

Section 4. This resolution shall take effect immediately upon adoption.

PASSED and **ADOPTED** this 11th day of July, 2013.

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

_____
Chairman

Attest:

_____
District Clerk/Secretary

Legal form approved:
By:

_____
Office of Counsel

Print name:

_____

M E M O R A N D U M

TO: Governing Board Members

FROM: Temperince Morgan,

DATE: July 11, 2013

SUBJECT: Water Farming PES Pilot Project

Background The Florida Legislature's intent for the Northern Everglades and Estuaries Protection Program (F.S. 373.4595) is to encourage and support the development of creative partnerships to facilitate the further restoration and protection of Lake Okeechobee and the Estuaries. The goal of the Dispersed Water Management St. Lucie Estuary Water Farming - Payment for Environmental Services (WF-PES) Pilot Project is to establish relationships via contracts with private landowners to obtain the water management service of water retention to reduce flows and nutrient loads to Lake Okeechobee and the Estuaries while enhancing economic stability of working agricultural lands. This pilot project will provide information on the proposed concept of retaining stormwater runoff from the project site and excess regional stormwater on fallow citrus lands. A feasibility analysis of this concept was conducted jointly by the District and Indian River Citrus League that found that it is feasible and recommended a pilot project be developed.

The District released the WF-PES Pilot Project request for proposals in April 2013 in coordination with the Florida Department of Agriculture and Consumer Services (FDACS), Florida Department of Environmental Protection (FDEP), and the United State Department of Agriculture - Natural Resources Conservation Service (NRCS). Five proposals were evaluated and ranked (see attached table). Staff's recommendation for Governing Board consideration is to direct staff to negotiate agreements with respondents in ranked order until available funds are exhausted or until projects no longer meet a minimum acceptable level.

Why this action is necessary? The agreements will provide water retention in the Northern Everglades to assist with meeting the storage and water quality improvement goals for the watersheds. The pilot project agreements will be for three years, one year of construction and project implementation and two years of operation. This time frame will provide information necessary to determine if the concept should be pursued and to improve effectiveness and efficiency.

How this helps meet the District's 10-year Strategic Plan:
The WF-PES Pilot projects are referenced in the District's Annual Work Plan that is linked to the 10-Year Strategic Plan.

Funding Source: Ad Valorem Funds from the Dispersed Water Management Spend Down Plan Reserves and potentially a 319 Grant

This Board item impacts what areas of the District, both resource areas and geography:
These projects are located within the Northern Everglades St. Lucie Estuary Watershed and impact the Resource Areas of Everglades Policy and Coordination and Regulation for permitting coordination.

What concerns could this Board item raise?
There is greater landowner interest in this pilot project and other Dispersed Water Management initiatives than we currently have dedicated funds to cover. Interest from stakeholders to expand the program include this pilot project, the Northern Everglades Payment for Environmental Services, interim and permanent projects on public owned lands, cooperative agreements, and other proposals.

Why should the Governing Board approve this item?
This pilot project will provide information on the proposed concept of retaining stormwater runoff from the project site and excess regional stormwater on fallow citrus lands. This information is necessary to determine if the concept should be pursued and to improve effectiveness and efficiency.

If you have any questions, please do not hesitate to call me at ext. 6987.

TM/dm

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2013 - 0709

A Resolution of the Governing Board of the South Florida Water Management District to authorize staff to enter into negotiations with respondents in ranked order (attachment A) for the Dispersed Water Management Program Water Farming – Payment for Environmental Services Pilot Project solicitation number 6000000576 for 3 year contracts for the purpose of providing water retention services and pilot project implementation information and subject to Governing Board approval of FY14-FY16 budgets; providing an effective date. (EPC, Temperince Morgan, ext. 6987)

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize entering into negotiations with respondents in ranked order for the Dispersed Water Management Program Water Farming - Payment for Environmental Services Pilot Project Solicitation; **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 entering into negotiations with respondents in ranked order according to the evaluation for the referenced solicitation 6000000576.

Section 2. This resolution shall take effect immediately upon adoption, or if applicable, after review by the Office of Fiscal Accountability and Regulatory Reform.

PASSED and **ADOPTED** this 11th day of July, 2013.

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

_____
Chairman

Attest:

_____
District Clerk/Secretary

Legal form approved:
By:

_____
Office of Counsel

Print name:

_____

ATTACHMENT A

Final Ranking Report for RFP 6000000576
Water Farming Payment for Environmental Services Pilot

Vendor Name	Rank
Caulkins Citrus Company, LTD	**1**
Bull Hammock Ranch, LTD	**2**
Evans Properties, Inc. (E-1 & E-1a)	**3**
Evans Properties, Inc. (E-2)	**4**
Adams Ranch, Inc.	**5**

Attachment: DWM WF-PES_Attach_A (Resolution No. 2013 - 0709 : Water Farming PES Pilot Project)

M E M O R A N D U M

TO: Governing Board Members

FROM: Karen Estock, Division Director

DATE: July 11, 2013

SUBJECT: Directing staff to move forward to analyze options for disposal of 1,723 acres

Over six decades, the South Florida Water Management District has acquired nearly 1.5 million acres of land within its 16-county jurisdiction to support flood control infrastructure, protect water resources and restore impaired ecosystems. As part of a broad effort to maximize its resources to meet mission-critical responsibilities, the District is conducting a comprehensive land assessment to ensure that each parcel is being put to its most effective use. For the land assessment process, the 16-county District has been divided into five geographic regions for which each parcel of District land is thoroughly analyzed to determine how its current use contributes to the agency's core mission of balancing and improving water quality, flood control, natural systems and water supply. The completion of the comprehensive process for the first of the five regions, the “Kissimmee/Okeechobee” region, has resulted in conclusions involving the potential for surplus with respect to tracts comprising 1,723 acres, more or less, in St. Lucie and Martin Counties. The tracts are depicted and the respective background facts and considerations are briefly summarized on Exhibits “A-1” through “A-5” attached hereto and made a part hereof

It is intended that District staff will now further analyze options for their potential surplus and thereafter propose recommendations to the Governing Board for further consideration. With respect to these subject tracts, they may be offered by the District to another governmental entity pursuant to terms and conditions approved by the Governing Board, they may be conveyed as part of an exchange transaction upon terms and conditions approved by the Governing Board, or they may be offered to the public for bid and be sold for the highest price obtainable but not less than the appraised value. Whatever tracts or portions thereof are further considered for surplus, the final acres and applicable market values may be altered based on certain easement rights that may be reserved and/or certain cut outs that may occur. With respect to any of the subject tracts, the conveyance of the fee title may be subject to certain reservations and/or adjustments because of project needs or other considerations. All disposals shall be conditioned on United States Army Corps of Engineers and Florida Department of Environmental Protection approval where required.

How this helps meet the District’s 10-year Strategic Plan:
The continuation of the land assessment process represented by this item, contributes to the agency's core mission of balancing and improving water quality, flood control, natural systems and water supply.

Funding Source:
All disposals shall be subject to funding source requirements.

This Board item impacts what areas of the District, both resource areas and geography:

The item will fall under the entire Operations, Maintenance and Construction Division resource area.

What concerns could this Board item raise?
There are no concerns regarding this Board item.

Why should the Governing Board approve this item?
As stated herein, the land assessment process is being conducted as part of a broad effort to maximize District resources to meet mission-critical responsibilities and ensure that land is being put to its most effective use. With approval of this item, further necessary analysis will be conducted to allow further recommendations to the Governing Board regarding the potential surplus of specific tracts or portions thereof.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2013 - 0710

A Resolution of the Governing Board of the South Florida Water Management District, directing staff to move forward to analyze options, including but not limited to, disposal of land interests containing 1,723 acres, more or less, in St. Lucie and Martin Counties, together with any structures and improvements and personal property appurtenant thereto, and thereafter propose recommendations to the Governing Board for further approval; providing an effective date. (OMC, Ray Palmer, ext. 2246)

WHEREAS, as part of a land assessment process conducted by District staff, certain lands containing a total of 1,723 acres, more or less, located in the St. Lucie and Martin Counties have been identified as potentially being surplus to District needs; and

WHEREAS, the Governing Board, pursuant to Section 373.056, Florida Statutes, has the authority to convey to any governmental entity, land or rights in land owned by the District not required for its purposes, under terms and conditions determined by the Governing Board; and

WHEREAS, the Governing Board, pursuant to Section 373.089, Florida Statutes, has the authority to convey as part of an exchange transaction, land or rights in land owned by the District not required for its purposes, under terms and conditions determined by the Governing Board; and

WHEREAS, the Governing Board, pursuant to Section 373.089, Florida Statutes, has the authority to sell lands, or interests, or rights in land owned by the District not required for its purposes, for the highest price obtainable, but not less than the appraised value; and

WHEREAS, the Governing Board concurs with staff that the land assessment process has identified certain lands as potentially being surplus to District needs and directs staff to move forward to analyze the options, including but not limited to, disposal of the subject lands and thereafter propose recommendations to the Governing Board for further approval.

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 concurs with the staff that the land assessment process has identified certain lands described in Exhibits “A-1” through “A-5” attached hereto and made a part hereof, together with any structures and improvements and personal property appurtenant thereto, containing a total of 1,723 acres,

more or less, located in the St. Lucie and Martin Counties as potentially being surplus to District needs.

Section 2: The Governing Board directs staff to move forward to analyze the options, including but not limited to, disposal of the subject lands and thereafter propose recommendations to the Governing Board for further approval, which recommendations may include: (i) conveying to a governmental entity upon terms and conditions approved by the Governing Board in accordance with the provisions of Section 373.056 Florida Statutes, (ii) conveying as part of an exchange transaction upon terms and conditions approved by the Governing Board in accordance with the provisions of Section 373.089 Florida Statutes, and/or (iii) offering to the public for bid and sold for the highest price obtainable, but in no event less than the appraised value, in accordance with the provisions of Section 373.089, Florida Statutes.

Section 3: All disposals will be subject to funding source requirements, and conditioned on United Stated Army Corps of Engineers and/or Florida Department of Environmental approval where required.

Section 4: This Resolution is effective immediately upon adoption.

PASSED and **ADOPTED** this 11th day of July, 2013.

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

_____
Chairman

Attest:

_____
District Clerk/Secretary

Legal form approved:
By:

_____
Office of Counsel

Print name:

_____

EXHIBIT A-1

<u>Kanner Highway (~19.48 acres)</u>
This parcel was acquired as a potential dredge spoil site for the U.S. Army Corps of Engineers. The District holds the title to this property and the Army Corps has no longer needs it for dredge spoil storage. This isolated parcel lies across Kanner Highway from the river floodplain. The continued ownership of this parcel does not support any District mission objective.

The further evaluation of these tracts will consider the exchange or surplus of the District's fee-simple interest in the site.

Funding: District

Attachment: ca_om_202_Region3-Exhibits 1-5 (Resolution No. 2013 - 0710 : Directing staff to move forward to analyze options for disposal of

EXHIBIT A-2

Mapp Road (~37.8 acres)

This parcel was acquired as a potential dredge spoil site for the U.S. Army Corps of Engineers. This isolated parcel is no longer needed for spoil management and is separated from the river floodplain, except for a narrow 100' strip, by a golf course, a road (SW Thistle Terrace) and single-family residences. The continued ownership of this parcel does not support any District mission objective.

The further evaluation of these tracts will consider the exchange or surplus of the District's fee-simple interest in the site.

Funding: District

Attachment: ca_om_202_Region3-Exhibits 1-5 (Resolution No. 2013 - 0710 : Directing staff to move forward to analyze options for disposal of

EXHIBIT A-3

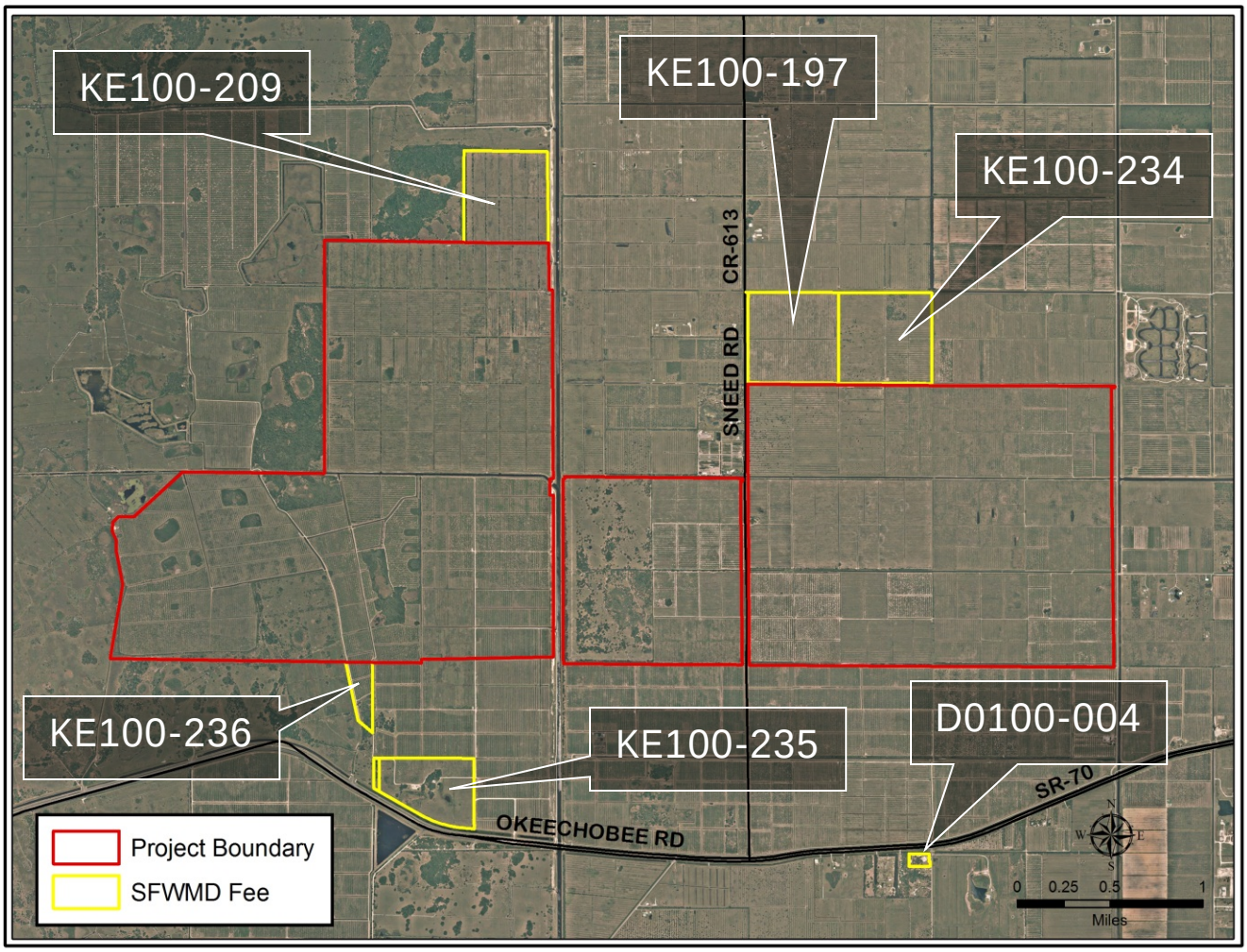
<u>Whippoorwill Ave (~7.9 acres)</u>
This small isolated parcel is no longer needed for its intended purpose as a spoil management site. It lies within a residential neighborhood. Road access is undetermined. Staff further recognizes that the site has substantial river frontage, and the retention of a 75-foot wide conservation easement from the river would serve as a buffer between the river and any potential improvements made to this parcel in the future.

The further evaluation of these tracts will consider the exchange or surplus subject to an acceptable 75-foot wide conservation easement along the South Fork of the St. Lucie River.

Funding: District

Attachment: ca_om_202_Region3-Exhibits 1-5 (Resolution No. 2013 - 0710 : Directing staff to move forward to analyze options for disposal of

EXHIBIT A-4



<u>Indian River Lagoon South (CERP) – C23/24 Component (~585.51 acres)</u>
KE100-209 (~146.25 acres); KE100-197 (~153.52 acres); KE100-234 (~157.11 acres); KE100-236 (~23.74 acres); KE100-235 (~100.15 acres); D0100-004 (~4.74 acres)

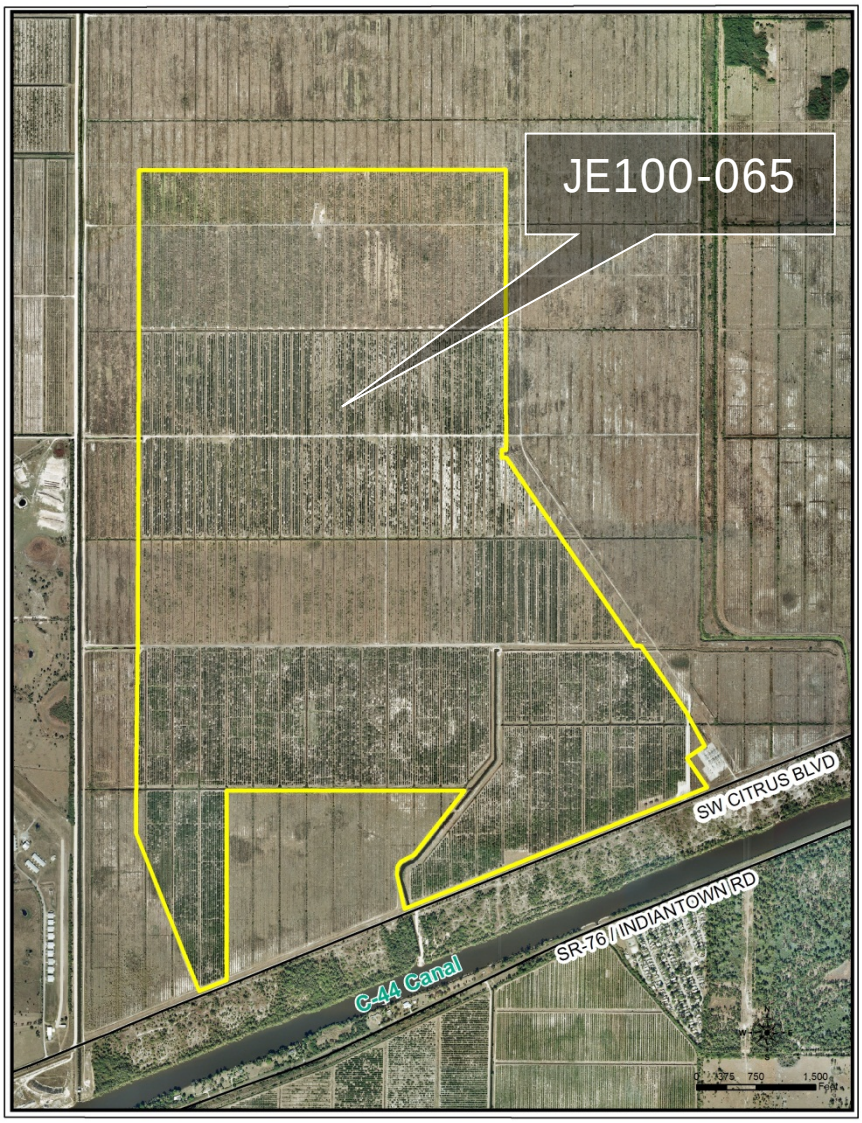
The continued ownership of these parcels do not support any District mission objective because they are areas of agricultural production (citrus and improved pasture) and a former field station that have been determined to not be necessary for the development of the reservoir/STA project.

The further evaluation of these tracts will consider the exchange or surplus of the District's fee-simple interest in the site.

Funding: SOETF

Attachment: ca_om_202_Region3-Exhibits 1-5 (Resolution No. 2013 - 0710 : Directing staff to move forward to analyze options for disposal of

EXHIBIT A-5



<u>Indian River Lagoon South (CERP) – C-44 Component (~1,072.22 acres)</u>

The C-44 project is currently under construction, and this area was excluded from the project development plans. There may be opportunities for dispersed water management activities that could benefit the District's core mission objectives, even in private ownership.

The further evaluation of this parcel will consider the exchange or surplus of the District's fee-simple interest in the site with such deed restrictions as necessary to be compatible with its proximity to the reservoir and the County facility on Citrus Blvd.

Funding: SOETF

Attachment: ca_om_202_Region3-Exhibits 1-5 (Resolution No. 2013 - 0710 : Directing staff to move forward to analyze options for disposal of

M E M O R A N D U M

TO: Governing Board Members

FROM: Doug Bergstrom, Division Director

DATE: July 11, 2013

SUBJECT: Adopt amendments to Small Business Enterprise (SBE) Contracting Program Rules

Recommendation:

Staff recommends adoption of the amendments to the District's SBE rule in Chapter 40E-7, F.A.C., to streamline the process for small businesses and prime contractors.

Background:

On July 15, 2005, the District was granted legislative authority to implement a small business program. The purpose of this program is help small businesses including those owned by women and minorities, to participate in SFWMD's procurement and contract activities. The District's Procurement Bureau developed and implemented a race and gender neutral contracting program that focuses on small businesses. This was codified in Chapter 40E.7, F.A.C.

As part of the continuing evaluation of the program required by the rule and in order to determine what, if any, specific provisions require modification, the District promulgated Rulemaking. The amendments requiring adoption are in the following sections:

- 40E-7.669 <https://www.flrules.org/gateway/ruleNo.asp?id=40E-7.669> (Definitions) - Defines government agency and commodity code to clarify references in other sections
- 40E.7.670 (Competitive Solicitation Preferences) - Revises SBE requirements for Standard Requests for Proposals and adds a methodology for Requests for Proposals resulting in Work Order Contracts.
- 40E-7.671 (District Implementation) - Changes align with current District organization
- 40E.7.672 (Compliance) - Clarifies monitoring and evaluation of prime contractor performance and streamlines process for adding or replacing an SBE subcontractor during contract performance.
- 40E-7.674 <https://www.flrules.org/gateway/ruleNo.asp?id=40E-7.674> (Certification Review Procedures) and 40E-7.675 (Recertification Review Procedures) - Provides increased review and response time by the District and applicants during the certification and recertification process.

- 40E-7.677 (Reciprocity) - Changes create ability to accept vendor SBE certifications by other government agencies to expedite certification process.

In accordance with rulemaking procedural requirements, a Notice of Proposed Rule was published in the Florida Administrative Register and copies of the amended rule text were provided to stakeholders, interested persons, the Joint Administrative Procedures Committee (JAPC), and the rules Ombudsman in the Executive Office of the Governor.

Staff Contact: Dorothy A. Bradshaw, Procurement Bureau Chief;
Phone (561) 682-2823
Frank Mendez, Sr. Attorney, Office of Counsel;
Phone (561) 682-6260

Chapter 40E-7, F.A.C., Small Business Enterprise Contracting Program

40E-7.669 Definitions.

(1) - (3) No change.

(4) “Commodity Code” A numeric system designed to list commodities or services by classes and sub-classes. A numeric identifier of supplies, materials, goods, merchandise, equipment or other tangible personal property (purchase or lease), including the contractual services.

(5) “Government Agency” means any state, county, regional or local government in Florida.

(6) ~~(4)~~ "Gross Receipts" means the total sales for the Applicant as specified in its Federal tax return or if a new company which has not filed a Federal tax returns, in its audited financial statement before deductions for returned items, allowances, and discounts.

(7) ~~(5)~~ "Industry Categories" means construction, commodities and services.

(8) ~~(6)~~ "Non SBE Prime" means a business not currently certified by the District as a small business enterprise which submits a bid or proposal for the purpose of being awarded a legally binding agreement as a Prime Contractor for the performance of work at a mutually agreed upon price in accordance with agreed upon terms and conditions with the District.

(9) ~~(7)~~ "Prime Contractor" means any individual or contracting entity with whom the District has entered into a legally binding agreement for performance of work at a mutually agreed upon price in accordance with agreed upon terms and conditions.

(10) ~~(8)~~ "Responsible" means a business that is capable in all respects of fully performing

Attachment: 40E-7_SBE Rule Amendments (1328 : Adopt amendments to Small Business Enterprise (SBE) Contracting Program rules)

the contract requirements and which has the integrity and reliability that will assure good faith performance.

(11) ~~(9)~~ "Responsive" means a business's bid or proposal conforms in all material respects to the invitation to bid or request for proposal.

(12) ~~(10)~~ "District Small Business Enterprise (SBE)" means a business certified by the District, whose three (3) year average gross receipts, including affiliates, shall not exceed $13 million if the business provides construction, $5 million if the business provides commodities, and $6 million if the business provides services. Additionally, a District Small Business Enterprise is licensed to do business in the State of Florida if the business requires a license.

(13) (~~11~~) "SBE Prime" means a business certified by the District as a small business that submits a bid or proposal for the purpose of being awarded a legally binding agreement as a SBE Prime Contractor for the performance of work at a mutually agreed upon price in accordance with agreed upon terms and conditions with the District.

Rulemaking ~~Specific~~ Authority 373.044. 373.113 FS. Law Implemented 373.1135 FS. History-New 8-3-06. Amended 8-29-07, Amended _____.

40E-7.670 Competitive Solicitation Preferences.

The Small Business Enterprise Contracting Rule in this part provides for three types of Competitive Solicitation Preferences designed to assist small businesses. The Bid Equalization, Sheltered Market and Subcontracting Requirements are outlined below.

(1) No Change.

(2) Sheltered Market Program. The District may ~~shall~~ provide for sheltered markets to allow ~~for~~ only SBE's to bid on designated solicitations. ~~The District shall be guided in designating a sheltered market by selecting industries in which small businesses have usually not had an~~

~~opportunity to compete for awards against larger businesses.~~ In order to designate a sheltered market the District must identify at least 3 SBEs available to perform work within the industry identified in the solicitation.

(3) Subcontracting Requirements.

(a) Bids - The District shall set subcontracting goals for all bids based on availability of vendors registered with the District, including SBE firms able to perform work within specific commodity codes. The goals shall be applied as a percentage of the total contract value to be assigned to SBE firms. ~~Availability refers to vendors registered with the District, including SBE firms able to perform work within specific commodity codes. The formula for setting a goal is expressed as the total number of SBE firms within specific commodity codes in a scope of work divided by the total number of vendors registered with the District's Procurement Department within the same commodity codes at the time of the preparation of the solicitation. Numerically, this is expressed as: Total Number of SBE's/Total Number of District Registered Vendors = Subcontracting Goal Percentage~~

The maximum goal that will be applied to any solicitation will be 25%. When an SBE goal is set bidders shall provide work to one or more SBEs in order to meet the goal. At the time of submittal of its bid, the bidder shall identify all SBE firms which will be utilized as subcontractors, by using Form No. 0956, "Small Business Enterprise ~~SBE~~ Subcontractor Participation Schedule" effective (_____~~August 3, 2006~~) **(add hyperlink)**. ~~which can be obtained from the District upon request~~. All bids submitted where SBE participation is required, shall include Form No. 0957, "Statement of Intent to Perform as a Small Business Enterprise ~~SBE~~ Subcontractor" effective (_____~~August 3, 2006~~) **(add hyperlink)**. This form shall be signed by ~~both~~ the SBE subcontractor. ~~and the bidder and the form~~ Form Nos. 0956 and 0957,

Attachment: 40E-7_SBE Rule Amendments (1328 : Adopt amendments to Small Business Enterprise (SBE) Contracting Program rules)

together called the SBE Subcontractor Utilization Plan, must ~~shall~~ reflect the parties' intent to establish a business relationship as well as the type of work and percentage of work that the SBE subcontractor will perform. Failure to submit any of the information as required herein shall lead to the bid being deemed non-responsive. Form Nos. 0956 and 0957 are incorporated by reference herein and are available at no cost by contacting the South Florida Water Management District Clerk's Office, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800) 432-2045, ext. 6436, or (561) 682-6436.

Any bidder failing to meet the established goal shall be deemed non-responsive. If an SBE Prime intends to subcontract work to an SBE subcontractor, the SBE Prime must submit the aforementioned forms at the time of submitting its bid or be deemed non-responsive. If the SBE Prime intends to perform 100% of the work, the SBE Prime does not have to submit the aforementioned forms.

(b) Standard Proposals – For solicitations where a contract~~s~~ is awarded based on an evaluation criteria, and where the scope of work is clearly defined the District shall determine subcontracting goals for each solicitation based on availability of SBE firms as stated above in Section 3(a) ~~award points as reflected in Table 7.6-2. The maximum points will be awarded to the proposer if 25% or more of the total project work is performed by SBE firms~~. The maximum goal that will be applied to any solicitation will be 25%. The goals shall be applied as a percentage of the total contract value to be assigned to SBE firms. ~~Percentages reflect the amount of the total contract value proposed to be assigned to SBE firms.~~

~~**TABLE 7.6-2**~~

~~**EVALUATION POINT TABLE**~~

~~10 POINTS FOR SBE PARTICIPATION~~

Attachment: 40E-7_SBE Rule Amendments (1328 : Adopt amendments to Small Business Enterprise (SBE) Contracting Program rules)

~~≥ 25% =~~	~~10 Points~~
~~≥ 23% =~~	~~9 Points~~
~~≥ 21% =~~	~~8 Points~~
~~≥ 19% =~~	~~7 Points~~
~~≥ 17% =~~	~~6 Points~~
~~≥ 15% =~~	~~5 Points~~
~~≥ 13% =~~	~~4 Points~~
~~≥ 11% =~~	~~3 Points~~
~~≥ 9% =~~	~~2 Points~~
~~≥ 7% =~~	~~1 Point~~

~~(c)~~ At the time the proposal is submitted the proposer shall identify all SBE firms (if any) which will be utilized as subcontractors, by using Form No. 0956, "Small Business Enterprise ~~SBE~~ Subcontractor Participation Schedule," incorporated by reference in paragraph (3)(a) herein. ~~from the District upon request.~~ All proposals with SBE subcontractor participation shall include Form No. 0957, "Statement of Intent to Perform as a Small Business Enterprise ~~SBE~~ Subcontractor, also incorporated by reference in paragraph (3)(a) herein. ~~from the District upon request.~~ This form shall be signed by the SBE subcontractor ~~and the proposer and the form shall reflect the parties' intent to establish a business relationship as well as the type of work and percentage of work that the SBE subcontractor will perform~~. Form Nos. 0956 and 0957 together called the SBE Subcontractor Utilization Plan must reflect the parties' intent to establish a business relationship as well as the type of work and percentage of work that the SBE subcontractor will perform. If an SBE Prime intends to subcontract work to an SBE

subcontractor, the SBE Prime must submit the aforementioned forms at the time of submitting its proposal. ~~Non SBE Primes will not receive points if they choose not to use SBE subcontractors. The District will not provide SBE points to a proposer if the District cannot establish the proposer's intent.~~ Any non SBE Prime contractor who fails to meet the established goal shall be deemed non-responsive.

(c) Work Order Proposals – For solicitations where a contract is awarded based on evaluation criteria and where the scope of work is not clearly defined resulting in work order contracts, will not contain a goal, but shall require proposers to commit to goals assigned to individual work orders issued throughout the term of the contract. The goal for individual work orders will be based on availability of SBE firms as stated above in paragraph 3(a). The maximum goal that will be applied to any work order will be 25%. At the time the proposal is submitted, the proposer shall identify all proposed SBE firms that will be utilized as subcontractors.

At the time a work order with an SBE goal is assigned, the Prime Contractor shall submit a cost proposal, and identify all SBE subcontractors and the percentage of work that the SBE subcontractor(s) will perform by using Form No. 0956, "Small Business Enterprise Subcontractor Participation Schedule," incorporated by reference in paragraph (3)(a) herein. All cost proposals shall also include Form No. 0957, "Statement of Intent to Perform as a Small Business Enterprise Subcontractor," also incorporated by reference in paragraph (3)(a) herein. This form shall be signed by the SBE subcontractor. A work order will not be executed with a Prime Contractor whose cost proposal does not meet the established goal for that work order. In addition, failure to meet the goal set by the District for an executed work order will result in a breach of contract by the Prime Contractor.

Rulemaking ~~Specific~~ Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History-

New 8-3-06, Amended 8-29-07, Amended _____.

40E.-7.671 District Implementation.

The District shall ensure all small businesses have the maximum opportunity to participate in the District's contracting and procurement processes. The following are examples of efforts to be taken by the District:

(1) Establish a Small Business Enterprise ~~office~~ program to implement the rules established under this Part.

(2) - (5) No change.

(6) ~~Evaluate~~ Monitor the District's efforts to achieve SBE objectives.

(7) No change.

Rulemaking ~~Specific~~ Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History-New8-3-06, Amended _____.

40E-7.672 Compliance.

The District shall monitor and evaluate Program performance and compliance as follows:

(1) - (3) No change.

~~(4) The Prime Contractor shall advise the District of any situation in which regularly scheduled progress payments are not made to SBE subcontractors.~~

(4) ~~(5)~~ Prime ~~c~~Contractors must notify the District when the need to add or replace an SBE subcontractor arises~~. When a SBE substitution is requested, the Contract Specialist will request a letter from the contractor explaining why substitution is needed. The prime contractor~~ and shall provide ~~attach~~ a completed Form No. 1373, "Small Business Enterprise Subcontractor R~~r~~evised P~~p~~articipation Schedule" effective (_____)**(add hyperlink)**, which contains an explanation of the addition or replacement of the SBE subcontractor. Form 1373 is incorporated

by reference herein. In addition, a completed Form No. 0957, "Statement of Intent to Perform as a Small Business Enterprise Subcontractor", incorporated by reference in 40E-7.670(3)(a), F.A.C., must be submitted if applicable ~~plan to the letter~~.

(5) ~~(a)~~ Failure of a Prime Contractor to meet ~~honor~~ its ~~the~~ SBE requirements in a District ~~of an awarded~~ contract will ~~shall~~ be a factor considered by the District when the District makes its responsibility determinations for future District contract awards and when the District considers whether to place a contractor on the Temporary or Permanent Suspension List under Rule 40E-7.218, F.A.C. ~~material breach of the contract which may result in suspension or debarment of the firms pursuant to Chapter 40E-7, Part II F.A.C.~~

(6) Each District contract awarded with SBE participation shall contain a provision incorporating the rules under this Part by reference and a statement that failure to comply with the requirements of the bid or proposal submitted to the District by a contractor shall be considered a material breach of contract which may result in suspension or debarment of the firms or individuals involved pursuant to Chapter 40E-7, ~~Part II~~ F.A.C.

Rulemaking ~~Specific~~ Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History–New 8-3-06, Amended _____.

40E-7.674 Certification Review Procedures.

(1) No change.

(2) Within sixty (60) ~~thirty (30)~~ days following receipt of the application, the District will request that the applicant business to furnish omitted items or additional information, if any. All requested information must be received by the District within sixty (60) ~~thirty (30)~~ days from the date of the request~~,~~ or the applicant ~~District~~ will be deemed ineligible for certification. Applicants may re-apply. ~~return the unprocessed application to the applicant~~

~~business.~~

(3) - (4) No change.

Rulemaking ~~Specific~~ Authority 373.044. 373.113 FS. Law Implemented 373.1135 F.S. History-New 8-3-06, Amended 8-29-07, Amended _____.

40E-7.675 Recertification Review Procedures.

(1) - (2) No change.

(3) Upon receipt, all recertification requests shall be given an initial screening to ensure appropriate signature and completeness. Within sixty (60) ~~thirty (30)~~ days following initial receipt of the applicant's recertification request, the District will request the applicant to furnish omitted or additional information. If the requested information or items are not received by the District within sixty (60) ~~thirty (30)~~ days from the date of the request, the District will deny the application for recertification.

(4) - (7) No change.

Rulemaking ~~Specific~~ Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History-New 8-3-06, Amended _____.

40E-7.677 Reciprocity.

Reciprocal ~~application~~ certification shall be granted to applicant businesses which are ~~have been~~ certified by other ~~jurisdictions that meet the District certification standards as outlined in this rule.~~ Florida Government Agencies provided that the agency has a small business program and that the applicant business is certified as a small business by that agency. Applicant shall provide the District with documentation that provides the certification and expiration dates. The District reserves the right to request any additional documentation to verify or clarify the authentication of the information provided.

Rulemaking ~~Specific~~ Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History-New 8-3-06, Amended _____.

M E M O R A N D U M

TO: Governing Board Members

FROM: Doug Bergstrom, Director, Administrative Services Division

DATE: July 11, 2013

SUBJECT: Monthly Financial Statement – May 2013

The attached financial status report is provided for your review. This report provides a high level snapshot of District financial activity and includes revenue collections by source and expenditures by program. Also attached is a summary in the State Program format in compliance with Chapter 373.536(4)(e) F.S., requiring each District to provide a monthly financial statement in the form and manner prescribed by the Department of Financial Services to the District's Governing Board and make such monthly financial statement available for public access on its website. This unaudited financial statement is provided as of May 31, 2013, with 67% of the fiscal year completed.

Schedule of Sources and Uses – This financial statement compares revenues received and encumbrances / expenditures made against the District's FY2013 $622.2 million consumable budget. Encumbrances represent orders for goods and services which have not yet been received.

- As of May 31, 2013, with the fiscal year 67% complete, 83.3% of the District's budgeted operating revenue (excludes fund balance) has been collected. The primary source of operating revenue received to date is taxes. Ad Valorem taxes comprise 68% of the budgeted operating revenues and drive collections based on the annual cycle of the property tax bill. The remaining revenue source is fund balance which represents the amount of prior year residual revenue that is budgeted in the current year and has already been received. Total FY2013 sources collected were 89.4% of budget or $556.2 million.

- As of May 31, 2013, 95.2% of budgeted Ad Valorem tax revenue and 101.1% of budgeted Agricultural Privilege tax revenue have been collected. Ad Valorem and Agricultural Privilege tax collections peak November through January driven by the mailing of property tax bills in October and the 4% maximum discount available when paid in full by November 30. These taxes are budgeted at a discounted rate of 95% to allow for the discounts property owners may take advantage of through early payment options. Historical ad valorem trends for the past five years through May support an average collection rate of 92.9%. Ad Valorem tax revenue will receive one more boost in receipts during the last quarter when June tax certificates are sold by the county tax collectors for delinquent property tax bills.

- As of May 31, 2013, 22.7% of budgeted intergovernmental revenues have been collected. In addition to reimbursement agreements, intergovernmental revenues include proceeds from the sale of Indian River Lagoon and Everglades license plates. Revenue received through May for the sale of license plates totals $240K. The bulk of intergovernmental revenue is from reimbursements from the Save Our Everglades Trust

Attachment: Monthly Financial Statement Memo May FY13 (1350 : Monthly Financial Statement – May 2013)

Fund, Water Management Lands Trust Fund, and the Florida Fish and Wildlife Conservation Commission. Reimbursement requests are submitted to the state based on actual expenses incurred and are typically received later in the fiscal year.

- As of May 31, 2013, $3.0 million or 61.1% of budgeted Investment Earnings have been realized. The District budgeted $4.95 million in investment earnings for FY2013 distributed as follows: $4.59 million in ad valorem funds and $362K in non ad valorem funds. Year to date interest earnings in ad valorem funds amount to $2.4 million or 52.4% of the budgeted amount, while interest earnings in non ad valorem funds amount to $621K or 171.5% of the budgeted level. Projected interest earnings in FY13 in ad valorem funds amount to $3.4 million which is a shortfall of $1.2 million. This will be offset by greater than budgeted revenues from USACE reimbursements, surplus sale proceeds, and permit fees. Investment earnings reflect a downward trend over the past years and are representative of lower cash balances, reduced ad valorem tax levies and lower interest rate yields.

- Lease revenue represents amounts collected from leases of real property owned by the District. The timing of revenue received is based on the fee schedules within the agreements – monthly, semi-annual or annual payments – and these varying timing issues impact the collection rate. The District has currently collected $3.0 million which represents 124.9% of the current year budgeted lease revenue of $2.4 million. The lease revenue collected for lands within restricted categories such as Farm Bill and State Lands require these funds be used within strict guidelines as defined by acquisition agreements.

- Budgeted licenses, permits and fees revenue is from water use permits, environmental resource permits and right of way permits. FY2013 income received totals $15.6 million and is primarily due to unbudgeted receipts of $13.6 million from dedicated Lake Belt and Wetland mitigation fees from restoration projects and fees for mining tonnage removed. The balance of receipts includes permit fees $655K (80.7% of budgeted revenue) and licenses/miscellaneous fees of $1.4 million (94.4% of budgeted revenue). Based on current trend data, there is a projected surplus in environmental resource permit revenue of $650K, and there is a projected surplus in water use permits of approximately $160K.

- Budgeted revenue in the Other category includes $275K in civil penalties and enforcement fees and $250K in miscellaneous revenues such as cash discounts, insurance reimbursements, refunds for prior year expenditures, and sale of recycled oil and scrap metal. Fiscal year collections amount to $572K representing 109% of the budgeted $525K.

- Sale of District Property represents the sale of real property and land. This is budgeted conservatively at $250,000 due to the uncertainty involved. FY2013 revenues received total $440K.

- Self insurance premiums represent the District's contribution and the contribution from active and retired District employees to the self funded health benefits program. Also included is the District's contribution to the workers compensation, auto and general liability self insurance program. Contributions of $21.4 million received through May equate to 83.2% of the $25.7 million budget and reflect monthly premiums.

Expenditure and Encumbrance Status:

As of May 31, 2013, with 67% of the year complete, the District has expended **$268.0 million or 48.1%** and has encumbered **$116.5 million or 20.9%** of its non-reserve budget. The District has obligated (encumbrances plus expenditures) **$384.5 million** or **69.0%** of its non-reserve budget.

Summary of Expenditures and Encumbrances by Program – This financial statement illustrates the effort to date for each of the District's program areas. Provided below is a discussion of the primary uses of funds by program.

- The **Comprehensive Everglades Restoration Plan Program** has obligated 49.6% and expended 15.6% of their $125.0 million budget. Principal expenditures include personnel services ($3.8 million), contractual services ($2.3 million), operating ($772K), and capital outlay ($12.6 million). Contractual services and operating encumbrances ($8.9 million) and capital outlay encumbrances ($33.6 million) include the following projects: L-8 Flow Equalization Basin, C-44 Reservoir/STA Project, CERP Monitoring and Assessment, CERP Water Quality Studies, C-111 Spreader Canal, Southern Crew, Loxahatchee Impoundment Landscape Assessment, Picayune Strand, South Miami Dade Seasonal Operations Study, Biscayne Bay Coastal Wetlands, WCA3 Decompartmentalization and Sheetflow Equalization, Nubbin Slough STA/Pump Station Repairs, and Central Everglades Planning Study.

- The **Coastal Watersheds Program** has obligated 74.3% and expended 36.9% of their total $18.0 million budget. Principal expenditures include personnel services ($2.1 million), contractual services ($4.1 million), operating ($76K), and capital outlay ($327K). Contractual services encumbrances primarily consist of interagency agreements ($4.6 million) including: St. Lucie River and Indian River Lagoon Initiatives Projects, St. Lucie River License Tag Projects in Martin, St. Lucie, and Palm Beach counties, Loxahatchee River Preservation Initiative Projects, Big Cypress Basin Stormwater Projects, Spanish Creek/Four Corners, Miami Gardens NW 178th Dr. Stormwater Retrofit, Miami River Ecosystem Restoration, El Portal Stormwater Improvements, Mirror Lakes/Halfway Pond Rehydration, Lakes Park Restoration; remaining contractual encumbrances ($1.9 million) include: St. Lucie River and Caloosahatchee River Regulatory Source Controls; Biscayne Bay, Loxahatchee River, St. Lucie River and Caloosahatchee Watershed Research and Water Quality Monitoring; Florida Bay and Coastal Wetlands Project; Lake Trafford Biological Monitoring; Big Cypress Basin Saltwater Network Plan; Big Cypress Basin Real-time Hydrologic Monitoring and Modeling System; public process to development a restoration vision of the Caloosahatchee River and Estuary; refinement of hydrological model for Naples Bay; Collier County Water Quality Monitoring; digital flood insurance rate map development for Highlands and Polk Counties. Capital outlay encumbrances ($211K) are for preliminary survey and geo-tech services, environmental assessment, and preliminary design for the Lake Hicpochee Hydrologic Enhancement project.

- The **District Everglades Program** has obligated 57.3% and expended 46.8% of their total $52.3 million budget. Principal expenditures include personnel services ($11.3 million), contractual services ($4.2 million), operating ($4.3 million), and capital outlay

Attachment: Monthly Financial Statement Memo May FY13 (1350 : Monthly Financial Statement – May 2013)

($4.7 million). Contractual services encumbrances ($2.3 million) primarily include the operations monitoring, maintenance, and repair of Stormwater Treatment Areas (STA's), Diesel Oxidation Catalyst Installation, STA 1E Exterior Levee Certification, STA Structure Inspection Program, Sulfur Action Plan, and Everglades Regulation Source Control. Operating encumbrances ($764K) are in support of the overall operations and maintenance of vegetation and exotic plant control of the STA's. Capital outlay encumbrances ($2.4 million) include work on Everglades Agricultural Area A1 Flow Equalization Basin, and STA1W Expansion, completing Compartments B & C, G-250S and G-337 Pump Bearing replacement.

- The **Kissimmee Watershed Program** has obligated 58.5% and expended 7.8% of their total $31.7 million budget. Principal expenditures include personnel services ($1.1 million), contractual services ($744K), operating ($23K), and capital outlay ($572K). Contractual services and operating encumbrances ($1.1 million) primarily consist of the Kissimmee River Restoration Evaluation ($188K), Kissimmee Basin Modeling and Operating System ($520K), the Oak Creek project ($110K), Rolling Meadows ($31K), hydrologic monitoring ($193K), and land acquisition costs and environmental risk assessments ($40K). Capital outlay encumbrances ($15.0 million) are primarily for the Kissimmee River Restoration land acquisition cases and the Kissimmee River Restoration project.

- The **Lake Okeechobee Program** has obligated 65.7% and expended 22.2% of their total $21.5 million budget. Principal expenditures include personnel services ($2.6 million), contractual services ($1.9 million), operating ($229K), and capital outlay ($81K). Contractual services and operating encumbrances ($9.2 million) primarily consist of the Dispersed Water Management and Florida Ranchland Environmental Services Projects ($8.2 million), Information Technology Support ($399K), Northshore Navigation Canal project ($95K), Lake Okeechobee Watershed Pre-Drainage Characterization study ($76K), Phosphorous Source Control project ($40K), Phosphorus Reduction projects ($276K), Water Quality Assessments and reporting ($73K), and Lakeside Ranch STA ($35K). Capital outlay encumbrances ($111K) are primarily for the Lakeside Ranch STA and Dispersed Water Management.

- The **Land Stewardship Program** has obligated 60.6% and expended 36.7% of their total $18.2 million budget. Principal expenditures include personnel services ($2.6 million), contractual services ($3.2 million), operating ($684K), and capital outlay ($160K). Contractual and operating encumbrances ($4.0 million) include the maintenance of vegetation and exotic plant control, provision of law enforcement services, and management of District owned lands and facilities. Capital outlay encumbrances ($390K) are primarily for work on the C-139 Annex Mitigation project.

- The **Mission Support Program** has obligated 64.6% and expended 55.8% of their total $52.3 million budget. Principal expenditures include personnel services ($15.6 million), contractual services ($4.5 million), operating ($8.1 million), and capital outlay ($772K). Contractual services encumbrances ($2.8 million) include Information Technology consulting services, hardware, software, and systems maintenance for the fiscal year; facilities maintenance and repair services, and audit and legal professional services. Operating encumbrances ($1.4 million) include utilities, equipment rental, space rental and advertising. Capital outlay encumbrances ($319K) include computer hardware components; and design and engineering for the Emergency Operations Center air conditioner system.

Attachment: Monthly Financial Statement Memo May FY13 (1350 : Monthly Financial Statement – May 2013)

- The **Modeling and Science Support Program** has obligated 71.8% and expended 62.0% of their total $12.9 million budget. Principal expenditures include personnel services ($6.1 million), contractual services ($1.4 million), operating ($357K), and capital outlay ($126K). Contractual services and operating encumbrances ($1.3 million) include technical and peer reviews, computer hardware and software, organic analysis, sediment/water quality sampling, fuel, utilities, and equipment rental.

- The **Operations and Maintenance Program** has obligated 84.3% and expended 69.9% of their total $140.8 million budget. Principal expenditures include personnel services ($36.1 million), contractual services ($32.9 million), operating ($21.9 million), and capital outlay ($7.4 million). Encumbrances for contractual services and capital outlay ($18.7 million) primarily relate to the O&M capital program for maintenance and repair of existing water management system canals and water control structures including C-41A Canal Bank Stabilization, North Shore Trash Rake Project, Miami B-47 Building Replacement, Hillsboro Canal Bank Stabilization Design, S-193 Navigation Lock Refurbishment, Diesel Oxidation Catalyst Installation, S-5A Hardening and Service Bridge Refurbishment, S-13 Repower and Automation, S-21 Cathodic Protection, Information Technology Shelters, Central and Southern and Central Flood Control Structure Inspections, L-40 Exterior Levee Certification, East Coast Protective Levee, Central Bridges Repairs/Replacements, project culvert replacements, the SCADA Systems Study, Vertical Datum-NAVD88, and Operations Decision Support System software. Operating encumbrances ($1.6 million) are primarily associated with field station daily operations and maintenance including vegetation and exotic plant control for the Central and Southern Flood Control system.

- The **Regulation Program** has obligated 71.4% and expended 66.6% of their total $25.4 million budget. Principal expenditures include personnel services ($11.4 million), contractual services ($1.1 million), operating ($4.2 million), and capital outlay ($122K). Contractual services encumbrances ($751K) include application development, permit scanning contractors/support, and computer hardware and software. Operating encumbrances ($202K) primarily include equipment rental and fuel. Capital outlay encumbrances ($278K) consist primarily of the ePermitting enhancement project which saves time and expenses with online filing/searching of permits.

- The **Water Supply Program** has obligated 76.3% and expended 50.2% of their total $17.6 million budget. Principal expenditures include personnel services ($3.8 million), contractual services ($892K), operating ($3.9 million), and capital outlay ($202K). Contractual services encumbrances ($4.5 million) include the Caloosahatchee Rule Making ($101K), Central Florida Water Initiative ($565K), WaterSIP grants ($265K), Florida Automated Weather Network ($34K), Lower Floridan Aquifer ($105K), interagency agreements for Alternative Water Supply projects ($1.7 million), Big Cypress Basin ($1.4 million), hydrologic data gathering ($324K), and education/outreach ($20K). Capital outlay encumbrances ($29K) consist primarily of the Lower Floridan Aquifer project.

- **Reserves** of $64.4 million are held for future transfer to program areas as project needs and requirements are identified by staff and presented to the Governing Board for review. Sixty million dollars ($60.0 million) of these reserves are designated as economic stabilization reserves, including $10.0 million for O&M capital projects. Remaining managerial reserves include programmatic balances of $254K for O&M,

$117K for Everglades, $100K for Mission Support, $69K for regulatory support, $62K for CERP, $28K for Lake Okeechobee, $9K for scientific support, and $5K for Coastal Watersheds. FY13 funds intended for FY14 rebudget were moved to reserves. Programmatic balances for these rebudget reserves include $1.4 million for the C-139 Annex Mitigation Restoration Project, $1.4 million for Lake Okeechobee Dispersed Water Management Projects, $705K for the CERP C-111 Project, $122K for Indian River Lagoon Issues Team Projects, $91K for Kissimmee River Littoral Zone Topographic Mapping, $50K for the Everglades EFA Source Control Program, and $15K for educational outreach (Great Water Odyssey).

- **Debt Service** expenses amount to 100% of the total $42.1 million budget. Debt service principal and interest payments include Land Acquisition Bonds issued through the Water Management Lands Trust Fund and Certificates of Participation. Scheduled debt service payments are structured into a single principal payment and partial payment of interest in October and the balance of interest in April.

We hope these reports and the associated narrative will aid in understanding the District's financial condition as well as expenditure performance against the approved budget. If you have any questions, please feel free to call Chris Flierl at (561) 682-6078 or Mike Smykowski at (561) 682-6295.

DB/CF/MS
Attachment

South Florida Water Management District

Statement of Sources and Uses of Funds (Unaudited)

For the month ended: May 31, 2013. Percent of fiscal year completed: 67%

SOURCES	ANNUAL BUDGET	ACTUALS THROUGH 5/31/2013	VARIANCE (UNDER) / OVER BUDGET	ACTUALS AS A % OF BUDGET
Ad Valorem Property Taxes	$ 268,114,920	$ 255,154,514	$ (12,960,406)	95.2%
Agricultural Privilege Taxes	11,352,040	11,477,895	125,855	101.1%
Intergovernmental - Ad Valorem Funds	5,423,928	6,787,735	1,363,807	125.1%
Intergovernmental - Non Ad Valorem Funds	73,312,901	11,066,852	(62,246,049)	15.1%
Intergovernmental Total	78,736,829	17,854,587	***(60,882,242)***	***22.7%***
Investment Earnings - Ad Valorem Funds	4,592,000	2,407,305	(2,184,695)	52.4%
Investment Earnings - Non Ad Valorem Funds	362,300	621,313	259,013	171.5%
Investment Earnings Total	4,954,300	3,028,619	***(1,925,681)***	***61.1%***
Leases	2,403,736	3,003,139	599,403	124.9%
Permit Fees	812,160	655,295	(156,865)	80.7%
Licenses and Miscellaneous Fees	1,487,150	1,403,349	(83,801)	94.4%
Mitigation Fees - Lake Belt & Wetlands	105,000	13,559,727	13,454,727	12914.0%
Licenses, Permits and Fees Total	2,404,310	15,618,371	***13,214,061***	***649.6%***
Other	525,000	572,253	47,253	109.0%
Sale of District Property	250,000	440,025	190,025	176.0%
Self Insurance Premiums	25,712,821	21,385,677	(4,327,144)	83.2%
SUB-TOTAL OPERATING REVENUES	**394,453,956**	**328,535,080**	***(65,918,876)***	***83.3%***
Fund Balance	227,710,540	227,710,540	-	100.0%
TOTAL SOURCES	**$ 622,164,496**	**$ 556,245,620**	**$ (65,918,876)**	**89.4%**

USES	ANNUAL BUDGET	EXPENDITURES	ENCUMBRANCES[1]	REPORTED AVAILABLE BUDGET	% EXPENDED	% ENCUMBERED	% OBLIGATED[2]
CERP	$ 124,811,892	$ 19,474,253	$ 42,471,805	$ 62,865,834	15.6%	34.0%	49.6%
Coastal Watersheds	18,046,716	6,654,254	6,746,299	4,646,163	36.9%	37.4%	74.3%
District Everglades	52,345,062	24,510,921	5,461,928	22,372,214	46.8%	10.4%	57.3%
Kissimmee Watershed	31,685,239	2,463,193	16,058,806	13,163,239	7.8%	50.7%	58.5%
Lake Okeechobee	21,528,463	4,788,768	9,346,075	7,393,620	22.2%	43.4%	65.7%
Land Stewardship	18,239,736	6,692,455	4,365,176	7,182,104	36.7%	23.9%	60.6%
Mission Support	52,290,404	29,178,747	4,624,611	18,487,046	55.8%	8.8%	64.6%
Modeling & Sci Supp	12,855,846	7,965,675	1,266,847	3,623,324	62.0%	9.9%	71.8%
Ops & Maintenance	140,817,018	98,402,919	20,292,444	22,121,655	69.9%	14.4%	84.3%
Regulation	25,391,060	16,898,049	1,231,464	7,261,547	66.6%	4.8%	71.4%
Water Supply	17,589,938	8,832,495	4,585,649	4,171,794	50.2%	26.1%	76.3%
Debt Service	42,136,957	42,136,954		3	100.0%	0.0%	100.0%
SUB-TOTAL NON-RESERVES USES	*557,738,331*	*267,998,682*	*116,451,106*	*173,288,543*	*48.1%*	*20.9%*	*68.9%*
Reserves	64,426,165	-	-	64,426,165	0.0%	0.0%	0.0%
TOTAL USES	**$ 622,164,496**	**$ 267,998,682**	**$ 116,451,106**	**$ 237,714,707**	**43.1%**	**18.7%**	**61.8%**

[1] Represents unexpended balances of open purchase orders

[2] Represents the sum of expenditures and encumbrances as a percentage of the annual budget

Attachment: Statement of Sources and Uses of Funds_Programmatic-May_FY13 (1350 : Monthly

South Florida Water Management District
Statement of Sources and Uses of Funds
For the Month ending May 31, 2013
(Unaudited)

	Current Budget	Actuals Through 5/31/2013	Variance (under)/Over Budget	Actuals as a % of Budget
Sources				
Taxes[1]	$ 279,466,960	$ 266,632,410	$ (12,834,550)	95.4%
Intergovernmental Revenues	78,736,829	17,854,587	(60,882,242)	22.7%
Interest on Invested Funds	4,954,300	3,028,619	(1,925,681)	61.1%
License and Permit Fees	2,404,310	15,618,371	13,214,061	649.6%
Other[2]	28,891,557	25,401,094	(3,490,463)	87.9%
Fund Balance	227,710,540	227,710,540	-	100.0%
Total Sources	**$ 622,164,496**	**$ 556,245,620**	**$ (65,918,876)**	**89.4%**

[1] Includes Ad Valorem and Agricultural Privilege Taxes

[2] Includes Leases, Sale of District Property, and Self Insurance Premiums

	Current Budget	Expenditures	Encumbrances [3]	Available Budget	%Expended	%Obligated [4]
Uses						
Water Resources Planning and Monitoring	$ 55,008,917	$ 29,751,408	$ 11,179,465	$ 14,078,044	54.1%	74.4%
Acquisition, Restoration and Public Works	241,260,874	66,621,804	72,489,514	102,149,556	27.6%	57.7%
Operation and Maintenance of Lands and Works	251,181,046	126,785,598	28,368,726	96,026,723	50.5%	61.8%
Regulation	29,187,822	19,066,288	1,761,478	8,360,056	65.3%	71.4%
Outreach	2,780,879	1,846,085	71,164	863,630	66.4%	68.9%
Management and Administration	42,744,958	23,927,499	2,580,760	16,236,699	56.0%	62.0%
Total Uses	**$ 622,164,496**	**$ 267,998,682**	**$ 116,451,106**	**$ 237,714,707**	**43.1%**	**61.8%**

[3] Encumbrances represent unexpended balances of open purchase orders and contracts.

[4] Represents the sum of expenditures and encumbrances as a percentage of the available budget.

This unaudited financial statement is prepared as of May 31, 2013, and covers the interim period since the most recent audited financial statements.

Attachment: Statement of Sources and Uses of Funds_State-May_FY13 (1350 : Monthly Financial

South Florida Water Management District

Summary of Uses - Statement of Sources and Uses of Funds (Unaudited)

As of: May 31, 2013

	Annual Budget	Expenditures	Encumbrances	Reported Available Budget	% Expended	% Encumbered	% Obligated
CERP							
Personnel Services	$ 6,730,369	$ 3,835,794	$ -	$ 2,894,575	57.0%	0.0%	57.
Contractual Services	18,232,554	2,274,493	8,810,096	7,147,965	12.5%	48.3%	60.
Operating	1,297,287	771,982	80,716	444,589	59.5%	6.2%	65.
Travel	45,703	20,168	901	24,634	44.1%	2.0%	46.
Capital Outlay	93,755,980	12,571,817	33,580,092	47,604,071	13.4%	35.8%	49.
CERP Indirect	4,750,000			4,750,000	0.0%	0.0%	0.
Total CERP	**124,811,892**	**19,474,253**	**42,471,805**	**62,865,834**	**15.6%**	**34.0%**	**49.**
Coastal Watersheds							
Personnel Services	3,578,114	2,125,300	-	1,452,813.95	59.4%	0.0%	59.
Contractual Services	12,697,429	4,117,264	6,524,955	2,055,209.93	32.4%	51.4%	83.
Operating	102,295	75,564	9,516	17,214.87	73.9%	9.3%	83.
Travel	24,752	9,247	368	15,137.55	37.4%	1.5%	38.
Capital Outlay	1,644,126	326,879	211,460	1,105,786.45	19.9%	12.9%	32.
Total Coastal Watersheds	**18,046,716**	**6,654,254**	**6,746,299**	**4,646,162.75**	**36.9%**	**37.4%**	**74.**
District Everglades							
Personnel Services	16,658,532	11,309,549	-	5,348,982.49	67.9%	0.0%	67.
Contractual Services	11,639,632	4,234,107	2,301,623	5,103,902.12	36.4%	19.8%	56.
Operating	7,201,087	4,282,585	763,840	2,154,661.82	59.5%	10.6%	70.
Travel	31,650	11,599	93	19,958.53	36.6%	0.3%	36.
Capital Outlay	16,814,162	4,673,081	2,396,372	9,744,708.58	27.8%	14.3%	42.
Total District Everglades	**52,345,062**	**24,510,921**	**5,461,928**	**22,372,213.54**	**46.8%**	**10.4%**	**57.**
Kissimmee Watershed							
Personnel Services	2,281,962	1,116,922	-	1,165,040.40	48.9%	0.0%	48.
Contractual Services	11,359,702	743,765	1,058,157	9,557,779.60	6.5%	9.3%	15.
Operating	71,031	22,633	23,500	24,897.74	31.9%	33.1%	64.
Travel	22,465	7,799	540	14,125.64	34.7%	2.4%	37.
Capital Outlay	17,950,078	572,074	14,976,609	2,401,395.62	3.2%	83.4%	86.
Total Kissimmee Watershed	**31,685,239**	**2,463,193**	**16,058,806**	**13,163,239.00**	**7.8%**	**50.7%**	**58.**

South Florida Water Management District

Summary of Uses - Statement of Sources and Uses of Funds (Unaudited)

As of: May 31, 2013

	Annual Budget	Expenditures	Encumbrances	Reported Available Budget	% Expended	% Encumbered	% Obligatec
Lake Okeechobee							
Personnel Services	$ 4,380,480	$ 2,556,170	$ -	$ 1,824,310	58.4%	0.0%	58.
Contractual Services	16,338,290	1,922,145	9,078,577	5,337,567.72	11.8%	55.6%	67.
Operating	607,989	229,102	156,017	222,871.00	37.7%	25.7%	63.
Travel	6,356	210	-	6,145.58	3.3%	0.0%	3.
Capital Outlay	195,348	81,141	111,481	2,725.92	41.5%	57.1%	98.
Total Lake Okeechobee	**21,528,463**	**4,788,768**	**9,346,075**	**7,393,620.45**	**22.2%**	**43.4%**	**65.**
Land Stewardship							
Personnel Services	3,638,390	2,622,882		1,015,508.62	72.1%	0.0%	72.
Contractual Services	11,140,663	3,217,176	3,737,248	4,186,239.99	28.9%	33.5%	62.
Operating	1,235,080	684,155	238,318	312,607.52	55.4%	19.3%	74.
Travel	16,165	7,768	-	8,396.85	48.1%	0.0%	48.
Capital Outlay	2,209,437	160,474	389,611	1,659,351.27	7.3%	17.6%	24.
Total Land Stewardship	**18,239,736**	**6,692,455**	**4,365,176**	**7,182,104.25**	**36.7%**	**23.9%**	**60.**
Mission Support							
Personnel Services	22,586,274	15,574,985	-	7,011,289.09	69.0%	0.0%	69.
Contractual Services	8,628,019	4,481,776	2,842,549	1,303,693.85	51.9%	32.9%	84.
Operating	23,452,479	8,115,447	1,430,444	13,906,587.57	34.6%	6.1%	40.
Travel	378,148	234,854	32,549	110,744.99	62.1%	8.6%	70.
Capital Outlay	1,995,485	771,685	319,070	904,730.37	38.7%	16.0%	54.
CERP Indirect	(4,750,000)			(4,750,000.00)	0.0%	0.0%	0.
Total Mission Support	**52,290,404**	**29,178,747**	**4,624,611**	**18,487,045.87**	**55.8%**	**8.8%**	**64.**
Modeling & Science Support							
Personnel Services	9,042,673	6,052,711	-	2,989,962.19	66.9%	0.0%	66.
Contractual Services	2,968,091	1,417,776	1,104,482	445,833.00	47.8%	37.2%	85.
Operating	673,901	357,090	161,930	154,880.72	53.0%	24.0%	77.
Travel	43,485	12,031	436	31,018.59	27.7%	1.0%	28.
Capital Outlay	127,697	126,067	-	1,629.97	98.7%	0.0%	98.
Total Modeling & Science Support	**12,855,846**	**7,965,675**	**1,266,847**	**3,623,324.47**	**62.0%**	**9.9%**	**71.**

Attachment: Summary Statement of Sources and Uses of Funds_May_ FY13 (1350 : Monthly Financial

South Florida Water Management District

Summary of Uses - Statement of Sources and Uses of Funds (Unaudited)

As of: May 31, 2013

	Annual Budget	Expenditures	Encumbrances	Reported Available Budget	% Expended	% Encumbered	% Obligated
Operations & Maintenance							
Personnel Services	$ 50,014,994	$ 36,120,905	$ -	$ 13,894,088	72.2%	0.0%	72.
Contractual Services	44,817,184	32,904,109	9,080,219	2,832,856.01	73.4%	20.3%	93.
Operating	28,145,953	21,907,209	1,586,403	4,652,341.43	77.8%	5.6%	83.
Travel	151,020	115,147	11,078	24,795.52	76.2%	7.3%	83.
Capital Outlay	17,687,867	7,355,549	9,614,744	717,573.90	41.6%	54.4%	95.
Total Operations & Maintenance	**140,817,018**	**98,402,919**	**20,292,444**	**22,121,655.15**	**69.9%**	**14.4%**	**84.**
Regulation							
Personnel Services	16,568,145	11,402,997		5,165,147.55	68.8%	0.0%	68.
Contractual Services	2,025,509	1,115,387	750,654	159,467.29	55.1%	37.1%	92.
Operating	6,371,187	4,243,137	201,545	1,926,506.05	66.6%	3.2%	69.
Travel	25,985	14,567	992	10,425.75	56.1%	3.8%	59.
Capital Outlay	400,233	121,960	278,273	-	30.5%	69.5%	100.
Total Regulation	**25,391,060**	**16,898,049**	**1,231,464**	**7,261,546.64**	**66.6%**	**4.8%**	**71.**
Water Supply							
Personnel Services	5,653,401	3,823,382		1,830,018.49	67.6%	0.0%	67.
Contractual Services	6,115,784	892,008	4,522,730	701,045.95	14.6%	74.0%	88.
Operating	5,560,429	3,912,284	33,706	1,614,438.48	70.4%	0.6%	71.
Travel	9,926	2,624	41	7,261.36	26.4%	0.4%	26.
Capital Outlay	250,399	202,198	29,172	19,029.26	80.8%	11.7%	92.
Total Water Supply	**17,589,938**	**8,832,495**	**4,585,649**	**4,171,793.54**	**50.2%**	**26.1%**	**76.**
Reserves							
Reserves	64,426,165	-	-	64,426,164.82	0.00%	0.00%	0.0
Total Reserves	**64,426,165**	**-**	**-**	**64,426,164.82**	**0.00%**	**0.00%**	**0.0**
Debt Service							
Debt Service	42,136,957	42,136,954	-	3.23	100.0%	0.0%	100.
Total Debt Service	**42,136,957**	**42,136,954**	**-**	**3**	**70.0%**	**0.0%**	**70.**
Grand Total	**$ 622,164,496**	**$ 267,998,682**	**$ 116,451,106**	**$ 237,714,707**	**43.1%**	**18.7%**	**61.**

Attachment: Summary Statement of Sources and Uses of Funds_May_ FY13 (1350 : Monthly Financial

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INDIVIDUAL PERMITS ISSUED BY
AUTHORITY DELEGATED TO EXECUTIVE DIRECTOR
FROM June 1, 2013 TO June 30, 2013

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Attachment: IP Approved by ED_July BD (1333 : Interim Executive Director's Report - Ernie Barnet)

BROWARD COUNTY

1. SW 196TH AVE AND PEMBROKE ROAD ROADWAY IMPROVEMENTS
CITY OF PEMBROKE PINES
SEC 13,14,23-26 TWP 51S RGE 39E

APPL. NO. 121109-2
PERMIT NO. 06-01401-S-11
ACREAGE: 16.48
LAND USE: ROADWAY

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONSTRUCTION/OPERATION MODIFICATION)
RECEIVING BODY: ENCANTADA SWM SYSTEM/SOUTH BROWARD DRAINGE DISTRICT CANAL 7
LAST DATE FOR AGENCY ACTION: JULY 8, 2013

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2. TARALYNE
KENNEDY HOMES LLC
SEC 11 TWP 50S RGE 40E

APPL. NO. 120829-10
PERMIT NO. 06-06683-P
ACREAGE: 9.44
LAND USE: RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW CONSTRUCTION/OPERATION)
RECEIVING BODY: CENTRAL BROWARD WATER CONTROL DISTRICT N-23 CANAL
LAST DATE FOR AGENCY ACTION: JUNE 29, 2013

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3. TRIPLE H RANCH
TRIPLE H RANCH PROPERTY LTD
SEC 29 TWP 47S RGE 41E

APPL. NO. 110811-5
PERMIT NO. 06-00073-S-19
ACREAGE: 280.00
LAND USE: RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW CONSTRUCTION/OPERATION)
RECEIVING BODY: NORTH SPRINGS IIMPROVEMENT DISTRICT MASTER SYSTEM
LAST DATE FOR AGENCY ACTION: JULY 29, 2013

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CHARLOTTE COUNTY

1. BABCOCK RANCH PRESERVE - STATE OF FLORIDA
BOARD OF THE INTERNAL IMPROVEMENT TRUST FUND (TIITF)
SEC 1-36 TWP 41-43S RGE 26,27E

APPL. NO. 130312-14
PERMIT NO. 08-00132-W
ACREAGE: 8331.00
LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
WATER SOURCE: SURFICIAL, MID-HAWTHORN, SANDSTONE AND LOWER HAWTHORN AQUIFERS
ALLOCATION: 1632.95 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: JUNE 10, 2013

Attachment: IP Approved by ED_July BD (1333 : Interim Executive Director's Report - Ernie Barnet)

COLLIER COUNTY

1. CORKSCREW CITRUS GROVE
ALICO INC
SEC 3-10,15,18 TWP 46S RGE 28E

APPL. NO. 130415-9
PERMIT NO. 11-00128-W
ACREAGE: 3100.00
LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE MODIFICATION
WATER SOURCE: SANDSTONE AND LOWER TAMIAMI AQUIFERS
ALLOCATION: 572.32 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: JULY 14, 2013

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2. HOGAN ISLAND FARMS
BARRON COLLIER PARTNERSHIP LLLP
SEC 1-12,15,17-22 TWP 47S RGE 28E

APPL. NO. 130315-13
PERMIT NO. 11-00113-W
ACREAGE: 2350.00
LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE MODIFICATION
WATER SOURCE: WATER TABLE AND LOWER TAMIAMI AQUIFERS
ALLOCATION: 575.5 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: JULY 18, 2013

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3. NAPLES RESERVE
SFI NAPLES RESERVE LLC
SEC 1 TWP 51S RGE 26E

APPL. NO. 130502-8
PERMIT NO. 11-02847-W
ACREAGE: 592.50
LAND USE: DEWATERING

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
WATER SOURCE: WATER TABLE AQUIFER
ALLOCATION: NOT REQUIRED
LAST DATE FOR AGENCY ACTION: JULY 31, 2013

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4. RAFFIA PRESERVE
RAFFIA HOLDINGS OF NAPLES LLC
SEC 34 TWP 48S RGE 26E

APPL. NO. 130225-12
PERMIT NO. 11-03449-W
ACREAGE: 1.00
LAND USE: DEWATERING

PERMIT TYPE: WATER USE EXISTING/PREVIOUSLY PERMITTED
WATER SOURCE: WATER TABLE AQUIFER
ALLOCATION: NOT REQUIRED
LAST DATE FOR AGENCY ACTION: JULY 1, 2013

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5. VINCENTIAN
GLOBAL PROPERTIES OF NAPLES LLC
SEC 32 TWP 50S RGE 26E

APPL. NO. 120425-9
PERMIT NO. 11-03454-P

ACREAGE: 30.68
LAND USE: COMMERCIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONCEPTUAL APPROVAL AND NEW CONSTRUCTION/ OPERATION)
RECEIVING BODY: EXISTING SWALE SYSTEM
LAST DATE FOR AGENCY ACTION: JULY 18, 2013

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HENDRY COUNTY

1. BIG CYPRESS MITIGATION BANK PHASES 1-6
EARTH MARK SOUTHWEST FLORIDA MITIGATION LLC
SEC 26,30,31,35 TWP 48S RGE 31E

APPL. NO. 121029-1
PERMIT NO. 26-00002-M
ACREAGE: 2163.71
LAND USE: MITIGATION

PERMIT TYPE: MITIGATION BANKING (CONSTRUCTION/OPERATION MODIFICATION)
RECEIVING BODY:
LAST DATE FOR AGENCY ACTION: JULY 1, 2013

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2. DUKE GROVE
DUKE GROVE LLC
SEC 21 TWP 43S RGE 29E

APPL. NO. 050401-17
PERMIT NO. 26-00071-W
ACREAGE: 269.00
LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
WATER SOURCE: WATER TABLE AQUIFER
ALLOCATION: 47.5 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: JULY 21, 2013

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LEE COUNTY

1. BABCOCK RANCH PRESERVE (BOB JANES PRESERVE) LEE CO
LEE COUNTY BOARD OF COUNTY COMMISSIONERS
SEC 1,4-9,12,17,18 TWP 43S RGE 26,27E

APPL. NO. 130311-16
PERMIT NO. 36-07966-W
ACREAGE: 307.00
LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE EXISTING/PREVIOUSLY PERMITTED
WATER SOURCE: SURFICIAL AQUIFER
ALLOCATION: 58.01 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: JUNE 9, 2013

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2. BONITA BEACH ROAD GOLF CLUB RPD
RP BONITA BEACH RD LLC
SEC 01 TWP 48S RGE 26E

APPL. NO. 130218-13
PERMIT NO. 36-04234-P
ACREAGE: 783.99
LAND USE: RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONSTRUCTION/OPERATION MODIFICATION)
RECEIVING BODY: CORKSCREW SWAMP
LAST DATE FOR AGENCY ACTION: JUNE 14, 2013

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MIAMI-DADE COUNTY

1. CARD SOUND QUARRY
CEMEX CONSTRUCTION MATERIALS FLORIDA LLC
SEC 7,8,17,18 TWP 58S RGE 39E

APPL. NO. 130410-11
PERMIT NO. 13-00042-W
ACREAGE: 819.00
LAND USE: INDUSTRIAL

PERMIT TYPE: WATER USE RENEWAL
WATER SOURCE: BISCAYNE AQUIFER
ALLOCATION: 145.73 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: JULY 9, 2013

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2. VENETIAN POOL
CITY OF CORAL GABLES
SEC 18 TWP 54S RGE 41E

APPL. NO. 130503-5
PERMIT NO. 13-00049-W
ACREAGE: 1.48
LAND USE: INDUSTRIAL

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
WATER SOURCE: BISCAYNE AQUIFER
ALLOCATION: 28 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: AUGUST 1, 2013

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3. VILLA BELLO
LENNAR HOMES LLC
SEC 7 TWP 53S RGE 40E

APPL. NO. 130328-12
PERMIT NO. 13-05366-P
ACREAGE: 4.09
LAND USE: RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW CONSTRUCTION/OPERATION)
RECEIVING BODY: ISLAND AT DORAL III MASTER SYSTEM
LAST DATE FOR AGENCY ACTION: JULY 12, 2013

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ORANGE COUNTY

1. LATHAM PARK SOUTH
   VF HORIZON INVESTMENTS LLC
   SEC 3,4 TWP 24S RGE 27E

APPL. NO. 130306-5
PERMIT NO. 48-02239-P

ACREAGE: 109.35
LAND USE: RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONSTRUCTION/OPERATION MODIFICATION)
RECEIVING BODY: REEDY CREEK WETLANDS
LAST DATE FOR AGENCY ACTION: JUNE 17, 2013

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OSCEOLA COUNTY

1. INDIAN RIDGE REUSE AUGMENTATION FACILITY
TOHOPEKALIGA WATER AUTHORITY
SEC 16, 22 TWP 25S RGE 27E

APPL. NO. 121204-3
PERMIT NO. 49-01782-W
ACREAGE: N/A
LAND USE: PUBLIC WATER SUPPLY

PERMIT TYPE: WATER USE MODIFICATION
WATER SOURCE: FLORIDAN AQUIFER
ALLOCATION: 17.64 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: JUNE 12, 2013

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2. MARTIN LUTHER KING BOULEVARD PHASE 3
CITY OF KISSIMMEE
SEC 19 TWP 25S RGE 29E

APPL. NO. 130419-3
PERMIT NO. 49-00275-S
ACREAGE: 33.22
LAND USE: HIGHWAY

PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW VARIANCE)
RECEIVING BODY: N/A
LAST DATE FOR AGENCY ACTION: JULY 16, 2013

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3. OSCEOLA GROVES
CIRCLE Y GROVES LLC
SEC 33 TWP 26S RGE 31E

APPL. NO. 081031-13
PERMIT NO. 49-00032-W
ACREAGE: 200.00
LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE EXPIRED/PREVIOUSLY PERMITTED
WATER SOURCE: UPPER FLORIDAN AQUIFER
ALLOCATION: 32.93 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: JULY 7, 2013

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1. THE CLUB AT ADMIRAL'S COVE
THE CLUB AT ADMIRAL'S COVE INC
SEC 7,12,13,17,18 TWP 41S RGE 42,43E

APPL. NO. 070620-19
PERMIT NO. 50-01552-W
ACREAGE: 352.66
LAND USE: LANDSCAPE

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL

WATER SOURCE: SURFICIAL AQUIFER, ON-SITE LAKES AND RECLAIMED WATER FROM THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT

ALLOCATION: 65.19 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: JULY 4, 2013

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POLK COUNTY

1. PROVIDENCE GOLF COURSE
   PROVIDENCE GOLF CLUB
   SEC 18,19 TWP 26S RGE 28E

APPL. NO. 130306-4
PERMIT NO. 53-00165-W

ACREAGE: 136.20
LAND USE: GOLF COURSE
LANDSCAPE

PERMIT TYPE: WATER USE MODIFICATION
WATER SOURCE: UPPER FLORIDAN AQUIFER AND ON-SITE LAKES
ALLOCATION: 22.69 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: JULY 14, 2013

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