



South Florida Water Management District

GOVERNING BOARD MONTHLY MEETING AGENDA

This meeting is open to the public

June 12, 2014

9:00 AM

Osceola County Commission Chambers
1 Courthouse Square
Kissimmee, FL 34741

FINAL

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

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

1. Call to Order - Dan O'Keefe, Chairman, Governing Board
2. Pledge of Allegiance - Dan O'Keefe, Chairman, Governing Board
3. Local Governmental Officials - Presented by Dan O'Keefe, Chairman
4. Employee Recognitions - Presented by Blake Guillory, Executive Director
- June Team of the Month: Great Leak Team of 2014
5. Agenda Revisions - Jacki McGorty, District Clerk
6. Abstentions by Board Members from items on the Agenda

7. Water Resources Advisory Commission (WRAC) Report - Jim Moran, 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
11. Approval of the Minutes for the May 15, 2014, Regular Business Meeting held in West Palm Beach, Florida
12. Waivers for Water Resource Advisory Commission (WRAC) members pursuant to Section 112.313, Florida Statutes
13. Regulatory Consent Items
 - Consent Orders
 - **WCI Communities, Inc; Baywinds (Lee County)** - Settlement of an enforcement action regarding non-compliance with permit conditions due to unpermitted works within a conservation easement area.
 - **Adventist Health System Sunbelt, Inc; Florida Hospital Kissimmee - C E P Addition (Osceola County)** - Settlement of an enforcement action regarding non-compliance with permit conditions due to failure to comply with the District's Best Management Practices.
 - **Osceola County; Osceola Parkway Phase II Roadway Widening (Osceola County)** - Settlement of an enforcement action regarding non-compliance with permit conditions due to failure to comply with the District's Best Management Practices.
 - **Secured Holdings, Inc; Quantum Park Master System Lot 17 & 17A (Palm Beach County)** - Settlement of an enforcement action regarding unpermitted works.
 - **Unico Development Corporation; Indian Road Warehouses (Palm Beach County)** - Settlement of an enforcement action regarding non-compliance with permit conditions and unauthorized fill of a lake bank.
 - Conservation Easements, Amendments and Releases
 - **Wilton Land Company, LLC, Hammock Park Commerce Center (AKA**

Rattlesnake Crossing) (Collier County) - Staff recommends the approval of a request for an increase in the conservation easement area from a 1.95 acre preserve area to a 5.98 acre preserve area (5.54 acres of wetlands and 0.44 acres of uplands) within a development known as Hammock Park Commerce Center located in Naples, Collier County, Florida. The original Application Number is 010418-13 and the Environmental Resource Permit Number is 11-02130-P.

The conservation easement reflects the addition of 4.03-acres associated with the Army Corps of Engineers Permit (SAJ-1999-4926). The additional preserve area is adjacent to the original 1.95-acre preserve area required by the District. The larger preserve provides additional wildlife habitat and provides a more contiguous buffer to the adjacent offsite undeveloped land to the North.

- **Wellington Preserve Corporation, Wellington Preserve (Palm Beach County)** - Staff recommends the approval of a request for the decrease in the stormwater quality easement area from 5.0000 acres to 0.0258 acres which is a portion of Lot 17 within a development known as Wellington Preserve located in Wellington, Palm Beach County, Florida. The original Application Number is 030417-5 and the Environmental Resource Permit Number is 50-00548-S-96. This easement, Second Amendment to Termination of Easement and Amended and Restated Stormwater Quality Protection Easement originated February 15, 2005 for the purpose of reserving area for the construction of an alum chemical system. The proposed reduction in area is based on the Applicant's submittal of research and innovations in stormwater chemical treatments. The proposed alum chemical treatment system will utilize two existing 7.48-acre wet detention ponds as settling ponds instead of constructing a separate settling pond within the 5-acre limits of Lot 17.

14. Right of Way Regulatory Consent Items

- Consent Order
 - Staff recommends the approval to execute a Consent Order between the South Florida Water Management District and Mr. Frank Cote involving the settlement of enforcement actions and the removal of unauthorized encroachments within the District's L-14 canal right of way. Palm Beach County.
- Relaxation of Standards as Allowed Under District Rule 40E-6.011(9) F.A.C.
 - Staff recommends that the Governing Board waive, for future Right of Way Occupancy Permit Applications, the requirement contained in District Rules which specifies that an encumbered 40 foot wide strip of right of way as measured from the top of bank landward, is needed in order for the District to perform its routine operations and maintenance activities. The area under consideration is located along the north and south rights of way of C-17 from Prosperity Farms Road to the Intracoastal Waterway. Staff's recommendation is based on the fact that this reach of the C-17 Canal has limited overbank right of way (varies in width), has been encumbered with encroachments for many years, is located downstream of the District's Water Control Structure S-44 and is inaccessible by the West Palm Beach Field Station for routine land-based maintenance activities.

- Staff recommends that the Governing Board waive, for future Right of Way Occupancy Permit Applications, the requirement contained in District Rules which specifies that an encumbered 40 foot wide strip of right of way as measured from the top of bank landward, is needed in order for the District to perform its routine operations and maintenance activities. The area under consideration is located along the south right of way of C-100 from SW 132nd Avenue to approximately SW 127th Avenue. Staff's recommendation is based on the fact that this reach of the District's C-100 Canal has less than 10 feet of overbank right of way, has been encumbered with encroachments for many years and is inaccessible by the Miami Field Station for routine land-based maintenance activities.
 - Staff recommends that the Governing Board waive, for future Right of Way Occupancy Permit Applications, the requirement contained in District Rules which specifies that an encumbered 40 foot wide strip of right of way as measured from the top of bank landward, is needed in order for the District to perform its routine operations and maintenance activities. The area under consideration is located along the north and south rights of way of Green Canal from I-75 to its easterly terminus at 41st Terrace Southwest. Staff's recommendation is based on the fact that this reach of District's Green Canal has approximately 10-15 feet of overbank right of way, has been encumbered with encroachments for many years and is inaccessible by the Big Cypress Basin Field Station for routine land-based maintenance activities.
 - Right of Way Occupancy Permit Request with Waiver of District Criteria
 - Staff recommends approval of a request by **Broward County Parks and Recreation Division** (Application Number 14-0425-1M) for issuance of a Modification to Right of Way Occupancy Permit No. 12086 and waiver of criteria for the proposed installation of a cross-fence within the north right of way of C-11 located easterly of US 441/SR 7. The request for waiver, which governs the placement of permanent/semi-permanent above-ground facilities within 40 feet of the top of the canal bank located within Works or Lands of the District, is based on 'substantial hardship.' The Broward County Sheriff's Office has requested the County's help in restricting access east of US 441/SR 7 to reduce vagrancy and other on-going conflicts. Location: Palm Beach County, Section 25, Township 50 South, Range 41 East.
15. **Resolution No. 2014 - 0601** Approve release of canal, road and mineral reservations, and issuance of non-use commitments. (OMC, Kathy Massey, ext. 6835)

Summary

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

Staff Recommendation

Staff recommends approval of the following:

- Release of Trustees canal reservations for Jorge L. Rodriguez and Ramon A. Rodriguez (File No. 4-14-5) for 9.93 acres in Miami-Dade County

- Release of Trustees canal reservations for Oscar's Nursery, Inc. (File No. 4-14-6) for 4.81 acres in Miami-Dade County
- Release of District canal reservations and issuance of non-use commitment for Marietta Emily Schiltz (File Nos. 18572, 18573 and NUC 1639) for 9.45 acres in Palm Beach County
- Release of District canal and road reservations, and issuance of non-use commitment for Carter Botanicals, Inc. (File Nos. 18575, 18576 and NUC 1647) for 17.89 acres in Palm Beach County
- Release of District canal reservations for G.L. Homes of Palm Beach Associates, Ltd. (File No. 18579) for 25.76 acres in Palm Beach County
- Release of District canal reservations and issuance of non-use commitment for Woodwind 2007, LLC (File Nos. 18582, 18583 and NUC 1649) for 33.53 acres in Palm Beach County
- Release of District and Trustees canal reservations, and issuance of non-use commitment for Arquimedes Rafi and Isely Amila Rafi (File Nos. 18584, NUC 1651 and 4-14-3) for 4.73 acres in Palm Beach County
- Release of District canal, road and mineral reservations for Kenia R. Alfonso and Jorge R. Alfonso (File No. 18588) for 0.92 acres in Palm Beach County
- Release of Trustees canal reservations for Triple A Enterprises, LLC (File No. 9-13-3) for 944.76 acres in Hendry County
- Release of Trustees canal reservations for Alan Kornbluh, Trustee (File No. 4-14-4) for 12.59 acres in Miami-Dade County

16. **Resolution No. 2014 - 0602** Approve the issuance of a Quitclaim Deed regarding a parcel adjacent to the C-103 right of way containing 0.22 acres, more or less, in Section 36, Township 56 South, Range 38 East, Miami-Dade County. (OMC, Marcy Zehnder, ext. 6694)

Summary

Miami-Dade County, the underlying fee title owner, has requested that the District issue a Quitclaim Deed to Miami-Dade County for certain lands located adjacent to the C-103 right of way in Section 36, Township 56 South, Range 38 East, containing 0.22 acres, more or less. The deed is requested by the county to clarify in the public records that the District has no interest in the property.

Staff Recommendation

Staff recommends approving the issuance of a Quitclaim Deed regarding a parcel adjacent to the C-103 right of way containing 0.22 acres, more or less, in Section 36, Township 56 South, Range 38 East, Miami-Dade County.

17. **Resolution No. 2014 - 0603** Approve the release of a portion of a canal easement encumbering 23.192 acres, more or less, located in several Sections in Township 50 South, Range 40 and 41 East, Broward County, North New River Canal Project to the Trustees of the Internal Improvement Trust Fund at no cost. (OMC, Kathy Massey, ext. 6835)

Summary

The release is required pursuant to District Right of Way Occupancy Permit No. 13383, issued for corridor improvements between I-75 East to State Road 7 consisting of canal improvements with dredging, bulkhead, revetments, sound walls, ramp bridges, culverts and other associated appurtenances within the North and South right of ways of the North New River Canal.

Staff Recommendation

Staff recommends approval of a release of a portion of a canal right of way easement located in several Sections in Township 50 South, Range 40 and 41 East, between I-75 East to State Road 7, Broward County.

18. **Resolution No. 2014 - 0604** Authorize an amendment to an existing easement from the Board of Trustees of the Internal Improvement Trust Fund of Florida in favor of the District for 496.90 acres, more or less, in connection with the C-4 Emergency Detention Basin Project. (OMC, Ray Palmer, ext. 2246)

Summary

For purposes of the C-4 Emergency Detention Basin Project (the "Project"), the District acquired an easement (the "Easement") from the Board of Trustees of the Internal Improvement Trust Fund of Florida ("TIITF") with respect to the real property (the "Premises"), as shown on the location map attached hereto and made a part hereof as Exhibit "A". The Easement contemplated that the Premises would be leased for private mining purposes and included rights of the TIITF as the owner, under certain circumstances, to dictate the District's use of the Premises for the Project and to terminate the District's easement rights. Since the TIITF is considering the proposed conveyance of the Premises to a private mining entity, to assure the continued use of the easement in connection with the operation of the Project, the TIITF and the District will enter into an amendment to the Easement (the "Amendment") to remove the termination rights and to alter the provisions that may adversely affect the District's easement rights in connection with the owner's use of the Premises.

Staff Recommendation

Staff recommends approval of the amendment.

19. **Resolution No. 2014 - 0605** Consenting to Amendment No. 2 to an Intergovernmental Agreement between the State of Florida, the U.S. Department of the Army and the U.S. Department of the Interior for establishing and funding an Independent Scientific Review Panel to review progress made through implementation of the Comprehensive Everglades Restoration Plan, which consent shall authorize the District to provide the State's 50% cost-share required by the Intergovernmental Agreement through the CERP Design Agreement dated May 12, 2000; providing an effective date. (EPC, Temperince Morgan, ext. 6987)

Summary

The Water Resources Development Act of 2000 requires that the Secretary of the Army, the Secretary of the Interior and the Governor establish an independent scientific review panel to: 1) review the progress made through implementation of the Comprehensive Everglades Restoration Plan (CERP) toward achieving the natural system restoration goals of CERP; and 2) submit a biennial report to Congress on their findings. The Programmatic Regulations required that no later than June 14, 2004, the Department of the Army, Department of Interior and the State enter into a five-year agreement with the National Academy of Sciences (NAS) to convene the review panel. The Programmatic Regulations also required that the State's 50% cost-share be accounted for in the CERP Design Agreement between the SFWMD and the Army.

This proposed Amendment to the Intergovernmental Agreement would extend the Agreement for another five years to June 14, 2019. The final not-to-exceed budget for the five-year extension covered by Amendment No. 2 is \$1,925,000 where the District's 50% cost-share total is \$962,500 for the five year period.

Staff Recommendation

Staff recommends that the Governing Board consent to Amendment No. 2 to the Intergovernmental Agreement between the State of Florida, the U.S. Department of the Army and the U.S. Department of the Interior to continue funding an independent scientific panel to review restoration progress made through implementation of CERP.

20. **Resolution No. 2014 - 0606** Approving the July 1, 2014 Regulatory Plan attached as Appendix A, and authorizing staff to submit to the Office of Fiscal Accountability and Regulatory Reform, in accordance with Executive Order 11-211, and to the Speaker of the House, President of the Senate and Joint Administrative Procedures Committee, in accordance with Section 120.74(3), Florida Statutes, effective immediately. (OC, Doug MacLaughlin, ext. 2153)

Summary

Section 120.74(3), Florida Statutes, requires each agency, beginning in 2012, and no later than July 1 of each year, to file with the President of the Senate, the Speaker of the House of Representatives, and the Joint Administrative Procedures Committee a regulatory plan identifying and describing each rule the agency proposes to adopt for the 12-month period beginning on the July 1 reporting date and ending on the subsequent June 30, excluding emergency rules. The Governor's Executive Order 11-211 requires each agency serving under the pleasure of the Governor to submit to the Office of Fiscal Accountability and Regulatory Reform (OFARR) by July 1 of each year, an annual regulatory plan that identifies and describes each rule the agency expects to begin promulgating during the next twelve-month period. OFARR has provided all agencies with a detailed form that, when completed, constitutes the agency's regulatory plan.

Staff Recommendation

Staff recommends approving the July 1, 2014 Annual Regulatory Plan, and authorizing staff to submit the July 1, 2014 Annual Regulatory Plan to the OFARR, in accordance with Executive Order 11-211, and to the Speaker of the House, President of the Senate, and Joint Administrative Procedures Committee, in accordance with Section 120.74(3), F.S., effective immediately.

21. **Authorize Publication of Notice of Rule Development** for reservation of water needed to protect fish and wildlife for the Kissimmee River Restoration Project. (WR, Don Medellin, ext. 6340)

Summary

The Kissimmee River Restoration Project is a joint partnership between the District and U.S. Army Corps of Engineers (USACE). The project will restore over 40 square miles of river/floodplain ecosystem including 43 miles of meandering river channel and 27,000 acres of wetlands. An integral component of the restoration is the protection from allocation of water needed for fish and wildlife. The water identified for the natural system will be protected through a water reservation as authorized by Florida law.

Staff Recommendation

Authorize publication of a Notice of Rule Development in the Florida Administrative Register to adopt new rules in Chapter 40E-10, F.A.C., and amend Chapter 40E-2, F.A.C., including the Applicant's Handbook for Water Use Permit Applications, regarding reservation of water needed to protect fish and wildlife in the Kissimmee River, its floodplain, and the Upper Chain of Lakes and associated implementation rules.

22. **Resolution No. 2014 - 0607** Authorizing the official ranking of firms and authorize the District to enter into a three-year contract with Hazen and Sawyer, P.C. and Entrix, Inc. DBA Cardno Entrix, the top two ranked firms selected for Preparation of Statements of Estimated Regulatory Costs (SERC), subject to successful negotiations, in an amount not to exceed \$300,000 available for both contracts for SERC services, subject to Governing Board approval of the FY15-FY17 budgets. (WR, Terrie Bates, ext. 6952)

Summary

Statements of Estimated Regulatory Costs (SERC) are required to support the District's rulemaking activities pursuant to Section 120.541, Florida Statutes (F.S.). The current SERC three-year work order contracts expire on August 24, 2014 and September 30, 2014. This Resolution requests authorization from the Governing Board to enter into contract negotiations with the two highest ranked consultants, Hazen & Sawyer and Cardno Entrix, to have these firms in place before the current contracts expire. The SERC work order contract is for a three-year period and allows the District to use these two contractors if needed to ensure that sufficient resources are available, to avoid potential conflicts of interest, and to meet demand should rulemaking activities increase. The Water Supply Bureau's Lead Economist also completes SERCs to support rulemaking activities. The total not to exceed contract amount is \$300,000 for the three-year term. The proposed contract amount considers likely future demand and the division of labor between internal District and outside consultant resources.

Staff Recommendation

Staff recommends the Governing Board allow contract negotiations to proceed so that the District can successfully renew the contract and have SERC preparation consultant resources in place to support District rulemaking activities.

23. **Resolution No. 2014 - 0608** Authorizing the ranking of short listed firms and entering into a three-year contract with two (2) one-year renewal options with Superior Service Management, Inc., subject to negotiations for Janitorial Services at the Field Operations Center in an amount not to exceed \$231,012 for which \$22,372 in ad valorem funds are budgeted in FY14 and the remainder is subject to Governing Board approval of the FY15 – FY17 budgets; providing an effective date. (Contract Number 4600003061) (AS, Michael Hiscock, ext. 2526)

Summary

This request is to enter into a three-year contract with two (2) one-year renewal options with Superior Service Management, Inc., for Field Operations Center (FOC) janitorial services in an amount not to exceed \$231,012. The present janitorial contract expires June 30, 2014. Superior Service Management, Inc. will provide professional janitorial services to maintain a clean and effective working environment for employees located at the FOC. Services include providing all labor, equipment,

and supplies necessary to perform specified janitorial duties. Janitorial services have been traditionally outsourced by the District and as such the District does not have the positions or staff trained to provide these services.

Staff Recommendation

Staff recommends approval of this item.

24. Board Vote on Consent Agenda
25. General Public Comment
26. Board Comment

Discussion Agenda

27. Technical Reports
 - A) Water Conditions Report - Jeff Kivett, Division Director, Operations, Engineering & Construction Division (ext. 2680)
 - B) Ecological Conditions Report - Terrie Bates, Division Director, Water Resources Division (ext. 6952)
28. Overview of District Flood Control Operations and Wet Season Readiness - Jeff Kivett, Division Director, Operations, Engineering and Construction Division and Karen Estock, Division Director, Field Operations and Land Management Division (ext. 2680 and 6282)
29. Lake Okeechobee Regulation Schedule; Middle and Upper Subband Flexibility - Jeff Kivett, Division Director, Operations, Engineering and Construction (ext. 2680)

Summary

The purpose of this item is to discuss the scope and schedule for an investigation of the flexibility in the middle and upper bands of the 2008 Lake Okeechobee Regulation Schedule (LORS 2008). The presentation will provide an outline of the goals and team that will design and evaluate release guidance ideas that achieve better performance within the authorization of LORS 2008.

Staff Recommendation

This item is for information only. No action is required.

30. **Resolution No. 2014 - 0609** Allowing the Governing Board's ranking of Respondents for the Dispersed Water Management Program Northern Everglades - Payment for Environmental Services solicitation number 6000000518, as approved in Resolution number 2013-0708, to be extended until July 31, 2015 pending the receipt of funds from the State of Florida. (EPC, Beth Lewis, ext. 6343)

Summary

District staff will provide an update of the Dispersed Water Management (DWM) Program activities. In addition, staff is requesting that the Governing Board allow, through a resolution, the ranking of respondents to Solicitation Number 6000000518 regarding the DWM Program Northern Everglades Payment for Environmental Service to remain in place until July 31, 2015 pending the receipt of funds from the State of Florida to be used for additional projects.

At the July 11, 2013 Governing Board meeting the Board approved Resolution No. 2013-0708 authorizing staff to begin negotiations in ranked order with Respondents to Solicitation Number 6000000518 for Northern Everglades Payment for Environmental Services contracts. The existing funding available was not anticipated to allow more than the first two respondents to receive contracts pending negotiations. Consistent with the District's procurement policy, the Board decided to keep the solicitation and the rankings open for one year pending additional funding sources.

As a result of the 2014 Florida legislative session, it is anticipated that additional funding from the State of Florida will be available for the Solicitation after July 1, 2014. Negotiations with respondents in ranked order will require several months. Therefore, staff is requesting that the ranking of respondents remains open for an additional year to July 31, 2015.

Staff Recommendation

Staff recommends approval or a resolution extending the date by which the Governing Board's ranking of proposals for Solicitation Number 6000000518 for the Dispersed Water Management Northern Everglades Payment for Environmental Services Program can be used as the basis of a contract until July 31, 2015.

31. Lobbyist Registration Update - Dan DeLisi, Chief of Staff (ext. 6232)
32. FY15 Tentative Budget Update - Doug Bergstrom, Division Director, Administrative Services Division (ext. 6214)
33. Approval of Inspector General's Audit Reports - Tim Beirnes, Inspector General (ext. 6398)

Summary

The following audit reports are completed:

- Audit of Fleet Maintenance Operations
 - Audit of City of Everglades City Grant Agreement
- The Audit and Finance Committee Charter provides for the Board's review and approval of audit reports.

Staff Recommendation

Inspector General recommends approval of the two audit reports.

34. General Public Comment

Public Hearing

35. Adopt amendments to Rule 40E-4.091, F.A.C., and the incorporated “Environmental Resource Permit Applicant’s Handbook Volume II: For Use within the Geographic Limits of the South Florida Water Management District,” with changes based on comments received, to incorporate by reference the “Procedure for Environmental Resource Permit (ERP) Water Quality Evaluations for Applications Involving Discharges to Outstanding Florida Waters and Water Bodies that Do Not Meet State Water Quality Standards.” (OC, Susan Martin, ext. 6251)

Summary

Staff is proposing to adopt the Procedure for Environmental Resource Permit (ERP) Water Quality Evaluations for Applications Involving Discharges to Outstanding Florida Waters and Water Bodies that Do Not Meet State Water Quality Standards. This procedure will incorporate into rule the substance of the existing “impaired waters memo”, which was initially issued in 2004 and revised in 2009 and 2013. Applicants are assisted by this procedure in providing reasonable assurances to demonstrate that discharges will not degrade an OFW or will not contribute additional causative pollutants to an impaired water body. This procedure will be included in a new Appendix E to ERP Applicant’s Handbook Volume II. This incorporation will not create new standards or change the existing ERP application process.

Recommendation

Adopt amendments with changes to Rule 40E-4.091, F.A.C., and the incorporated “Environmental Resource Permit Applicant’s Handbook Volume II: For Use within the Geographic Limits of the South Florida Water Management District,” to incorporate by reference the “Procedure for Environmental Resource Permit (ERP) Water Quality Evaluations for Applications Involving Discharges to Outstanding Florida Waters and Water Bodies that Do Not Meet State Water Quality Standards.”

Staff Reports

36. Monthly Financial Report - Doug Bergstrom, Division Director, Administrative Services Division
37. General Counsel's Report - Ed Artau
38. Executive Director's Report - Blake Guillory
Report on permits issued by authority delegated to the Executive Director from May 1-31, 2014
39. Board Comment

Attorney Client Sessions

40. Attorney Client Session - USA

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

ATTENDEES: Governing Board Members F. Barber, S. Batchelor, M. Hutchcraft, J. Moran, D. O’Keefe, J. Portuondo, K. Powers, G. Waldman; Executive Director B. Guillory; District attorneys E. Artau, K. Burns, C. Kowalsky, D. MacLaughlin. (Ed Artau, ext. 6431)

Action Items (if any) Stemming from Attorney Client Session

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2013), to discuss strategy related to litigation expenditures and/or settlement negotiations in United States of America v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 88-1886-CIV-Moreno. (Ed Artau, ext. 6431)

41. Adjourn

CONSENT AGENDA TABLE OF CONTENTS
REGULATORY ITEMS FOR GOVERNING BOARD ACTION
June 12, 2014

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Attachment: ca_reg_rm_100_sd (II) (1929 : 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 interest to the District in real property that retains land or water areas in their existing, natural, vegetative, hydrologic, scenic, open or wooded condition and retains such areas as suitable habitat for fish, plants, or wildlife in accordance with Section 704.06, F.S.

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

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

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

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

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

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

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

1. RESPONDENT: WCI COMMUNITIES, INC.
PROJECT: BAYWINDS

SEC 17,18 TWP 47S RGE 25E LEE COUNTY
SETTLEMENT OF AN ENFORCEMENT ACTION REGARDING NON-COMPLIANCE WITH PERMIT
CONDITIONS DUE TO UNPERMITTED WORKS WITHIN A CONSERVATION EASEMENT AREA

2. RESPONDENT: ADVENTIST HEALTH SYSTEM SUNBELT, INC.
PROJECT: FLORIDA HOSPITAL KISSIMMEE - C E P ADDITION

SEC 15 TWP 25S RGE 29E OSCEOLA COUNTY
SETTLEMENT OF AN ENFORCEMENT ACTION REGARDING NON-COMPLIANCE WITH PERMIT
CONDITIONS DUE TO FAILURE TO COMPLY WITH THE DISTRICT'S BEST MANAGEMENT
PRACTICES

3. RESPONDENT: OSCEOLA COUNTY
PROJECT: OSCEOLA PARKWAY PHASE II ROADWAY WIDENING

SEC 5 TWP 25S RGE 29E OSCEOLA COUNTY
SETTLEMENT OF AN ENFORCEMENT ACTION REGARDING NON-COMPLIANCE WITH PERMIT
CONDITIONS DUE TO FAILURE TO COMPLY WITH THE DISTRICT'S BEST MANAGEMENT
PRACTICES

4. RESPONDENT: SECURED HOLDINGS, INC.
PROJECT: QUANTUM PARK MASTER SYSTEM LOT 17 & 17A

SEC 17 TWP 45S RGE 43E PALM BEACH COUNTY
SETTLEMENT OF AN ENFORCEMENT ACTION REGARDING UNPERMITTED WORKS

5. RESPONDENT: UNICO DEVELOPMENT CORPORATION
PROJECT: INDIAN ROAD WAREHOUSES

SEC 24 TWP 43S RGE 42E PALM BEACH COUNTY
SETTLEMENT OF AN ENFORCEMENT ACTION REGARDING NON-COMPLIANCE WITH PERMIT
CONDITIONS AND UNAUTHORIZED FILL OF A LAKE BANK

Attachment: ca_reg_rm_100_sd (II) (1929 : Regulatory Consent Agenda)

-
- 1. PERMITTEE: WILTON LAND COMPANY, LLC
PROJECT: HAMMOCK PARK COMMERCE CENTER (AKA RATTLESNAKE CROSSING)

COLLIER COUNTY

APPROVAL OF AN INCREASE IN THE CONSERVATION EASEMENT AREA FROM A 1.95 ACRE PRESERVE AREA TO A 5.98 ACRE PRESERVE AREA (5.54 ACRES OF WETLANDS AND 0.44 ACRES OF UPLANDS) WITHIN A DEVELOPMENT KNOWN AS HAMMOCK PARK COMMERCE CENTER LOCATED IN NAPLES, COLLIER COUNTY, FLORIDA. THE ORIGINAL APPLICATION NUMBER IS 010418-13 AND THE ENVIRONMENTAL RESOURCE PERMIT NUMBER IS 11-02130-P. THE CONSERVATION EASEMENT REFLECTS THE ADDITON OF 4.03-ACRES ASSOCIATED WITH THE ARMY CORPS OF ENGINEERS PERMIT (SAJ-1999-4926). THE ADDITIONAL PRESERVE AREA IS ADJACENT TO THE ORIGINAL 1.95-ACRE PRESERVE AREA REQUIRED BY THE DISTRICT. THE LARGER PRESERVE PROVIDES ADDITIONAL WILDLIFE HABITAT AND PROVIDES A MORE CONTIGUOUS BUFFER TO THE ADJACENT OFFSITE UNDEVELOPED LAND TO THE NORTH.

-
- 2. PERMITTEE: WELLINGTON PRESERVE CORPORATION
PROJECT: WELLINGTON PRESERVE

PALM BEACH COUNTY

APPROVAL OF A DECREASE IN THE STORMWATER QUALITY EASEMENT AREA FROM 5.0000 ACRES TO 0.0258 ACRES WHICH IS A PORTION OF LOT 17 WITHIN A DEVELOPMENT KNOWN AS WELLINGTON PRESERVE LOCATED IN WELLINGTON, PALM BEACH COUNTY, FLORIDA. THE ORIGINAL APPLICATION NUMBER IS 030417-5 AND THE ENVIRONMENTAL RESOURCE PERMIT NUMBER IS 50-00548-S-96.

THIS EASEMENT, SECOND AMENDMENT TO TERMINATION OF EASEMENT AND AMENDED AND RESTATED STORMWATER QUALITY PROTECTION EASEMENT ORIGINATED FEBRUARY 15, 2005 FOR THE PURPOSE OF RESERVING AREA FOR THE CONSTRUCTION OF AN ALUM CHEMICAL SYSTEM. THE PROPOSED REDUCTION IN AREA IS BASED ON THE APPLICANT'S SUBMITTAL OF RESEARCH AND INNOVATIONS IN STORMWATER CHEMICAL TREATMENTS. THE PROPOSED ALUM CHEMICAL TREATMENT SYSTEM WILL UTILIZE TWO EXISTING 7.48-ACRE WET DETENTION PONDS AS SETTLING PONDS INSTEAD OF CONSTRUCTING A SEPARATE SETTLING POND WITHIN THE 5-ACRE LIMITS OF LOT 17.

Attachment: ca_reg_rm_100_sd (II) (1929 : Regulatory Consent Agenda)

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RIGHT OF WAY OCCUPANCY CONSENT AGENDA FOR GOVERNING BOARD APPROVAL June 12, 2014

	PAGES
<p>I CONSENT ORDER:</p> <p>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.</p>	2
<p>II RELAXATION OF STANDARDS AS ALLOWED UNDER DISTRICT RULE 40E-6.011(9) F.A.C.:</p> <p>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.</p>	3-5
<p>III RIGHT OF WAY OCCUPANCY PERMIT REQUEST WITH WAIVER OF DISTRICT CRITERIA:</p> <p>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.</p>	6

CONSENT ORDER:

1. Execute a Consent Order entered into between SFWMD and Mr. Frank Cote involving the settlement of enforcement actions and his removal of the unauthorized encroachments within the District's L-14 canal right of way. Palm Beach County.

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

2. It is the recommendation of the staff of Operations, Maintenance and Construction Division that the Governing Board waive, for future Right of Way Occupancy Permit Applications, 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, is needed in order for the District to perform its routine operations and maintenance activities. However, the District's rights of way vary in width and this requirement is not practical in all areas. The area under consideration is located along the north and south rights of way of C-17 from Prosperity Farms Road to the Intracoastal Waterway.

Staff's recommendation is based on the fact that this reach of the C-17 Canal has limited overbank right of way (varies in width), has been encumbered with encroachments for many years, is located downstream of the District's Water Control Structure S-44 and is inaccessible by the West Palm Beach Field Station for routine land-based maintenance activities.

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."

The waiver 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.

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

(Easement)

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

3. It is the recommendation of the staff of Operations, Maintenance and Construction Division that the Governing Board waive, for future Right of Way Occupancy Permit Applications, 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, is needed in order for the District to perform its routine operations and maintenance activities. However, the District's rights of way vary in width and this requirement is not practical in all areas. The area under consideration is located along the south right of way of C-100 from SW 132nd Avenue to approximately SW 127th Avenue.

Staff's recommendation is based on the fact that this reach of the District's C-100 Canal has less than 10 feet of overbank right of way, has been encumbered with encroachments for many years and is inaccessible by the Miami Field Station for routine land-based maintenance activities.

District Rule 40E-6.011(9), F.A.C. (Policy and Purpose) states 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."

The waiver 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 utility crossings. Applications for encroachments within these specified staging areas when submitted shall be handled on an individual basis.

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

(Fee)

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

4. It is the recommendation of the staff of Operations, Maintenance and Construction Division that the Governing Board waive, for future Right of Way Occupancy Permit Applications, 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, is needed in order for the District to perform its routine operations and maintenance activities. However, the District's rights of way vary in width and this requirement is not practical in all areas. The area under consideration is located along the north and south rights of way of Green Canal from I-75 to its easterly terminus at 41st Terrace Southwest.

Staff's recommendation is based on the fact that this reach of the District's Green Canal has approximately 10-15 feet of overbank right of way, has been encumbered with encroachments for many years and is inaccessible by the Big Cypress Basin Field Station for routine land-based maintenance activities.

District Rule 40E-6.011(9), F.A.C. (Policy and Purpose) states 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."

The waiver 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 utility crossings. Applications for encroachments within these specified staging areas when submitted shall be handled on an individual basis.

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

(Agreement)

RIGHT OF WAY OCCUPANCY PERMIT REQUEST WITH WAIVER OF DISTRICT CRITERIA:

5. Consideration of a request by **Broward County Parks and Recreation Division**, (Application Number 14-0425-1M, Permit Modification Number 12086) for issuance of a Modification to Right of Way Occupancy Permit Number 12086 and waiver of the District's criteria for the proposed installation of a cross-fence within the north right of way of C-11 located easterly of US441/SR7. Location: Palm Beach County, Section 25, Township 50 South, Range 41 East.

The applicant's request for Waiver of the District's criteria which governs the placement of permanent/semi-permanent above-ground facilities within 40 feet of the top of the canal bank within Works and Lands of the District is based on "substantial hardship". The applicant asserts that the Broward County Sheriff's Office has requested the County's help in restricting access east of US 441/SR 7 to reduce vagrancy and other on-going conflicts. The area is heavily wooded and has become a nuisance to both the County and Law Enforcement.

Broward County Parks and Recreation currently maintains the area due to an existing permitted canoe launching ramp and has agreed to install a vehicular access gate if required by the District.

The District's Field Operations and Land Management Division had determined that the proposed cross-fence will not significantly interfere with the District's ability to perform necessary construction, alteration, operation and maintenance activities, so the purposed of the underlying statue will be achieved.

The applicant's petition has been reviewed by the Office of Counsel for compliance with the applicable legal requirements. Pursuant to Section 120.542(6), F.S. notice of the petition was provided to the Department of State and was published in *Volume 40, Number 85* of the *Florida Administrative Register* on *May 1, 2014*. No public comments were received.

Therefore, staff recommends **approval** of the issuance of Right of Way Occupancy Permit Modification Number 12086 and **approval** of the petition for Waiver of the District's criteria which governs the placement of permanent/semi-permanent above-ground facilities within 40 feet of the top of the canal bank within Works and Lands of the District.
(Easement)

M E M O R A N D U M

TO: Governing Board Members

FROM: Karen Estock, Division Director

DATE: June 12, 2014

SUBJECT: Release of Reservations

Summary

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

Staff Recommendation

Staff recommends approval of the following:

- Release of Trustees canal reservations for Jorge L. Rodriguez and Ramon A. Rodriguez (File No. 4-14-5) for 9.93 acres in Miami-Dade County
- Release of Trustees canal reservations for Oscar's Nursery, Inc. (File No. 4-14-6) for 4.81 acres in Miami-Dade County
- Release of District canal reservations and issuance of non-use commitment for Marietta Emily Schiltz (File Nos. 18572, 18573 and NUC 1639) for 9.45 acres in Palm Beach County
- Release of District canal and road reservations, and issuance of non-use commitment for Carter Botanicals, Inc. (File Nos. 18575, 18576 and NUC 1647) for 17.89 acres in Palm Beach County
- Release of District canal reservations for G.L. Homes of Palm Beach Associates, Ltd. (File No. 18579) for 25.76 acres in Palm Beach County
- Release of District canal reservations and issuance of non-use commitment for Woodwind 2007, LLC (File Nos. 18582, 18583 and NUC 1649) for 33.53 acres in Palm Beach County
- Release of District and Trustees canal reservations, and issuance of non-use commitment for Arquimedes Rafi and Isely Amila Rafi (File Nos. 18584, NUC 1651 and 4-14-3) for 4.73 acres in Palm Beach County
- Release of District canal, road and mineral reservations for Kenia R. Alfonso and Jorge R. Alfonso (File No. 18588) for 0.92 acres in Palm Beach County
- Release of Trustees canal reservations for Triple A Enterprises, LLC (File No. 9-13-3) for 944.76 acres in Hendry County
- Release of Trustees canal reservations for Alan Kornbluh, Trustee (File No. 4-14-4) for 12.59 acres in Miami-Dade County

Additional Background

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

Core Mission and Strategic Priorities

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

Funding Source

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

Staff Contact and/or Presenter

Kathy Massey, ext. 6835

MEMORANDUM - EXHIBIT "A"

File No.: 4-14-5
 Applicant: Jorge L. Rodriguez and Ramon A. Rodriguez, as joint tenants with rights of survivorship
 Reserving Deed: 16571 (DB 176-339, 9/24/1917)
 Fee paid: \$250.00
 Action: Approve release of Trustees canal reservations
 Acres: 9.93 acres, more or less
 Legal Description: Portion of the SE ¼ of Section 14, Township 52 South, Range 39 East
 Location: NW 127th Avenue North of US Highway 27, Miami-Dade County
 Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and Miami-Dade County

File No.: 4-14-6
 Applicant: Oscar's Nursery, Inc., a Florida corporation
 Reserving Deed: 16571 (DB 176-339, 9/24/1917)
 Fee paid: \$250.00
 Action: Approve release of Trustees canal reservations
 Acres: 4.81 acres, more or less
 Legal Description: Portion of the NE ¼ of Section 14, Township 52 South, Range 39 East
 Location: NW 129th Avenue North of US Highway 27, Miami-Dade County
 Reviewed by: Miami-Dade County; no internal routing due to size and land use

File Nos.: 18572, 18573 and NUC 1639
 Applicant: Marietta Emily Schiltz, a/k/a Rita Mary Schiltz, a/k/a Rita Emily Schiltz
 Reserving Deeds: E-5331 (DB 773-249, 7/5/1946) and T-2323, (DB 317-385, 10/15/1925)
 Fee paid: \$725.00
 Action: Approve release of District canal reservations and issuance of non-use commitment
 Acres: 9.45 acres, more or less
 Legal Description: Portion of Tracts 75, 76 and 77, Block 45, THE PALM BEACH FARMS CO. PLAT NO. 3, PB 2-45, Section 18, Township 45 South, Range 42 East
 Location: 87th Place South East of State Road 7, Palm Beach County
 Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and Lake Worth Drainage District; no routing for mineral reservations required

File Nos.: 18575, 18576 and NUC 1647
 Applicant: Carter Botanicals, Inc., a Florida corporation
 Reserving Deeds: T-211 (DB 165-197, 10/31/1921), T-213 (DB 151-519, 10/31/1921), T-507 (DB 193-31, 7/18/1923), T-6336 (DB 382-569, 3/31/1926), E-3392 (DB 724-589, 3/31/1926) and E-3877 (DB 739-34, 7/14/1945)
 Fee paid: \$2,225.00
 Action: Approve release of District canal and road reservations, and issuance of non-use commitment
 Acres: 17.89 acres, more or less

Legal Description: Tract 25 and a portion of Tracts 57 through 59, THE PALM BEACH FARMS CO. PLAT NO. 1, PB 2-26, Section 18, Township 46 South, Range 42 East
 Location: 14190 and 14470 Smith Sundry Road, Boynton Beach, Palm Beach County
 Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, Lake Worth Drainage District, and Florida Department of Transportation; no routing for mineral reservations required

File No.: 18579
 Applicant: G. L. Homes of Palm Beach Associates, Ltd., a Florida limited partnership
 Reserving Deed: E-4385 (DB 357-516, 3/31/1926)
 Fee paid: \$250.00
 Action: Approve release of District canal reservations
 Acres: 25.76 acres, more or less
 Legal Description: Portion of Tracts 40 through 48, Block 69, THE PALM BEACH FARMS CO. PLAT NO. 3, PB 2-45, Section 36, Township 46 South, Range 41 East
 Location: 17475 South State Road 7, Boca Raton, Palm Beach County
 Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and Lake Worth Drainage District

File Nos.: 18582, 18583 and NUC 1649
 Applicant: Woodwind 2007, LLC, a Florida limited liability company
 Reserving Deeds: T-3083 (DB 371-303, 12/31/1925), T-3115 (DB 335-294, 12/31/1925), T-3884 (DB 370-156, 2/25/1926) and E-5657 (DB 779-539, 9/5/1946)
 Fee paid: \$1,825.00
 Action: Approve release of District canal reservations and issuance of non-use commitment
 Acres: 33.53 acres, more or less
 Legal Description: Parcel A and Tracts L, L-1, L-2, R and W, WOODWIND P.U.D., PB 114-64, Section 31, Township 44 South, Range 42 East
 Location: 9855 Herons Nest Court, Lake Worth, Palm Beach County
 Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and Lake Worth Drainage District; no routing for mineral reservations required

File Nos.: 18584, NUC 1651 and 4-14-3
 Applicant: Arquimedes Rafi, a/k/a Arquimedes Rafi, Jr., and Isely Amila Rafi, a/k/a Isel Yamila Rafi, as joint tenants with right of survivorship
 Reserving Deeds: 16198, (DB 46-240, 12/24/1908), E-7028, (DB 3383-511, 12/22/1950) and T-3-EDD, (DB 3344-33, 9/15/1950)
 Fee paid: \$250.00
 Action: Approve release of District and Trustees canal reservations, and issuance of non-use commitment
 Acres: 4.73 acres, more or less
 Legal Description: Portion of Tract 30, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION, PB 2-17, Section 13, Township 52 South, Range 39 East

Location: NW 127th Avenue and NW 168th Street, Miami, Miami-Dade County
 Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and Miami-Dade County; no routing for mineral reservations required

File No.: 18588
 Applicant: Kenia R. Alfonso and Jorge R. Alfonso, husband and wife
 Reserving Deed: E-4154 (DB 734-261, 11/1/1945)
 Fee paid: \$250.00
 Action: Approve release of District canal, road and mineral reservations
 Acres: 0.92 acres, more or less
 Legal Description: Portion of Tract 4, Block 13, THE PALM BEACH FARMS CO. PLAT NO. 3, PB 2-45, LESS any portion thereof located within 30.0 feet South of the centerline of Wilson Road, Section 3, Township 44 South, Range 42 East

Location: 6656 Wilson Road, West Palm Beach, Palm Beach County
 Reviewed by: Lake Worth Drainage District, Florida Department of Transportation, and Palm Beach Right of Way Section; no internal routing due to size and land use; no routing for mineral reservations required

File No.: 9-13-3
 Applicant: Triple A Enterprises, LLC, a Florida limited liability company
 Reserving Deed: 19138-B (DB 25-168, 10/11/1949)
 Fee paid: \$250.00
 Action: Approve release of Trustees canal reservations
 Acres: 944.76 acres, more or less
 Legal Description: Portion of Sections 29 and 31, Township 45 South, Range 34 East
 Location: CR 846 and 16511 CR 835, Hendry County
 Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and Hendry County

File No.: 4-14-4
 Applicant: Alan Kornbluh, Trustee
 Reserving Deed: 16198 (DB 46-240, 12/24/1908)
 Fee paid: \$250.00
 Action: Approve release of Trustees canal reservations
 Acres: 12.59 acres, more or less
 Legal Description: Portion of Tracts 1 and 16, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, NO. 1, PB 2-17, Section 29, Township 52 South, Range 40 East
 Location: NW 138th Street West of NW 97th Avenue, Hialeah Gardens, Miami-Dade County
 Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and Miami-Dade County

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0601

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

WHEREAS, certain underlying landowners have requested that the South Florida Water Management District (District) release certain canal, road and mineral reservations, and issue non-use commitments as to mineral reservations;

WHEREAS, the District is empowered to grant such releases and non-use commitments 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 canal, road and mineral reservations, and the issuance of non-use commitments, as described in Resolution Exhibit "A", attached hereto and made a part hereof.

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

PASSED and ADOPTED this 12th day of June, 2014.

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

Chairman

Attest:

Legal form approved:

By:

District Clerk/Secretary

Office of Counsel

Print name:

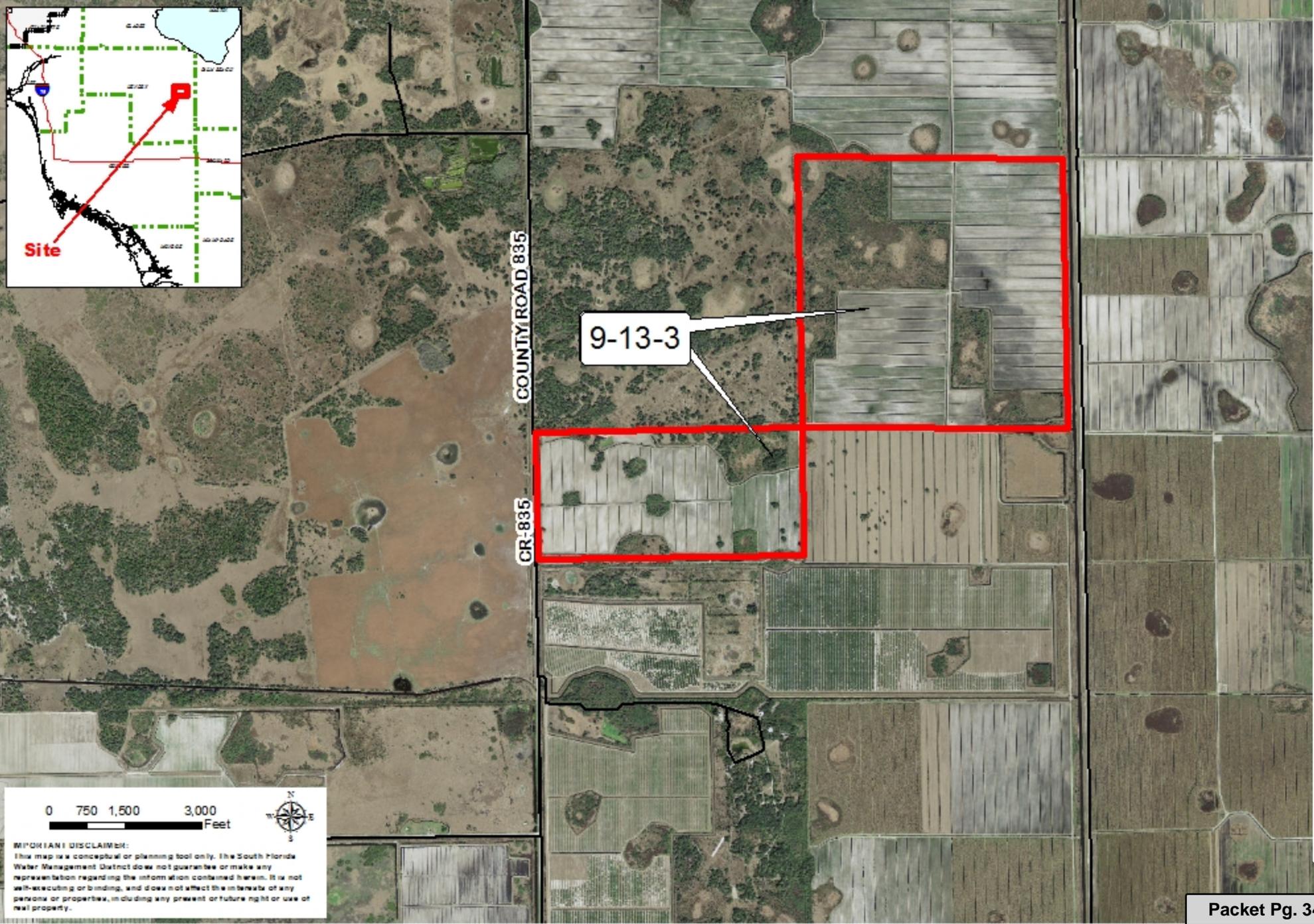
Release of Reservations Miami-Dade County



Attachment: GB_Jun14_4-14-4 (Resolution No. 2014 - 0601 : Release of Reservations)

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Release of Reservations Hendry County

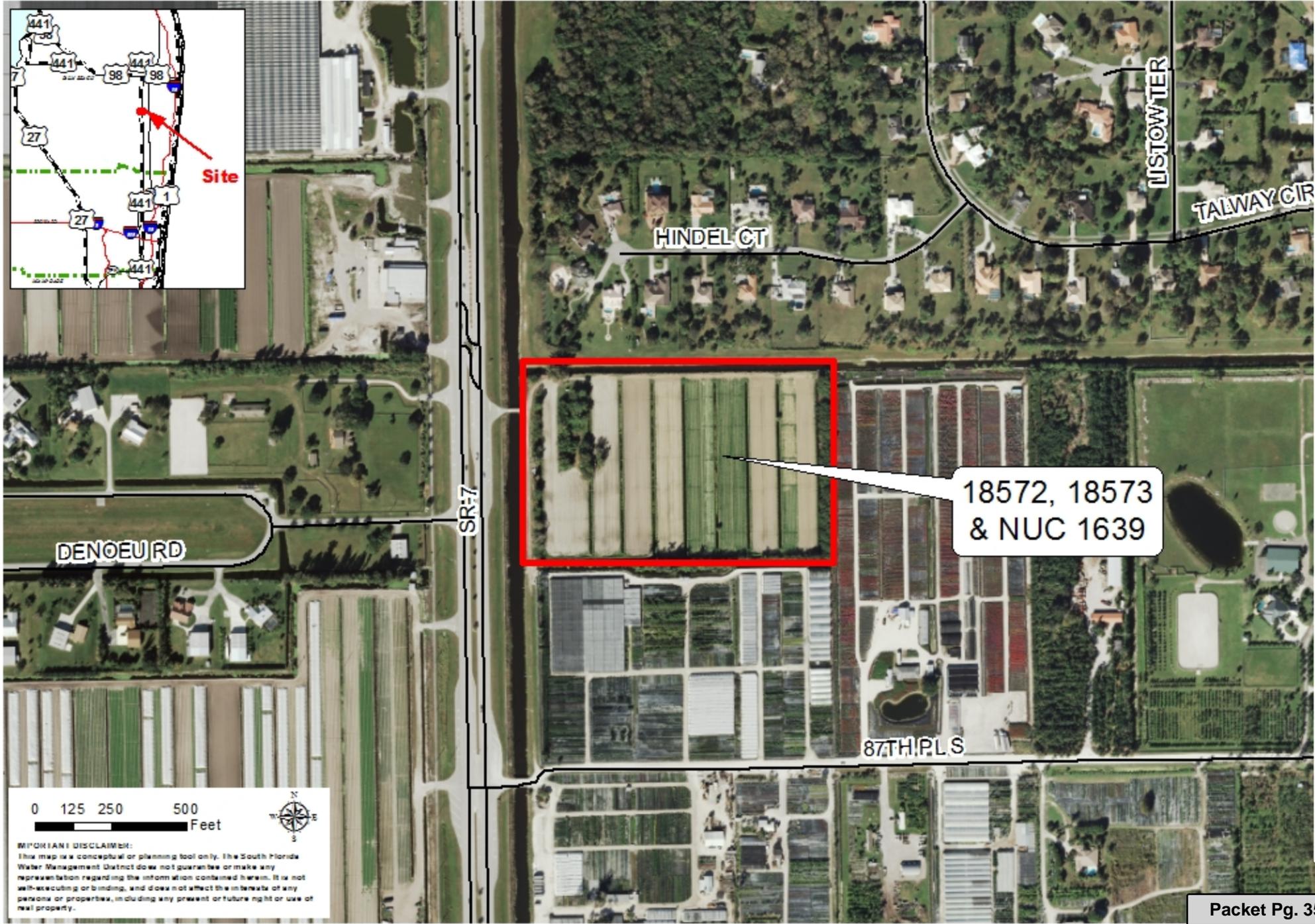
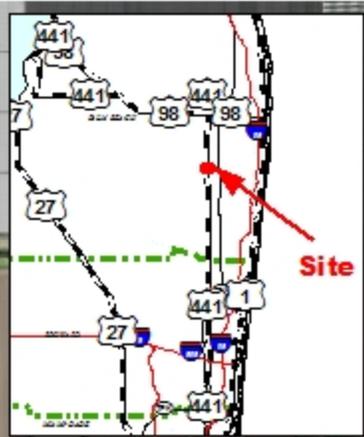


IMPORTANT DISCLAIMER:
This map is a conceptual or planning tool only. The South Florida Water Management District does not guarantee or make any representation regarding the information contained herein. It is not self-executing or binding, and does not affect the interests of any persons or properties,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

Attachment: GB_Jun14_9-13-3 (Resolution No. 2014 - 0601 : Release of Reservations)

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Release of Reservations Palm Beach County

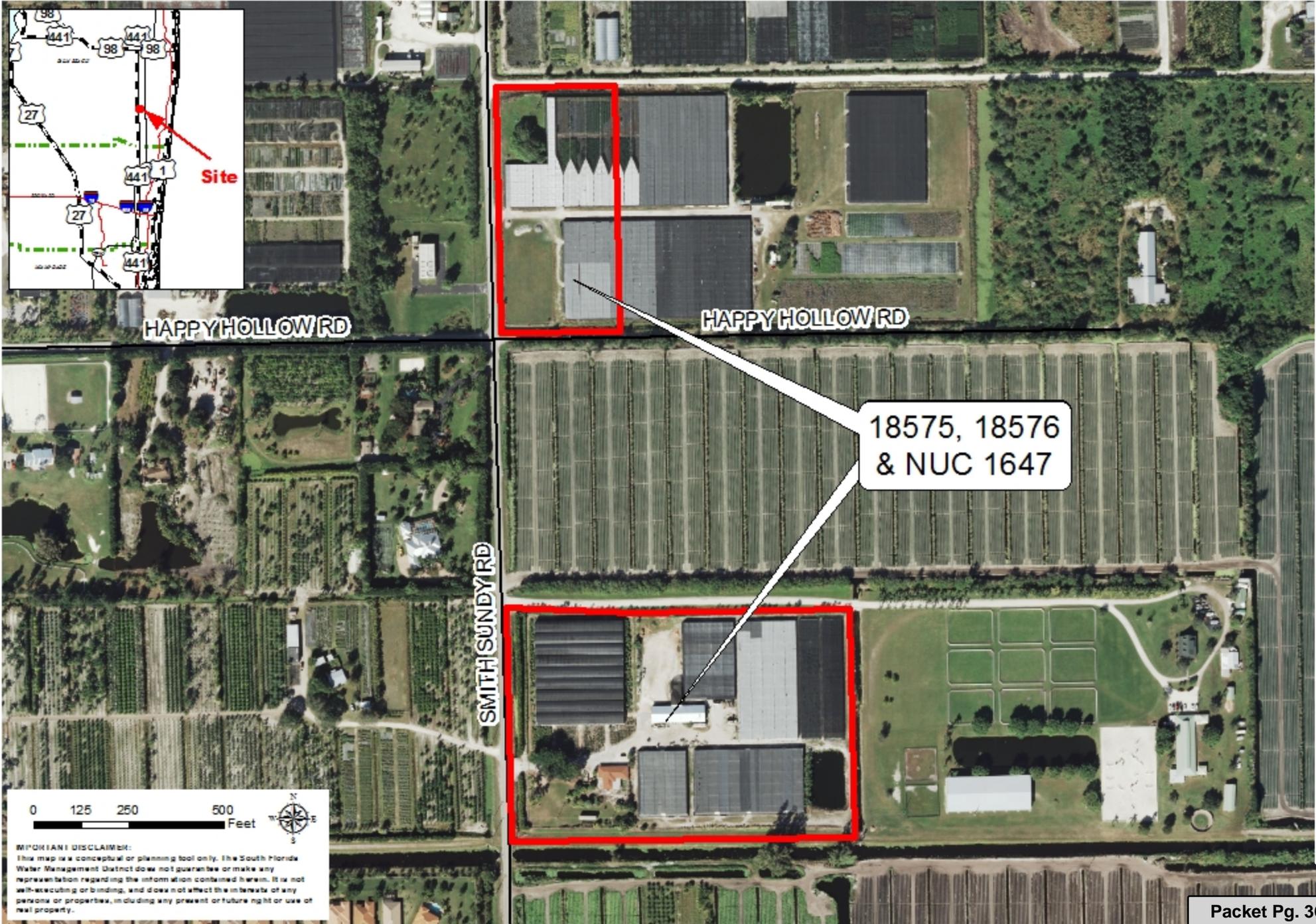


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18572, 18573
& NUC 1639

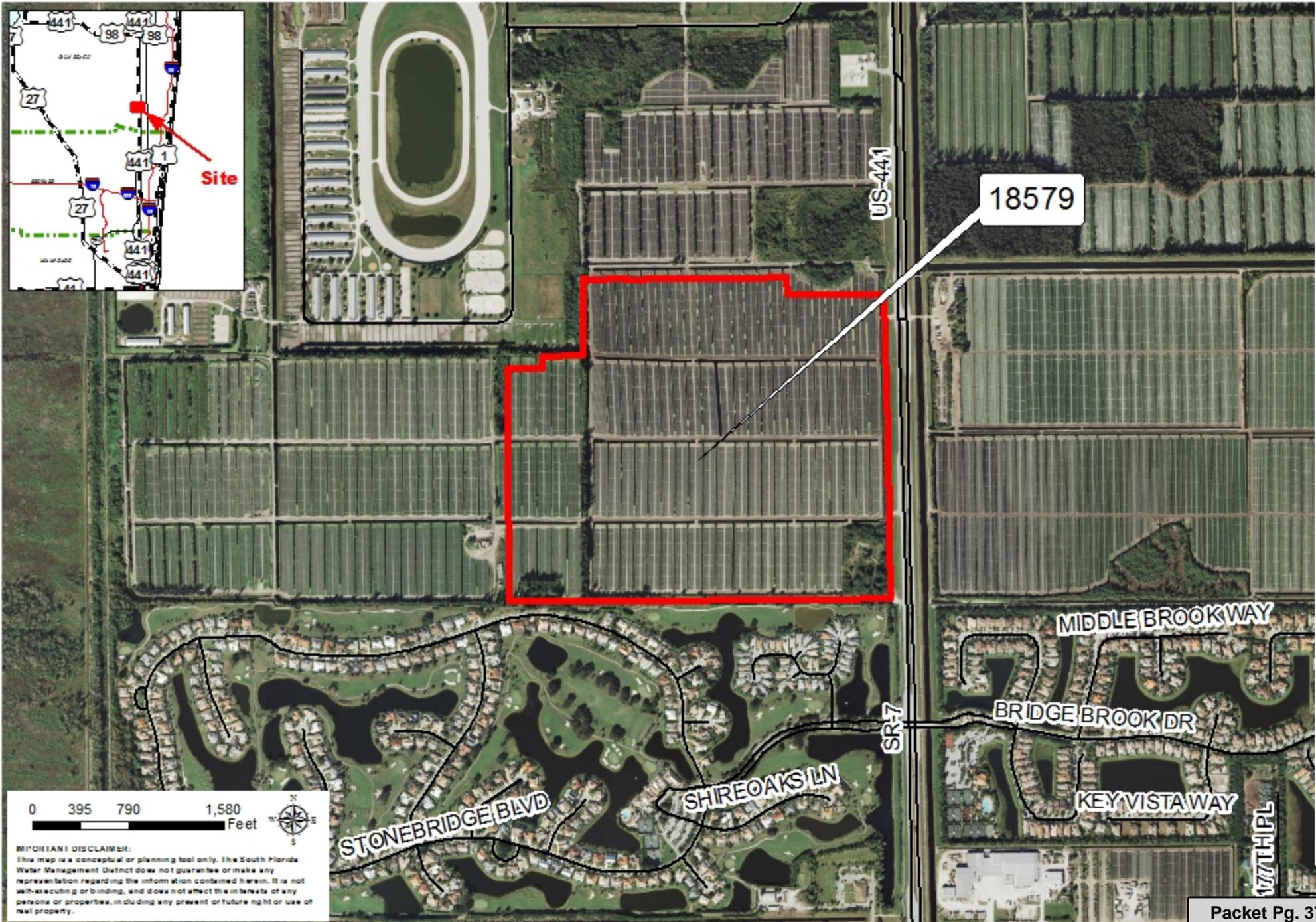
Release of Reservations Palm Beach County



Attachment: GB_Jun14_18575_18576_NUC1647 (Resolution No. 2014 - 0601 : Release of Reservations)

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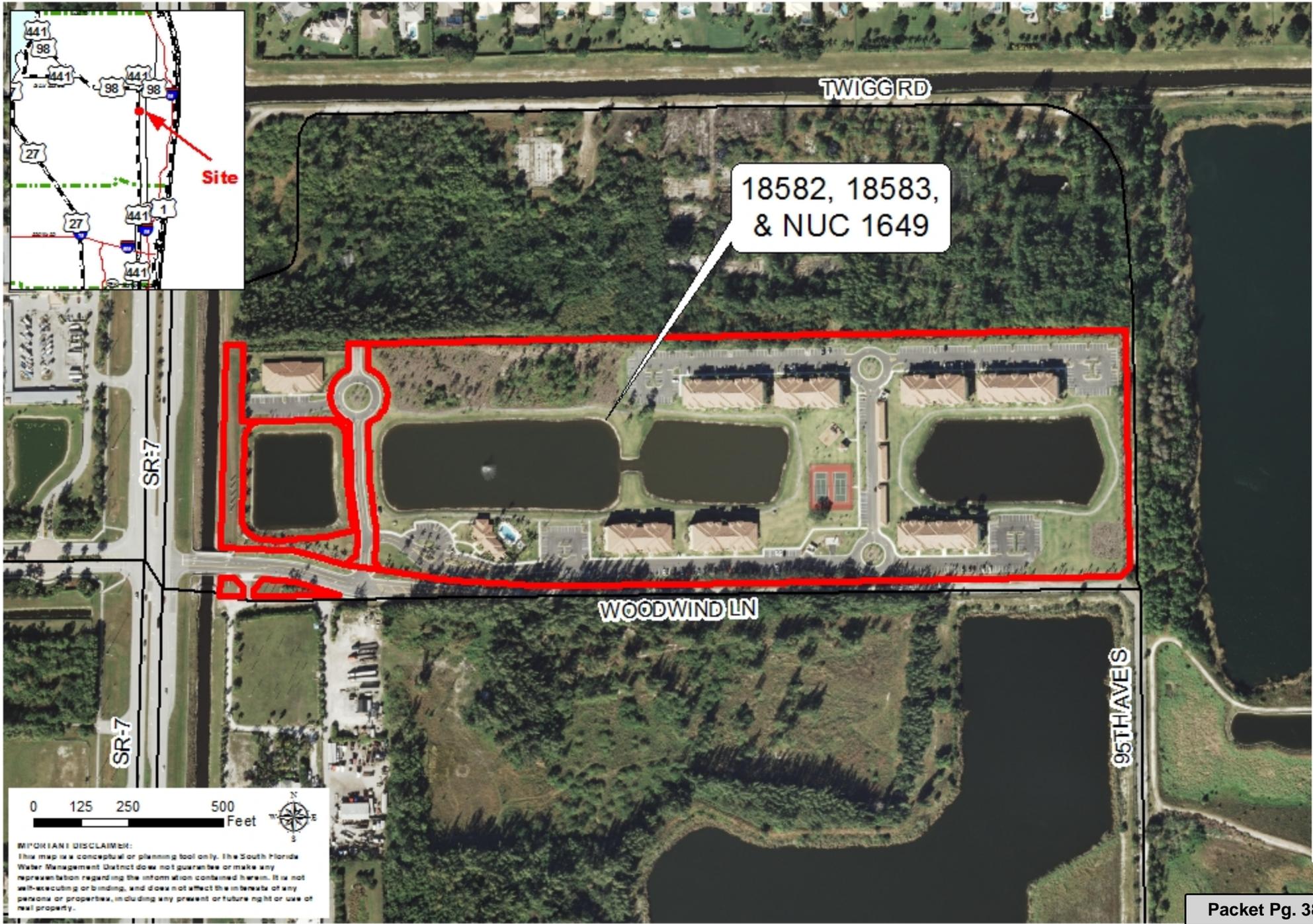
Release of Reservations Palm Beach County



Attachment: GB_Jun14_18579 (Resolution No. 2014 - 0601 : Release of Reservations)

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Release of Reservations Palm Beach County



Attachment: GB_Jun14_18582_18583_NUC1649 (Resolution No. 2014 - 0601 : Release of Reservations)

For copies of this map: \\arc_data\map\ReleaseOfReservations\GB_Jun14_18582_18583_NUC1649.mxd, created on 4/16/2014 by xl, Contact the Real Estate Section.

Release of Reservations Palm Beach County



IMPORTANT DISCLAIMER:
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RESOLUTION - EXHIBIT "A"RELEASE OF TRUSTEES CANAL RESERVATIONS:

File No.: 4-14-5
 Applicant: Jorge L. Rodriguez and Ramon A. Rodriguez, as joint tenants with rights of survivorship
 Reserving Deed: 16571 (DB 176-339, 9/24/1917)
 Acres: 9.93 acres, more or less
 Legal Description: Portion of the SE ¼ of Section 14, Township 52 South, Range 39 East
 Location: NW 127th Avenue North of US Highway 27, Miami-Dade County

File No.: 4-14-6
 Applicant: Oscar's Nursery, Inc., a Florida corporation
 Reserving Deed: 16571 (DB 176-339, 9/24/1917)
 Acres: 4.81 acres, more or less
 Legal Description: Portion of the NE ¼ of Section 14, Township 52 South, Range 39 East
 Location: NW 129th Avenue North of US Highway 27, Miami-Dade County

File No.: 4-14-3
 Applicant: Arquimedes Rafi, a/k/a Arquimedes Rafi, Jr., and Isely Amila Rafi, a/k/a Isel Yamila Rafi, as joint tenants with right of survivorship
 Reserving Deed: 16198, (DB 46-240, 12/24/1908)
 Acres: 4.73 acres, more or less
 Legal Description: Portion of Tract 30, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION, PB 2-17, Section 13, Township 52 South, Range 39 East
 Location: NW 127th Avenue and NW 168th Street, Miami, Miami-Dade County

File No.: 9-13-3
 Applicant: Triple A Enterprises, LLC, a Florida limited liability company
 Reserving Deed: 19138-B (DB 25-168, 10/11/1949)
 Acres: 944.76 acres, more or less
 Legal Description: Portion of Sections 29 and 31, Township 45 South, Range 34 East
 Location: CR 846 and 16511 CR 835, Hendry County

File No.: 4-14-4
 Applicant: Alan Kornbluh, Trustee
 Reserving Deed: 16198 (DB 46-240, 12/24/1908)
 Acres: 12.59 acres, more or less
 Legal Description: Portion of Tracts 1 and 16, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, NO. 1, PB 2-17, Section 29, Township 52 South, Range 40 East
 Location: NW 138th Street West of NW 97th Avenue, Hialeah Gardens, Miami-Dade County

RELEASE OF DISTRICT CANAL RESERVATIONS:

File Nos.: 18572 and 18573
 Applicant: Marietta Emily Schiltz, a/k/a Rita Mary Schiltz, a/k/a Rita Emily Schiltz
 Reserving Deeds: E-5331 (DB 773-249, 7/5/1946) and T-2323, (DB 317-385, 10/15/1925)

Acres: 9.45 acres, more or less
 Legal Description: Portion of Tracts 75, 76 and 77, Block 45, THE PALM BEACH FARMS CO. PLAT NO. 3, PB 2-45, Section 18, Township 45 South, Range 42 East
 Location: 87th Place South East of State Road 7, Palm Beach County

File Nos.: 18575 and 18576
 Applicant: Carter Botanicals, Inc., a Florida corporation
 Reserving Deeds: T-211 (DB 165-197, 10/31/1921), T-213 (DB 151-519, 10/31/1921), T-507 (DB 193-31, 7/18/1923), T-6336 (DB 382-569, 3/31/1926), E-3392 (DB 724-589, 3/31/1926) and E-3877 (DB 739-34, 7/14/1945)

Acres: 17.89 acres, more or less
 Legal Description: Tract 25 and a portion of Tracts 57 through 59, THE PALM BEACH FARMS CO. PLAT NO. 1, PB 2-26, Section 18, Township 46 South, Range 42 East
 Location: 14190 and 14470 Smith Sundry Road, Boynton Beach, Palm Beach County

File No.: 18579
 Applicant: G. L. Homes of Palm Beach Associates, Ltd., a Florida limited partnership
 Reserving Deed: E-4385 (DB 357-516, 3/31/1926)
 Acres: 25.76 acres, more or less
 Legal Description: Portion of Tracts 40 through 48, Block 69, THE PALM BEACH FARMS CO. PLAT NO. 3, PB 2-45, Section 36, Township 46 South, Range 41 East
 Location: 17475 South State Road 7, Boca Raton, Palm Beach County

File Nos.: 18582 and 18583
 Applicant: Woodwind 2007, LLC, a Florida limited liability company
 Reserving Deeds: T-3083 (DB 371-303, 12/31/1925), T-3115 (DB 335-294, 12/31/1925), T-3884 (DB 370-156, 2/25/1926) and E-5657 (DB 779-539, 9/5/1946)
 Acres: 33.53 acres, more or less
 Legal Description: Parcel A and Tracts L, L-1, L-2, R and W, WOODWIND P.U.D., PB 114-64, Section 31, Township 44 South, Range 42 East
 Location: 9855 Herons Nest Court, Lake Worth, Palm Beach County

File Nos.: 18584
 Applicant: Arquimedes Rafi, a/k/a Arquimedes Rafi, Jr., and Isely Amila Rafi, a/k/a Isel Yamila Rafi, as joint tenants with right of survivorship
 Reserving Deeds: T-3-EDD, (DB 3344-33, 9/15/1950)
 Acres: 4.73 acres, more or less
 Legal Description: Portion of Tract 30, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION, PB 2-17, Section 13, Township 52 South, Range 39 East
 Location: NW 127th Avenue and NW 168th Street, Miami, Miami-Dade County

RELEASE OF DISTRICT ROAD RESERVATIONS:

File Nos.: 18575 and 18576
 Applicant: Carter Botanicals, Inc., a Florida corporation
 Reserving Deeds: E-3392 (DB 724-589, 3/31/1926) and E-3877 (DB 739-34, 7/14/1945)
 Acres: 17.89 acres, more or less

Legal Description: Tract 25 and a portion of Tracts 57 through 59, THE PALM BEACH FARMS CO. PLAT NO. 1, PB 2-26, Section 18, Township 46 South, Range 42 East
 Location: 14190 and 14470 Smith Sundry Road, Boynton Beach, Palm Beach County

RELEASE OF DISTRICT CANAL, ROAD AND MINERAL RESERVATIONS:

File No.: 18588
 Applicant: Kenia R. Alfonso and Jorge R. Alfonso, husband and wife
 Reserving Deed: E-4154 (DB 734-261, 11/1/1945)
 Acres: 0.92 acres, more or less
 Legal Description: Portion of Tract 4, Block 13, THE PALM BEACH FARMS CO. PLAT NO. 3, PB 2-45, LESS any portion thereof located within 30.0 feet South of the centerline of Wilson Road, Section 3, Township 44 South, Range 42 East
 Location: 6656 Wilson Road, West Palm Beach, Palm Beach County

ISSUANCE OF NON-USE COMMITMENTS:

File No.: NUC 1639
 Applicant: Marietta Emily Schiltz, a/k/a Rita Mary Schiltz, a/k/a Rita Emily Schiltz
 Reserving Deed: E-5331 (DB 773-249, 7/5/1946)
 Acres: 9.45 acres, more or less
 Legal Description: Portion of Tracts 75, 76 and 77, Block 45, THE PALM BEACH FARMS CO. PLAT NO. 3, PB 2-45, Section 18, Township 45 South, Range 42 East
 Location: 87th Place South East of State Road 7, Palm Beach County

File No.: NUC 1647
 Applicant: Carter Botanicals, Inc., a Florida corporation
 Reserving Deeds: E-3392 (DB 724-589, 3/31/1926) and E-3877 (DB 739-34, 7/14/1945)
 Acres: 17.89 acres, more or less
 Legal Description: Tract 25 and a portion of Tracts 57 through 59, THE PALM BEACH FARMS CO. PLAT NO. 1, PB 2-26, Section 18, Township 46 South, Range 42 East
 Location: 14190 and 14470 Smith Sundry Road, Boynton Beach, Palm Beach County

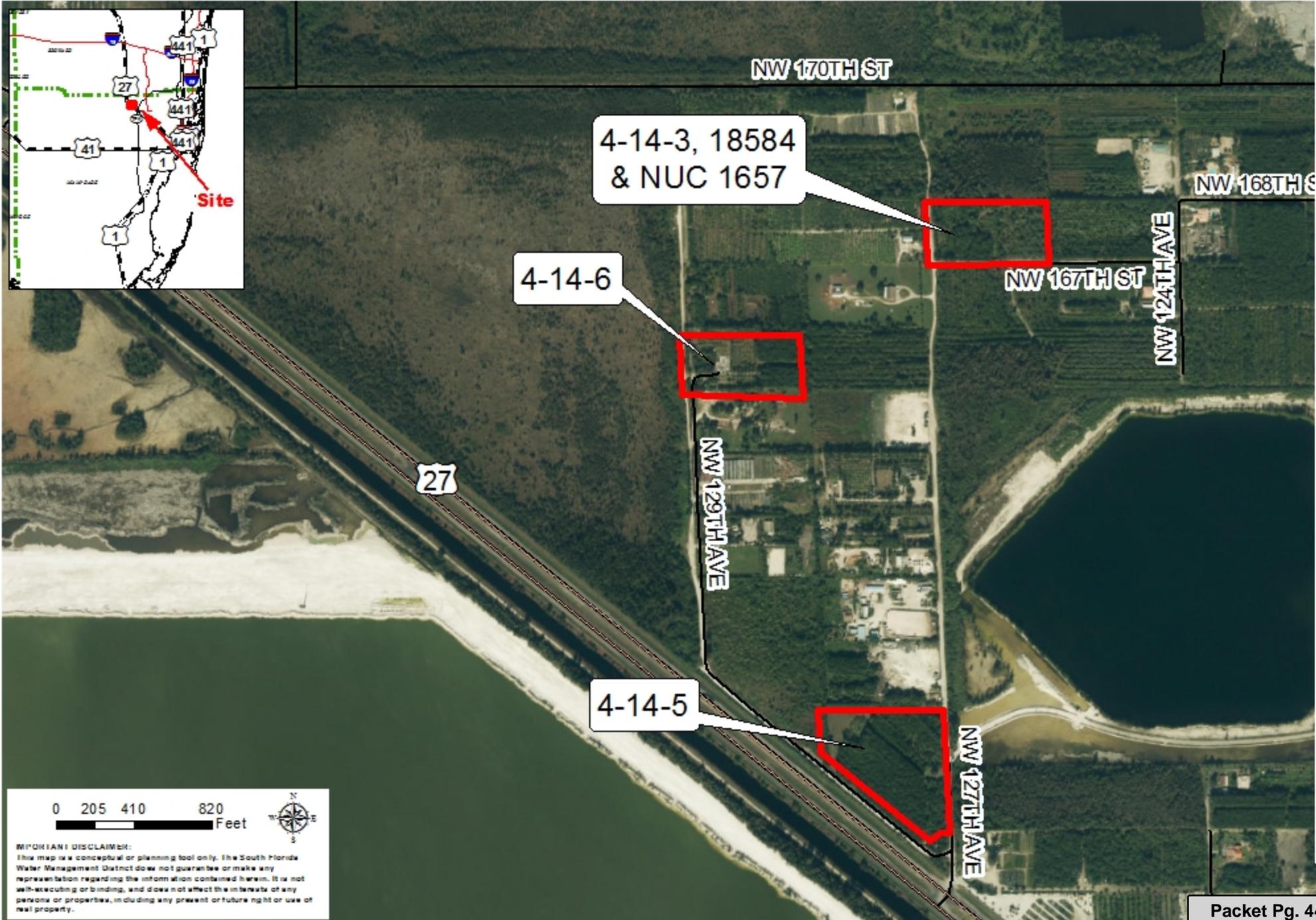
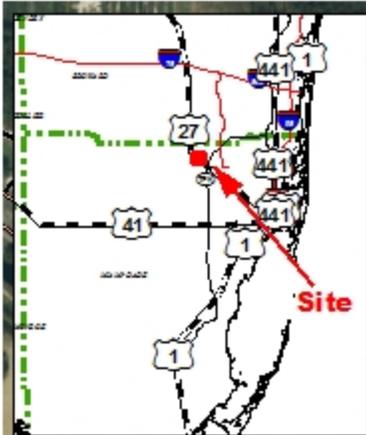
File No.: NUC 1649
 Applicant: Woodwind 2007, LLC, a Florida limited liability company
 Reserving Deed: E-5657 (DB 779-539, 9/5/1946)
 Acres: 33.53 acres, more or less
 Legal Description: Parcel A and Tracts L, L-1, L-2, R and W, WOODWIND P.U.D., PB 114-64, Section 31, Township 44 South, Range 42 East
 Location: 9855 Herons Nest Court, Lake Worth, Palm Beach County

File No.: NUC 1651
 Applicant: Arquimedes Rafi, a/k/a Arquimedes Rafi, Jr., and Isely Amila Rafi, a/k/a Isel Yamila Rafi, as joint tenants with right of survivorship
 Reserving Deed: E-7028, (DB 3383-511, 12/22/1950)
 Acres: 4.73 acres, more or less

Legal Description: Portion of Tract 30, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION,
PB 2-17, Section 13, Township 52 South, Range 39 East
Location: NW 127th Avenue and NW 168th Street, Miami, Miami-Dade County

Attachment: ca_om_200_Resolution_Exhibit A (Resolution No. 2014 - 0601 : Release of Reservations)

Release of Reservations Miami-Dade County



0 205 410 820 Feet

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Attachment: GB_Jun14_4-14-3_4-14-5and4-14-6 (Resolution No. 2014 - 0601 : Release of Reservations)

For copies of this map: \\arc_data\maps\ReleaseOfReservations\GB_Jun14_4-14-3_4-14-5and4-14-6.mxd, created by af, Contact the Real Estate Section.

MEMORANDUM

TO: Governing Board Members
FROM: Karen Estock, Division Director
DATE: June 12, 2014
SUBJECT: Release of interest to Miami-Dade County

Summary

Miami-Dade County, the underlying fee title owner, has requested that the District issue a Quitclaim Deed for certain lands located adjacent to the C-103 right of way in Section 36, Township 56 South, Range 38 East, containing 0.22 acres, more or less. The deed is requested by the county to clarify in the public records that the District has no interest in the property.

Staff Recommendation

A Resolution of the Governing Board of the South Florida Water Management District approving the issuance of a Quitclaim Deed to Miami-Dade County regarding a parcel adjacent to the C-103 right of way containing 0.22 acres, more or less, in Section 36, Township 56 South, Range 38 East, Miami-Dade County; providing an effective date.

Additional Background

Miami-Dade County has received an offer to purchase the property from the adjacent owner to the East, and desires to sell the property and return it to the tax rolls.

Core Mission and Strategic Priorities

Pursuant to Section 373.056 of the Florida Statutes, the Governing Board of the District may 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.

Funding Source

None

Staff Contact

Marcy A. Zehnder, ext. 6694

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0602

A Resolution of the Governing Board of the South Florida Water Management District approving the issuance of a Quitclaim Deed to Miami-Dade County regarding a parcel adjacent to the C-103 right of way containing 0.22 acres, more or less, in Section 36, Township 56 South, Range 38 East, Miami-Dade County; providing an effective date.

WHEREAS, at the request of Miami-Dade County, the underlying fee title owner, the District is agreeable to clarifying that the District does not claim any interest in a parcel of land containing 0.22 acres, more or less, adjacent to the C-103 right of way in Section 36, Township 56 South, Range 38 East, Miami-Dade County; and

WHEREAS, the County has received an offer to purchase the property from the adjacent owner to the East, and desires to sell the property and return it to the tax rolls; and

WHEREAS, the District has no interest in the property and is agreeable to issuing a Quitclaim Deed to the County to clarify that the District does not consider the parcel to be part of the C-103 right of way; 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.

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 issuing a Quitclaim Deed to Miami-Dade County for a parcel of land adjacent to the C-103 right of way in Section 36, Township 56 South, Range 38 East, Miami-Dade County.

Section 2. The Governing Board of the South Florida Water Management District hereby authorizes the Chairman to execute the Quitclaim Deed.

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

PASSED and ADOPTED this 12th day of June, 2014.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

Chairman

Attest:

Legal form approved:

By:

Office of Counsel

District Clerk/Secretary

Print name:

Quitclaim Deed to Miami-Dade County



Attachment: ca_om_208_Zehnder_map_GB_Apr14_QCtoMDC (Resolution No. 2014 - 0602 : Release of

For copies of this map: G:\as_gplanc_data\map\mac\GB_Apr14_QCtoMDC.mxd, created on 4/16/2014 by af. Contact the Real Estate Section.

MEMORANDUM

TO: Governing Board Members

FROM: Karen Estock, Division Director

DATE: June 12, 2014

SUBJECT: Approval of a Release of a Portion of a Canal Esmt to the Trustees of the Int. Improv. Trust Fund

Summary

Staff recommends approval of a release of a portion of a canal right of way easement located in several Sections in Township 50 South, Range 40 and 41 East, between I-75 East to State Road 7, Broward County, Florida. The release is required pursuant to District Right of Way Occupancy Permit No. 13383, issued for corridor improvements between I-75 East to State Road 7 consisting of canal improvements with dredging, bulkhead, revetments, sound walls, ramp bridges, culverts and other associated appurtenances within the North and South right of ways of the North New River Canal.

Staff Recommendation

A Resolution of the Governing Board of the South Florida Water Management District approving the release of a portion of a canal easement encumbering 23.192 acres, more or less, located in several Sections of Township 50 South, Range 40 and 41 East, Broward County, North New River Canal Project, to the Trustees of the Internal Improvement Trust Fund at no cost to the applicant; providing an effective date.

Core Mission and Strategic Priorities

Pursuant to Section 373.096 of the Florida Statutes, the Governing Board of the District may release any easement, reservation, or right of way interest for which it has no present or apparent use under terms and conditions determined by the Board. Furthermore, pursuant to Section 373.056(4), Florida Statutes, the Governing Board has the authority to convey to any governmental entity land, or rights in land, owned by the District not required for its purposes, subject to terms and conditions approved by the Governing Board.

Funding Source

The easement was acquired at no cost in September, 1944. Staff recommends that the application fee be waived, and the easement be partially released to the TIITF at no cost as this release was required under a Right of Way permit condition. FDOT will pay all costs and fees associated with the release

Staff Contact and/or Presenter

Kathy Massey, ext. 6835

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0603

A Resolution of the Governing Board of the South Florida Water Management District to approve the release of a portion of a canal easement encumbering 23.192 acres, more or less, located in several Sections in Township 50 South, Range 40 and 41 East, Broward County, North New River Canal Project to the Trustees of the Internal Improvement Trust Fund at no cost; providing an effective date.

WHEREAS, pursuant to a request from the applicant, Florida Department of Transportation, the District has determined that it is in the public interest to release a portion of a canal easement to the Trustees of the Internal Improvement Trust Fund encumbering 23.192 acres, more or less, located in several Sections in Township 50 South, Range 40 and 41 East, Broward County, North New River Project; and

WHEREAS, the partial release of the canal easement is required pursuant to District Right of Way Occupancy Permit No. 13383, issued for corridor improvements between I-75 East to State Road 7 consisting of canal improvements with dredging, bulkhead, revetments, sound walls, ramp bridges, culverts and other associated appurtenances within the North and South right of ways of the North New River Canal; and

WHEREAS, the Governing Board has determined that the 23.192 +/- acre portion of the canal easement is not required by the District for present or future use; and

WHEREAS, the Governing Board, pursuant to Section 373.096, Florida Statutes, may release any easement, reservation, or right of way interest for which it has no present or apparent use under terms and conditions determined by the Board; and

WHEREAS, the Governing Board, pursuant to Section 373.056(4), 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 approved by the Governing Board; and

WHEREAS, the applicant has requested that the District waive the application fee and that the release be granted at no cost as this release is required under a Right of Way Permit condition; and

WHEREAS, the applicant will pay all fees and costs associated with the release of the easement.

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 a portion of a canal easement encumbering 23.192 acres, more or less, located in several Sections of Township 50 South, Range 40 and 41 East, Broward County, North New River Canal project, to the Trustees of the Internal Improvement Trust Fund at no cost to the applicant and approves a waiver of the application fee.

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 12th day of June, 2014.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

Chairman

Attest:

Legal form approved:

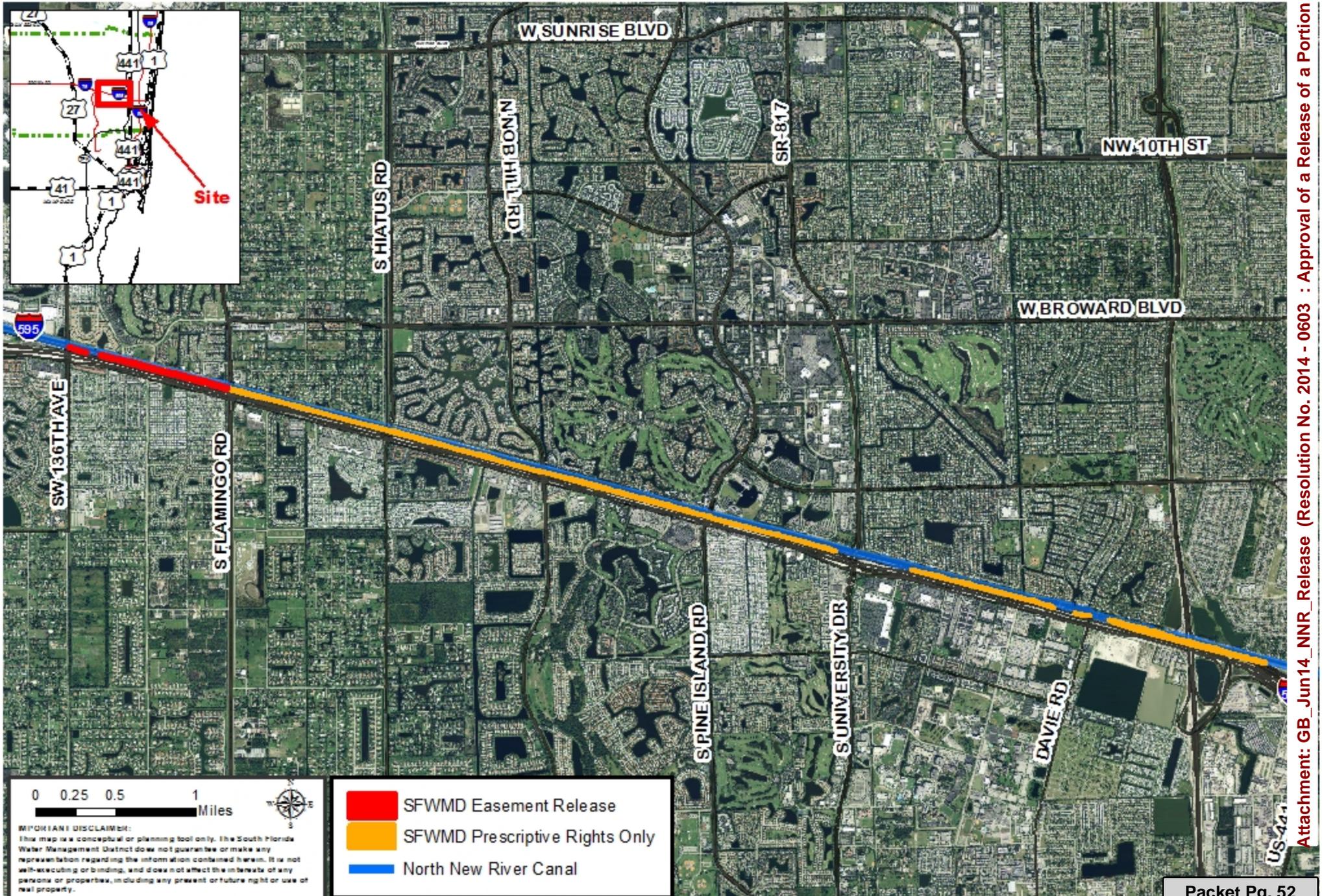
By:

District Clerk/Secretary

Office of Counsel

Print name:

North New River Canal Broward County



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- SFWMD Easement Release
- SFWMD Prescriptive Rights Only
- North New River Canal

For copies of this map: C:\Users\frank\Documents\Service Requests\Kathy\GB_Jun14_NNR_Release.mxd, created by st. Contact the Real Estate Section.

MEMORANDUM

TO: Governing Board Members

FROM: Karen Estock, Division Director

DATE: June 12, 2014

SUBJECT: Approve amending an existing easement from the Board of Trustees of the Inter. Impr. Trust Fund

Summary

For purposes of the C-4 Emergency Detention Basin Project (the "Project"), the District acquired an easement (the "Easement") from the Board of Trustees of the Internal Improvement Trust Fund of Florida ("TIITF") with respect to the real property (the "Premises"), as shown on the location map attached hereto and made a part hereof as Exhibit "A". The Easement contemplated that the Premises would be leased for private mining purposes and included rights of the TIITF as the owner, under certain circumstances, to dictate the District's use of the Premises for the Project and to terminate the District's easement rights. Since the TIITF is considering the proposed conveyance of the Premises to a private mining entity, to assure the continued use of the easement in connection with the operation of the Project, the TIITF and the District will enter into an amendment to the Easement (the "Amendment") to remove the termination rights and to alter the provisions that may adversely affect the District's easement rights in connection with the owner's use of the Premises.

Staff Recommendation

Staff recommends approval of the amendment.

Core Mission and Strategic Priorities

The C-4 Emergency Detention Basin Project provides emergency water storage during heavy rainfall periods allowing slow releases to the C-4 canal and therefore providing flood protection for residential communities in the vicinity of the C-4 canal.

Funding Source

There are no District costs associated with this item.

Staff Contact and/or Presenter

Ray Palmer, rpalmer@sfwmd.gov <<mailto:rpalmer@sfwmd.gov>>, 561-682-2246

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0604

A Resolution of the Governing Board of the South Florida Water Management District, authorizing an amendment to an existing easement from the Board of Trustees of the Internal Improvement Trust Fund of Florida in favor of the District for 496.90 acres, more or less, in connection with the C-4 Emergency Detention Basin Project; providing an effective date.

WHEREAS, for purposes of the C-4 Emergency Detention Basin Project (the "Project"), the District acquired an easement (the "Easement") from the Board of Trustees of the Internal Improvement Trust Fund of Florida ("TIITF") with respect to the real property (the "Premises"), as shown on the location map attached hereto and made a part hereof as Exhibit "A"; and

WHEREAS, the Easement contemplated that the Premises would be leased for private mining purposes and included rights of the TIITF as the owner, under certain circumstances, to dictate the District's use of the Premises for the Project and to terminate the District's easement rights; and

WHEREAS, the TIITF is considering the proposed conveyance of the Premises to a private mining entity; and

WHEREAS, to assure the continued use of the easement in connection with the operation of the Project, the TIITF and the District desire to enter into an amendment to the Easement (the "Amendment") to remove the termination rights and to alter the provisions that may adversely affect the District's easement rights in connection with the owner's use of the Premises.

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 authorizes the Amendment to the Easement removing the termination rights and altering the provisions that may adversely affect the District's easement rights in connection with the owner's use of the Premises.

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

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

PASSED and ADOPTED this 12th day of June, 2014.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

Chairman

Attest:

District Clerk/Secretary

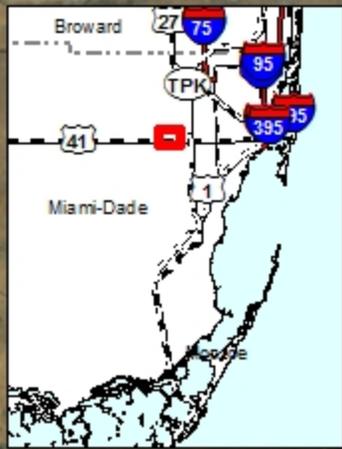
Legal form approved:

By:

Office of Counsel

Print name:

C-4 Emergency Detention Basin Project

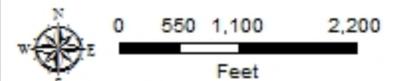


W9311-514

NW 137TH AVE

C-4 Canal

90 41



- SFWMD Fee**
- SFWMD Easement**
- Other Public Lands**

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Attachment: GB_Jun14_W9311514 (Resolution No. 2014 - 0604 : Approve amending an existing

M E M O R A N D U M

TO: Governing Board Members

FROM: Temperince Morgan,

DATE: June 12, 2014

SUBJECT: Amendment to Intergovernmental Agreement for the CISRERP

Summary

The Water Resources Development Act of 2000 requires that the Secretary of the Army, the Secretary of the Interior and the Governor establish an independent scientific review panel to: 1) review the progress made through implementation of the Comprehensive Everglades Restoration Plan (CERP) toward achieving the natural system restoration goals of CERP; and 2) submit a biennial report to Congress on their findings. The Programmatic Regulations required that no later than June 14, 2004, the Department of the Army, Department of Interior and the State enter into a five-year agreement with the National Academy of Sciences (NAS) to convene the review panel. The Programmatic Regulations also required that the State's 50% cost-share be accounted for in the CERP Design Agreement between the SFWMD and the Army.

This proposed Amendment to the Intergovernmental Agreement would extend the Agreement for another five years to June 14, 2019. The final not-to-exceed budget for the five-year extension covered by Amendment No. 2 is \$1,925,000 where the District's 50% cost-share total is \$962,500 for the five year period.

Staff Recommendation

Staff recommends that the Governing Board consent to Amendment No. 2 to the Intergovernmental Agreement between the State of Florida, the U.S. Department of the Army and the U.S. Department of the Interior to continue funding an independent scientific panel to review restoration progress made through implementation of CERP.

Additional Background

The State of Florida, Department of the Army and Department of Interior entered into an Intergovernmental Agreement on June 14, 2004. Pursuant to a delegation of signature authority provided by the Secretary of Florida Department of Environmental Protection in a letter dated June 9, 2004, the Executive Director of the SFWMD signed on behalf of the State of Florida. In 2009, the Secretary of the Florida Department of Environmental Protection signed the second five year agreement on behalf of the State of Florida. Subsequent to execution of the three-party Intergovernmental Agreements, the Army entered into cooperative agreements with the NAS to establish and convene the Committee on Independent Scientific Review of Everglades Restoration Progress (Panel). The Panel held two to four meetings per year to review information related to CERP Progress and submitted biennial reports to Congress in 2006, 2008, 2010 and 2012.

While the SFWMD is not a party to this Agreement, the Governing Board's consent is requested so that the SFWMD can provide the State's 50% cost-share under the CERP Design Agreement. At this time, the financial obligation of the District under the Design Agreement

remains the same, namely, that the District is responsible for its 50% cost-share of the total design costs to be incurred under the Design Agreement.

Core Mission and Strategic Priorities

Implementation of CERP is critical to meeting all elements of the SFWMD's mission. Execution of this Agreement is necessary under WRDA 2000.

Funding Source

The Army and Department of the Interior will pay the NAS's costs for the review panel at a not-to-exceed cost of \$1,925,000 over five years. SFWMD will provide the State's 50% cost-share through in-kind services and contractual expenditures for design activities under the CERP Design Agreement. The funding source for the SFWMD's design costs will be ad valorem and Save Our Everglades Trust Fund.

Staff Contact and/or Presenter

Temperince Morgan, Director, Office of Everglades Policy and Coordination
[561-682-6987](tel:561-682-6987) / tmorgan@sfwmd.gov

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0605

A Resolution of the Governing Board of the South Florida Water Management District consenting to Amendment No. 2 to an Intergovernmental Agreement between the State of Florida, the U.S. Department of the Army and the U.S. Department of the Interior for establishing and funding an Independent Scientific Review Panel to review progress made through implementation of the Comprehensive Everglades Restoration Plan, which consent shall authorize the District to provide the State's 50% cost-share required by the Intergovernmental Agreement through the CERP Design Agreement dated May 12, 2000; providing an effective date.

WHEREAS, through enactment of Section 601 of the Water Resources Development Act of 2000 (WRDA 2000), Congress approved the Comprehensive Everglades Restoration Plan (CERP) as a framework for Everglades Restoration and authorized the Army Corps to provide 50% cost-share in the implementation of an initial set of projects; and

WHEREAS, Section 601(j) of the WRDA 2000 requires that the Secretary of the Army, the Secretary of the Interior and the Governor of Florida (Parties) establish an independent scientific review panel (Panel) to be convened by a body such as the National Academy of Sciences (NAS) to review the progress of CERP in achieving its natural system restoration goals; and

WHEREAS, in accordance with Section 385.22(3) of the Programmatic Regulations for the CERP (33 CFR Part 385) on June 14, 2004, the Secretary of the Army, Secretary of the Interior and the Governor entered into a five-year agreement with the NAS to convene the Panel; and

WHEREAS, the Parties amended the Intergovernmental Agreement on June 14, 2009, by extending the Agreement for a five-year period to June 14, 2014; and

WHEREAS the Parties propose to enter into Amendment No. 2 to the Intergovernmental Agreement to extend the Agreement by five years, through June 14, 2019; and

WHEREAS, pursuant to the terms of the amended Intergovernmental Agreement, the Panel's mission is to (1) review the progress made through implementation of CERP in achieving its natural system restoration goals and (2) submit a biennial report to Congress on their findings; and

WHEREAS, the South Florida Water Management District is not a party to the Intergovernmental Agreement, however, the Governing Board's consent to the Agreement is required so that SFWMD can provide the State's 50% cost-share for the

Panel under the CERP Design Agreement dated May 12, 2000 (SFWMD Reference C - 11809).

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 consents to Amendment No. 2 to the Intergovernmental Agreement between the State of Florida, the United States Department of the Army and the United States Department of the Interior for establishing an independent scientific panel to review progress made through implementation of the Comprehensive Everglades Restoration Plan. The State of Florida's 50% share for the costs of the Panel shall be accounted for in the CERP Design Agreement between the South Florida Water Management District and the Army Corps.

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

PASSED and ADOPTED this 12th day of June, 2014.

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

Chairman

Attest:

Legal form approved:
By:

District Clerk/Secretary

Office of Counsel

Print name:

M E M O R A N D U M

TO: Governing Board Members

FROM: Carolyn S. Ansay, General Counsel

DATE: June 12, 2014

SUBJECT: July 1, 2014 Annual Regulatory Plan

Summary

Section 120.74(3), Florida Statutes, requires each agency, beginning in 2012, and no later than July 1 of each year, to file with the President of the Senate, the Speaker of the House of Representatives, and the Joint Administrative Procedures Committee a regulatory plan identifying and describing each rule the agency proposes to adopt for the 12-month period beginning on the July 1 reporting date and ending on the subsequent June 30, excluding emergency rules. The Governor's Executive Order 11-211 requires each agency serving under the pleasure of the Governor to submit to the Office of Fiscal Accountability and Regulatory Reform (OFARR) by July 1 of each year, an annual regulatory plan that identifies and describes each rule the agency expects to begin promulgating during the next twelve-month period. OFARR has provided all agencies with a detailed form that, when completed, constitutes the agency's regulatory plan.

Staff Recommendation

A Resolution of the Governing Board of the South Florida Water Management District approving the July 1, 2014 Annual Regulatory Plan, and authorizing staff to submit the July 1, 2014 Annual Regulatory Plan to the OFARR, in accordance with Executive Order 11-211, and to the Speaker of the House, President of the Senate, and Joint Administrative Procedures Committee, in accordance with Section 120.74(3), F.S., effective immediately.

Background

The Governor's Executive Order 11-211 also requires each agency serving under the pleasure of the Governor to submit to OFARR by July 1, 2013, and each successive year, an annual review of existing rules and regulations, along with recommendations as to whether any rules and regulations should be modified or eliminated. The July 1, 2014 Annual Regulatory Plan is based on District staff's review of existing rules and regulations, and consists of the following possible rulemaking efforts:

- 1) Registration for lobbyists;
- 2) Right of Way Permit Fee Rule;
- 3) C-51 Basin Rule;
- 4) Environmental Resource Permitting Applicant's Handbook Volume II updates;
- 5) Incorporation of Broward County Conservation Easements;
- 6) Consumptive Use Permitting Consistency Rules;
- 7) Consumptive Use Permitting "Glitch" rule;
- 8) Rulemaking associated with the potential Central Florida Water Initiative;
- 9) Water reservation rules associated with the Comprehensive Everglades Restoration Plan for the Caloosahatchee River (C-43) West Basin Storage Reservoir;
- 10) Modification to existing water reservation rules for Picayune Strand, Fakahatchee Estuary, North Fork of the St. Lucie River, and Nearshore Central Biscayne Bay;

- 11) New water reservation rules for Kissimmee Basin waterbodies;
- 12) Incorporation of amended rules of the Florida Department of Environmental Protection regarding storm sewer systems, reclaimed water supplementation, water well contractor licensing requirements, and new potable water well permitting in delineated areas, and adopting a new rule for multiple wells under a single permit;
- 13) Northern Everglades Program (includes Lake Okeechobee, St. Lucie River, and Caloosahatchee River Watersheds) Works of the District rules;
- 14) Everglades Program (includes Southern Everglades) Works of the District rules;

Core Mission and Strategic Priorities

The July 1, 2014 Annual Regulatory Plan helps the District's 10-Year Strategic Plan by providing a detailed list of topics and anticipated effect of rule development efforts. Additionally, the July 1, 2014 Annual Regulatory Plan complies with statutory and Executive Order requirements. Rulemaking will be conducted by District staff from Environmental Resource Permitting, Consumptive Use Permitting, Everglades Regulation, Board & Executive Services, and Right of Way, in coordination with Office of Counsel.

Funding Source

Staff time will be used to implement the July 1, 2014 Regulatory Plan. Ad valorem funds may be used to prepare the economic impact analysis that may be required for certain rules.

If you have any questions, please call Doug MacLaughlin, Practice Leader, Office of Counsel at ext. 2153.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0606

A Resolution of the Governing Board of the South Florida Water Management District approving the July 1, 2014 Regulatory Plan attached as Appendix A, and authorizing staff to submit to the Office of Fiscal Accountability and Regulatory Reform, in accordance with Executive Order 11-211, and to the Speaker of the House, President of the Senate and Joint Administrative Procedures Committee, in accordance with Section 120.74(3), Florida Statutes, effective immediately.

WHEREAS, Section 120.74(3), Florida Statutes, requires each agency, beginning in 2012, and no later than July 1 of each year, to file with the President of the Senate, the Speaker of the House of Representatives, and the Joint Administrative Procedures Committee a regulatory plan identifying and describing each rule the agency proposes to adopt for the 12-month period beginning on the July 1 reporting date and ending on the subsequent June 30, excluding emergency rules;

WHEREAS, the Governor's Executive Order 11-211 requires each agency serving under the pleasure of the Governor to submit to the Office of Fiscal Accountability and Regulatory Reform (OFARR) by July 1, 2012, and each successive year, an annual regulatory plan that identifies and describes each rule the agency expects to begin promulgating during the next twelve-month period;

WHEREAS, the Governor's Executive Order 11-211 also requires each agency serving under the pleasure of the Governor to submit to OFARR by July 1, 2013, and each successive year, an annual review of existing rules and regulations, along with recommendations as to whether any rules and regulations should be modified or eliminated;

WHEREAS, OFARR has provided a detailed form that, when completed, constitutes the agency's regulatory plan;

WHEREAS, the July 1, 2014 Annual Regulatory Plan is based on District staff's annual review of existing rules and regulations, and consists of the following possible rulemaking efforts: 1) Registration for lobbyists; 2) Right of Way Permit Fee Rule; 3) C-51 Basin Rule; 4) Environmental Resource Permitting Applicant's Handbook Volume II updates; 5) Incorporation of Broward County Conservation Easements; 6) Consumptive Use Permitting Consistency Rules; 7) Consumptive Use Permitting "Glitch" rule; 8) Rulemaking associated with the potential Central Florida Water Initiative; 9) Water reservation rules associated with the Comprehensive Everglades Restoration Plan for the Caloosahatchee River (C-43) West Basin Storage Reservoir; 10) Modification to existing water reservation rules for Picayune Strand, Fakahatchee Estuary, North Fork of the St. Lucie River, and Nearshore Central Biscayne Bay; 11) New water reservation rule for Kissimmee Basin waterbodies; 12) Incorporation of amended rules of the Florida

Department of Environmental Protection regarding storm sewer systems, reclaimed water supplementation, water well contractor licensing requirements, and new potable water well permitting in delineated areas, and adopting a new rule for multiple wells under a single permit; 13) Northern Everglades Program (includes Lake Okeechobee, St. Lucie River, and Caloosahatchee River Watersheds) Works of the District rules; and 14) Everglades Program (includes Southern Everglades) Works of the District rules;

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 July 1, 2014 Regulatory Plan attached hereto as Appendix A.

Section 2. The Governing Board of the South Florida Water Management District authorizes District staff to submit the July 1, 2014 Regulatory Plan to the OFARR, the Speaker of the House, the President of the Senate, and the Joint Administrative Procedures Committee.

Section 3. This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 12th day of June, 2014.

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

Chairman

Attest:

Legal form approved:
By:

District Clerk/Secretary

Office of Counsel

Print name:

**South Florida Water Management District
2013-2014 Annual Regulatory Plan**

Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-1.021	Definitions	Rule Amendment	Update Rule		defines terms used throughout this chapter	update rule references	None	No
40E-1.602	Permits Required	Rule Amendment	Update Rule		sets forth activities which require a permit under the District's consumptive use permitting program	update rule references	None	No
40E-1.603	Application Procedures for Processing Permit Applications or Notices of Intent	Rule Amendment	Update Rule	to develop consistency among water management districts regarding consumptive use permitting	sets forth the procedures for processing consumptive use permitting applications or Notices of Intent	clarify when agency action shall occur for specific types of permit applications and the process for projects that do not qualify for noticed general water use permits	SERC	Yes
40E-1.6065	Consideration of Intended Agency Decision on Permit Applications	Rule Amendment	Update Rule	to develop consistency among water management districts regarding consumptive use permitting	specifies the types of permit applications and recommendations considered by the Governing Board	clarify the types of permits and recommendations to be considered by the Governing Board	None	No
40E-1.607	Permit Application Processing Fees	Rule Amendment	Update Rule	to develop consistency among water management districts regarding consumptive use permitting	sets forth the fees associated with processing water use permit applications	make fee table easier to read, conform permit types to those proposed in Rule 40E-2.071, F.A.C., and incentivize the online submission of applications for noticed general permits by reducing the application fee.	SERC	No
40E-1.6107	Transfer of Environmental Resource, Surface Water Management, Water Use, or Wetland Resource Permit	Rule Amendment	Update Rule		sets forth the procedures for transferring certain types of permits	update rule references	None	No
40E-1.615	Coordinated Agency Review Procedures for the Florida Keys Area of Critical State Concern	Rule Amendment	Update Rule		protects the resources for the Florida Keys Area of Critical State Concern	update rule references	None	No

**South Florida Water Management District
2013-2014 Annual Regulatory Plan**

Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-1.659	Forms and Instructions	Rule Amendment	Update Rule	to develop consistency among water management districts regarding consumptive use permitting	listing of rules incorporated by reference including rule number where incorporated	add new water use forms and delete obsolete forms	None	No
40E-1.659	Forms and Instructions	Rule Amendment	Update Rule	to be consistent with statewide environmental resource permitting or delegation to local governments	listing of rules incorporated by reference including rule number where incorporated	add Broward County Conservation Easement forms	None	No
40E-1.800	Lobbying before Water Management Districts; Registration and Reporting	New Rule	Non-mandatory Statutory Change	amendments to 112.3215, F.S. provide that water management districts may adopt rules to establish procedures to govern registration of Lobbyists	Requirement for registering as a Lobbyist with the Water Management Districts		SERC	No
40E-2.011	Policy and Purpose	Rule Amendment	Update Rule		sets forth the purpose of consumptive use permitting program	update rule references	None	No
40E-2.041	Permits Required	Rule Amendment	Update Rule	to develop consistency among water management districts regarding consumptive use permitting	sets forth the activities that require a consumptive use permit	require a single noticed general permit be obtained for contiguous areas unless served by separate withdrawal facilities	SERC	Yes

Attachment: 2014-2015 Regulatory Plan (Resolution No. 2014 - 0606 : July 1, 2014 Annual Regulatory

**South Florida Water Management District
2013-2014 Annual Regulatory Plan**

Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-2.061	General Permits by Rule	Rule Amendment	Update Rule	to develop consistency among water management districts regarding consumptive use permitting	sets forth the activities that qualify for a general permit by rule	a general permit by rule will be granted for the use of water for cooling/heating systems, a use that currently requires a permit; expanding the general permit by rule for shortterm dewatering to one year; moving rule text from Chapter 40E-20; amending references to Applicant's Handbook	SERC	Yes
40E-2.071	Noticed General Permits and Individual Permits	Rule Amendment	Update Rule	to develop consistency among water management districts regarding consumptive use permitting	specifies those criteria under which an applicant must apply for an individual permit when withdrawing from C-23, C-24 or C-25 Canals	add wording to match language in Applicant's Handbook 3.2.1.B	SERC	Yes
40E-2.091	Publications Incorporated by Reference	Rule Amendment	Update/Add Material Incorporated by Reference	to establish water reservations for protection of fish and wildlife	Incorporates the Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District and several water use forms	establish criteria for water reservation in the Kissimmee Basin	SERC	Yes
40E-2.091	Publications Incorporated by Reference	Rule Amendment	Update Rule	to develop consistency among water management districts regarding consumptive use permitting	Incorporates the Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District and several water use forms	rename and reorganize Applicant's Handbook for Water Use Permit Applications	SERC	Yes
40E-2.091	Publications Incorporated by Reference	Rule Amendment	Update Rule	statutory requirement to incorporate amendments to other agency rules	Incorporates the Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District and several water use forms	incorporate amended 62-40.210 and 62-40.416, F.A.C.	SERC	No

Attachment: 2014-2015 Regulatory Plan (Resolution No. 2014 - 0606 : July 1, 2014 Annual Regulatory

**South Florida Water Management District
2013-2014 Annual Regulatory Plan**

Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-2.091	Publications Incorporated by Reference	Rule Amendment	Update Rule	rulemaking associated with the potential Central Florida Water Initiative to achieve greater statewide consistency among the water management districts	Incorporates the Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District and several water use forms	potentially address Central Florida Water Initiative issues	SERC	Yes
40E-2.091	Publications Incorporated by Reference	Rule Amendment	Update Rule	to promote use of reclaimed water	Incorporates the Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District and several water use forms	to add a supplementation program	SERC	Yes
40E-2.091	Publications Incorporated by Reference	Rule Amendment	Update Rule		Incorporates the Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District and several water use forms	:"glitch" amendments to remove unused definitions, correct rule references, errors/omissions in limiting condition language	None	No
40E-2.101	Content of Application	Rule Amendment	Update Rule	to develop consistency among water management districts regarding consumptive use permitting	informs applicants what information must be submitted as part of an application for consumptive use permit	replace references to old forms with new ones that are consistent among the five water management districts	None	No
40E-2.301	Conditions for Issuance of Permits	Rule Amendment	Update Rule	to develop consistency among water management districts regarding consumptive use permitting	sets forth conditions that must be met in order to obtain a consumptive use permit	to incorporate provisions from Rule 40E-20.301, F.A.C., conform to the Water Resource Implementation Rule on Minimum Flows and Levels, and update reference from Basis of Review to Applicant's Handbook	SERC	Yes
40E-2.321	Duration of Permits	Rule Amendment	Update Rule		sets forth the durations of consumptive use permits	change reference from Basis of Review to Applicant's Handbook	None	No

**South Florida Water Management District
2013-2014 Annual Regulatory Plan**

Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-2.331	Modification of Permits	Rule Amendment	Update Rule	to develop consistency among water management districts regarding consumptive use permitting	sets forth the process for modifying consumptive use permits	allow modifications by letter for certain activities and facilitate implementation of the recent amendments to Section 373.236(5), FS.	SERC	Yes
40E-2.381	Permit Conditions	Rule Amendment	Update Rule	to develop consistency among water management districts regarding consumptive use permitting	describes the limiting conditions the District may place on consumptive use permits in order to ensure the applicants are able to meet the conditions for permit issuance for the duration of the permit	amend to be consistent with 373.216, 373.219, 373.042, and 373.0421, F.S.	None	No
40E-3.011	Policy and Purpose	Rule Amendment	Update Rule		explains policies and purpose of water well permitting program	delete reference to repealed rule chapter	None	No
40E-3.021	Definitions	Rule Amendment	Update Rule		defines terms used throughout this chapter	delete reference to repealed rule chapter	None	No
40E-3.036	Rules and Publications Incorporated by Reference	Rule Amendment	Update/Add Material Incorporated by Reference	statutory requirement to incorporate amendments to other agency rules	incorporates Rules and Publications of DEP	incorporate amendments to procedure manuals, Chapters 62-524, 62-531 and 62-532, F.A.C.	SERC	No
40E-3.038	Violations of Contractor Licensing and Well Construction Requirements	Rule Amendment	Update Rule		references the statutes for violations of contractor licensing requirements	update contact information, add rule reference and modify rule title	None	No
40E-3.040	Scope of Part I	Rule Amendment	Update Rule	to develop consistency among water management districts regarding consumptive use permitting	informs regulated public of the scope of the rules and advises that additional programs may have a bearing on their application	delete reference to repealed rule chapter	None	No
40E-3.042	Multiple Wells Under a Single Permit	New Rule	Other	reduce regulatory burdens	allows multiple monitor wells under one permit with one fee and allow multiple well abandonments under one permit	consistent with 40C-3.042, F.A.C.; allows for multiple wells under one permit and one fee		No

**South Florida Water Management District
2013-2014 Annual Regulatory Plan**

Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-3.051	Exemptions	Rule Amendment	Update Rule		sets forth activities that do not require a permit	correct references to rules and subsections	None	No
40E-3.301	Conditions for Issuance of Permits	Rule Amendment	Update Rule		describes conditions under which a permit will be granted and advises applicants and permittees that the District will impose reasonable conditions on the permit to prevent harm to the water resources	delete reference to repealed rules	None	No
40E-3.451	Emergency Authorization	Rule Amendment	Update Rule		explains emergency authorizations that will be issued	change reference from Basis of Review to Applicant's Handbook	None	No
40E-3.502	Construction Methods	Rule Amendment	Update Rule		sets forth construction methods and standards to all construction, repair or abandonment of wells	correct rule references	None	No
40E-3.517	Grouting and Sealing	Rule Amendment	Update Rule		sets forth requirements for grouting and sealing	correct rule references	None	No
40E-4.091	Publications, Rules and Interagency Agreements Incorporated by Reference	Rule Amendment	Update/Add Material Incorporated by Reference	to be consistent with statewide environmental resource permitting or delegation to local governments	Incorporates publications, rules and interagency agreements utilized in the environmental resource permitting process	incorporate Broward County Conservation Easement forms	None	No
40E-4.091	Publications, Rules and Interagency Agreements Incorporated by Reference	Rule Amendment	Update/Add Material Incorporated by Reference	changes in operation of the C-51 Canal including use of an additional structure as well as increased availability of the STA1 East	Incorporates publications, rules and interagency agreements utilized in the environmental resource permitting process	update rules for the C-51 basin once reservoir complete and operational	SERC	No
40E-4.091	Publications, Rules and Interagency Agreements Incorporated by Reference	Rule Amendment	Update/Add Material Incorporated by Reference	to develop greater consistency among the water management districts and DEP in a Phase II effort	Incorporates publications, rules and interagency agreements utilized in the environmental resource permitting process	Phase II of statewide environmental resource permitting	SERC	No

**South Florida Water Management District
2013-2014 Annual Regulatory Plan**

Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-5.011	Policy and Purpose	Rule Amendment	Update Rule		sets forth policy and purpose of artificial recharge program	delete references to repealed rules	SERC	No
40E-5.041	Permits Required	Rule Amendment	Update Rule		creates a starting point for existing legal user rights and authorizes issuance of consolidated permit	delete reference to repealed rule chapter	None	No
40E-5.101	Content of Applications	Rule Amendment	Update Rule		sets forth requirements for submitting application	update reference to obsolete form	None	No
40E-5.301	Conditions for Permit Issuance	Rule Amendment	Update Rule		accomplishes objective of section 373.106(1), F.S. and informs applicants what information must be satisfied in order to provide the reasonable assurances necessary to obtain an artificial recharge permit	change reference from Basis of Review to Applicant's Handbook	None	No
40E-6.601	Permit Application Processing Fees	Rule Amendment	Update Rule	revise application fees for right of way occupancy permits	sets forth application processing fees	revise fees to reflect agency costs associated with evaluating, processing and mailing applications	SERC	No
40E-8.011	Purpose and General Provisions	Rule Amendment	Update Rule		mandated by sections 373.042 and 373.0421, F.S., and sets forth policies regarding minimum flows and levels, assuring stakeholders that MFL and recovery/prevention strategies are based on best available science and part of comprehensive program	delete reference to repealed rule and change reference from Basis of Review to Applicant's Handbook	None	No
40E-8.421	Prevention and Recovery Strategies	Rule Amendment	Update Rule		describes various recovery and prevention strategies and relationship between MFLs and the District's other regulatory and water supply responsibilities	correct statutory reference and change reference from Basis of Review to Applicant's Handbook	None	No

**South Florida Water Management District
2013-2014 Annual Regulatory Plan**

Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-8.431	Consumptive Use Permits	Rule Amendment	Update Rule		mandated by sections 373.042 and 373.0421, F.S., and explains how applicants will be evaluated when the application proposes to withdraw water directly or indirectly from a MFL water body	change reference from Basis of Review to Applicant's Handbook and delete reference to repealed rule	None	No
40E-10.011	Policy and Purpose	Rule Amendment	Statutory Mandate	373.1501, F.S. and Water Resources Development Act of 2000 (P.L. 106-541 Dec.11, 2000)	sets forth the policy and purpose of reserving water for protection of fish and wildlife	amend rules associated with new water reservation for the Kissimmee Basin waterbodies in support of Kissimmee River restoration project, and address water availability for the Central Florida Water Initiative; correct misspelling in Figures	SERC	Yes
40E-10.021	Definitions	Rule Amendment	Statutory Mandate	373.1501, F.S. and Water Resources Development Act of 2000 (P.L. 106-541 Dec.11, 2000)	defines each water reservation area	amend rules associated with new water reservation for the Kissimmee Basin waterbodies in support of Kissimmee River restoration project, and address water availability for the Central Florida Water Initiative; amend rules associated with the water reservation for the Caloosahatchee River (C-43) West Basin Storage Reservoir Project; correct misspelling in Figures	SERC	Yes

Attachment: 2014-2015 Regulatory Plan (Resolution No. 2014 - 0606 : July 1, 2014 Annual Regulatory

**South Florida Water Management District
2013-2014 Annual Regulatory Plan**

Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-10.031	Water Reservations Implementation	Rule Amendment	Statutory Mandate	373.1501, F.S. and Water Resources Development Act of 2000 (P.L. 106-541 Dec.11, 2000)	requires applicants for consumptive use permits provide reasonable assurance in accordance with the Conditions for Issuance in Rule 40E-2.301, F.A.C.	amend rules associated with new water reservation for the Kissimmee Basin waterbodies in support of Kissimmee River restoration project, and address water availability for the Central Florida Water Initiative; amend rules associated with the water reservation for the Caloosahatchee River (C-43) West Basin Storage Reservoir Project; correct misspelling in Figures	SERC	Yes
40E-10.041	Water Reservation Areas: Lower West Coast Planning Area	Rule Amendment	Response to a Rule Challenge	ruling in DOAH Case No. 14-1329RP that "existing legal uses are determined to be not contrary to the public interest" is an invalid exercise of delegated legislative authority; that ruling requires removal of language in this rule	sets forth the specific areas in which water is reserved from allocation for the protection of fish and wildlife	remove language consistent with DOAH Case No. 14-1329RP; add legal description and figure of location of water reservation for Caloosahatchee (C-43) West Basin Storage Reservation	None	No
40E-10.051	Water Reservation Areas: Upper East Coast Planning Area	Rule Amendment	Response to a Rule Challenge	ruling in DOAH Case No. 14-1329RP that "existing legal uses are determined to be not contrary to the public interest" is an invalid exercise of delegated legislative authority; that ruling requires removal of language in this rule	sets forth the specific areas in which water is reserved from allocation for the protection of fish and wildlife	remove language consistent with DOAH Case No. 14-1329RP	None	No

**South Florida Water Management District
2013-2014 Annual Regulatory Plan**

Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-10.XXX	Water Reservation Areas: Kissimmee Basin	New Rule	Statutory Mandate	373.1501, F.S. and Water Resources Development Act of 2000 (P.L. 106-541 Dec.11, 2000)	sets forth the specific areas in which water is reserved from allocation for the protection of fish and wildlife	amend rules associatd with new water reservation for the Kissimmee Basin waterbodies in support of Kissimmee River restoration project, and address water availability for the Central Florida Water Initiative	SERC	Yes
40E-10.061	Water Reservation Areas: Lower East Coast Planning Area	Rule Amendment	Update Rule	ruling in DOAH Case No. 14-1329RP that "existing legal uses are determined to be not contrary to the public interest" is an invalid exercise of delegated legislative authority; that ruling requires removal of language in this rule	sets forth the specific areas in which water is reserved from allocation for the protection of fish and wildlife	remove language consistent with DOAH Case No. 14-1329RP; ensure waterbody is consistent throughout Appendix 3	None	No
40E-20.010	Review of General Water Use Permit Applications	Rule Repeal	Other	The District is transferring the relevant portions of this chapter governing general water use permits to Chapter 40E-2, F.A.C.	refers to applicable statutes and rules for reviewing applications for general water use permits	repeal	None	No
40E-20.011	Policy and Purpose	Rule Repeal	Other	The District is transferring the relevant portions of this chapter governing general water use permits to Chapter 40E-2, F.A.C.	sets forth policy and purpose regarding general water use permits	repeal	None	No
40E-20.061	Delegation of Authority Pertaining to General Water Use Permits	Rule Repeal	Other	The District is transferring the relevant portions of this chapter governing general water use permits to Chapter 40E-2, F.A.C.	delegates to Executive Director authority to issue general water use permits; Executive Director further delegates authority	repeal	None	No

**South Florida Water Management District
2013-2014 Annual Regulatory Plan**

Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-20.091	Publications Incorporated by Reference	Rule Repeal	Other	The District is transferring the relevant portions of this chapter governing general water use permits to Chapter 40E-2, F.A.C.	incorporates Applicant's Handbook and forms	repeal	None	No
40E-20.101	Content of General Water Use Permit Applications	Rule Repeal	Other	The District is transferring the relevant portions of this chapter governing general water use permits to Chapter 40E-2, F.A.C.	incorporates water use permit application and forms	repeal	None	No
40E-20.301	Conditions for Issuance of General Water Use Permits	Rule Repeal	Other	The District is transferring the relevant portions of this chapter governing general water use permits to Chapter 40E-2, F.A.C.	sets forth conditions that must be met in order to obtain a general water permit	repeal	None	No
40E-20.302	Types of General Water Use Permits	Rule Repeal	Other	The District is transferring the relevant portions of this chapter governing general water use permits to Chapter 40E-2, F.A.C.	sets forth the different types of general water use permits	repeal	None	No
40E-20.321	Duration of General Water Use Permits	Rule Repeal	Other	The District is transferring the relevant portions of this chapter governing general water use permits to Chapter 40E-2, F.A.C.	sets forth duration of general water use permits	repeal	None	No
40E-20.331	Modification of General Water Use Permits	Rule Repeal	Other	The District is transferring the relevant portions of this chapter governing general water use permits to Chapter 40E-2, F.A.C.	sets forth process for modifcaiton of general water use permits	repeal	None	No

Attachment: 2014-2015 Regulatory Plan (Resolution No. 2014 - 0606 : July 1, 2014 Annual Regulatory

**South Florida Water Management District
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Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-20.351	Transfer of General Water Use Permits	Rule Repeal	Other	The District is transferring the relevant portions of this chapter governing general water use permits to Chapter 40E-2, F.A.C.	sets forth process for transferring general water use permits	repeal	None	No
40E-20.381	Limiting Conditions	Rule Repeal	Other	The District is transferring the relevant portions of this chapter governing general water use permits to Chapter 40E-2, F.A.C.	sets forth limiting conditions for issuance of general water use permits	repeal	None	No
40E-24.011	Policy and Purpose	Rule Amendment	Update Rule		sets forth the policy and purpose of year-round landscape irrigation conservation measures	delete reference to repealed rule chapter	None	No
40E-24.101	Definitions	Rule Amendment	Update Rule		defines terms used throughout this chapter	delete references to repealed rule chapter	None	No
40E-24.201	Year-Round Landscape Irrigation Conservation Measures	Rule Amendment	Update Rule		sets forth year-round landscape irrigation conservation measures throughout the District's jurisdiction	delete reference to repealed rule chapter	None	No
40E-41.220	Scope and Policy of Part III	Rule Amendment	Update Rule	changes in operation of the C-51 Canal including use of an additional structure as well as increased availability of the STA1 East	sets forth the scope of the C-51 Basin Rules	an updated model will incorporate these structures and more recent topographic information within the basin to determine whether any changes to stormwater discharge amounts should be considered	SERC	Yes

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40E-41.221	Definitions	Rule Amendment	Update Rule	changes in operation of the C-51 Canal including use of an additional structure as well as increased availability of the STA1 East	Defines terms used regarding the C-51 Basin	an updated model wil incorporate these structures and more recent topographic information within the basin to determine whether any changes to stormwater discharge amounts should be considered	SERC	Yes
40E-41.223	C-51 Basin Boundary	Rule Amendment	Update Rule	changes in operation of the C-51 Canal including use of an additional structure as well as increased availability of the STA1 East	sets forth the boundary of the C-51 Basin	an updated model wil incorporate these structures and more recent topographic information within the basin to determine whether any changes to stormwater discharge amounts should be considered	SERC	Yes
40E-41.233	Implementation	Rule Amendment	Update Rule	changes in operation of the C-51 Canal including use of an additional structure as well as increased availability of the STA1 East	sets forth the effective date of the C-51 Basin	an updated model wil incorporate these structures and more recent topographic information within the basin to determine whether any changes to stormwater discharge amounts should be considered	SERC	Yes
40E-41.243	Application of Part III	Rule Amendment	Update Rule	changes in operation of the C-51 Canal including use of an additional structure as well as increased availability of the STA1 East	sets forth the applicable rules for projects located within the C-51 Basin	an updated model wil incorporate these structures and more recent topographic information within the basin to determine whether any changes to stormwater discharge amounts should be considered	SERC	Yes

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Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-41.260	Content of Application	Rule Amendment	Update Rule	changes in operation of the C-51 Canal including use of an additional structure as well as increased availability of the STA1 East	sets forth the application procedures for projects located within the C-51 Basin	an updated model will incorporate these structures and more recent topographic information within the basin to determine whether any changes to stormwater discharge amounts should be considered	SERC	Yes
40E-41.263	Conditions for Issuance of Permits in the C-51 Basin	Rule Amendment	Update Rule	changes in operation of the C-51 Canal including use of an additional structure as well as increased availability of the STA1 East	sets forth the conditions for issuance in order to obtain an environmental resource permit within the C-51 Basin	an updated model will incorporate these structures and more recent topographic information within the basin to determine whether any changes to stormwater discharge amounts should be considered	SERC	Yes
40E-41.265	Conditions for Issuance of Right-of-Way Permits in the C-51 Basin	Rule Amendment	Update Rule	changes in operation of the C-51 Canal including use of an additional structure as well as increased availability of the STA1 East	sets forth conditions for issuance of right of way occupancy permits within the C-51 Basin	an updated model will incorporate these structures and more recent topographic information within the basin to determine whether any changes to stormwater discharge amounts should be considered	SERC	Yes

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Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-61.011	Policy and Purpose	Rule Amendment	Statutory Mandate	373.4595, F.S.	Explains the policy and purpose of specified basins within the SFWMD which are integral to operation, maintenance and protections of the SFWMD's water resources	This chapter is being amended to update the existing nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	SERC	Yes
40E-61.020	Scope of Part I	Rule Amendment	Statutory Mandate	373.4595, F.S.	Sets forth the scope of this part of this chapter regarding the Okeechobee Drainage Basin and other tributary sub-basins. The SFWMD is responsible for implementing the Surface Water Improvement and Management Plan for Lake Okeechobee and other priority water bodies that are hydrologically interconnected to Lake Okeechobee	This chapter is being amended to update the existing nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	SERC	Yes

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40E-61.021	Definitions	Rule Amendment	Statutory Mandate	373.4595, F.S.	Defines the terms used throughout this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	SERC	Yes
40E-61.023	Basin and Sub-Basin Boundaries	Rule Amendment	Statutory Mandate	373.4595, F.S.	sets forth the boundaries for the Lake Okeechobee Basin and sub-basins	This chapter is being amended to update the existing nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	SERC	Yes

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Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-61.024	Works of the District within the Lake Okeechobee Basin	Rule Amendment	Statutory Mandate	373.4595, F.S.	lists Works of the District within the Lake Okeechobee Drainage Basin	This chapter is being amended to update the existing nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	SERC	Yes
40E-61.031	Implementation	Rule Amendment	Statutory Mandate	373.4595, F.S.	sets forth the effective date of this rule chapter	This chapter is being amended to update the existing nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	SERC	Yes

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Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-61.041	Permits Required	Rule Amendment	Statutory Mandate	373.4595, F.S.	specifies the parcels of land that connect with or make use of the Works of the District within the Lake Okeechobee Drainage Basin and sub-basins that require individual permits	This chapter is being amended to update the existing nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	SERC	Yes
40E-61.042	General Permits for Use of Works of the District within the Lake Okeechobee Basin	Rule Amendment	Statutory Mandate	373.4595, F.S.	provides a general permit with conditions for specific parcels of land	This chapter is being amended to update the existing nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	SERC	Yes

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40E-61.051	Exemptions	Rule Amendment	Statutory Mandate	373.4595, F.S.	sets forth activities which are exempt from permitting under this rule chapter	This chapter is being amended to update the existing nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	SERC	Yes
40E-61.101	Content of Applications for Individual and Collective Permits	Rule Amendment	Statutory Mandate	373.4595, F.S.	sets forth requirements for applications for individual permits required by this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	SERC	Yes

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Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-61.201	Permit Application Processing Fee	Rule Amendment	Statutory Mandate	373.4595, F.S.	sets forth the non-refundable permit application processing fee for permit applications filed under this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	SERC	Yes
40E-61.301	Conditions for Issuance for Individual and Collective Permits	Rule Amendment	Statutory Mandate	373.4595, F.S.	sets forth the conditions that must be met in order to obtain an individual or collective permit under this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	SERC	Yes

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Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-61.321	Duration of Permits	Rule Amendment	Statutory Mandate	373.4595, F.S.	sets forth the duration of an individual or general permit issued pursuant to this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	SERC	Yes
40E-61.331	Modification	Rule Amendment	Statutory Mandate	373.4595, F.S.	explains that applications for modifications use the same criteria as new applications	This chapter is being amended to update the existing nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	SERC	Yes

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Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-61.351	Transfer	Rule Amendment	Statutory Mandate	373.4595, F.S.	requires permittees to notify the District within 30 days of the sale or conveyance of land or works permitted under this rule chapter	This chapter is being amended to update the existing nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	SERC	Yes
40E-61.381	Limiting Conditions	Rule Amendment	Statutory Mandate	373.4595, F.S.	sets forth limiting conditions for issuance of permits pursuant to this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	SERC	Yes

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Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-61.XXX	Forms, Instructions, and References	New Rule	Statutory Mandate	373.4595, F.S.	lists publications incorporated by reference in this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	SERC	Yes
40E-61.XXX	Water Quality Monitoring	New Rule	Statutory Mandate	373.4595, F.S.	sets forth a monitoring plan to determine permittee compliance with water quality requirements set forth in this rule chapter	This chapter is being amended to update the existing nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	SERC	Yes

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Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-61.XXX	Permit Compliance	New Rule	Statutory Mandate	373.4595, F.S.	sets forth the compliance criteria to be used for permits granted under this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	SERC	Yes
40E-63.011	Policy and Purpose	Rule Amendment	Statutory Mandate	373.4595, F.S.	explains policy and purpose of specified basins within the SFWMD which are integral to operation, maintenance and protection of the SFWMD's water resources	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act, the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee Watershed Protection Plan. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Lake and the Everglades.	SERC	Yes

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Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-63.091	Publications Incorporated by Reference	Rule Amendment	Statutory Mandate	373.4595, F.S.	lists publications incorporated by reference in this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act, the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee Watershed Protection Plan. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Lake and the Everglades.	SERC	Yes
40E-63.101	Scope	Rule Amendment	Statutory Mandate	373.4595, F.S.	Sets forth the scope of this part of this chapter regarding the Okeechobee Drainage Basin and other tributary sub-basins. The SFWMD is responsible for implementing the Surface Water Improvement and Management Plan for Lake Okeechobee and other priority wa	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act, the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee Watershed Protection Plan. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Lake and the Everglades.	SERC	Yes

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40E-63.102	Definitions	Rule Amendment	Statutory Mandate	373.4595, F.S.	Defines the terms used throughout this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act, the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee Watershed Protection Plan. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Lake and the Everglades.	SERC	Yes
40E-63.104	EAA Basin Boundaries	Rule Amendment	Statutory Mandate	373.4595, F.S.	describes the boundaries for the Everglades Agricultural Area Basin	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act, the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee Watershed Protection Plan. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Lake and the Everglades.	SERC	Yes

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Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-63.106	Works of the District within the Lake Okeechobee Basin	Rule Amendment	Statutory Mandate	373.4595, F.S.	lists the Works of the District within the Lake Okeechobee Drainage Basin	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act, the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee Watershed Protection Plan. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Lake and the Everglades.	SERC	Yes
40E-63.108	Implementation	Rule Amendment	Statutory Mandate	373.4595, F.S.	sets forth the effective date of this rule chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act, the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee Watershed Protection Plan. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Lake and the Everglades.	SERC	Yes

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Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-63.110	Permits Required	Rule Amendment	Statutory Mandate	373.4595, F.S.	specifies the parcels of land that connect with or make use of the Works of the District within the Everglades Agricultural Area Basin that require individual or master permits	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act, the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee Watershed Protection Plan. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Lake and the Everglades.	SERC	Yes
40E-63.120	General Permits for Use of Works of the District within the Everglades	Rule Amendment	Statutory Mandate	373.4595, F.S.	provides a general permit with conditions for specific parcels of land	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act, the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee Watershed Protection Plan. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Lake and the Everglades.	SERC	Yes

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40E-63.130	Individual Permits Application Requirements in the EAA Basin	Rule Amendment	Statutory Mandate	373.4595, F.S.	sets forth the requirements for applications for individual permits required by this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act, the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee Watershed Protection Plan. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Lake and the Everglades.	SERC	Yes
40E-63.132	Content of Applications for Individual Permits in the EAA Basin	Rule Amendment	Statutory Mandate	373.4595, F.S.	sets forth the requirements for content of applications for individual permits required by this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act, the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee Watershed Protection Plan. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Lake and the Everglades.	SERC	Yes

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40E-63.134	Permit Application Processing Fee for Individual Permits in the EAA Basin	Rule Amendment	Statutory Mandate	373.4595, F.S.	sets forth the conditions in which an individual permit will be issued under this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act, the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee Watershed Protection Plan. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Lake and the Everglades.	SERC	Yes
40E-63.134	Conditions for Issuance for Individual Permits in the EAA Basin	Rule Amendment	Statutory Mandate	373.4595, F.S.	sets forth the conditions in which an individual permit will be issued under this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act, the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee Watershed Protection Plan. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Lake and the Everglades.	SERC	Yes

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Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-63.138	Duration of Individual Permits in the EAA Basin	Rule Amendment	Statutory Mandate	373.4595, F.S.	sets forth the duration of an individual permit issued pursuant to this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act, the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee Watershed Protection Plan. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Lake and the Everglades.	SERC	Yes
40E-63.140	Modification of Individual Permits in the EAA Basin	Rule Amendment	Statutory Mandate	373.4595, F.S.	explains that applications for modifications use the same criteria as new applications		SERC	Yes
40E-63.143	Limiting Conditions for Individual Permits in the EAA Basin				sets forth limiting conditions for issuance of permits pursuant to this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act, the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee Watershed Protection Plan. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Lake and the Everglades.	SERC	Yes

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40E-63.145	Compliance and Enforcement of Individual Permits in the EAA Basin				sets forth the compliance criteria to be used for permits granted under this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act, the Northern Everglades and Estuaries Protection Plan and the resultant Lake Okeechobee Watershed Protection Plan. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Lake and the Everglades.	SERC	Yes
40E-63.500	Purpose and Policy	New Rule	Statutory Mandate	373.4595, F.S.	explains policy and purpose of specified basins within the SFWMD which are integral to operation, maintenance and protection of the SFWMD's water resources	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Everglades.	SERC	Yes
40E-63.501	Scope of Program	New Rule	Statutory Mandate		sets forth the scope of this part of this chapter regarding the Feeder Canal. The SFWMD is responsible for implementing the Everglades Restoration Program	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Everglades.	SERC	Yes

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40E-63.502	Definitions	New Rule	Statutory Mandate	373.4595, F.S.	Defines the terms used throughout this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Everglades.	SERC	Yes
40E-63.504	Forms, Instructions, and References	New Rule	Statutory Mandate	373.4595, F.S.	lists publications incorporated by reference in this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Everglades.	SERC	Yes
40E-63.506	Delegation	New Rule	Statutory Mandate	373.4595, F.S.	explains that the Executive Director and his or her designee can review and take final action on permit approvals while Governing Board approval is required for denials	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Everglades.	SERC	Yes

Attachment: 2014-2015 Regulatory Plan (Resolution No. 2014 - 0606 : July 1, 2014 Annual Regulatory

**South Florida Water Management District
2013-2014 Annual Regulatory Plan**

Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-63.510	Waivers	New Rule	Statutory Mandate	373.4595, F.S.	sets forth activities which are exempt from permitting under this rule chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Everglades.	SERC	Yes
40E-63.515	No Notice General Permits	New Rule	Statutory Mandate	373.4595, F.S.	provides a no notice general permit with conditions for specific parcels of land	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Everglades.	SERC	Yes
40E-63.520	BMP Plan Pre-Approvals	New Rule	Statutory Mandate	373.4595, F.S.	sets forth criteria that must be met in order for Best Management Practices Plan to be pre-approved under this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Everglades.	SERC	Yes

Attachment: 2014-2015 Regulatory Plan (Resolution No. 2014 - 0606 : July 1, 2014 Annual Regulatory

**South Florida Water Management District
2013-2014 Annual Regulatory Plan**

Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-63.530	General Permit Applications	New Rule	Statutory Mandate	373.4595, F.S.	provides a general permit with conditions for specific parcels of land	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Everglades.	SERC	Yes
40E-63.535	BMP Plans	New Rule	Statutory Mandate	373.4595, F.S.	sets forth the criteria that must be met in order for Best Management Practices Plan to be approved under this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Everglades.	SERC	Yes
40E-63.536	Permit Application Processing Fees	New Rule	Statutory Mandate	373.4595, F.S.	sets forth the fees that must be paid for a permit applicatoin to be processed under this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Everglades.	SERC	Yes

Attachment: 2014-2015 Regulatory Plan (Resolution No. 2014 - 0606 : July 1, 2014 Annual Regulatory

**South Florida Water Management District
2013-2014 Annual Regulatory Plan**

Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-63.544	Limiting Conditions for General Permits in the Feeder Basin Canal	New Rule	Statutory Mandate	373.4595, F.S.	sets forth the limiting conditions for issuance of permits pursuant to this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Everglades.	SERC	Yes
40E-63.546	Feeder Canal Basin Compliance	New Rule	Statutory Mandate	373.4595, F.S.	sets forth the criteria that must be met in order for compliance with the water quality requirements of this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Everglades.	SERC	Yes
40E-63.561	Feeder Canal Basin Permit Compliance	New Rule	Statutory Mandate	373.4595, F.S.	sets forth the compliance criteria to be used for general permits granted under this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Everglades.	SERC	Yes

Attachment: 2014-2015 Regulatory Plan (Resolution No. 2014 - 0606 : July 1, 2014 Annual Regulatory

**South Florida Water Management District
2013-2014 Annual Regulatory Plan**

Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
40E-63.562	Permit Basin Discharge Monitoring Program	New Rule	Statutory Mandate	373.4595, F.S.	sets forth the criteria that must be met in order for a Discharge Monitoring Plan to be approved under this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Everglades.	SERC	Yes
	40E-63.564	New Rule	Statutory Mandate	373.4595, F.S.	sets forth the compliance criteria to be used for permits granted under this chapter	This chapter is being amended to update the existing nutrient source control requirements under the Everglades Forever Act. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals for the Everglades.	SERC	Yes

Attachment: 2014-2015 Regulatory Plan (Resolution No. 2014 - 0606 : July 1, 2014 Annual Regulatory

MEMORANDUM

TO: Governing Board Members

FROM: Terrie Bates, Director, Water Resources Division

DATE: June 12, 2014

SUBJECT: Rule Development for Kissimmee Basin Water Reservation

Summary

The Kissimmee River Restoration Project is a joint partnership between the District and U.S. Army Corps of Engineers (USACE). The project will restore over 40 square miles of river/floodplain ecosystem including 43 miles of meandering river channel and 27,000 acres of wetlands. An integral component of the restoration is the protection from allocation of water needed for fish and wildlife. The water identified for the natural system will be protected through a water reservation as authorized by Florida law.

Staff Recommendation

Authorize publication of a Notice of Rule Development in the Florida Administrative Register to adopt new rules in Chapter 40E-10, F.A.C., and amend Chapter 40E-2, F.A.C., including the Applicant's Handbook for Water Use Permit Applications, regarding reservation of water needed to protect fish and wildlife in the Kissimmee River, its floodplain, and the Upper Chain of Lakes and associated implementation rules.

Additional Background

District staff received authorization to initiate rule development in June 2008. Several rule development workshops concerning this matter were held and a peer review of the Technical Document to Support Water Reservations for the Kissimmee River, Floodplain, and Kissimmee Chain of Lakes was conducted in March 2009. This rule development effort was suspended; staff now proposes to re-commence the effort. The Kissimmee Basin water reservation was previously listed on the 2014 Priority Water Body List and Schedule and approved by the Governing Board and the Florida Department of Environmental Protection. The Kissimmee Basin water reservation was also presented to the Central Florida Water Initiative Steering Committee on April 25, 2014.

Core Mission and Strategic Priorities

One of the District's strategic priorities is to restore ecological integrity to the Kissimmee River and its floodplain. The Kissimmee Chain of Lakes is an integral component of this restoration effort. The proposed water reservation rule supports this strategic priority by preventing water needed for the protection of fish and wildlife from being allocated to consumptive uses.

Funding Source

Approximately \$55,000 is budgeted for FY15 to complete a statement of estimated regulatory costs (SERC) for this new rule. Additional funding may be necessary if it is determined that another peer review is required for the technical document.

Staff Contact and/or Presenter

Don Medellin, dmedelli@sfwmd.gov, 561-682-6340

Elizabeth D. Ross, Esq., bross@sfwmd.gov <<mailto:bross@sfwmd.gov>> 561-682-6257

MEMORANDUM

TO: Governing Board Members

FROM: Terrie Bates, Director, Water Resources Division

DATE: June 12, 2014

SUBJECT: Statement of Estimated Regulatory Costs Contract Renewal and Authorization to Initiate Negotiations

Summary

Statements of Estimated Regulatory Costs (SERC) are required to support the District's rulemaking activities pursuant to Section 120.541, Florida Statutes (F.S.). The current SERC three-year work order contracts expire on August 24, 2014 and September 30, 2014. This Resolution requests authorization from the Governing Board to enter into contract negotiations with the two highest ranked consultants, Hazen & Sawyer and Cardno Entrix, to have these firms in place before the current contracts expire. The SERC work order contract is for a three-year period and allows the District to use these two contractors if needed to ensure that sufficient resources are available, to avoid potential conflicts of interest, and to meet demand should rulemaking activities increase. The Water Supply Bureau's Lead Economist also completes SERCs to support rulemaking activities. The total not to exceed contract amount is \$300,000 for the three-year term. The proposed contract amount considers likely future demand and the division of labor between internal District and outside consultant resources.

Staff Recommendation

Staff recommends the Governing Board allow contract negotiations to proceed so that the District can successfully renew the contract and have SERC preparation consultant resources in place to support District rulemaking activities.

Additional Background

Section 120.541, F.S. contains the SERC requirements to prepare an economic analysis showing whether the rule directly or indirectly is likely to have an adverse impact on economic growth, private sector employment, private sector investment, or increase regulatory costs in excess of \$1 million in the aggregate within five years after rule implementation. The next anticipated major rule-making effort requiring the use of an outside SERC consultant is the proposed Kissimmee River Basin Water Reservation.

Core Mission and Strategic Priorities

The SERC contract supports District rulemaking activities. Statements of Estimated Regulatory Costs are required pursuant to Section 120.541, F.S.

Funding Source

The funding source for the three-year contract is ad valorem funds, subject to Governing Board approval of the FY15 through FY17 budgets.

Staff Contact

Ian Miller, Lead Economist - Water Supply Bureau, X2057.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0607

A Resolution of the Governing Board of the South Florida Water Management District to authorize the official ranking of firms and authorize the District to enter into a three-year contract with Hazen and Sawyer, P.C. and Entrix, Inc. (DBA Cardno Entrix), the two highest ranked firms selected for preparation of Statements of Estimated Regulatory Costs (SERC), subject to successful negotiations, in an amount not to exceed a total of \$300,000 for both contracts for SERC services, subject to Governing Board approval of the FY15-FY17 budgets; providing an effective date. (Contract Numbers 4600003059 and 4600003060)

WHEREAS, the District is seeking to award Work Order Contracts to firms with economists and experts who can prepare SERCs as described in Section 120.541, Florida Statutes (F.S.) "Statement of Estimated Regulatory Costs" for new rules, amendments to existing rules, or the repeal of any District rules; and

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest, and in compliance with state statutes, to authorize entering into a three-year contract with Hazen and Sawyer, P.C. and Entrix, Inc. (DBA Cardno Entrix), the two highest ranked firms selected for Preparation of Statements of Estimated Regulatory Costs (SERC), subject to successful negotiations, in an amount not to exceed a total of \$300,000 for both contracts for SERC services, subject to Governing Board approval of the FY15-FY17 budgets; **now therefore**

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 authorizes the official ranking of firms and entering into a 3-year contract with Hazen and Sawyer, P.C. and Entrix, Inc. (DBA Cardno Entrix), the two highest ranked firms selected for SERCs, subject to successful negotiations, in an amount not to exceed a total of \$300,000 for both contracts for SERC services, subject to Governing Board approval of the FY15-FY17 budgets; providing an effective date. (Contract Numbers 4600003059 and 4600003060)

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

PASSED and ADOPTED this 12th day of June, 2014.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

Chairman

Attest:

District Clerk/Secretary

Legal form approved:

By:

Office of Counsel

Print name:

MEMORANDUM

TO: Governing Board Members

FROM: Doug Bergstrom, Director, Administrative Services Division

DATE: June 12, 2014

SUBJECT: FOC Janitorial Services Contract - 4600003061

Summary

This request is to enter into a three-year contract with two (2) one-year renewal options with Superior Service Management, Inc., for Field Operations Center (FOC) janitorial services in an amount not to exceed \$231,012. The present janitorial contract expires June 30, 2014. Superior Service Management, Inc. will provide professional janitorial services to maintain a clean and effective working environment for employees located at the FOC. Services include providing all labor, equipment, and supplies necessary to perform specified janitorial duties. Janitorial services have been traditionally outsourced by the District and as such the District does not have the positions or staff trained to provide these services.

Staff Recommendation

Staff recommends approval of this item.

Additional Background

The District utilized a Request for Proposals to solicit for the janitorial services to obtain the best value provider with proven Eco-Friendly credentials. Superior Service Management, Inc., is a District certified Small Business Enterprise.

Core Mission and Strategic Priorities

This item impacts the resource areas of the District situated at Field Operations Center located in suburban West Palm Beach. This site is primarily used by Water Resources and Water Quality operations and includes the District's Environmental Laboratory. The General Services Section in the Administrative Services Division will be responsible for implementing this contract.

Funding Source

The amount of the services for the three (3) year period is \$231,012.00 For which \$22,372.00 in ad valorem funds are budgeted in FY14 and the remainder is subject to Governing Board approval of the FY15-FY17 budgets.

Staff Contact and/or Presenter

Staff Contact: Michael Hiscock, General Services Section Administrator, ext.2526
Presenter: Doug Bergstrom, ext. 6214

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0608

A Resolution of the Governing Board of the South Florida Water Management District to authorize the official ranking of short listed firms and entering into a three-year contract with two (2) one-year renewal options with Superior Service Management, Inc., subject to successful negotiations for Janitorial Services at the Field Operations Center in an amount not to exceed \$231,012, for which \$22,372 in ad valorem funds are budgeted in FY14 and the remainder is subject to Governing Board approval of the FY15 - FY17 budgets; providing that if negotiations are unsuccessful with Superior Service Management, Inc., the District will proceed with negotiations in ranked order until a contract has been successfully negotiated; providing an effective date.

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize the official ranking of short listed firms and entering into a three (3) year contract with two one-year renewal options with Superior Service Management, Inc., subject to successful negotiations for Janitorial Services at the Field Operations Center in an amount not to exceed \$231,012, for which \$22,372 in ad valorem funds are budgeted in FY14 and the remainder is subject to Governing Board approval of the FY15 - FY17 budgets; providing that if negotiations are unsuccessful with Superior Service Management, Inc., the District will proceed with negotiations in ranked order until a contract has been successfully negotiated; 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 4600003061 with Superior Service Management, Inc.

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

PASSED and ADOPTED this 12 day of June, 2014.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

Chairman

Attest:

District Clerk/Secretary

Legal form approved:

By:

Office of Counsel

Print name:

MEMORANDUM

TO: Governing Board Members

FROM: Temperince Morgan,

DATE: June 12, 2014

SUBJECT: Extension of DWM NE-PES Solicitation Rankings until July 31, 2015

Summary

District staff will provide an update of the Dispersed Water Management (DWM) Program activities. In addition, staff is requesting that the Governing Board allow, through a resolution, the ranking of respondents to Solicitation Number 6000000518 regarding the DWM Program Northern Everglades Payment for Environmental Service to remain in place until July 31, 2015 pending the receipt of funds from the State of Florida to be used for additional projects.

At the July 11, 2013 Governing Board meeting the Board approved Resolution No. 2013-0708 authorizing staff to begin negotiations in ranked order with Respondent to Solicitation Number 6000000518 for Northern Everglades Payment for Environmental Services contracts. The existing funding available was not anticipated to allow more than the first two respondents to receive contracts pending negotiations. Consistent with the District's procurement policy, the Board decided to keep the solicitation and the rankings open for one year pending additional funding sources.

As a result of the 2014 Florida legislative session, it is anticipated that additional funding from the State of Florida will be available for the Solicitation after July 1, 2014. Negotiations with respondents in ranked order will require several months. Therefore, staff is requesting that the ranking of respondents remains open for an additional year to July 31, 2015.

Staff Recommendation

Approval of a resolution extending the date by which the Governing Board's ranking of proposals for Solicitation Number 6000000518 for the Dispersed Water Management Northern Everglades Payment for Environmental Services Program can be used as the basis of a contract until July 31, 2015.

Core Mission and Strategic Priorities

Additional storage and nutrient reduction is a primary goal of the Northern Everglades and Estuaries planning initiatives. The DWM Program Northern Everglades Payment for Environmental Services solicitation is a unique method of providing additional storage and nutrient reduction in the Northern Everglades watersheds and has been included in the Lake Okeechobee, St. Lucie River Estuary, and Caloosahatchee River Estuary Protection Plans.

Funding Source

Funding for the solicitation contracts will be from a State of Florida legislative appropriation.

Staff Contact

Beth Lewis, Office Chief, Office of State Policy & Coordination
561-682-6343 / belewis@sfwmd.gov

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2014 - 0609

A Resolution of the Governing Board of the South Florida Water Management District allowing the Governing Board's ranking of Respondents for the Dispersed Water Management Program Northern Everglades - Payment for Environmental Services solicitation number 6000000518, as approved in Resolution number 2013-0708, to be extended until July 31, 2015 pending the receipt of funds from the State of Florida; providing an effective date.

WHEREAS, the District Governing Board ranked the proposals for solicitation number 6000000518 at its regular meeting in July, 2013 as set forth in Resolution number 2013-0708; and

WHEREAS, at its meeting in August, 2013, the Governing Board decided to extend the date by which the ranking could be used as a basis of a contract until the District received additional funding; and

WHEREAS, the District anticipates that additional funding from the State of Florida will be available for solicitation number 6000000518 after July 1, 2014; and

WHEREAS, negotiations with respondents in ranked order will require several months; and

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to allow the ranking of respondent's to solicitation number 6000000518 to remain in place until July 31, 2015 pending the receipt of funds from the State of Florida;

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 extends the date by which the Governing Board's ranking of proposals for Solicitation Number 6000000518 for the Dispersed Water Management Northern Everglades Payment for Environmental Services Program can be used as the basis of a contract until July 31, 2015.

Section 2. A copy Resolution No. 2013-0708 establishing the ranking of proposals for solicitation number 6000000518 is attached hereto and made a part hereof.

Section 3. This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 12th day of June, 2014.

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

Chairman

Attest:

District Clerk/Secretary

Legal form approved:
By:

Office of Counsel

Print name:

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 2013- 0708 corrected

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 NORTHERN EVERGLADES – PAYMENT FOR ENVIRONMENTAL SERVICES SOLICITATION NUMBER 6000000518 FOR UP TO 10 YEAR CONTRACTS FOR THE PURPOSE OF PROVIDING WATER RETENTION SERVICES AND SUBJECT TO GOVERNING BOARD APPROVAL; PROVIDING AN EFFECTIVE DATE.

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 Northern Everglades – Payment for Environmental Services Solicitation; **now therefore**

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

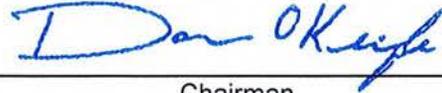
Section 1. The Governing Board of the South Florida Water Management District hereby approves entering into negotiations with respondents in ranked order according to the evaluation for the referenced solicitation 6000000518.

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:



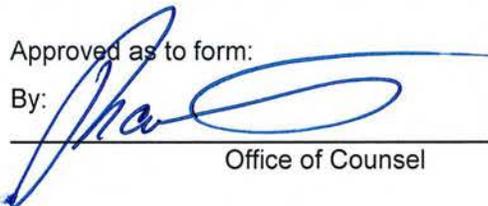
Chairman

ATTEST:


District Clerk/Secretary

Approved as to form:

By:



Office of Counsel

Print name:

Frank Mendez

ATTACHMENT A

Final Ranking Report for RFP 6000000518 Northern Everglades Payment for Environmental Services

Vendor Name	Rank
Blue Head Ranch, LLC	1
Mudge Ranch	2
Babcock Property holdings, LLC	3
Bull Hammock Ranch, LTD	4
Rafter T Realty, Inc.	5
Adams - Russakis Ranches	6
Archbold Expeditions	7
Alico, Inc.	8
Lazy JP, Inc.	9
Clemons Okeechobee, LLC (Oak Creek)	10
Corona Holdings XIV, LLC	11
Clemons Okeechobee, LLC (Unit 1)	12
Two Hombres, LLC	13
Abington Holding, LTD, Inc. (Triple A Ranch)	14
Arnold Ranches	15
Reedy Creek Estates	16
Daniel & Marcia Chandler	17
Larry "Dusty" Davis, Jr. (Davis Cattle)	18
101 Ranch, Inc.	18

MEMORANDUM

TO: Governing Board Members
FROM: Dan DeLisi, Chief of Staff
DATE: June 12, 2014
SUBJECT: Lobbyist Registration Update

MEMORANDUM

TO: Governing Board Members

FROM: Doug Bergstrom, Director, Administrative Services Division

DATE: June 12, 2014

SUBJECT: FY15 Budget Development Update

MEMORANDUM

TO: Governing Board Members

FROM: Sharon M. Trost, PG, AICP, Director, Regulatory Division

DATE: June 12, 2014

SUBJECT: Rule Adoption to Incorporate by reference the Procedure for ERP Water Quality Evaluations

Summary

Staff is proposing to adopt the Procedure for Environmental Resource Permit (ERP) Water Quality Evaluations for Applications Involving Discharges to Outstanding Florida Waters and Water Bodies that Do Not Meet State Water Quality Standards. This procedure will incorporate into rule the substance of the existing “impaired waters memo”, which was initially issued in 2004 and revised in 2009 and 2013. Applicants are assisted by this procedure in providing reasonable assurances to demonstrate that discharges will not degrade an OFW or will not contribute additional causative pollutants to an impaired water body. This procedure will be included in a new Appendix E to ERP Applicant’s Handbook Volume II. This incorporation will not create new standards or change the existing ERP application process.

Recommendation

Adopt amendments with changes to Rule 40E-4.091, F.A.C., and the incorporated “Environmental Resource Permit Applicant’s Handbook Volume II: For Use within the Geographic Limits of the South Florida Water Management District,” to incorporate by reference the “Procedure for Environmental Resource Permit (ERP) Water Quality Evaluations for Applications Involving Discharges to Outstanding Florida Waters and Water Bodies that Do Not Meet State Water Quality Standards.”

Additional Background

Existing provisions of Florida Statute and the statewide ERP rules require additional reasonable assurances for projects proposing to discharge to an OFW or water body that does not meet state water quality standards. The District issued an “impaired waters” memorandum in 2004 (revised in 2009 and 2013) to assist applicants and District staff in the application of these rules when the application includes a discharge to an impaired water body or an OFW. The memorandum is currently included as a Design Aid within ERP Applicant’s Handbook Volume II (Volume II) and has been provided to applicants, as guidance, to describe the types of additional measures that may be considered, on a project by project basis, as necessary to provide reasonable assurance that the discharges will meet existing rule requirements.

This rulemaking will incorporate an updated version of the Memorandum by reference into Volume II. This means that the Memorandum will be a rule of the District.

While the incorporation of this Memorandum into Volume II will mean that it will be a rule, criteria flexibility will be maintained. Pursuant to Rule 1.1, ERP Applicant’s Handbook Volume II: “an applicant may propose alternative designs to those provided in this Volume for consideration by the Agency.” If this is done, additional reasonable assurances will be required

to demonstrate that the alternative design meets the conditions for issuance of an environmental resource permit.

Workshops were held in November 2013 in Ft. Myers, Kissimmee and West Palm Beach, and this item was presented to the Water Resources Advisory Commission on March 6, 2014.

The District received comments from the Joint Administrative Procedures Committee (JAPC), Department of Environmental Protection (DEP), Conservancy of Southwest Florida, Save the Manatee Club, Southwest Florida Watershed Council, and Florida Chapter of the American Society of Landscape Architects (Landscape Architects). The comments from JAPC, DEP, and the Landscape Architects have been incorporated into the final rule text. Copies of the Notice of Change and final rule text are attached hereto.

Core Mission and Strategic Priorities

This item supports the core mission by assisting applicants and District staff in providing the necessary reasonable assurances to demonstrate that a discharge will not degrade an OFW or will not contribute to the violation of an impaired water body.

Funding Source

There is no funding associated with this rule.

Staff Contact:

Dan Waters, Regulation Service Center Administrator - Lower West Coast; email: dwaters@sfwmd.gov <<mailto:dwaters@sfwmd.gov>>, Phone (239) 338-2929 ext. 7763
Susan Roeder Martin, Sr. Specialist Attorney, Office of Counsel; email: smartin@sfwmd.gov <<mailto:smartin@sfwmd.gov>>, Phone (561) 682-6251

FINAL RULE TEXT – NOTICE OF PROPOSED RULE WITH CHANGES:

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference herein:

(a) “Environmental Resource Permit Applicant’s Handbook, Volume II For Use Within the Geographic Limits of the South Florida Water Management District, _____ ~~October 1, 2013,~~” ([hyperlink](#)), which incorporates the following forms or materials by reference:

1. through 5. No change.

(b) through (e) No change.

(2) No change.

Rulemaking Authority 373.044, 373.103(8), 373.113, ~~373.171~~, 373.413, 373.418, 373.4131, 373.441, ~~704.06~~ FS. Law Implemented 373.046, 373.413, 373.4131, ~~373.4135, 373.4137, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 373.441, 668.003, 668.004, 668.50, 695.26, 704.06~~ FS. History–New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, 6-26-02, 6-26-02, 4-6-03, 4-14-03, 9-16-03, 12-7-04, 2-12-06, 10-1-06, 11-20-06, 1-23-07, 7-1-07, 7-22-07, 11-11-09, 7-1-10, 7-4-10, 12-15-11, 5-20-12, 10-1-13, _____.

The proposed Volume II including Appendix E is available online at www.sfwmd.gov/rules, and selecting “Impaired Waters”. An excerpt of the proposed changes to Volume II, is as follows:

PART IV STORMWATER QUALITY

4.1 through 4.1.3 No change.

4.1.4 Projects Discharging to Impaired Waters or to Outstanding Florida Waters

Systems discharging to a waterbody that has been identified as impaired by the Department of Environmental Protection pursuant to Section 403.067, F.S., or to an Outstanding Florida Water, shall be designed in accordance with the procedures in Appendix E.

APPENDIX E

Procedure for Environmental Resource Permit Water Quality Evaluations for Applications Involving Discharges to Outstanding Florida Waters and Water Bodies that Do Not Meet State Water Quality Standards

This procedure shall be utilized in coordination with the “Environmental Resource Permit Applicant’s Handbook Volume I: General and Procedural” (Volume I), incorporated by reference in Rule 62-330.010, F.A.C., and “Environmental Resource Permit Applicant’s Handbook Volume II: For Use within the South Florida Water Management District” (District) (Volume II), incorporated by reference in Rule 40E-4.091, F.A.C. This procedure pertains to the application of existing District rules in the evaluation of permit applications for projects which

discharge to Outstanding Florida Waters (OFWs) and water bodies that do not meet State water quality standards identified on the State’s “Verified List” of impaired waters or water bodies that have a State adopted Total Maximum Daily Load (TMDL) (impaired water bodies).

“Impaired Water Bodies”

Chapter 62-303, Florida Administrative Code (F.A.C.), describes impaired water bodies. Water bodies that have been assessed and determined to be impaired by the Department of Environmental Protection (DEP) due to pollutant discharges are included on the “Verified List” adopted by DEP Secretarial Order. Water bodies on the “Verified List” can be determined from DEP’s web site at: <http://www.dep.state.fl.us/water/watersheds/assessment/a-lists.htm>.

Relationship Between “Impaired Waters” and District Water Quality Rules

Chapter 62-303, F.A.C., does not limit the applicability of existing environmental resource permit (ERP) rules and other criteria under other provisions of Florida law. Consequently, the District implements its existing rules to ensure non-degradation of OFWs and prevent further degradation of impaired water bodies.

This procedure highlights the requirements in the existing District ERP rules to meet water quality criteria. This procedure also provides additional measures which shall be considered, on a project by project basis, as necessary to provide reasonable assurance that new activities regulated pursuant to Part IV of Chapter 373, Florida Statutes (F.S.) will not degrade an OFW or will not contribute additional causative pollutants to an impaired water body.

Existing ERP Water Quality Requirements and Evaluation

The design requirements in Section 4, Stormwater Quality, of Volume II are applied in conjunction with the water quality requirements in Section 8, Criteria for Evaluation and Section 10, Environmental Criteria, Volume I.

State surface water quality standards are outlined in Chapter 62-302, F.A.C., and require that reasonable assurances be provided to ensure that proposed discharges do not cause or contribute to violations of State water quality standards. As a part of the review of ERP applications, the District evaluates whether discharges from a project will be directed to an OFW or a water body that has been identified as impaired pursuant Chapter 62-303, F.A.C. If a proposed project discharges to an OFW or an impaired water body, the District will require that additional protective measures be incorporated into the project’s design and operation to provide reasonable assurance that the proposed discharge will not cause or contribute to violations of State water quality standards. The additional protective measures shall include a site-specific pollutant loading analysis and an additional 50% water quality treatment volume above the amounts required pursuant to Section 4.2.1, Volume II. Best management practices (BMPs), source controls or protective measures shall be considered as discussed below.

Section 4.1, Volume II requires that “projects shall be designed and operated so that off-site discharges will meet State water quality standards.” Section 4.1.3, Volume II, states that

“systems which have a direct discharge to an OFW, must provide an additional fifty percent of the required treatment.” Section 4.9.1, Volume II specifies a more detailed evaluation by the District staff for new developments which outfall to sensitive receiving waters. Such sensitive receiving waters include all OFWs as well as other water bodies specifically named in this rule.

Section 10.2.4, Volume I states:

An applicant must provide reasonable assurance that the regulated activity will not violate water quality standards.

Reasonable assurance regarding water quality must be provided both for the short term and the long term The following requirements are in addition to the water quality requirements found in Sections 8.2.3 and 8.3 through 8.3.3.

In cases where a project will discharge to a water body that does not meet standards, Section 10.2.4.5, Volume I requires that:

The applicant must demonstrate that the proposed activity will not contribute to the existing violation.

Section 10.2.4.5, Volume I also states, “If the proposed activity will contribute to the existing violation, mitigation may be proposed as described in subsection 10.3.1.4 (Volume I).”

In addition, where the applicant is unable to meet water quality standards because existing ambient water quality does not meet standards, Section 373.414(1)(b)3, F.S., states that the Governing Board shall:

consider mitigation measures proposed by or acceptable to the applicant that cause net improvement of the water quality in the receiving body of water for those parameters which do not meet standards.

Required Analysis

The applicant must submit the following for each project:

Construction Phase Pollution Prevention Plan

A Stormwater Pollution Prevention Plan for construction activities resulting in greater than 1 acre of land clearing, soil disturbance, excavation, or deposition of dredge material. The plan shall be prepared in accordance with recognized design practices and shall identify the potential sources of pollution that shall reasonably be expected to affect the quality of stormwater discharge associated with the construction activity.

Operation Phase Pollution Prevention Plan

A Post-construction Pollution Prevention Plan to be submitted as part of the permit application, which provides details of controls and practices to be implemented after construction is completed to reduce or eliminate the generation and accumulation of potential stormwater runoff contaminants at or near their source. A Post-construction Pollution Prevention Plan shall include plans for surface water management system operation and maintenance, nutrient and pesticide management, solid waste management, and/or animal/livestock waste storage and disposal, if applicable. Records of maintenance, operation and inspection shall be kept by the permittee and shall be available for inspection and copying by the District staff upon request.

Site-Specific Water Quality Evaluation

In order to demonstrate that the proposed activities will not contribute to an existing impairment of a water body, will not degrade an OFW, or will provide a “net improvement,” an applicant shall provide reasonable assurance based on site-specific information to demonstrate that discharges of the parameter or parameters which have caused the impairment do not have the potential to cause or contribute to water quality violations in the basin. This demonstration shall be accomplished through the use of a site-specific water quality evaluation.

Additional Source Controls, BMPs and Other Protective Measures

In addition to the extra 50% water quality treatment volume for discharges to OFWs or impaired water bodies, a site-specific water quality analysis is required. Before submitting an application, the applicant shall perform an initial site-specific water quality analysis. The initial analysis must demonstrate that the proposed project’s stormwater management system will not degrade an OFW or will provide a net improvement in an impaired water body for any parameters which are impaired. If the site-specific water quality analysis does not demonstrate that an OFW will not be degraded or a net improvement will occur in an impaired water body, then additional protective measures are required. These protective measures shall consist of source controls, BMPs or other protective measures. The applicant must then submit a site-specific water quality analysis to the District that demonstrates that an OFW will not be degraded or that a net improvement will occur in an impaired water body of any parameter which is impaired.

Listed below are typical source and structural controls commonly incorporated into proposed project stormwater designs and site specific water quality analysis as a part of the evaluation of whether an applicant has provided reasonable assurance to demonstrate that a proposed activity will not degrade an OFW, or in the case of an impaired water body, will not contribute to a violation of the impaired parameter. Such evaluation must take into consideration the particular water quality parameter which is not being met in the water body and whether the proposed project will contribute to the continued violation. The listed additional protective measures are not considered exhaustive. The District will consider other protective measures proposed by the applicant which include the necessary detailed documentation to demonstrate reasonable assurance that water quality standards will not be violated during construction and during long term operation. A combination of protective measures must be based on the proposed project, receiving water body, and specific pollutant(s) causing or contributing to the impairment of the receiving water body. Examples of protective measures are:

Increased Hydraulic Residence Time

Increased average wet season hydraulic residence time of wet detention ponds to at least 21 days using a maximum depth of 12 feet from the control elevation to calculate the residence time.

Pollutant Source Controls

Source controls typically include reduced turf coverage; native landscape plantings; stormwater harvesting and recycling; rooftop runoff management and recycling; pervious pavement; and vegetated non-turf buffers around detention/retention ponds.

Conveyance and Pretreatment BMPs

Stormwater conveyance and pretreatment BMPs typically include filter strips; vegetated stormwater inlets; vegetated swales; sediment trap structures such as baffle boxes; and dry retention or detention pretreatment.

Water Quality Treatment Enhancement

Stormwater treatment system enhancements typically include the use of on-site created wetlands in a treatment train as a polishing cell after primary treatment; detention ponds with littoral berms, settling basins or phyto-zones within the detention areas; planted wetland filter marshes just upstream of project outfall structures; detention ponds with increased effective treatment time by use of internal levees and/or berms and/or location of inflow and outflow structures to increase the flow path distance.

Treatment Efficiency of BMPs in Series

If a stormwater treatment system is designed in series as part of a BMP treatment train to increase the pollutant removal efficiency of the overall system, the treatment efficiencies of BMPs in series must account for the reduced loading transferred to subsequent downstream treatment devices as well as irreducible concentrations of certain pollutants. After treatment occurs in the first system, a load reduction occurs, which is a function of the type of treatment provided. After migrating through the initial treatment system, the remaining load consists of pollutant mass which was not removed in the initial system. This mass is then acted upon by the second treatment system with an efficiency associated with the particular type of BMP used until the irreducible concentration level is met.

When treatment systems are used in series, and a continuous model of the treatment systems is not used, the efficiency of the overall treatment train shall be calculated using the following equation:

$$\textit{Treatment Train Efficiency} = \textit{Eff}_1 + [(1 - \textit{Eff}_1) \times \textit{Eff}_2]$$

Attention must be paid to the treatment efficiency used for each downstream BMP to account for the diminishing “treatability” of stormwater as concentrations are reduced.

Water Quality Mitigation

In cases where ambient water quality does not meet State water quality standards and it is determined that the proposed activity will contribute to the violation (e.g., the water body is impaired for nutrients and the proposed project will discharge an increased nutrient load), Section 373.414(1)(b)3, F.S., and the Section 10.3.1.4. Volume I include provisions for water quality mitigation that will cause a net improvement. Water quality mitigation can be accomplished in a variety of ways. The typical concept is to provide net improvement through implementation of a water quality treatment system or retrofit of an area that currently discharges untreated stormwater runoff to the same receiving body as the proposed project. The type of land use, runoff rates, removal efficiencies and the pollutants expected from the mitigation area all must be compared to the proposed activity to assure the proposed mitigation is sufficient to cause

a net improvement in the receiving water. Any areas used for off-site treatment must include a perpetual easement for this purpose, over the off-site treatment area, which cannot be amended, altered, released or revoked without the prior written consent of the District.

Water Quality Monitoring

Section 4.9.1(b), Volume II of the Environmental Resource Permit Applicant's Handbook Volume II for Use within the Geographic Limits of the South Florida Water District, incorporated by reference in Rule 40E-4.091, F.A.C., contains the rule on water quality monitoring.

Notice of Change/Withdrawal

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: RULE TITLE:

[40E-4.091](#): Publications, Rules and Interagency Agreements Incorporated by Reference

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 40 No. 87, May 5, 2014 issue of the Florida Administrative Register.

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference herein:

(a) “Environmental Resource Permit Applicant’s Handbook, Volume II For Use Within the Geographic Limits of the South Florida Water Management District, _____ ~~October 1, 2013,~~” ([hyperlink](#)), which incorporates the following forms or materials by reference:

1. through 5. No change.

(b) through (e) No change.

(2) No change.

Rulemaking Authority 373.044, 373.103(8), 373.113, ~~373.171~~, 373.413, 373.418, 373.4131, 373.441, ~~704.06~~ FS. Law Implemented 373.046, 373.413, 373.4131, ~~373.4135, 373.4137, 373.414, 373.4142, 373.416, 373.418, ~~373.421~~, 373.426, 373.441, 668.003, 668.004, 668.50, 695.26, 704.06~~ FS. History–New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, 6-26-02, 6-26-02, 4-6-03, 4-14-03, 9-16-03, 12-7-04, 2-12-06, 10-1-06, 11-20-06, 1-23-07, 7-1-07, 7-22-07, 11-11-09, 7-1-10, 7-4-10, 12-15-11, 5-20-12, 10-1-13, _____.

The proposed Volume II including Appendix E is available online at www.sfwmd.gov/rules, and selecting “Impaired Waters”. An excerpt of the proposed changes to Volume II, is as follows:

PART IV STORMWATER QUALITY

4.1 through 4.1.3 No change.

4.1.4 Projects Discharging to Impaired Waters or to Outstanding Florida Waters

Systems discharging to a waterbody that has been identified as impaired by the Department of Environmental Protection pursuant to Section 403.067, F.S. ~~under Chapter 62-303, F.A.C.~~, or to an Outstanding Florida Water, shall be designed in accordance with the procedures in Appendix E.

APPENDIX E

Procedure for Environmental Resource Permit Water Quality Evaluations for Applications Involving Discharges to Outstanding Florida Waters and Water Bodies that Do Not Meet State Water Quality Standards

This procedure shall be utilized in coordination with the “Environmental Resource Permit Applicant’s Handbook Volume I: General and Procedural” (Volume I), incorporated by reference in Rule 62-330.010 F.A.C., and “Environmental Resource Permit Applicant’s Handbook Volume II: For Use within the South Florida Water Management District” (District) (Volume II), incorporated by reference in Rule 40E-4.091, F.A.C. This procedure pertains to the application of existing District rules in the evaluation of permit applications for projects which discharge to Outstanding Florida Waters (OFWs) and water bodies that do not meet State water quality standards identified on the State’s “Verified List” of impaired waters or water bodies that have a State adopted Total Maximum Daily Load (TMDL) (impaired water bodies).

“Impaired Water Bodies”

No Change

Relationship Between “Impaired Waters” and District Water Quality Rules

No Change

Existing ERP Water Quality Requirements and Evaluation

No Change

Required Analysis

The applicant must submit the following for each project:

Construction Phase Pollution Prevention Plan

A Stormwater Pollution Prevention Plan for construction activities resulting in greater than 1 acre of land clearing, soil disturbance, excavation, or deposition of dredge material. The plan shall be prepared in accordance with recognized design engineering practices and shall identify the potential sources of pollution that shall reasonably be expected to affect the quality of stormwater discharge associated with the construction activity.

Operation Phase Pollution Prevention Plan

No Change

Site-Specific Water Quality Evaluation

No Change

Additional Source Controls, BMPs and Other Protective Measures

No Change

Water Quality Treatment Enhancement

No Change

Treatment Efficiency of BMPs in Series

No change

Water Quality Mitigation

No Change

Water Quality Monitoring

~~Section 4.9.1(b), Volume II of the Environmental Resource Permit Applicant's Handbook Volume II for Use within the Geographic Limits of the South Florida Water District, incorporated by reference in Rule 40E-4.091, F.A.C., contains the rule on water quality monitoring. states that "new projects entailing a more intensified land use, such as industrial parks, and planning to discharge to a sensitive receiving water, directly or indirectly, shall be required to institute a water quality monitoring program if the applicant is unable to provide adequate assurances (by such means as routing drainage of areas where polluting materials would be located away from the stormwater management system); developing restrictive covenants, or similar documents, which would have the effect of prohibiting polluting materials on the project site or proposing other methods of assurance) that degradation of the receiving body water quality will not occur." Based on the fact that permits are not typically issued without an applicant providing the reasonable assurances discussed in Section 4.9.1, Volume II and the District's long term experience with current water management system designs, the District has not routinely required permit level water quality monitoring.~~

M E M O R A N D U M

TO: Governing Board Members

FROM: Doug Bergstrom, Director, Administrative Services Division

DATE: June 12, 2014

SUBJECT: Monthly Financial Statement – April 2014

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 April 30, 2014, with 58.3% of the fiscal year completed.

Schedule of Sources and Uses – This financial statement compares revenues received and encumbrances/expenditures made against the District's FY14 \$717.9 million consumable budget. Encumbrances represent orders for goods and services which have not yet been received.

- With the fiscal year 58.3% complete, 84.1% 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 64.0% 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 FY14 sources collected were 90.7% of budget or \$651.5 million.
- 94.7% of budgeted Ad Valorem tax revenue and 100.9% of Agricultural Privilege tax revenue have been collected to date. Ad Valorem and Agricultural Privilege tax collections peak November through January driven by the mailing of property tax bills in October and the 4.0% maximum discount available when paid in full by November 30. These taxes are budgeted at a discounted rate of 95.0% 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 April average a collection rate of 90.8%.
- There is \$9.1 million in budgeted intergovernmental revenue in ad valorem funds, which includes \$4.4 million in Alligator Alley toll revenue, \$2.8 million in WMLTF for moving water south, \$1.6 million in USACE reimbursements, and \$304K in DEP reimbursements for aquatic plant control activities. Actual revenues earned as of the end of April amount to \$3.9 million.
- There is \$92.0 million in budgeted intergovernmental revenue in dedicated funds, comprised of \$74.8 million in SOETF reimbursements, \$5.0 million in reimbursements from the Florida Fish and Wildlife Conservation Commission (FWC) for aquatic/invasive

plant control and \$15K for Model Lands, \$6.9 million in WMLTF reimbursements for debt service expenses related to bonds and \$4.0 million for the Corbett Levee, reimbursement of federal revenues of \$538K for St. Lucie Watershed Water Farming and \$375K for Tropical Storm Isaac repairs, \$240K from Indian River Lagoon and Everglades License Tag proceeds, and \$175K reimbursement from FDEP for water quality studies. FY14 actual revenue to date amounts to \$44.3 million. Reimbursement requests are submitted to the state based on actual expenses incurred and are typically received later in the fiscal year.

- The District budgeted \$2.9 million in investment earnings in ad valorem funds for FY14. Total revenue to date is \$3.6 million or 125% of budgeted Investment Earnings; \$2.7 million or 95.1% of investment earnings in ad valorem funds and \$858K in dedicated funds.
- 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 received \$3 million which represents 99.3% of the current year budgeted lease revenue. The use of lease revenue collected for lands purchased with State or Federal funds is restricted based on the guidelines in the acquisition or grant.
- There is \$3.9 million in budgeted permit fee revenue, which includes water use permits (\$549K), right of way permits (\$68K), Environmental Resource Permit (ERP) application fees (\$1.5 million), and wetland mitigation fees for C-139 Annex Restoration (\$1.8 million). FY14 revenue amounts received include \$525K from water use permits, \$1.6 million from ERP Application Fees, \$11 million in unbudgeted revenues from Lake Belt Mitigation fees, \$2.3 million from Loxahatchee Wetland Mitigation and \$53K from other applications and fees.
- Budgeted revenue in the Other category includes \$210K in civil penalties and enforcement fees and \$251K 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 \$1.6 million at the end of April, representing 356.5% of the budgeted \$461K. \$1.1 million of the amount received was a refund of prior year expenditures from Florida League of Cities.
- Sale of District Property represents the sale of real property and land. This is budgeted conservatively at \$250K due to the uncertainty involved. FY14 revenues received total \$337K.
- 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 \$16.2 million received through April equate to 56.4% of the \$28.8 million budget.

Expenditure and Encumbrance Status:

As of April 30, 2014, with 58.3% of the year complete, the District has expended **\$271 million or 42.2%** and has encumbered **\$172 million or 26.8%** of its non-reserve budget. The District has obligated (encumbrances plus expenditures) **\$443 million or 69.1%** 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 61.7% and expended 30.3% of their \$149.8 million budget. Principal expenditures include personnel services (\$3 million), contractual services (\$7.9 million), operating (\$210K), and capital outlay (\$34.3 million). Capital outlay encumbrances (\$40.5 million) and contractual services encumbrances (\$6.4 million) include the following projects: Southern CREW, Biscayne Bay Coastal Wetlands, C-111 Spreader Canal, L-8 Flow Equalization Basin, C-44 Reservoir/STA Project, Loxahatchee Impoundment Landscape Assessment, Picayune Strand, CERP Monitoring and Assessment, Modified Water Deliveries & South Dade C-111 Project, CERP Water Quality Study, and CERP Data Management.
- The **Coastal Watersheds Program** has obligated 63.6% and expended 26.5% of their total \$21.6 million budget. Principal expenditures include personnel services (\$1.9 million), contractual services (\$3.6 million), and capital outlay (\$226K). Contractual services encumbrances primarily consist of regional projects (\$4.3 million) including: St. Lucie River and Indian River Lagoon Initiatives, Loxahatchee River Preservation Initiative, Lakes Park Restoration, Spanish Creek/Four Corners Initiative, Mirror Lakes/Halfway Pond Rehydration, and Big Cypress Basin Stormwater Projects; remaining contractual encumbrances (\$1.3 million) include: St. Lucie River Watershed WaSh Model Upgrade; St. Lucie and Caloosahatchee River Watersheds nutrient study; water quality monitoring in St. Lucie River, Indian River Lagoon, and Loxahatchee River; water quality monitoring, modeling, nutrient and hydrological studies for the Florida Bay and Coastal Wetlands Project; Biscayne Bay water quality and submerged aquatic monitoring; Lake Trafford monitoring; public process to develop a restoration vision of the Caloosahatchee River and Estuary; hydro model for Naples and Rookery Bay, Naples Bay salinity data collection, and Collier County water quality monitoring. Capital outlay encumbrances (\$2.4 million) are for the Lake Hicpochee Hydrologic Enhancement project.
- The **District Everglades Program** has obligated 71.4% and expended 31.0% of their total \$104.3 million budget. Principal expenditures include personnel services (\$10.0 million), contractual services (\$2.2 million), operating (\$4.0 million), and capital outlay (\$16.1 million). Contractual services encumbrances (\$2.7 million) primarily include the operations monitoring, maintenance, and repair of Stormwater Treatment Areas (STA), L-40 and STA 1E Exterior Levee Certification, STA Structure Inspection Program, Restoration Strategies Science Plan projects and the Everglades Regulation Source Control. Operating encumbrances (\$464K) are in support of the overall operations and the maintenance of vegetation and exotic plant control of the STA's. Capital outlay

encumbrances (\$39.0 million) include work on Everglades Agricultural Area A1 Flow Equalization Basin, STA 1W Expansion, Restoration Strategies Science Plan projects and completion of the Compartment B Cell 8 repairs.

- The **Kissimmee Watershed Program** has obligated 58.8% and expended 6.5% of their total \$27.0 million budget. Principal expenditures include personnel services (\$983K), contractual services (\$347K), and operating (\$409K). Contractual services and operating encumbrances (\$720K) primarily consist of Kissimmee River Restoration Evaluation (\$136K), Kissimmee Basin Modeling and Operating System (\$86K), the Oak Creek project (\$53K), Rolling Meadows project (\$6K), hydrologic monitoring (\$131K), Orange County Area Stormwater Improvements (\$281K), land acquisition related costs, environmental risk assessments and electrical services (\$27K). Capital outlay encumbrances (\$13.4 million) are primarily for the Kissimmee River Restoration land acquisition and associated costs.
- The **Lake Okeechobee Program** has obligated 72.7% and expended 34.5% of their total \$20.0 million budget. Principal expenditures include personnel services (\$2.2 million), contractual services (\$4.5 million), operating (\$116K), and capital outlay (\$104K). Contractual services and operating encumbrances (\$6.7 million) primarily consist of Dispersed Water Management and Florida Ranchland Environmental Services Projects (\$5.3 million), Northshore Navigation Canal project (\$1.1 million), Lake Okeechobee Watershed Pre-Drainage Characterization study (\$76K), Lake Istokpoga Marsh project (\$32K), Lakeside Ranch project (\$9K), computer hardware/software maintenance and support (\$61K), utilities (\$68K) and water quality assessments/improvements and reporting (\$80K).
- The **Land Stewardship Program** has obligated 56.9% and expended 34.8% of their total \$20.7 million budget. Principal expenditures include personnel services (\$2.4 million), contractual services (\$3.2 million), operating (\$1.3 million), and capital outlay (\$273K). Contractual services and operating encumbrances (\$4.5 million) include the maintenance of vegetation and exotic plant control, work on the C-139 Annex Mitigation project, provision of law enforcement services, and management of District owned lands and facilities.
- The **Mission Support Program** has obligated 71.9% and expended 62.6% of their total \$45.7 million budget. Principal expenditures include personnel services (\$12.4 million), contractual services (\$3.7 million), operating (\$11.3 million), and capital (\$946K). Contractual services encumbrances (\$2.5 million) include legal and technical support services, IT consulting services, hardware/software, systems maintenance for the fiscal year, and facilities maintenance and repair services. Operating encumbrances (\$1.2 million) include utilities and space rental. Capital outlay encumbrances (\$521K) include design, construction, and inspection work to upgrade the chiller system to provide redundant cooling capacity for the IT data center, located within the Emergency Operations Center and computer hardware components.
- The **Modeling and Science Support Program** has obligated 67.7% and expended 61.4% of their total \$12.8 million budget. Principal expenditures include personnel services (\$5.8 million), contractual services (\$1.5 million), operating (\$406K), and capital outlay (\$133K). Contractual services and operating encumbrances (\$788K) include

water quality sampling, technical assistance and peer reviews, model maintenance and enhancements, and computer hardware/software maintenance and consulting. Capital outlay encumbrances (\$7K) are for field equipment.

- The **Operations and Maintenance Program** has obligated 70.9% and expended 45.8% of their total \$153.2 million budget. Principal expenditures include personnel services (\$30.3 million), contractual services (\$12.9 million), operating (\$16.6 million), and capital outlay (\$10.3 million). Encumbrances for contractual services and capital outlay (\$37.0 million) primarily relate to the O&M capital program for maintenance and repair of existing water management system canals and water control structures including, Miami B-47 Building Replacement, Diesel Oxidation Catalyst Installation, S-21 Cathodic Protection, C-4 Canal Bank Improvements, S-5A Hardening and Service Bridge Refurbishment, S-235 Automation, C-100A Canal Bank Repairs, BCB Field Station Design/Build, Miller Weir #3, Hillsboro Canal Bank Repairs, S-9 Access Bridge Replacement, S-6 Tower Replacement, North Shore Trash Rake Project, S-13 Repower and Automation, G-94 A-D Refurbishment and Repairs, S-150 Replacement and Automation, G-151 Structure Replacement, Central and Southern Flood Control Structure Inspections, and NAVD88 Vertical Datum Upgrades. Operating encumbrances (\$1.5 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 59.5% and expended 56.5% of their total \$23.0 million budget. Principal expenditures include personnel services (\$9.5 million), contractual services (\$1.1 million), operating (\$2.1 million), and capital outlay (\$314K). Contractual services and operating encumbrances (\$629K) include application development, permit scanning contractors/support, computer hardware/software, and advertising services. Capital outlay encumbrances (\$66K) consist primarily of the ePermitting enhancement project which saves time and expenses with online filing/searching of permits.
- The **Water Supply Program** has obligated 68.2% and expended 47.4% of their total \$21.0 million budget. Principal expenditures include personnel services (\$3.2 million), contractual services (\$1.3 million), operating (\$5.2 million), and capital outlay (\$38K). Contractual services and operating encumbrances (\$4.3 million) include the Caloosahatchee Rule Making (\$9K), Central Florida Water Initiative (\$215K), WaterSIP grants (\$250K), Lower Floridan Aquifer (\$23K), interagency agreements for Alternative Water Supply projects (\$381K), Big Cypress Basin (\$3.1 million), Mobile Irrigation Lab (\$28K), hydrologic data gathering and analysis (\$266K), Water Supply Plan implementation (\$25K), and Outreach and Education (\$8K).
- **Debt Service** expenses amount to 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.
- **Reserves** of \$77.1 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

Governing Board Members
June 12, 2014
Page 6

economic stabilization reserves, including \$10.0 million for O&M capital projects. Remaining managerial reserves include \$1 million in cost savings and \$16 million in FY14 funds intended for FY15 re-budget.

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 Mike Smykowski at (561) 682-6295.

DB/MS
Attachment

South Florida Water Management District
Statement of Sources and Uses of Funds (Unaudited)
 For the month ended: April 30, 2014. Percent of fiscal year completed: 58.3%

SOURCES	ANNUAL BUDGET	ACTUALS		ACTUALS AS A % OF BUDGET
		THROUGH 04/30/2014	VARIANCE (UNDER) / OVER BUDGET	
Ad Valorem Property Taxes	\$ 266,557,178	\$ 252,301,265	\$ (14,255,913)	94.7%
Agricultural Privilege Taxes	11,300,000	11,403,865	103,865	100.9%
Intergovernmental - Ad Valorem Funds	9,136,087	3,889,253	(5,246,834)	42.6%
Intergovernmental - Non Ad Valorem Funds	92,376,091	44,320,238	(48,055,853)	48.0%
Intergovernmental Total	101,512,178	48,209,491	(53,302,687)	47.5%
Investment Earnings - Ad Valorem Funds	2,870,000	2,729,840	(140,160)	95.1%
Investment Earnings - Non Ad Valorem Funds	-	857,735	857,735	-
Investment Earnings Total	2,870,000	3,587,575	717,575	125.0%
Leases	3,041,656	3,021,756	(19,900)	99.3%
Permit Fees/Miscellaneous Fees	2,110,999	4,482,917	2,371,918	212.4%
Mitigation Fees - Lake Belt & Wetlands	1,801,117	11,034,997	9,233,880	612.7%
Licenses, Permits and Fees Total	3,912,116	15,517,914	11,605,798	396.7%
Other	461,200	1,643,970	1,182,770	356.5%
Sale of District Property	250,000	337,282	87,282	134.9%
Self Insurance Premiums	28,799,913	16,242,716	(12,557,197)	56.4%
SUB-TOTAL OPERATING REVENUES	418,704,241	352,265,834	(66,438,407)	84.1%
Fund Balance	299,242,283	299,242,283	-	100.0%
TOTAL SOURCES	\$ 717,946,524	\$ 651,508,117	\$ (66,438,407)	90.7%

USES	ANNUAL BUDGET	EXPENDITURES	ENCUMBRANCES ¹	REPORTED	% EXPENDED	% ENCUMBERED	% OBLIGATED ²
				AVAILABLE BUDGET			
CERP	\$ 149,793,221	\$ 45,397,786	\$ 46,960,865	\$ 57,434,570	30.3%	31.4%	61.7%
Coastal Watersheds	21,611,442	5,733,940	8,015,663	7,861,839	26.5%	37.1%	63.6%
District Everglades	104,330,959	32,295,042	42,157,336	29,878,581	31.0%	40.4%	71.4%
Kissimmee Watershed	27,023,832	1,746,680	14,132,959	11,144,193	6.5%	52.3%	58.8%
Lake Okeechobee	19,964,769	6,879,803	7,640,627	5,444,339	34.5%	38.3%	72.7%
Land Stewardship	20,712,970	7,215,929	4,570,023	8,927,018	34.8%	22.1%	56.9%
Mission Support	45,704,551	28,600,037	4,242,234	12,862,281	62.6%	9.3%	71.9%
Modeling & Sci Supp	12,751,905	7,831,802	796,834	4,123,268	61.4%	6.2%	67.7%
Ops & Maintenance	153,202,131	70,172,111	38,515,726	44,514,295	45.8%	25.1%	70.9%
Regulation	23,018,890	13,001,009	694,591	9,323,290	56.5%	3.0%	59.5%
Water Supply	20,661,842	9,787,130	4,314,537	6,560,175	47.4%	20.9%	68.2%
Debt Service	42,074,439	42,074,438	-	1	100.0%	0.0%	100.0%
SUB-TOTAL NON-RESERVES USES	640,850,953	270,735,708	172,041,394	198,073,851	42.2%	26.8%	69.1%
Reserves	\$ 77,095,571	\$ -	\$ -	77,095,571	0.0%	0.0%	0.0%
TOTAL USES	\$ 717,946,524	\$ 270,735,708	\$ 172,041,394	\$ 275,169,422	37.7%	24.0%	61.7%

¹ Represents unexpended balances of open purchase orders

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

South Florida Water Management District
Statement of Sources and Uses of Funds (Unaudited)

For the month ended: April 30, 2014. Percent of fiscal year completed: 58.3%

	CURRENT BUDGET	ACTUALS THROUGH 04/30/2014	VARIANCE (UNDER) / OVER BUDGET	ACTUALS AS A % OF BUDGET
Sources				
Taxes ¹	\$ 277,857,178	\$ 263,705,130	\$ (14,152,048)	94.91%
Intergovernmental Revenues	101,512,178	48,209,491	(53,302,687)	47.49%
Interest on Invested Funds	2,870,000	3,587,575	717,575	125.0%
License and Permit Fees	3,912,116	15,517,914	11,605,798	396.7%
Other ²	32,552,769	21,245,723	(11,307,046)	65.3%
Fund Balance	299,242,283	299,242,283	-	100.0%
Total Sources	\$ 717,946,524	\$ 651,508,117	\$ (66,438,407)	90.7%

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	\$ 52,831,627	\$ 28,492,130	\$ 8,657,448	\$ 15,682,049	53.9%	70.3%
Acquisition, Restoration and Public Works	332,189,706	108,049,550	113,946,556	110,193,600	32.5%	66.8%
Operation and Maintenance of Lands and Works	267,947,057	94,662,980	46,451,353	126,832,723	35.3%	52.7%
Regulation	26,476,300	14,702,846	944,415	10,829,038	55.5%	59.1%
Outreach	2,440,846	1,456,025	19,350	965,471	59.7%	60.4%
Management and Administration	36,060,988	23,372,176	2,022,272	10,666,541	64.8%	70.4%
Total Uses	\$ 717,946,524	\$ 270,735,708	\$ 172,041,394	\$ 275,169,422	37.7%	61.7%

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

⁴ Represents the sum of expenditures and encumbrances as a percentage of the current budget.

This unaudited financial statement is prepared as of April 30, 2014, and covers the interim period since the most recent audited financial statements.

South Florida Water Management District
Statement of Sources and Uses of Funds (Unaudited)

For the month ended: April 30, 2014. Percent of fiscal year completed: 58.3%

	Annual Budget	Expenditures	Encumbrances	Reported Available Budget	% Expended	% Encumbered	% Obligated
CERP							
Personnel Services	\$ 6,649,787	\$ 2,969,413	\$ -	\$ 3,680,374	44.7%	0.0%	44.7%
Contractual Services	19,162,026	7,920,943	6,455,280	4,785,803	41.3%	33.7%	75.0%
Operating	1,403,549	210,275	10,974	1,182,300	15.0%	0.8%	15.8%
Travel	30,380	5,817	922	23,641	19.1%	3.0%	22.2%
Capital Outlay	119,214,510	34,291,338	40,493,689	44,429,484	28.8%	34.0%	62.7%
CERP Indirect	3,332,968	-	-	3,332,968	0.0%	0.0%	0.0%
Total CERP	149,793,221	45,397,786	46,960,865	57,434,570	30.3%	31.4%	61.7%
Coastal Watersheds							
Personnel Services	3,620,707	1,871,465	-	1,749,242	51.7%	0.0%	51.7%
Contractual Services	10,240,681	3,592,302	5,562,840	1,085,539	35.1%	54.3%	89.4%
Operating	140,206	35,170	7,476	97,559	25.1%	5.3%	30.4%
Travel	27,035	8,640	253	18,142	32.0%	0.9%	32.9%
Capital Outlay	7,582,814	226,363	2,445,093	4,911,358	3.0%	32.2%	35.2%
Total Coastal Watersheds	21,611,442	5,733,940	8,015,663	7,861,839	26.5%	37.1%	63.6%
District Everglades							
Personnel Services	18,299,671	9,992,543	-	8,307,128	54.6%	0.0%	54.6%
Contractual Services	9,813,229	2,238,179	2,734,640	4,840,409	22.8%	27.9%	50.7%
Operating	9,528,579	3,973,561	463,840	5,091,178	41.7%	4.9%	46.6%
Travel	31,313	8,363	-	22,951	26.7%	0.0%	26.7%
Capital Outlay	66,658,168	16,082,396	38,958,856	11,616,916	24.1%	58.4%	82.6%
Total District Everglades	104,330,959	32,295,042	42,157,336	29,878,581	31.0%	40.4%	71.4%
Kissimmee Watershed							
Personnel Services	2,141,232	983,294	-	1,157,939	45.9%	0.0%	45.9%
Contractual Services	7,568,851	346,733	708,637	6,513,482	4.6%	9.4%	13.9%
Operating	455,681	408,991	11,502	35,188	89.8%	2.5%	92.3%
Travel	22,405	6,806	-	15,599	30.4%	0.0%	30.4%
Capital Outlay	16,835,662	857	13,412,820	3,421,985	0.0%	79.7%	79.7%
Total Kissimmee Watershed	\$ 27,023,832	\$ 1,746,680	\$ 14,132,959	\$ 11,144,193	6.5%	52.3%	58.8%

Attachment: Summary of Uses of Funds_Apr14 (1932 : Monthly Financial Statement - April 2014)

South Florida Water Management District
Statement of Sources and Uses of Funds (Unaudited)
For the month ended: April 30, 2014. Percent of fiscal year completed: 58.3%

	Annual Budget	Expenditures	Encumbrances	Reported Available Budget	% Expended	% Encumbered	% Obligated
Lake Okeechobee							
Personnel Services	\$ 3,946,234	\$ 2,173,260	\$ -	\$ 1,772,973	55.1%	0.0%	55.1%
Contractual Services	14,577,689	4,487,004	6,627,932	3,462,753	30.8%	45.5%	76.2%
Operating	393,389	115,841	76,314	201,233	29.4%	19.4%	48.8%
Travel	7,458	79	-	7,379	1.1%	0.0%	1.1%
Capital Outlay	1,040,000	103,619	936,381	-	10.0%	90.0%	100.0%
Total Lake Okeechobee	19,964,769	6,879,803	7,640,627	5,444,339	34.5%	38.3%	72.7%
Land Stewardship							
Personnel Services	4,121,760	2,397,173	-	1,724,587	58.2%	0.0%	58.2%
Contractual Services	12,500,627	3,217,272	4,230,009	5,053,345	25.7%	33.8%	59.6%
Operating	2,489,951	1,323,215	99,070	1,067,666	53.1%	4.0%	57.1%
Travel	15,610	5,007	-	10,604	32.1%	0.0%	32.1%
Capital Outlay	1,585,022	273,262	240,943	1,070,817	17.2%	15.2%	32.4%
Total Land Stewardship	20,712,970	7,215,929	4,570,023	8,927,018	34.8%	22.1%	56.9%
Mission Support							
Personnel Services	21,889,801	12,432,659	-	9,457,142	56.8%	0.0%	56.8%
Contractual Services	8,000,901	3,722,538	2,486,299	1,792,063	46.5%	31.1%	77.6%
Operating	16,848,851	11,305,801	1,227,238	4,315,811	67.1%	7.3%	74.4%
Travel	291,576	192,755	7,860	90,961	66.1%	2.7%	68.8%
Capital Outlay	2,006,390	946,283	520,836	539,271	47.2%	26.0%	73.1%
CERP Indirect	(3,332,968)	-	-	(3,332,968)	0.0%	0.0%	0.0%
Total Mission Support	45,704,551	28,600,037	4,242,234	12,862,281	62.6%	9.3%	71.9%
Modeling & Science Support							
Personnel Services	9,355,873	5,800,687	-	3,555,186	62.0%	0.0%	62.0%
Contractual Services	2,571,751	1,482,245	654,834	434,672	57.6%	25.5%	83.1%
Operating	640,207	405,508	133,644	101,056	63.3%	20.9%	84.2%
Travel	42,818	10,408	1,818	30,592	24.3%	4.2%	28.6%
Capital Outlay	141,255	132,953	6,539	1,763	94.1%	4.6%	98.8%
Total Modeling & Science Support	\$ 12,751,905	\$ 7,831,802	\$ 796,834	\$ 4,123,268	61.4%	6.2%	67.7%

Attachment: Summary of Uses of Funds_Apr14 (1932 : Monthly Financial Statement - April 2014)

South Florida Water Management District
Statement of Sources and Uses of Funds (Unaudited)

For the month ended: April 30, 2014. Percent of fiscal year completed: 58.3%

	Annual Budget	Expenditures	Encumbrances	Reported Available Budget	% Expended	% Encumbered	% Obligated
Operations & Maintenance							
Personnel Services	\$ 52,284,423	\$ 30,309,465	\$ -	\$ 21,974,958	58.0%	0.0%	58.0%
Contractual Services	38,587,726	12,858,654	18,509,847	7,219,225	33.3%	48.0%	81.3%
Operating	30,994,553	16,601,257	1,481,369	12,911,928	53.6%	4.8%	58.3%
Travel	165,117	88,563	24,238	52,316	53.6%	14.7%	68.3%
Capital Outlay	31,170,312	10,314,172	18,500,272	2,355,868	33.1%	59.4%	92.4%
Total Operations & Maintenance	153,202,131	70,172,111	38,515,726	44,514,295	45.8%	25.1%	70.9%
Regulation							
Personnel Services	17,132,088	9,479,155	-	7,652,932	55.3%	0.0%	55.3%
Contractual Services	1,660,209	1,099,543	505,857	54,810	66.2%	30.5%	96.7%
Operating	3,819,263	2,098,714	123,110	1,597,439	55.0%	3.2%	58.2%
Travel	27,587	9,478	-	18,109	34.4%	0.0%	34.4%
Capital Outlay	379,743	314,119	65,624	-	82.7%	17.3%	100.0%
Total Regulation	23,018,890	13,001,009	694,591	9,323,290	56.5%	3.0%	59.5%
Water Supply							
Personnel Services	5,707,102	3,181,893	-	2,525,209	55.8%	0.0%	55.8%
Contractual Services	5,791,870	1,330,117	4,291,089	170,664	23.0%	74.1%	97.1%
Operating	9,112,777	5,235,131	23,250	3,854,395	57.4%	0.3%	57.7%
Travel	12,239	2,134	198	9,907	17.4%	1.6%	19.1%
Capital Outlay	37,855	37,855	-	-	100.0%	0.0%	100.0%
Total Water Supply	20,661,842	9,787,130	4,314,537	6,560,175	47.4%	20.9%	68.2%
Reserves							
Reserves	77,095,571	-	-	77,095,571	0.0%	0.0%	0.0%
Total Reserves	77,095,571	-	-	77,095,571	0.0%	0.0%	0.0%
Debt Service							
Debt Service	42,074,439	42,074,438	-	1	100.0%	0.0%	100.0%
Total Debt Service	42,074,439	42,074,438	-	1	100.0%	0.0%	100.0%
Grand Total	\$ 717,946,524	\$ 270,735,708	\$ 172,041,394	\$ 275,169,422	37.7%	24.0%	61.7%

Attachment: Summary of Uses of Funds_Apr14 (1932 : Monthly Financial Statement - April 2014)

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INDIVIDUAL PERMITS ISSUED BY
AUTHORITY DELEGATED TO EXECUTIVE DIRECTOR
FROM May 1, 2014 TO May 31, 2014

I PERMIT APPLICATIONS	PAGE
BROWARD COUNTY	1
COLLIER COUNTY	2
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OSCEOLA COUNTY	10
PALM BEACH COUNTY	11

1. STERLING RANCH
K HOVNANIAN STERLING RANCH LLC
SEC 35 TWP 50S RGE 41E

APPL. NO. 130305-3
PERMIT NO. 06-06907-P
ACREAGE: 96.43
LAND USE: RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW CONSTRUCTION/OPERATION), INCLUDES
CONSERVATION EASEMENT TO THE DISTRICT)
RECEIVING BODY: CENTRAL BROWARD WATER CONTROL DISTRICT S-4 CANAL
LAST DATE FOR AGENCY ACTION: JUNE 13, 2014

1. ARTESIA NAPLES APPL. NO. 140218-8
 W C I COMMUNITIES INC PERMIT NO. 11-03545-W
 SEC 4 & 5 TWP 51S RGE 26E ACREAGE: 261.60
 LAND USE: DEWATERING

PERMIT TYPE: WATER USE PROPOSED
 WATER SOURCE: WATER TABLE AQUIFER
 ALLOCATION: NOT REQUIRED
 LAST DATE FOR AGENCY ACTION: JUNE 22, 2014

2. INDIAN HILL ESTATES (F K A KNOLLWOOD) APPL. NO. 060609-6
 CALUSA PINES GOLF CLUB L L C PERMIT NO. 11-01839-P
 SEC 25,36 TWP 48S RGE 25E ACREAGE: 463.70
 LAND USE: RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONCEPTUAL APPROVAL MODIFICATION AND NEW
 CONSTRUCTION/OPERATION), INCLUDES CONSERVATION EASEMENT TO THE
 DISTRICT)
 RECEIVING BODY: CALUSA PINES-EXISTING CONVEYANCE VIA ONSITE WETLANDS
 INDIAN HILL ESTATES-IMMOKALEE ROAD CANAL
 LAST DATE FOR AGENCY ACTION: JUNE 16, 2014

3. MILLER CANAL PUMP STATION APPL. NO. 140214-29
 ARCHER WESTERN CONSTRUCTION PERMIT NO. 11-03529-W
 SEC 7,18 TWP 50S RGE 28E ACREAGE: 1.00
 LAND USE: DEWATERING

PERMIT TYPE: WATER USE PROPOSED
 WATER SOURCE: WATER TABLE AQUIFER
 ALLOCATION: NOT REQUIRED
 LAST DATE FOR AGENCY ACTION: JUNE 25, 2014

4. NAPLES RESERVE APPL. NO. 130927-6
 S F I NAPLES RESERVE L L C PERMIT NO. 11-01836-W
 SEC 1 TWP 51S RGE 26E ACREAGE: 158.53
 LAND USE: LANDSCAPE

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
 WATER SOURCE: ON-SITE LAKES, LOWER TAMIAMI AQUIFER
 ALLOCATION: 27.36 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: JUNE 15, 2014

Attachment: IP Issued by ED May 2014 (1936 : Executive Director's Report)

1. ORTONA GROVE
COOPER OUTWEST INC
SEC 22, 23 TWP 42S RGE 30E

APPL. NO. 120921-6
PERMIT NO. 22-00182-W
ACREAGE: 140.00
LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
WATER SOURCE: ON-SITE DITCHES, OFF-SITE LAKES
ALLOCATION: 23.55 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: JUNE 5, 2014

Attachment: IP Issued by ED May 2014 (1936 : Executive Director's Report)

1. IMMOKALEE GROVE
FINCA VIGIA L L C
SEC 12,13 TWP 47S RGE 31E

APPL. NO. 120430-3
PERMIT NO. 26-00116-W
ACREAGE: 504.00
LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL
WATER SOURCE: LOWER TAMIAMI AQUIFER
ALLOCATION: 78.14 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: MAY 21, 2014

Attachment: IP Issued by ED May 2014 (1936 : Executive Director's Report)

1. TRIPLE G RANCH IRRIGATION PROJECT
TRIPLE G RANCH, L.L.L.P.
SEC 10-15 TWP 34S RGE 30E

APPL. NO. 140228-16
PERMIT NO. 28-00703-W
ACREAGE: 1094.12
LAND USE: AGRICULTURAL

PERMIT TYPE: WATER USE PROPOSED
WATER SOURCE: FLORIDAN AQUIFER SYSTEM
ALLOCATION: 193.5 MILLION GALLONS PER MONTH
LAST DATE FOR AGENCY ACTION: MAY 29, 2014

Attachment: IP Issued by ED May 2014 (1936 : Executive Director's Report)

1.	COPPERLEAF GOLF CLUB COPPERLEAF GOLF CLUB COMMUNITY ASSOC INC SEC 2,11 TWP 47S RGE 25E	APPL. NO. 080904-10 PERMIT NO. 36-07521-W ACREAGE: 142.60 LAND USE: GOLF COURSE
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PERMIT TYPE: WATER USE PROPOSED
 WATER SOURCE: WATER TABLE AQUIFER, ON-SITE LAKES
 ALLOCATION: 24.61 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: JUNE 22, 2014

2.	SPRING RUN GOLF CLUB SPRING RUN GOLF CLUB COMMUNITY ASSOCIATION INC SEC 10, 11 TWP 47S RGE 25E	APPL. NO. 100318-8 PERMIT NO. 36-07525-W ACREAGE: 127.35 LAND USE: GOLF COURSE
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PERMIT TYPE: WATER USE PROPOSED
 WATER SOURCE: WATER TABLE AQUIFER, ON-SITE LAKES
 ALLOCATION: 21.98 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: JUNE 2, 2014

<p>1. COSTA LINDA SUBDIVISION S J AND I 144 DEVELOPMENT L L C SEC 10 TWP 54S RGE 39E</p>	<p>APPL. NO. 140123-17 PERMIT NO. 13-05588-P ACREAGE: 2.40 LAND USE: RESIDENTIAL</p>
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PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW CONSTRUCTION/OPERATION)
 RECEIVING BODY: ON-SITE RETENTION
 LAST DATE FOR AGENCY ACTION: JUNE 6, 2014

<p>2. PALMERA AT CORAL WAY CENTURY HOMEBUILDERS GROUP, L L C SEC 10 TWP 54S RGE 39E</p>	<p>APPL. NO. 131017-9 PERMIT NO. 13-05577-P ACREAGE: 2.31 LAND USE: RESIDENTIAL</p>
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PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW CONSTRUCTION/OPERATION)
 RECEIVING BODY: ON-SITE RETENTION
 LAST DATE FOR AGENCY ACTION: MAY 23, 2014

<p>3. S R 826 PALMETTO EXPWY/ S R 836 DOLPHIN EXPWY INTE FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT V I SEC 1-3,31-36 TWP 53,54S RGE 40E</p>	<p>APPL. NO. 131112-19 PERMIT NO. 13-04168-W ACREAGE: 1.00 LAND USE: DEWATERING</p>
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PERMIT TYPE: WATER USE RENEWAL
 WATER SOURCE: WATER TABLE AQUIFER
 ALLOCATION: NOT REQUIRED
 LAST DATE FOR AGENCY ACTION: JUNE 15, 2014

Attachment: IP Issued by ED May 2014 (1936 : Executive Director's Report)

1. GRAND CYPRESS RESORT
 GRAND CYPRESS ORLANDO, L L C
 SEC 5,8,9,16,17,21 TWP 24S RGE 28E

APPL. NO. 140307-4
 PERMIT NO. 48-00121-W
 ACREAGE: 545.60
 LAND USE: GOLF COURSE
 LANDSCAPE

PERMIT TYPE: WATER USE RENEWAL
 WATER SOURCE: UPPER FLORIDAN AQUIFER, ON-SITE LAKES/PONDS
 ALLOCATION: 92.79 MILLION GALLONS PER MONTH
 LAST DATE FOR AGENCY ACTION: JUNE 5, 2014

2. ROYAL CYPRESS ESTATES
 IVEY GROVES LIMITED
 SEC 8 TWP 24S RGE 28E

APPL. NO. 140206-1
 PERMIT NO. 48-02331-P
 ACREAGE: 57.17
 LAND USE: RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW CONSTRUCTION/OPERATION), INCLUDES
 CONSERVATION EASEMENT TO THE DISTRICT)
 RECEIVING BODY: ON-SITE WETLANDS
 LAST DATE FOR AGENCY ACTION: JUNE 1, 2014

Attachment: IP Issued by ED May 2014 (1936 : Executive Director's Report)

1.	LANCASTER PARK - EAST	APPL. NO.	140121-7
	THE RYLAND GROUP INCORPORATED	PERMIT NO.	49-01836-P-02
	SEC 4, 5 TWP 26S RGE 31E	ACREAGE:	172.46
		LAND USE:	RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONCEPTUAL APPROVAL MODIFICATION AND
CONSTRUCTION/OPERATION MODIFICATION)
RECEIVING BODY: EXISTING WETLANDS
LAST DATE FOR AGENCY ACTION: MAY 12, 2014

2.	REUNION WEST	APPL. NO.	130513-1
	FOURTH QUARTER PROPERTIES L V I I I L L C	PERMIT NO.	49-01107-P
	SEC 22,23,26 TWP 25S RGE 27E	ACREAGE:	205.06
		LAND USE:	RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONSTRUCTION/OPERATION MODIFICATION)
RECEIVING BODY:
LAST DATE FOR AGENCY ACTION: JUNE 9, 2014

Attachment: IP Issued by ED May 2014 (1936 : Executive Director's Report)

