St. Johns River Water Management District

GOVERNING BOARD MEETING
AGENDA
October 12, 2021
City of Fernandina Beach, City Hall
204 Ash Street
Fernandina Beach, FL 32034

The order of items appearing on the agenda is subject to change during the meeting.

Governing Board Meeting - 9:00 a.m.

1. **For Information:** The Hydrologic Conditions Report.
2. **Consideration:** Approval of Governing Board items recommended on the Consent Agenda for approval.
3. **Consideration:** Approval of ranking of project applications for the District-wide Agricultural Cost Share Program and authorization for the Executive Director to execute contracts with a cumulative dollar total not to exceed $1,474,005.
4. **Consideration:** Approval of the District's Draft 2021 Minimum Flows and Levels Priority List and Schedule.
5. **Consideration:** Approval of the Bureau of Operations and Maintenance Annual Work Plan for Fiscal Year 2021-22.
6. **Consideration:** Approval of the Consultant ranking for Request for Qualifications for Continuing Geotechnical Engineering and Construction Services, and authorization for staff to begin professional fee negotiations with the three top-ranked firms.
7. **Consideration:** Approval of the bid and contract award to the lowest responsible and responsive bidder for S-96 Rehabilitation.
8. **Consideration:** Approval of Consumptive Use Permit 1947-12, known as City of Palm Coast. This application is a renewal of a public supply permit requesting a 4.5 mgd increase in allocation using a new alternative water source (brackish Upper Floridan aquifer (UFA)) for a total allocation from all sources of 15.53 mgd through 2041.
9. **Consideration:** Approval of Consumptive Use Permit 68916-4, known as Victoria Park. This a renewal of a landscape irrigation permit requesting a 0.214 mgd increase of an

existing alternative water source (stormwater) for an allocation from all sources of 0.721 mgd through 2041.

10. **Consideration:** Approval for the acquisition in fee-simple interest of a 1.25-acre inholding at the River Lakes Conservation Area, LA2021-018-P1, in Brevard County, Florida.
11. **Consideration:** Approval of the Award of a Sole Source Contract to Olivia Driver for Rough Fish Harvest Monitoring for Nutrient Removal from Ocklawaha and St. Johns River Basin Lakes.
12. **For Information:** Update on Artesian Well Plugging Program.
13. **For Information:** Public Comment.

Consent Agenda

14. **Consideration:** Approval of the minutes from the September 14, 2021 Governing Board Meeting and Tentative Budget Hearing, and September 28, 2021 Final Budget Hearing.
15. **Consideration:** Approval of Treasurer's Financial Report dated August 31, 2021. For information: Finance Committee Calendar for scheduling purposes.
16. **Consideration:** Approval of District participation in the personal exemptions audit within Clay County and authorization for the Executive Director to execute the associated Agreement.
17. **Consideration:** Approval of authorization for the Executive Director to utilize state funding for the Tri-County Agricultural Area Partnership Cost Share Program.
18. **Consideration:** Approval of staff's recommendation that the Governing Board extend the term of the two Temporary Consumptive Use Permits (Deseret Field Crops and Deseret Agronomic Crops) to allow water use for crop production while the Taylor Creek Reservoir settlement-related activities continue.
19. **Consideration:** Approval of staff's recommendation that the Governing Board extend the term of the Temporary Consumptive Use Permit for OUC allowing up to 16 mgd of groundwater from the Floridan Aquifer at the Pine Hills wellfield for water use for public supply uses. There is no change in total allocation.

Other Items and Reports

20. **For Information:** Pending litigation - significant events or significant status changes.
21. **For Information:** Governing Board comments.
22. **For Information:** Executive Director's report.
23. **For Information:** Calendar of upcoming meetings.

Adjourn

AGENDA REQUEST FOR
GOVERNING BOARD MEETING
October 12, 2021

MEMORANDUM

TO: Governing Board

THROUGH: Michael A. Register, P.E.
Executive Director

FROM: Erich Marzolf, Ph.D., Director
Division of Water and Land Resources

SUBJECT: Hydrologic Conditions Report

FOR INFORMATION
The Hydrologic Conditions Report.

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

FROM: Michael A. Register, P.E.
Executive Director

SUBJECT: Governing Board Items Recommended on Consent Agenda

RECOMMENDATION
Approval of Governing Board items recommended on the Consent Agenda for approval.

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

THROUGH: Michael A. Register, P.E.
Executive Director

FROM: Clay Coarsey, Director
Division of Water Supply Planning and Assessment

SUBJECT: Authorization for Contracts for the Districtwide Agricultural Cost Share

RECOMMENDATION
Approval of ranking of project applications for the District-wide Agricultural Cost Share Program and authorization for the Executive Director to execute contracts with a cumulative dollar total not to exceed $1,474,005.

- **Project Name:** District-wide Agricultural Cost Share
- **Initiative:** Agricultural Partnership
- **Contractor:** Multiple
- **Amount:** $1,474,005
- **Implementation:** Project completion by September 30, 2022
- **Total Ag Cost Share Budget:** $1,500,000
- **Funding Available:** FY 22-22 budget
- **Account Number:** 01-34-11-6210-8301-12255
- **Account Name:** District-wide Ag Cost Share Projects
- **Special Notes:**
    - Estimated total grower match: $713,498
    - Estimated total project cost: $2,187,503
    - Total estimated acres: 1,420
    - Estimated conservation/water made available: 160 mgy
    - Estimated annual TN loading reduction: 4,086 pounds
    - Estimated annual TP loading reduction: 1,170 pounds

BACKGROUND
Beginning in FY 2015, the District-wide Agricultural Cost Share program was developed to assist farmers and growers with implementing projects that conserve water and result in nutrient loading reductions. To date,118 projects have been funded since July 2015.

Cost share applications were received on July 23, 2021. District staff ranked the projects based on benefit to the District's core missions, resource benefits, cost effectiveness and timeline to completion. The cost share provides up to 75% of the project costs, not to exceed $250,000 for

the engineering, design, construction and implementation costs of the project. Awardees are expected to cover project maintenance costs for the life of the project and if applicable must modify their consumptive use permits to reflect water savings produced by SJRWMD funds.

DISCUSSION

The Project Selection Panel recently received sixteen applications for cost share assistance. One project was not ranked because it did not meet the intent of the program and one more scored too low to be recommended for funding. The remaining fourteen projects and corresponding cost share dollars in rank order are:

Applicant	Total Amount Requested $	Applicant Share $	SJRWMD Cost $
May and Whitaker BB LLC	80,848	20,212	60,636
McGregor's Greens LLC	485,945	235,945	250,000
Sand Hill Peach Farms LLC	130,557	32,639	97,918
Alpha Fern Company	38,490	9,622	28,868
Sun Ag LLC	246,431	61,607	184,824
May and Whitaker Family Partnership LTD	61,016	15,254	45,762
Far Reach Ranch	61,690	15,422	46,268
Orange Bend Harvesting, Inc.	95,526	23,881	71,645
Hooper's Landscape Nursery	24,650	6,162	18,488
IMG Citrus	162,901	40,725	122,176
Tollison Foliage LLC	41,082	10,270	30,812
Walker Farms	337,698	87,698	250,000
West River Groves LLC	22,144	5,536	16,608
Total Ag Care, LLC	398,525	148,525	250,000
Totals	**2,187,503**	**713,498**	**1,474,005**

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

THROUGH: Michael A. Register, P.E.
Executive Director

FROM: Clay Coarsey, Director
Division of Water Supply Planning and Assessment

SUBJECT: 2021 Minimum Flows and Levels Priority List and Schedule

RECOMMENDATION

Approval of the District's Draft 2021 Minimum Flows and Levels Priority List and Schedule.

BACKGROUND

Minimum Flows and Levels (MFLs) are established to define sustainable water use while protecting water resources from significant harm caused by permitted water withdrawals. Section 373.042(2), *Florida Statutes* (*F.S.*), requires water management districts to submit annually to the Florida Department of Environmental Protection (FDEP), for review and approval, an MFLs priority list and schedule for the establishment of MFLs for water bodies, water courses, wetlands, and aquifers.

The priority list shall be based upon the importance of the waters to the state or region and the existence of or potential for significant harm to the water resources or ecology of the state or region and shall include those waters which are experiencing or may reasonably be expected to experience adverse impacts (373.042(2), *F.S.*).

The District has established MFLs on 132 water bodies (105 lakes, 14 springs, 6 rivers, and 7 wetlands). A total of 32 MFLs have been reevaluated.

The Notice of Proposed Rule for Lakes Brooklyn and Geneva, Clay and Bradford counties, were approved by the District Governing Board on April 13, 2021 and became effective on September 28, 2021.

DISCUSSION

The District's Draft 2021 MFLs Priority List and Schedule (Draft 2021 List) shows the planned year for completion of new MFLs and reevaluations for the calendar years 2022 through 2024 (see attached). As work is completed and MFLs are ready for rulemaking, staff may initiate rulemaking earlier than shown on the Draft 2021 List. At this time, the District is not requesting that the FDEP adopt any of the MFLs on the Draft 2021 List.

The Draft 2021 List includes the following recommended changes to the 2020 approved MFLs Priority List and Schedule:

- Rescheduling to 2022 of Wekiva River at SR46, Wekiwa Springs, Rock Springs and Little Wekiva River to allow for completion of collection of critical environmental data in the Little Wekiva River basin and surface water model updates to better estimate potential impacts to these systems;

- Rescheduling of Sylvan Lake and Lake Apshawa South to 2022, rescheduling of Johns Lake and Lake Prevatt to 2023, and East Crystal Lake to 2024 to allow time for the completion of environmental data collection and surface water modeling and to allow time for the Central Florida Water Initiative (CFWI) peer review process; and

- Removal of Lake Apopka; this change is recommended because preliminary impact analyses indicate that Lake Apopka will not be a regional constraint if changes to the lake level regulation are implemented.

It should be noted that the adoption dates for CFWI systems may change due to CFWI rulemaking regarding “a single, consistent process, to set minimum flows and minimum water levels and water reservations” as required by section 373.0465(2)(d)4, *Florida Statutes* and completion of the CFWI collaborative peer review process that involves all interested stakeholders.

The District is planning to conduct voluntary scientific peer review for all the listed MFLs. The level of complexity and the degree of public concern regarding the MFLs dictate that voluntary peer review should be conducted. MFLs systems located in the CFWI area will follow the CFWI peer review process for MFLs and water reservations.

Two public workshops were held on the Draft 2021 List; one on September 2, 2021, and a second meeting on September 3, 2021, to provide information and receive public comments. The September 2nd meeting was a joint workshop with the South Florida Water Management District and Southwest Florida Water Management District.

The District is scheduled to submit the Draft 2021 List to FDEP by November 15, 2021 for review and approval, pursuant to Section 373.042(3), F.S. When the District receives FDEP’s comments and approval, the document will be finalized and published in the District's consolidated water management district annual report on the management of water resources by March 1, 2022.

SJRWMD Minimum Flows and Levels to be adopted in 2022

New or Re-Evaluation	Water Body Name or Compliance Point	System Name	Water Body Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent WMD?	Latitude	Longitude
New	*Red Bug**	*Red Bug**	*Lake*	*Seminole*	*Yes*	*Yes*	*28.6510*	*-81.2914*
New	*Little Wekiva and associated springs**	*Little Wekiva **	*River and springs - 3*	*Seminole/ Orange*	*Yes*	*Yes*	*28.7021*	*-81.3922*
Re-Evaluation	*Wekiva at SR46**	*Wekiva**	*River*	*Seminole/ Lake*	*Yes*	*Yes*	*28.8152*	*-81.4195*
Re-Evaluation	*Wekiwa (OFS)/and associated spring**	*Wekiwa**	*Springs - 2*	*Seminole/ Orange*	*Yes*	*Yes*	*28.7120*	*-81.4603*
Re-Evaluation	*Rock (OFS)**	*Rock**	*Springs - 2*	*Orange*	*Yes*	*Yes*	*28.7558*	*-81.4992*
Re-Evaluation	*Sylvan**	*Sylvan**	*Lake*	*Seminole*	*Yes*	*Yes*	*28.8050*	*-81.3803*
Re-Evaluation	*Apshawa South**	*Apshawa South**	*Lake*	*Lake*	*Yes*	*Yes*	*28.6012*	*-81.7754*

SJRWMD Minimum Flows and Levels to be adopted in 2023

New or Re-Evaluation	Water Body Name or Compliance Point	System Name	Water Body Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent WMD?	Latitude	Longitude
New	*Griffin*	*Griffin*	*Lake*	*Lake*	*Yes*	*Yes*	*28.8425*	*-81.8492*
New	*Harris (or other Burrell Basin lake)*	*Burrell Basin*	*Lake*	*Lake*	*Yes*	*Yes*	*28.7750*	*-81.8181*
New	*Johns**	*Johns**	*Lakes*	*Orange / Lake*	*Yes*	*Yes*	*28.5353*	*-81.6328*
Re-Evaluation	*Prevatt**	*Prevatt**	*Lake*	*Orange*	*Yes*	*Yes*	*28.7121*	*-81.4899*

Attachment: MFLs_table (2021 Minimum Flows and Levels Priority List and Schedule)

SJRWMD Minimum Flows and Levels to be adopted in 2024

New or Re-Evaluation	Water Body Name or Compliance Point	System Name	Water Body Type	County(s)	Voluntary Peer Review to be Completed?	Cross-Boundary Impacts from Adjacent WMD?	Latitude	Longitude
New	*East Crystal**	*East Crystal**	*Lake*	*Seminole*	*Yes*	*Yes*	*28.7683*	*-81.3137*
Re-Evaluation	*Weir*	*Weir*	*Lake*	*Marion*	*Yes*	*Yes*	*29.0236*	*-81.9381*

* Water bodies within the Central Florida Water Initiative (CFWI) area; The adoption dates for CFWI systems may change due CFWI rulemaking regarding “a single, consistent process, to set minimum flows and minimum water levels and water reservations” as required by section 373.0465(2)(d)4, *Florida Statutes* , and completion of the CFWI collaborative peer review process that involves all interested stakeholders and the potential for prevention or recovery strategies.

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

THROUGH: Michael A. Register, P.E.
Executive Director

FROM: Elwin Boynton Jr., Bureau Chief
Bureau of Operations and Maintenance

SUBJECT: Bureau of Operations and Maintenance Fiscal Year 2021-22 Work Plan

RECOMMENDATION

Approval of the Bureau of Operations and Maintenance Annual Work Plan for Fiscal Year 2021-22.

- **Action Amount:** $2,420,000
- **Account Name:** Infrastructure
- **Funding Source:** District Sources
- **Budget Authority:** FY2021-22
- **Budget:** $2,420,000 (Total All Projects)
- **EOG Program/Activity Code:** 3.2.0 Works

BACKGROUND

The Operations and Maintenance Annual Work Plan provides guidelines for the maintenance of flood control and water supply system infrastructure, such as canals, levees, and water control structures throughout District properties.

DISCUSSION

The District maintains 115 miles of U.S. Corps of Engineers constructed/flood control levees, 175 miles of farm/project levees, 12 major flood control structures, 76 minor water control structures, 15 weirs and 11 pump stations. In addition, the District maintains 69 miles of canals, more than 1,000 miles of roadways and three navigational locks.

The Bureau of Operations and Maintenance has 20-year and 5-year capital work plans, which are updated annually to reflect new projects identified in the previous year. The Bureau typically brings their entire Capital Improvement Plan (Work Plan) for the fiscal year to the Governing Board each October to present brief summaries of the planned projects.

Generally, projects with an estimated cost greater than $100,000 are competitively bid and brought back to the Board for consideration of award or purchase approval near the time the project is planned for implementation. However, the Governing Board's approval of the annual Work Plan also allows projects over $100,000, which will be performed by the Bureau's Annual Civil Works Contractor, to be approved by the Executive Director, or designee. In addition, there

are a number of projects in each year's Work Plan that do not exceed $100,000 which may also be approved by signature authority of the Executive Director. The Work Plan projects proposed for fiscal year 2021-22 are provided in the following table.

Project / Location	Estimated Cost	Anticipated Procurement / Governing Board (GB) Action
Moss Bluff Drum and Cable Installation / Lake Griffin, Marion County	$600,000	November 2021 GB - award to winning bidder
Rehabilitate Unit 2 PS / Lake Apopka	$400,000	January 2022 GB – award to winning bidder
Regrade L-512 Levee / Upper SJR Basin in Blue Cypress Water Management Area (WMA)	$250,000	Materials purchase (riprap) Construction by Annual Civil Contractor (ED approval)*
Repairs to Underwater Structures	$200,000	Award to winning bidders – multiple contracts based on discipline
Fellsmere Grade Culvert (CS-1) Repairs / Upper SJR Basin near Fellsmere and St. Johns WMAs	$160,000	November 2021 GB – award to winning bidder
Replace Several Walkway Platforms / Multiple Locations in the Upper Ocklawaha River Basin	$150,000	Steel walkway fabrication – estimated $95,000 up to $100,000 – award to winning bidder. Installation by Annual Civil Contractor (ED approval)
Resurface Fellsmere Grade Recreational Area Parking Lot / Upper SJR Basin	$150,000	March 2022 GB – award to winning bidder
Bridge Replacement / Lake Norris and Pellicer Creek Conservation Areas	$150,000	Materials purchase (HDPE culverts and Aluminum Box Culvert) – install by in-house staff and Annual Civil Contractor (ED approval)
Refurbish Airboat Crossings at S-96B Tieback / Upper SJR Basin at the St. Johns WMA and Blue Cypress MCA	$80,000	Award to winning bidder
Repairs to the Sawgrass South Pump Station / C-1 Retention Area	$80,000	Award to winning bidder
Mechanical Vegetation Removal / Upper SJR Basin	$75,000	Award to winning bidder and/or Annual Civil Contractor
Refurbish Harris Bayou Gates – Harris Bayou	$75,000	Award to winning bidder
Upgrade Water Control Structure Gate Position Indicators – Districtwide	$50,000	Materials purchase – install by District staff
Total FY2020-21 Operation and Maintenance Annual Work Plan	**$2,420,000**	

*District is also evaluating non-structural measures utilizing geotextiles. If the decision is made to utilize a geotextile, the project will be competitively bid, and the project award recommendation will be presented to the Governing Board at the January 2022 meeting.

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

THROUGH: Michael A. Register, P.E.
Executive Director

FROM: Vincent Seibold P.E., Bureau Chief
Bureau of District Projects and Construction

SUBJECT: Final Ranking for Continuing Geotechnical Engineering Services Request for Qualifications

RECOMMENDATION

Approval of the Consultant ranking for Request for Qualifications for Continuing Geotechnical Engineering and Construction Services, and authorization for staff to begin professional fee negotiations with the three top-ranked firms.

- **Amount:** $450,000 (not to exceed)
- **Funding Source(s):** District or other sources (project dependent)
- **Budget Authority:** Fiscal Year 2021-2022 Adopted Budget
- **Completion:** October 31, 2024 estimated (three-year term)
- **Renewals:** Two one-year renewals if budget remains at the completion of the three-year contract (no additional budget proposed)
- **RFQ Opening:** September 2, 2021; **Responses Received:** 8
- **Special Note:**
  - All work will be encumbered and accomplished through work orders.
  - The budget for each fiscal year is project dependent.
  - The evaluation criteria and the ranking of respondents are provided below.
  - This three-year term contract award is contingent upon Governing Board approval of each fiscal year's budget beginning in Fiscal Year 2021-2022.

BACKGROUND

District staff require soil exploration, soil laboratory testing services and supplemental geotechnical engineering expertise to support various construction and operations efforts. Currently the District does not have a geotechnical engineer on staff and geotechnical needs of the District are beyond the capabilities, workload capacity, and expertise of current staff.

DISCUSSION

The previous Continuing Geotechnical and Construction Engineering Services contract was used by the Bureau of District Projects and Construction, Bureau of Operations and Maintenance, and Office of Transportation, Facilities, and Safety Services for a range of geotechnical and testing needs. The most recent contract expired on September 30, 2021.

The new contract award will be work order based. The expenditure cap of $450,000 is contingent upon budget approval for each fiscal year. The contract can be renewed for two additional one-year terms if cap remains available.

On August 11, 2021, Procurement staff advertised Request for Qualifications (RFQ) 36813-1 for Continuing Geotechnical and Construction Engineering services. RFQ 36813-1 was advertised on the District's solicitation portals: DemandStar, Vendor Registry and the State of Florida's vendor bid system. There were 708 contractors/consultants that were notified of this project, and 23 plan-holders downloaded a copy of the solicitation documents. There was no pre-bid meeting. The District received 8 responses on the opening date of September 2, 2021.

The evaluation committee met on September 14, 2021 to discuss the qualifications of the respondents. The consultant rankings are provided in **Table 1**, and the evaluation criteria are provided in Table 2.

Pending Governing Board approval, staff will begin professional fee negotiations with the three top-ranked firms (Ardaman & Associates, Inc., Terracon Consultants, Inc., and S&ME, Inc.). These firms provide a comprehensive set of qualifications that will meet the range of geotechnical and testing needs required for District projects and provide the District flexibility with respect to schedule and unique project-specific needs and site conditions.

Once the contract is executed by the Executive Director, a work order will be issued up to $100,000 to complete the geotechnical seepage and stability analysis for the S-164 structure to support design of the Taylor Creek Reservoir (TCR) project. TCR is located in the Upper St. Johns River Basin within the Central Florida Water Initiative Water (CFWI) Water Supply Planning Region. The primary purpose of TCR is to serve as an alternative water supply source for existing and future utilities or other users. Staff will bring an Informational Item before the Governing Board in November 2021 pertaining to the TCR project.

Table 1: Consultant Rankings

Rank	Respondent	Proposal Score
1	Ardaman & Associates, Inc.	27.35
2	Terracon Consultants, Inc.	25.74
3	S&ME, Inc.	25.05
4	Professional Service Industries, Inc.	23.25
5	ECS Florida, LLC.	23.15
6	Shannon & Wilson, Inc.	21.85
7	Nadic Engineering Services, Inc.	20.40
8	Environmental and Geotechnical Specialists, Inc.	19.40

Table 2: Evaluation Criteria

	Criteria	Weight	Score	Total
1	**Company's/firm's and subconsultant's qualifications and experience** a) Expertise of firm(s) related to geotechnical investigation projects. b) Ability and capabilities of firm and subconsultants to perform services of this type.	20%		
2	**Qualification and abilities of professional personnel** a) Qualifications and work histories of proposed key personnel including proposed project management and geotechnical engineers on this project of this type. b) Organization profile and management methods. c) Specific names and functions of personnel assigned to work on this project including current and project workloads. d) Evidence of current professional registrations applicable to project work.	20%		
3	**Past and present experience and performance on projects of this type** a) Provide a description of past and present work on projects of this type (include firm's and key personnel's experience and performance) with emphasis on three projects conducted within the five years immediately preceding the date set for receipt of submittals. b) A minimum of two of the projects included as a client reference, must be located in the state of Florida. Each project shall include a minimum of standard penetration tests, installation of piezometers, or field permeability tests and a project value of at least $25,000.	40%		
4	**Willingness to meet time and budget requirements** Respondent shall include information on project where final costs or time has exceeded the initial time or budget on a project by 25% or more, been terminated, and/or has engaged in litigation disputing the contract amount within the last five years.	5%		
5	**Volume of District work previously awarded to Respondent** Submit documentation as to the volume of work (in dollars) awarded by the District to firm in the past three years, including contracts, work orders, and purchase orders. Points will be allocated from 0 to 10 with Respondents with higher previous awarded contract totals since **June 1, 2018**, through the advertisement date of this RFQ, receiving fewer award points. Respondents with no previous work awards may receive the highest allocation of points (10), while the Respondent with the highest previous work awarded will receive zero points. The District shall rely on its official financial records to resolve any discrepancies. Checks issued by the District on or prior to the date submittals are received shall be included in this total even if Respondent has not yet received the payment. The formula for allocation of previous work award points will be calculated as follows: the Respondent with the highest total of previous work awarded represents the Allocation Basis Total (ABT); then, the ABT less the Previous Work Awarded divided by the ABT will be multiplied by 10 (the highest number of points awarded); the result will be rounded to tenths of a point.	5%		
6	**Location of Respondent's Management Office/Project Manager centrally located in the District (see explanation below)** Higher consideration will be given to firms whose Project Manager is located nearest to the Maitland Service Center at 601 South Lake Destiny Road, Suite 200, Maitland, FL 32751, which will be used to calculate the distance to the Project site. The website *Maps.google.com* (using the "Shortest" route type) should be utilized to determine mileage. The District will award points as follows: • Within 50 miles of the District Maitland office = **10 points** • Within 100 miles of the District Maitland office District = **5 points** • Greater than 100miles of the District Maitland office = **0 points**	10%		
	TOTAL	100%		

AGENDA REQUEST FOR
GOVERNING BOARD MEETING
October 12, 2021

MEMORANDUM

TO: Governing Board

THROUGH: Michael A. Register, P.E.
Executive Director

FROM: Vincent Seibold P.E., Bureau Chief
Bureau of District Projects and Construction

SUBJECT: S-96 Rehabilitation

RECOMMENDATION
Approval of the bid and contract award to the lowest responsible and responsive bidder for S-96 Rehabilitation.

- **Amount:** $2,784,130
- **Account Name:** S-96 Rehabilitation
- **Funding Source:** District Sources
- **Budget Authority:** FY2021-22 Adopted Budget
- **EOG Program/Activity Code:** 3.2.0 Works
- **Completion:** July 30, 2022; **Renewable:** No
- **Solicitation Opening**: August 26, 2021; Responses Received: 4

BACKGROUND
Structure S-96 is a flood control structure located between St. Johns Water Management Area (SJWMA) and C-54 Canal in southern Brevard County (refer to Figure 1). This structure is one of the earliest components of the federal Upper St. Johns River Basin (USJRB) or “Upper Basin” project. S-96 is a 58-ft wide concrete structure with two 26-ft wide steel roller gates that are operated by a hydraulic hoist system. The structure was constructed by the US Army Corps of Engineers (USACE) in 1971 and the District has operated and maintained the structure since. The project location is indicated in Figure 1.

S-96 has a design capacity of 6,000 cubic feet per second and serves as the emergency outlet for SJWMA. The structure is operated in accordance with the regulation schedule outlined in the water control manual for the Upper Basin project. Flood storage within the Upper Basin project is maximized before the structure is operated. On rare occasions, S-96 discharges surface water and stormwater from the Upper Basin into the Indian River Lagoon via C-54 Canal for flood protection purposes.

As the local sponsor of the Upper Basin project, the District is charged with operating and maintaining S-96 and other structures within the Upper Basin project. The objective of this rehabilitation project is to repair the damaged and aging concrete, repair and paint the sheet

pile wing walls and roller gate, replace the hydraulic gate operation system with electric drum and cable hoists, replace the upstream and downstream staff gauges, provide safety barriers, fencing, handrails and other miscellaneous site work. This work is necessary to ensure the operational readiness of S-96 and to satisfy USACE flood control structure requirements.

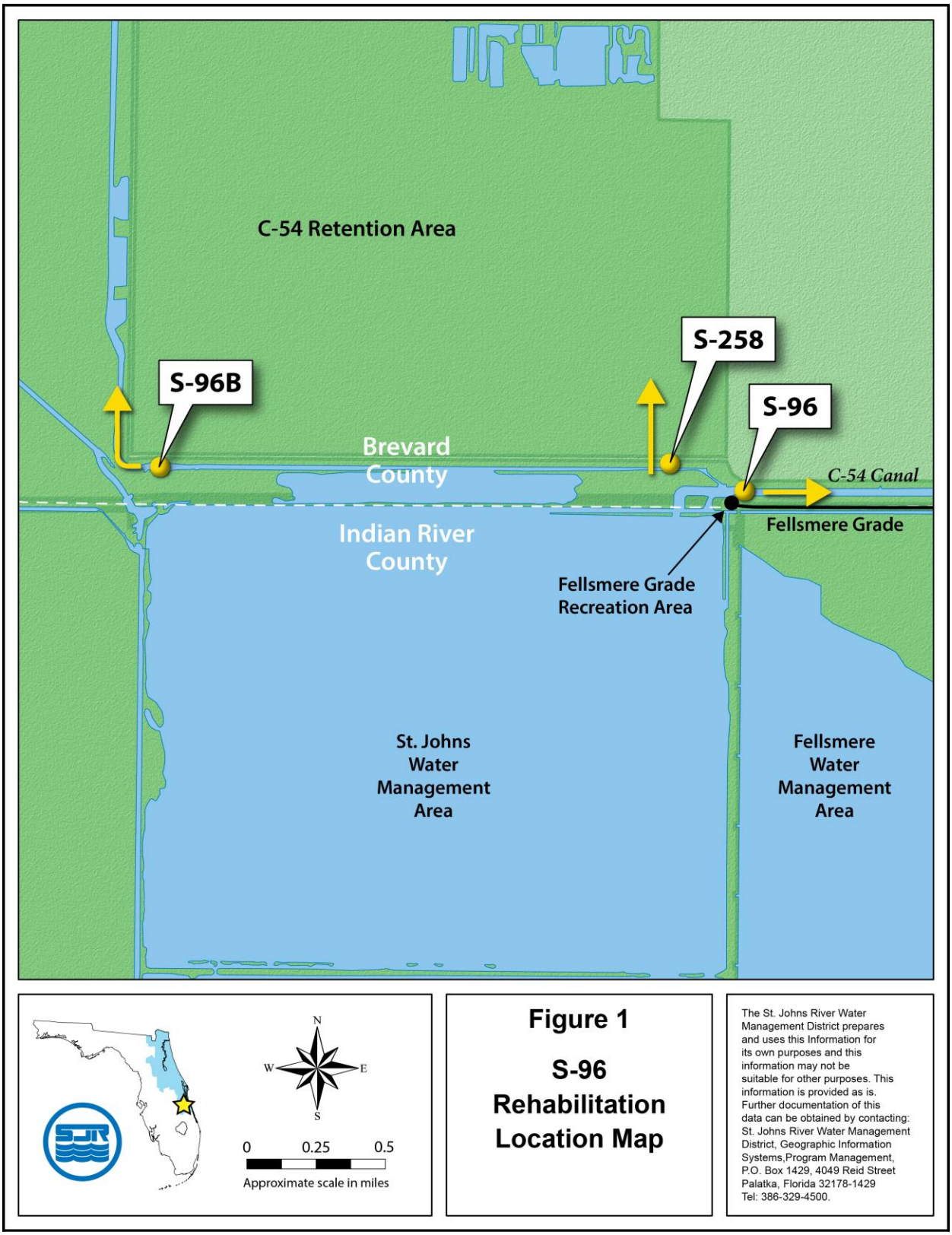
DISCUSSION

On June 25, 2021, Procurement staff advertised Invitation for Bids 36965 for S-96 Rehabilitation on the State's vendor bid system, Demandstar and Vendor Registry. There were 1,243 contractors notified of this project, and 65 plan holders downloaded a copy of the solicitation documents. A non-mandatory pre-bid meeting was held on July 20, 2021, and representatives from 13 companies attended.

The District received four bids on August 26, 2021 (refer to bid tabulation below).

Respondent	Total Price	Pre-bid Attendees
Cone and Graham, Inc.	$2,784,130.00	1
Custom Built Marine Construction, Inc.	$3,454,956.60	1
M & J Construction Company of Pinellas County, Inc.	$5,151,722.70	1
Kiewit Infrastructure South Co.	$6,033,510.00	1

All four responses met the minimum requirements. Staff is recommending the contract be awarded to the lowest responsive and responsible bidder, Cone & Graham, Inc.


C-54 Retention Area
S-96B
S-258
S-96
Brevard County
C-54 Canal
Fellsmere Grade
Indian River County
Fellsmere Grade Recreation Area
St. Johns Water Management Area
Fellsmere Water Management Area
N
W
E
S
0
0.25
0.5
Approximate scale in miles
Figure 1
S-96 Rehabilitation Location Map
The St. Johns River Water Management District prepares and uses this Information for its own purposes and this information may not be suitable for other purposes. This information is provided as is. Further documentation of this data can be obtained by contacting: St. Johns River Water Management District, Geographic Information Systems,Program Management, P.O. Box 1429, 4049 Reid Street Palatka, Florida 32178-1429 Tel: 386-329-4500.

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

THROUGH: Michael A. Register, P.E.
Executive Director

FROM: Rich Burklew, Bureau Chief
Bureau of Water Use Regulation

SUBJECT: City of Palm Coast, CUP 1947-12

RECOMMENDATION

Approval of Consumptive Use Permit 1947-12, known as City of Palm Coast. This application is a renewal of a public supply permit requesting a 4.5 mgd increase in allocation using a new alternative water source (brackish Upper Floridan aquifer (UFA)) for a total allocation from all sources of 15.53 mgd through 2041.

BACKGROUND

The City of Palm Coast service area is located in eastern Flagler County and extends from the St. Johns County-Flagler County boundary to the north, to State Road 100 and Old Dixie Highway to the south. The service area includes both the Palm Coast city limits and areas outside of the city limits.

The City currently withdraws groundwater for public supply use from the confined surficial aquifer and the fresh UFA. In the late 1990's and early 2000's, the City designed Water Treatment Plant (WTP) 3 to treat both freshwater from the confined surficial aquifer and brackish UFA groundwater. In 2014, the City obtained cost-share funding from the District to conduct two brackish UFA aquifer performance tests (APTs) to determine the safe yield of brackish UFA groundwater that could be used as a source of public supply water, as part of development of an alternative water supply project. The APTs were successfully completed in late 2016 and demonstrated the brackish aquifer has sufficient capacity. This permit application is to utilize the brackish UFA to meet all public supply demands greater than the current surficial aquifer and UFA allocations.

DISCUSSION

Flagler County is one of the fastest growing counties in Florida. The population is anticipated to increase from a current population of 97,000 to 123,400 over the next 20 years. The applicant is requesting a 41% increase in total allocation from 11.025 mgd to 15.252 mgd, which will be met entirely using an alternative lower quality water source. The applicant is requesting 4.5 mgd of brackish UFA to meet all additional water demands greater than the currently permitted 6.875 mgd from the confined surficial aquifer and 4.15 from the fresh UFA for a total allocation from all sources of 15.525 mgd. The additional demands will be met with a low-pressure reverse osmosis treatment system. Water use within the public supply service area consists of residential, commercial/industrial, irrigation, water utility, bulk exports, membrane treatment and unaccounted for losses.

The applicant provides over 73% of its wastewater (5.6 mgd) as reclaimed water for residential, golf course and other public area irrigation. Only approximately 1.9% of the applicant's wastewater is discharged as wet weather discharge. The remaining wastewater supplies recharge through rapid infiltration basins (RIBs) and use on spray fields. The applicant uses the following priority for effluent leaving the wastewater plant: 1) reuse through irrigation; 2) recharge through RIBs; 3) spray fields; 4) wet weather discharge. All RIBs and spray irrigation discharge sites are located directly adjacent to the western boundary of the Graham Swamp Conservation area. Wet weather discharges are directed to Hulett Swamp adjacent to wetlands which are monitored by the City as part of the current CUP. In addition, the applicant is continuing to investigate the use of lower quality and alternative water sources including indirect potable reuse through aquifer recharge, rainwater harvesting and further use of reclaimed water.

Based on historical use, projections, water conservation practices, a zero liquid discharge (ZLD) treatment system at WTP2, and development of a concentrate disposal system which will minimize any discharge to the Intracoastal Waterway by blending the concentrate with raw and treated drinking water and reclaimed water, this project is anticipated to have no significant impact on aquifer levels or surrounding uses. The applicant will continue a thorough wetland monitoring program and will initiate a water quality monitoring program to monitor for potential water quality changes in the brackish UFA. The District concludes that the groundwater allocations requested for this permit are in such a quantity as is necessary for the economic and efficient utilization of water resources.

CONSUMPTIVE USE TECHNICAL STAFF REPORT
16-Sep-2021
APPLICATION #: 1947-12

Owner: City of Palm Coast
160 Lake Ave
Palm Coast, FL 32164-2400
(386) 986-2458

Applicant: Stephen Flanagan
City of Palm Coast
2 Utility Dr
Palm Coast, FL 32137-7300
(386) 986-2354

Agent: David S Robertson
Connect Consulting, Inc.
1210 Emmel Rd
Lake Helen, FL 32744-3394
(386) 473-7766

Compliance Contact: Garann Hopkins
City of Palm Coast
2 Utility Dr
Palm Coast, FL 32137-7300
(386) 986-2511

Fred J Greiner
City of Palm Coast
50 Citation Blvd
Palm Coast, FL 32164-5861
(386) 986-2347

Project Name: Palm Coast
County: Flagler

Objectors: No

Authorization Statement:
The District authorizes, as limited by the attached condition, the use of 2,509.4 million gallons per year (mgy) (6.875 million gallons per day (mgd), annual average) of groundwater from the confined surficial aquifer, 1,514.9 mgy (4.15 mgd, annual average) of groundwater from the Upper Floridan aquifer and 1,642.5 mgy (4.5 mgd, annual average) as an alternative water source from the brackish Upper Floridan aquifer for public supply use (household,

commercial/industrial, irrigation, water utility, bulk exports, membrane treatment, unaccounted for) through 2041.

Recommendation: Approval

Reviewers: Paula Presley; Kristian Holmberg

Abstract:
This application is a renewal of an existing permit with no change in the current confined surficial aquifer and freshwater Upper Floridan aquifer (UFA) allocations of 2,509.4 million gallons per year (mgy) (6.875 million gallons per day (mgd), annual average) and 1,514.9 mgy (4.15 mgd, annual average), respectively, and the addition of 1,642.5 mgy (4.5 mgd, annual average) from the brackish UFA as an alternative water source to meet public supply demands through 2041. Staff is recommending a 20-year permit duration with 10-year compliance reporting.

PROJECT DESCRIPTION:

Project Location and Background:

The City of Palm Coast service area is located in eastern Flagler County and extends from the St. Johns County-Flagler County boundary to the north, to State Road 100 and Old Dixie Highway to the south. To the east, it extends from State Road A1A and includes the barrier islands, to US Highway 1 and central Flagler County to the west. The service area includes both the Palm Coast city limits and areas outside of the city limits. Flagler County Utilities (FCU) purchases water from Palm Coast to supply the Beverly Beach area and an agreement is in place to serve the Eagle Lakes development. Palm Coast also supplies water to Marineland at the northern end of the distribution system. The entire distribution system has approximately 675 miles of water transmission lines.

Flagler County has been identified as one of the top 100 fastest growing counties in the United States and is ranked the 11th fastest growing county in Florida based on population data from 2010 through 2018. The residential population is projected to increase from a current population of 98,000 to 131,000 in 20-years. The City provides potable water, wastewater, and reclaimed water service within the service area.

In the late 1990's and early 2000's, the City designed Water Treatment Plant 3 (WTP3) to treat both freshwater from the confined surficial aquifer and brackish UFA groundwater. In 2014, as part of development of an alternative water supply project, the City obtained cost-share funding from the District to conduct two brackish UFA aquifer performance tests (APT's) with the purpose of determining the safe yield of the brackish UFA which could be used as a source of public supply water. The APT's were completed in late 2016 to determine aquifer characteristics for groundwater modeling and aquifer yield.

Water Use Description:
The applicant owns and operates three existing interconnected water treatment plants (WTP's) and associated wellfields.

WTP1 is located in the central part of the service area. It is a conventional lime softening and filtration plant and the wellfield that supplies WTP1 consists of 29 wells that withdraw groundwater from the confined surficial aquifer. Seven confined surficial aquifer wells are proposed on the current permit and remain proposed as part of this permit application. Recently, existing well SW-43 was abandoned and replaced with a new SW-43R.

WTP2 utilizes a nano-filtration membrane softening treatment system. WPT2 is located in the southern part of the service area and is supplied groundwater from 15 freshwater UFA wells. One additional UFA well (LW-22) is proposed under the current permit and remain proposed as part of this permit application. A Zero Liquid Discharge (ZLD) treatment system was completed and placed into service at WTP2 in 2017. This process blends ZLD treated water with finished water from WTP2 increasing the plant capacity by approximately 1.2 mgd without the need to utilize additional groundwater. Any solids remaining after the ZLD process is complete are processed into a road base type material. WTP2 has a permitted capacity of 7.584 mgd which includes 4.8 mgd permeate, 1.584 mgd raw water bypass, and 1.2 mgd through ZLD lime/soda ash softening / ultrafiltration. To date, the City has spent over $35 million at WTP2 and WTP3 on wellfield development, infrastructure and advance treatment using membrane technology, including the recovery, treatment and potable reuse of demineralized concentrate that would otherwise be lost to discharge.

WTP3 is located in the northern part of the service area and utilizes a low pressure reverse osmosis (LPRO) treatment system. WTP3 is currently supplied water from 20 confined surficial aquifer wells. The applicant has identified the brackish UFA as an alternative water source to meet projected water supply demands at this WTP through 2041. The applicant is proposing the use of 14 brackish UFA wells at WTP3 in addition to the 22 confined surficial aquifer wells that are part of the current permit. Two existing UFA wells at this site were constructed as test wells. The applicant is proposing no increase to the current confined surficial aquifer and freshwater UFA groundwater allocations. All additional demands will be met with the brackish UFA wells. WTP3 operates a concentrate disposal system which allows the City to dispose of concentrate using the following options, in order of priority: 1) blending raw and treated drinking water at the lime softening water treatment plan (WTP1), 2) blending with reclaimed water for residential and golf course irrigation, and 3) discharging to the Intracoastal Waterway.

PERMIT APPLICATION REVIEW:

Section 373.223, *Florida Statutes* (F.S.), and Section 40C-2.301, Florida Administrative Code (F.A.C.), require an applicant to establish that the proposed use of water:

a) is a reasonable-beneficial use;
b) will not interfere with any presently existing legal use of water; and,
c) is consistent with the public interest.

In addition, the above requirements are detailed further in the District's Applicant's Handbook: Consumptive Uses of Water, August 29, 2018 ("A.H.") District staff has reviewed the consumptive use permit application pursuant to the above-described requirements and has determined that the application meets the conditions for issuance of this permit. A summary of the staff review is provided below.

REASONABLE BENEFICIAL USE CRITERIA:

Economic and Efficient Utilization:
Historical population and water demands were analyzed to project future population and water demands for the Palm Coast service area. Historical and projected population for Flagler County was obtained from the Bureau of Economic and Business Research (BEBR). Based on 2019 BEBR information, the City of Palm Coast represents 81% of the total Flagler County population. The number of equivalent residential units (ERU's) was projected based on these estimates. The current population within the service area is approximately 98,000 and is projected to increase to 131,000 in 20-years, of which 122,740 is within the city limits and 8,290 is outside the city limits. A per capita of 90 gpdc was used for water use projections. The applicant's service area is experiencing significant growth with the population increasing by over 5% annually in 2018, 2019 and 2020. Growth is projected at a lower rate in the near future and anticipated to stabilize at approximately 1% per year for the permit duration. Approximately 15% of projected demands are anticipated to be lost in water treatment through the use of the LPRO and membrane treatment. The District concludes that the groundwater allocations requested for this permit are in such a quantity as is necessary for the economic and efficient utilization of water resources.

Water Conservation:
The applicant has elected to implement the required elements of a standard conservation plan pursuant to Section 2.2.2.5.1.A, A.H. Staff are recommending updates to the water conservation plan at 5-year intervals. Highlights of the program are below:

Water Conservation Public Education Program

- The City of Palm Coast website is used to educate about water conservation programs, public outreach programs, the City's Land Development Code and the City's Comprehensive Plan.
- The applicant has committed to promoting water conservation activities and/or outreach on a monthly basis through the City website. This effort may include social media posts, press releases, water quality reports and announcements for events relating to water conservation.
- The City promotes a "Make Every Drop Count" program to reduce water use and aids customers in reducing water bills.
- Annually in April, the applicant promotes the Mayor's Challenge for Water Conservation.
- The applicant utilizes public water conservation exhibits. These exhibits have included annual booths at Earth Day at Washington Oaks Gardens State Park, the Arbor Day Celebration, the Waterway Cleanup, Garden Club Plant sale, and Children Helping in Resource Protection. These programs are promoted through social media, news releases and utility bill inserts.
- The applicant participates in the Citizen's Academy event, quarterly, where the public can tour water treatment facilities and learn about the water treatment and delivery processes.
- The City has adopted a Green Development Incentive Program as part of Ordinance 2009-22 which includes green certification standards. This standard includes Florida Friendly landscaping and Florida Water Star.
- The City of Palm Coast has a Florida Water Star demonstration project at the City's utility office for the public.
- Public service announcements are provided by media posts and billing messages on month utility billing statements.

- Water Conservation articles are provided to local news media.
- The City of Palm Coast won first place in the National Challenge for Water Conservation in 2019.
- The applicant will have a fully implemented AMI system for meter readings by 2024 which allows the ability to better track and notify customers regarding unusual water use patterns.
- The City will evaluate a customer's water use upon request to determine if a water leak exists. The City's website provides information on leak detection and where leaks typically originate.

Outdoor Water Use Reduction Program

- The City promotes efficient outdoor water use by posting watering restrictions on the City's web site, and through Land Development Code requirements and the Comprehensive Plan which require the use of Florida Friendly landscaping for new developments.
- The City has adopted Ordinance 2009-15 which limits landscape irrigation to two days per week during Daylight Savings Time and one day per week during Eastern Standard Time.
- The City provides landscape and irrigation design inspections.
- An outdoor landscape and irrigation demonstration project, as part of Florida Water Star is located at the City's Utility office.

Water Conservation Rate Structure and Water Loss Reduction Program

- The applicant has implemented a water rate structure designed to promote water conservation.
- The current unaccounted for water losses are approximately 6% which is within accepted industry standard limits.
- The City is transitioning from displacement meters to magnetic field technology meters (AMI) which are accurate at measuring both very low and very high flows. The new meters record water consumption for over 30 days and will assist with leak detection and tracking water use more efficiently. It is estimated all meters will be converted to this technology by 2024.
- Reports will be run weekly using the AMI that will alert City staff of potential water leaks.
- The City will utilize a web portal for homeowners to monitor their water use, set goals to reduce water use, and obtain notifications if water use goals are exceeded.
- The City currently contacts high water users to discourage excessive water use.
- The City currently reads approximately 43,500 meters. The City's maintenance department tests and repairs backflow prevention devices and performs accuracy testing of residential meters.
- The City has staff on-call 24 hours a day, 7 days a week to respond to water line breaks.

Indoor Water Use Conservation Program

- The applicant will continue these activities listed above as part of the ongoing water conservation programs.
- The applicant has provided free plumbing retrofit kit to residential customers.
- Individual customer metering is required.
- Low-flow plumbing devices are required.

Suitability and Capability of the Source:
The confined surficial aquifer and freshwater UFA have historically and continue to be capable of supplying water to meet the water needs of this project. Additional water supply needs are proposed to be met utilizing brackish groundwater from the UFA. The applicant conducted two APT's to determine the safe yield of the brackish UFA to supply groundwater for public supply purposes using a desalination LPRO treatment system. The requested allocation reflects a safe yield based on aquifer parameters and information obtained from the APT's and the requested permit allocation.

Lowest Acceptable Quality Water Source:
The applicant is proposing to use a lower quality source of water to meet all additional projected water demands. In addition, the applicant uses a ZLD process at WTP2 which recovers concentrate from several process streams such as backwash water and belt filter press filtrate water. This process increases the WTP capacity by approximately 1.2 mgd without the need to use additional groundwater. Currently concentrate at WTP3 is blended with raw water at WTP1 essentially achieving a zero discharge condition at WTP3. The city will continue to conduct blending analyses as part of the brackish UFA wellfield with the goal of blending the concentrate from the brackish RO process with either reclaimed water or water from WTP1.

The applicant provides over 73% of its wastewater (5.6 mgd) as reclaimed water for residential, golf course and other public area irrigation. Only approximately 1.9% of the applicant's wastewater is discharged as wet weather discharge. The remaining wastewater supplies recharge through RIB's and spray fields. The applicant uses the following priority for effluent leaving the wastewater plant: 1) reuse through irrigation; 2) recharge through RIB's; 3) spray fields; 4) wet weather discharge. All RIB's and spray irrigation discharge sites are located directly adjacent to the western boundary of the Graham Swamp Conservation area. Wet weather discharges are directed to Hulett Swamp adjacent to 12N wetlands which are monitored by the City as part of the current CUP. In addition, the applicant is continuing to investigate the use of lower quality and alternative water sources including indirect potable reuse through aquifer recharge, rainwater harvesting and further use of reclaimed water.

Water Resources Impact Evaluation:
A consumptive use must not cause harm to either onsite or offsite water resources, including lakes, wetlands or other existing offsite land uses. Staff evaluated whether the consumptive use will cause an adverse impact to natural systems, including wetlands or other surface waters located on or offsite, as well as to any existing offsite land uses. A hydrogeologic evaluation and groundwater model were completed to estimate the drawdown impacts due to the City’s requested withdrawal rates from existing and proposed wells.

During the review of this application, staff considered the groundwater drawdown models, reviewed recent and historical aerial photography, reviewed data from the City's existing wetland monitoring network, and conducted site inspections to evaluate wetlands within the areas having the highest anticipated drawdown. The wetlands within zones of influence for the existing and proposed wellfields include forested hardwood, cypress swamp, and freshwater marsh. Staff reviewed the potential effects of drawdown to wetlands and surface waters due to Palm Coast's projected use and the cumulative effects of nearby users. Due to the uncertainty associated with the accuracy in predicting potential for drawdowns to occur in the surficial aquifer, District staff is recommending that the applicant be required to implement a hydrologic and wetland monitoring program designed to verify that the applicant’s withdrawals are not causing unmitigated adverse impacts affecting the hydrology of wetlands or other surface waters (Conditions 26-34).

Proposed monitoring locations were selected based on proximity to the areas in which the modeled results indicated the highest potential drawdown in the surficial aquifer, and the susceptibility of the specific wetland systems to unanticipated adverse impacts resulting from reduced water levels. Presently, Palm Coast performs wetland monitoring at seven sites under the city's current CUP. In order to confirm that Palm Coast is not contributing to long term, cumulative effects to surface waters and wetlands, District staff are recommending that Palm Coast continue to monitor the existing monitoring network. The applicant has a total of 15 existing wetland piezometers and two proposed piezometers that are part of the City's wetland monitoring protocol. In addition to the existing wetland monitoring locations, two additional wetland sites are proposed for wetland monitoring utilizing the District's updated methodology. Based on groundwater modeling that used currently available data, Palm Coast has provided a wetland monitoring plan which will assist in identifying any unanticipated adverse impacts should they occur as a result of the proposed use.

Based on the site visits and review of the monitoring results, wetlands assessments, ground water monitoring plan, and modeling results, staff concludes that the applicant has provided reasonable assurance that the proposed withdrawals will not cause harmful hydrologic alterations to water resources in the area for the duration of this permit, under sections 2.3(f)(g) and 3.7, A.H., if the applicant complies with all the conditions of this permit.

Minimum Flows and Levels:
Staff evaluated whether the existing and proposed withdrawals would impact Minimum Flow and Level (MFLs) adopted by the District under 40C-8 F.A.C., specifically the Lake Brooklyn and Lake Geneva MFLs as Flagler County is located in the North Florida Regional Water Supply Planning Area. Groundwater simulations were completed using both the NFSEG v1.1 and KHTM v2.0 models. Seven simulations were run generating five difference calculations reflective of different drawdown scenarios. Groundwater simulations demonstrate that the current allocation and additional proposed brackish UFA allocation is not anticipated to impact existing MFLs.

Water Reserved from Use:
There are no water reservations in Flagler County pursuant to subsection 373.223(4), Florida Statutes, that could be impacted by this withdrawal.

Saline Water Intrusion:
The applicant has submitted a revised saltwater intrusion monitoring (SWIM) plan. Historically the applicant has conducted a significant amount of water quality monitoring. Initially with the development of the confined surficial aquifer (CSA), there was a concern about lateral intrusion of saline water from the Intracoastal Waterway. Data collected from the past 20-years has shown no change in water quality in the CSA due to either lateral migration or upconing of saline water. The proposed saltwater intrusion monitoring plan eliminates water quality monitoring of the CSA production wells. The requirement to monitor water quality in the freshwater UFA production wells is also eliminated, as the historical data have also shown no water quality changes due to withdrawals. The new SWIM plan will include continued monitoring of the CSA and freshwater UFA dedicated monitoring wells as many of these wells have extensive water quality records. The plan also includes construction of four dedicated monitoring wells associated with the brackish UFA wellfield that will be placed north, south, east and west of the brackish UFA wellfield and one deep upconing monitoring well that will be constructed in the center of the brackish UFA wellfield below the proposed wellfield production zone. These wells will be installed prior to constructing the brackish wellfield to allow for collection of background water quality data. All wells will be monitored for chlorides, sulfates,

TDS and specific conductivity in May and October, and one well has been identified in each wellfield which will be sampling for major ions in May and October. Data from the background monitoring will be incorporated into an evaluation of water quality data which will establish mechanisms to adjust wellfield operations if necessary based on water quality data. The applicant has a total of 40 existing and proposed dedicated monitoring wells and four production wells used to monitor water quality and water levels as part of the SWIM plan.

INTERFERENCE WITH EXISTING LEGAL USES:
Groundwater modeling was completed using the SJRWMD Flagler County model. The proposed increase in allocation will be from the brackish UFA which has no known existing legal uses of water due to the water quality which requires advanced treatment. There have been no reports historically of interference attributed to the applicant's current withdrawals and groundwater modeling indicates the proposed withdrawals are not likely to cause interference with existing legal uses of water. Additionally, the applicant utilizes a wellfield operating plan which collects and monitors static water level, pumped water level, pumping rate and calculated specific capacity for each production well. The wellfield operating plan serves to monitor well performance and loss of well efficiency over time, as well as maintain a long-standing operation wellfield guide of maintaining maximum pump water levels in all wells at 1-ft above mean sea level.

PUBLIC INTEREST:
The applicant is a public utility that supplies potable water within its service area. The proposed use will not adversely affect water resources and qualifies as a reasonable-beneficial use. Therefore, staff concluded that reasonable assurances have been provided that the proposed use is consistent with the public interest.

Station Information
Site Name: Palm Coast - WTP 1

Well Details								
District ID	**Station Name**	**Casing Diameter (inches)**	**Casing Depth (feet)**	**Total Depth (feet)**	**Capacity (GPM)**	**Source Name**	**Status**	**Use Type**
6620	SW-43	10	70	100	300	Surficial Aquifer	Inactive	Public Supply
6621	SW-114	10	53	85	250	Surficial Aquifer	Active	Public Supply
6622	SW-115	10	60	85	400	Surficial Aquifer	Active	Public Supply
6627	SW-60	10	65	98	100	Surficial Aquifer	Active	Public Supply
6628	SW-83	10	52	86	500	Surficial Aquifer	Active	Public Supply
6646	SW-41	12	60	120	200	Surficial Aquifer	Active	Public Supply
6647	SW-42	10	60	90	150	Surficial Aquifer	Active	Public Supply
6652	SW-7	10	55	84	150	Surficial Aquifer	Active	Public Supply

Well Details								
District ID	Station Name	Casing Diameter (inches)	Casing Depth (feet)	Total Depth (feet)	Capacity (GPM)	Source Name	Status	Use Type
6655	SW-14	10	60	110	60	Surficial Aquifer	Active	Public Supply
6657	SW-28	10	58	83	150	Surficial Aquifer	Active	Public Supply
6659	SW-30	10	65	82	60	Surficial Aquifer	Active	Public Supply
6660	SW-31	10	53	120	270	Surficial Aquifer	Active	Public Supply
6662	SW-33	10	62	95	200	Surficial Aquifer	Active	Public Supply
6663	SW-34	10	70	113	250	Surficial Aquifer	Active	Public Supply
6664	SW-35	10	63	90	200	Surficial Aquifer	Active	Public Supply
6665	SW-36	10	60	90	200	Surficial Aquifer	Active	Public Supply
6666	SW-58	10	48	85	275	Surficial Aquifer	Active	Public Supply
6667	SW-59	10	50	80	225	Surficial Aquifer	Active	Public Supply
6668	SW-61	10	40	80	100	Surficial Aquifer	Active	Public Supply
6669	SW-62	10	63	112	200	Surficial Aquifer	Active	Public Supply
6670	SW-105	10	63	90	100	Surficial Aquifer	Active	Public Supply
6671	SW-106	10	68	95	150	Surficial Aquifer	Active	Public Supply
6672	SW-107	10	48	84	200	Surficial Aquifer	Active	Public Supply
38648	SW-13B	10	42	70	150	Surficial Aquifer	Active	Public Supply
39778	SW-6R	10	80	120	300	Surficial Aquifer	Active	Public Supply
39862	SW-4R	10	47	110	150	Surficial Aquifer	Active	Public Supply
104677	SW-29R	10	120	125	250	Surficial Aquifer	Active	Public Supply
105005	SW-5R	10	57	122	250	Surficial Aquifer	Active	Public Supply
105121	SW-27R	10	55	100	250	Surficial	Active	Public Supply

Well Details								
District ID	Station Name	Casing Diameter (inches)	Casing Depth (feet)	Total Depth (feet)	Capacity (GPM)	Source Name	Status	Use Type
						Aquifer		
407805	W22	10	50	110	150	Surficial Aquifer	Active	Public Supply
407807	W24	10	50	110	150	Surficial Aquifer	Active	Public Supply
464971	SW-8R	10	60	110	245	Surficial Aquifer	Active	Public Supply
469062	SW-43R	10	58	105	300	Surficial Aquifer	Active	Public Supply
489079	SW-32R	10	61	100	81.3	Surficial Aquifer	Active	Public Supply
511573	SW-1R	10	50	100	100	Surficial Aquifer	Proposed	Public Supply
511574	SW-2R	10	50	100	100	Surficial Aquifer	Proposed	Public Supply
511575	SW-3	10	50	100	100	Surficial Aquifer	Proposed	Public Supply
511576	SW-63	10	50	100	100	Surficial Aquifer	Proposed	Public Supply

Site Name: Palm Coast - WTP 2

Well Details								
District ID	Station Name	Casing Diameter (inches)	Casing Depth (feet)	Total Depth (feet)	Capacity (GPM)	Source Name	Status	Use Type
6639	LW-30	12	120	160	300	FAS - Upper Floridan Aquifer	Active	Public Supply
6640	LW-31	12	105	320	680	FAS - Upper Floridan Aquifer	Active	Public Supply
6641	LW-32	8	101	260	550	FAS - Upper Floridan Aquifer	Active	Public Supply
6648	LW-19	10	135	300	600	FAS - Upper Floridan Aquifer	Active	Public Supply
6649	LW-21	12	109	335	630	FAS - Upper Floridan Aquifer	Active	Public Supply
6650	LW-22	12	105	320	350	FAS - Upper Floridan Aquifer	Proposed	Public Supply
6673	LW-14	8	102	223	347	FAS - Upper Floridan Aquifer	Active	Public Supply
6674	LW-49	12	110	225	347	FAS - Upper	Active	Public

Well Details								
District ID	Station Name	Casing Diameter (inches)	Casing Depth (feet)	Total Depth (feet)	Capacity (GPM)	Source Name	Status	Use Type
						Floridan Aquifer		Supply
35373	LW-23	8	116	250	347	FAS - Upper Floridan Aquifer	Active	Public Supply
39255	LW-83	12	105	217	350	FAS - Upper Floridan Aquifer	Active	Public Supply
39256	LW-84	12	115	135	350	FAS - Upper Floridan Aquifer	Active	Public Supply
39257	LW-85	12	114	150	350	FAS - Upper Floridan Aquifer	Active	Public Supply
438762	LW-105	12	108	150	200	FAS - Upper Floridan Aquifer	Active	Public Supply
438763	LW-106	12	105	200	350	FAS - Upper Floridan Aquifer	Active	Public Supply
438764	LW-107	12	111	150	350	FAS - Upper Floridan Aquifer	Active	Public Supply
438765	LW-108	12	112	160	350	FAS - Upper Floridan Aquifer	Active	Public Supply
449146	LW-17R	12	105	150	350	FAS - Upper Floridan Aquifer	Active	Public Supply

Site Name: Palm Coast - WTP 3

Well Details								
District ID	Station Name	Casing Diameter (inches)	Casing Depth (feet)	Total Depth (feet)	Capacity (GPM)	Source Name	Status	Use Type
35377	SW-37	10	114	120	250	Surficial Aquifer	Active	Public Supply
35378	SW-38	10	60	100	250	Surficial Aquifer	Active	Public Supply
39258	SW-121	10	50	100	175	Surficial Aquifer	Active	Public Supply
39259	SW-122	10	50	100	200	Surficial Aquifer	Active	Public Supply
39260	SW-123	10	54	104	250	Surficial Aquifer	Active	Public Supply
39261	SW-124	10	55	105	250	Surficial Aquifer	Active	Public Supply
39262	SW-125	10	60	120	275	Surficial Aquifer	Active	Public Supply
39263	SW-126	10	63	103	175	Surficial Aquifer	Active	Public

Well Details								
District ID	Station Name	Casing Diameter (inches)	Casing Depth (feet)	Total Depth (feet)	Capacity (GPM)	Source Name	Status	Use Type
								Supply
39264	SW-127	10	60	100	250	Surficial Aquifer	Active	Public Supply
39265	SW-128	10	63	103	250	Surficial Aquifer	Active	Public Supply
39266	SW-129	10	52	102	250	Surficial Aquifer	Active	Public Supply
39267	SW-133	10	55	95	300	Surficial Aquifer	Active	Public Supply
39268	SW-134	10	60	110	250	Surficial Aquifer	Active	Public Supply
39269	SW-135	10	65	110	200	Surficial Aquifer	Active	Public Supply
39270	SW-136	10	60	100	250	Surficial Aquifer	Active	Public Supply
39271	SW-141	10	50	105	600	Surficial Aquifer	Active	Public Supply
39272	SW-142	10	50	95	600	Surficial Aquifer	Active	Public Supply
39273	SW-144	10	60	90	400	Surficial Aquifer	Active	Public Supply
39274	SW-145	10	50	105	600	Surficial Aquifer	Active	Public Supply
39275	SW-146	10	55	95	600	Surficial Aquifer	Active	Public Supply
407789	W3	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407790	W4	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407791	W5	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407792	W6	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407793	W7	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407794	W8	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407795	W9	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407796	W10	10	50	110	150	Surficial Aquifer	Proposed	Public Supply

Well Details								
District ID	Station Name	Casing Diameter (inches)	Casing Depth (feet)	Total Depth (feet)	Capacity (GPM)	Source Name	Status	Use Type
407797	W11	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407798	W13	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407799	W14	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407800	W16	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407801	W17	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407802	W18	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407803	W20	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407804	W21	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407806	W23	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407808	W25	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407809	W26	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407810	W27	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407811	W29	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
407812	W30	10	50	110	150	Surficial Aquifer	Proposed	Public Supply
453547	LW-56 (test/prod well)	12	300	530	300	FAS - Upper Floridan Aquifer	Inactive	Public Supply
453548	LW-59 (test/prod well)	12	300	530	300	FAS - Upper Floridan Aquifer	Inactive	Public Supply
511559	LW-126	12	300	550	300	FAS - Upper Floridan Aquifer	Proposed	Public Supply
511560	LW-133	12	300	550	300	FAS - Upper Floridan Aquifer	Proposed	Public Supply
511561	LW-134	12	300	550	300	FAS - Upper Floridan Aquifer	Proposed	Public Supply
511562	LW-136	12	300	550	300	FAS - Upper Floridan Aquifer	Proposed	Public Supply

Well Details								
District ID	Station Name	Casing Diameter (inches)	Casing Depth (feet)	Total Depth (feet)	Capacity (GPM)	Source Name	Status	Use Type
511563	LW-141	12	300	550	300	FAS - Upper Floridan Aquifer	Proposed	Public Supply
511564	LW-144	12	300	550	300	FAS - Upper Floridan Aquifer	Proposed	Public Supply
511565	LW-145	12	300	550	300	FAS - Upper Floridan Aquifer	Proposed	Public Supply
511566	LW-146	12	300	550	300	FAS - Upper Floridan Aquifer	Proposed	Public Supply
511567	LW-W3	12	300	550	300	FAS - Upper Floridan Aquifer	Proposed	Public Supply
511568	LW-W8	12	300	550	300	FAS - Upper Floridan Aquifer	Proposed	Public Supply
511569	LW-W10	12	300	550	300	FAS - Upper Floridan Aquifer	Proposed	Public Supply
511570	LW-W11	12	300	550	300	FAS - Upper Floridan Aquifer	Proposed	Public Supply
511571	LW-W17	12	300	550	300	FAS - Upper Floridan Aquifer	Proposed	Public Supply
511572	LW-W26	12	300	550	300	FAS - Upper Floridan Aquifer	Proposed	Public Supply

Site Name: Palm Coast Monitoring

Monitoring Well Details						
District ID	Station Name	Casing Diameter (inches)	Casing Depth (feet)	Total Depth (feet)	Source Name	Status
409774	1N-T1	2	5	15	Surficial aquifer	Active
409775	2N	2	5	15	Surficial aquifer	Inactive
409776	3N	2	5	15	Surficial aquifer	Inactive
409777	4N-T1	2	5	15	Surficial aquifer	Active
409778	5N	2	5	15	Surficial aquifer	Inactive
409779	6S-T1	2	5	15	Surficial aquifer	Active
409780	7S-T1	2	5	15	Surficial aquifer	Active

Monitoring Well Details						
District ID	**Station Name**	**Casing Diameter (inches)**	**Casing Depth (feet)**	**Total Depth (feet)**	**Source Name**	**Status**
409781	8S	2	5	15	Surficial aquifer	Inactive
409782	9S	2	5	15	Surficial aquifer	Inactive
409783	10S	2	5	15	Surficial aquifer	Inactive
409784	WPZ-2	2	15	15	Surficial aquifer	Active
409785	WPZ-4	2	10	15	Surficial aquifer	Inactive
409786	WPZ-7	2	5	15	Surficial aquifer	Inactive
409787	WPZ-10	2	5	15	Surficial aquifer	Inactive
409788	WPZ-16	2	15	15	Surficial aquifer	Active
409789	LW-1	6	125	180	FAS - Upper Floridan aquifer	Active
409790	LW-15B	4	103	225	FAS - Upper Floridan aquifer	Active
409791	LW-15B WTA	2	10	20	Surficial aquifer	Active
409792	LW-16	4	112	340	FAS - Upper Floridan aquifer	Active
409793	LW-15B CSA	2	60	80	Surficial aquifer	Active
409794	LW-42	4	95	140	FAS - Upper Floridan aquifer	Active
409795	LW-42 WTA	2	10	20	Surficial aquifer	Active
409796	LW-42 CSA	4	60	80	Surficial aquifer	Active
409797	LW-50	6	105	144	FAS - Upper Floridan aquifer	Active
409798	LW-86S	4	105	150	Surficial aquifer	Active
409799	LW-86D	4	250	300	FAS - Upper	Active

Monitoring Well Details						
District ID	**Station Name**	**Casing Diameter (inches)**	**Casing Depth (feet)**	**Total Depth (feet)**	**Source Name**	**Status**
					Floridan aquifer	
409800	LW-86 WTA	2	10	20	Surficial aquifer	Active
409801	LW-86 CSA	4	60	80	Surficial aquifer	Active
409802	LW-87	6	475	500	FAS - Upper Floridan aquifer	Proposed
409803	LW-87 WTA	2	10	20	Surficial aquifer	Proposed
409804	LW-87 CSA	4	60	80	Surficial aquifer	Proposed
409805	MW-1	2	60	80	Surficial aquifer	Active
409806	MW-2	2	60	80	Surficial aquifer	Active
409807	MW-3	2	60	80	Surficial aquifer	Active
409809	MW-5	2	60	80	Surficial aquifer	Active
409810	MW-6	2	60	80	Surficial aquifer	Active
409811	SW-7LS	3	100	105	Surficial aquifer	Active
409812	SW-13LS	3	95	105	Surficial aquifer	Active
409813	SW-37LS	3	100	105	Surficial aquifer	Active
409814	SW-39	4	40	52	Surficial aquifer	Active
409815	SW-43LS	3	115	120	Surficial aquifer	Active
409816	SW-60LS	3	105	110	Surficial aquifer	Active
409818	SW-82 UFA	4	105	242	FAS - Upper Floridan aquifer	Active
409819	SW-83LS	3	100	105	Surficial aquifer	Active
409820	SW-115LS	3	95	100	Surficial aquifer	Active

Monitoring Well Details						
District ID	**Station Name**	**Casing Diameter (inches)**	**Casing Depth (feet)**	**Total Depth (feet)**	**Source Name**	**Status**
409821	SW-126LS	3	100	105	Surficial aquifer	Active
409822	SW-134LS	3	100	105	Surficial aquifer	Active
409823	SW-141LS	3	100	115	Surficial aquifer	Active
409824	SW-145LS	3	100	115	Surficial aquifer	Active
453549	LW-55 (obs well for LW-56)	5.5	630	666	FAS - Upper Floridan aquifer	Inactive
453550	LW-57 (obs well for LW-56)	5.5	300	530	FAS - Upper Floridan aquifer	Inactive
453551	WT-1 (obs well for LW-56)	2	10	20	Surficial aquifer	Inactive
453553	LW-58 (obs well for LW-59)	5.5	630	679	FAS - Upper Floridan aquifer	Inactive
453554	LW-60 (obs well for LW-59)	5.5	300	530	FAS - Upper Floridan aquifer	Inactive
453555	WT-2 (obs well for LW-59)	2	10	20	Surficial aquifer	Inactive
466015	12N-T2	2	10	20	Surficial aquifer	Active
466016	6S-T2	2	10	20	Surficial aquifer	Active
466017	11S-T3	2	10	20	Surficial aquifer	Inactive
511607	MW-4R	2	60	80	Surficial aquifer	Proposed
511608	UFA North	4	300	530	FAS - Upper Floridan aquifer	Proposed
511609	UFA East	4	300	530	FAS - Upper Floridan aquifer	Proposed
511610	UFA South	4	300	530	FAS - Upper Floridan aquifer	Proposed
511611	UFA West	4	300	530	FAS - Upper	Proposed

Monitoring Well Details						
District ID	**Station Name**	**Casing Diameter (inches)**	**Casing Depth (feet)**	**Total Depth (feet)**	**Source Name**	**Status**
					Floridan aquifer	
511612	UFA Deep	4	300	530	FAS - Upper Floridan aquifer	Proposed
511614	WPZ-2 CSA	4	60	90	Surficial aquifer	Active
511615	WPZ-16 CSA	4	60	90	Surficial aquifer	Active
511616	7S-T2 CSA	4	55	85	Surficial aquifer	Active
511617	7S-T2 UFA	4	100	150	FAS - Upper Floridan aquifer	Active
511618	SW-82 CSA	4	60	90	Surficial aquifer	Active
511624	LW-53 (multi-zone 320-400)	2	155	200	FAS - Upper Floridan aquifer	Active
513106	1N-T3 UFA	4	175	220	FAS - Upper Floridan aquifer	Active

Conditions

1. With advance notice to the permittee, District staff with proper identification shall have permission to enter, inspect, observe, collect samples, and take measurements of permitted facilities to determine compliance with the permit conditions and permitted plans and specifications. The permittee shall either accompany District staff onto the property or make provision for access onto the property.

2. Nothing in this permit should be construed to limit the authority of the St. Johns River Water Management District to declare a water shortage and issue orders pursuant to Chapter 373, F.S. In the event of a declared water shortage, the permittee must adhere to the water shortage restrictions, as specified by the District. The permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.

3. Prior to the construction, modification or abandonment of a well, the permittee must obtain a water well permit from the St. Johns River Water Management District or the appropriate local government pursuant to Chapter 40C-3, F.A.C. Construction, modification, or abandonment of a well will require modification of the consumptive use

permit when such construction, modification, or abandonment is other than that specified and described on the consumptive use permit application form.

4. Leaking or inoperative well casings, valves, or controls must be repaired or replaced as required to eliminate the leak or make the system fully operational.

5. The permittee's consumptive use of water as authorized by this permit shall not interfere with legal uses of water existing at the time of permit application. If interference occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the interference, unless the interference associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.

6. The permittee's consumptive use of water as authorized by this permit shall not have significant adverse hydrologic impacts to off-site land uses existing at the time of permit application. If significant adverse hydrologic impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.

7. The permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and/or related facilities from which the permitted consumptive use is made. Where permittee's control of the land subject to the permit was demonstrated through a lease, the permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system/project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40C-1.612, F.A.C. Alternatively, the permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.

8. A District-issued identification tag shall be prominently displayed at each withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility as provided by Rule 40C-2.401, F.A.C. The permittee shall notify the District in the event that a replacement tag is needed.

9. The permittee's consumptive use of water as authorized by this permit shall not adversely impact wetlands, lakes, rivers, or springs. If adverse impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.

10. The permittee's consumptive use of water as authorized by this permit shall not reduce a flow or level below any minimum flow or level established by the District or the Department of Environmental Protection pursuant to Section 373.042 and 373.0421, F.S. If the permittee's use of water causes or contributes to such a reduction, then the District shall revoke the permit, in whole or in part, unless the permittee implements all provisions applicable to the permittee's use in a District-approved recovery or prevention strategy.

11. The permittee's consumptive use of water as authorized by the permit shall not cause or contribute to significant saline water intrusion. If significant saline water intrusion occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the saline water

intrusion, unless the saline water intrusion associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.

12. The permittee's consumptive use of water as authorized by the permit shall not cause or contribute to flood damage. If the permittee's consumptive use causes or contributes to flood damage, the District shall revoke the permit, in whole or in part, to curtail or abate the flood damage, unless the flood damage associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.

13. All consumptive uses authorized by this permit shall be implemented as conditioned by this permit, including any documents incorporated by reference in a permit condition. The District may revoke this permit, in whole or in part, or take enforcement action, pursuant to Section 373.136 or 373.243, F.S., unless a permit modification has been obtained to address the noncompliance. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

14. This permit does not convey to the permittee any property rights or privileges other than those specified herein, nor relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.

15. A permittee may seek modification of any term of an unexpired permit. The permittee is advised that Section 373.239, F.S., and Rule 40C-2.331, F.A.C., are applicable to permit modifications.

16. Following the effective date of the re-evaluated Minimum Flows and Levels adopted pursuant to Rule 62-42.300(1)(e), F.A.C., this permit is subject to modification during the term of the permit, upon reasonable notice by the District to the permittee, to achieve compliance with any approved MFL recovery or prevention strategy for the Lower Santa Fe River, Ichetucknee River, and Associated Priority Springs. Nothing herein shall be construed to alter the District's authority to modify a permit under circumstances not addressed in this condition.

17. All submittals made to demonstrate compliance with this permit must include CUP number 1947-12 labeled on the submittal. Submittals should be made on-line at www.sjrwmd.com/permitting whenever possible.

18. This permit will expire on October 12, 2041.

19. Maximum annual groundwater withdrawals from the confined surficial aquifer for public supply use must not exceed 2,509.35 million gallons (6.875 mgd, annual average).

20. Maximum annual groundwater withdrawals from the freshwater Upper Floridan aquifer at WTP2 for public supply use must not exceed 1,512.90 million gallons (4.145 mgd, annual average).

21. Maximum annual groundwater withdrawals from the brackish Upper Floridan aquifer for public supply use must not exceed 1,642.5 million gallons (4.5 mgd, annual average).

22. Prior to use, all production wells must be equipped with totalizing flow meters. All flow meters must measure within +/- 5% of actual flow, be verifiable and be installed according to the manufacturer's specifications.

23. Total withdrawal from the following wells must be recorded continuously, totaled monthly, and reported to the District at least every six months for the duration of this permit using Water Use Pumpage Report Form (EN-50).

Palm Coast - WTP1

Well	Station ID	Source	Status
SW-1R	511573	Confined surficial aquifer	Proposed
SW-2R	511574	Confined surficial aquifer	Proposed
SW-3	511575	Confined surficial aquifer	Proposed
SW-4R	39862	Confined surficial aquifer	Active
SW-5R	105005	Confined surficial aquifer	Active
SW-6R	39778	Confined surficial aquifer	Active
SW-7	6652	Confined surficial aquifer	Active
SW-8R	464971	Confined surficial aquifer	Active
SW-13B	38648	Confined surficial aquifer	Active
SW-14	6655	Confined surficial aquifer	Active
SW-27R	105121	Confined surficial aquifer	Active
SW-28	6657	Confined surficial aquifer	Active
SW-29R	104677	Confined surficial aquifer	Active
SW-30	6659	Confined surficial aquifer	Active
SW-31	6660	Confined surficial aquifer	Active
SW-32R	489079	Confined surficial aquifer	Active
SW-33	6662	Confined surficial aquifer	Active
SW-34	6663	Confined surficial aquifer	Active
SW-35	6664	Confined surficial aquifer	Active
SW-36	6665	Confined surficial aquifer	Active
SW-41	6646	Confined surficial aquifer	Active
SW-42	6647	Confined surficial aquifer	Active
SW-43R	469062	Confined surficial aquifer	Active
SW-58	6666	Confined surficial aquifer	Active
SW-59	6667	Confined surficial aquifer	Active
SW-60	6627	Confined surficial aquifer	Active
SW-61	6668	Confined surficial aquifer	Active
SW-62	6669	Confined surficial aquifer	Active

SW-63	511576	Confined surficial aquifer	Proposed
SW-83	6628	Confined surficial aquifer	Active
SW-105	6670	Confined surficial aquifer	Active
SW-106	6671	Confined surficial aquifer	Active
SW-107	6672	Confined surficial aquifer	Active
SW-114	6621	Confined surficial aquifer	Active
SW-115	6622	Confined surficial aquifer	Active
W22	407805	Confined surficial aquifer	Active
W24	407807	Confined surficial aquifer	Active

Palm Coast - WTP2

Well	Station ID	Source	Status
LW-14	6673	Upper Floridan aquifer	Active
LW-17R	449146	Upper Floridan aquifer	Active
LW-19	6648	Upper Floridan aquifer	Active
LW-21	6649	Upper Floridan aquifer	Active
LW-22	6650	Upper Floridan aquifer	Proposed
LW-23	35373	Upper Floridan aquifer	Active
LW-30	6639	Upper Floridan aquifer	Active
LW-31	6640	Upper Floridan aquifer	Active
LW-32	6641	Upper Floridan aquifer	Active
LW-49	6674	Upper Floridan aquifer	Active
LW-83	39255	Upper Floridan aquifer	Active
LW-84	39256	Upper Floridan aquifer	Active
LW-85	39257	Upper Floridan aquifer	Active
LW-105	438762	Upper Floridan aquifer	Active
LW-106	438763	Upper Floridan aquifer	Active
LW-107	438764	Upper Floridan aquifer	Active
LW-108	438765	Upper Floridan aquifer	Active

Palm Coast - WTP3

Well	Station ID	Source	Status
SW-37	35377	Confined Surficial aquifer	Active
SW-38	35378	Confined Surficial aquifer	Active
SW-121	39258	Confined Surficial aquifer	Active
SW-122	39259	Confined Surficial aquifer	Active
SW-123	39260	Confined Surficial aquifer	Active

SW-124	39261	Confined Surficial aquifer	Active
SW-125	39262	Confined Surficial aquifer	Active
SW-126	39263	Confined Surficial aquifer	Active
SW-127	39264	Confined Surficial aquifer	Active
SW-128	39265	Confined Surficial aquifer	Active
SW-129	39266	Confined Surficial aquifer	Active
SW-133	39267	Confined Surficial aquifer	Active
SW-134	39268	Confined Surficial aquifer	Active
SW-135	39269	Confined Surficial aquifer	Active
SW-136	39270	Confined Surficial aquifer	Active
SW-141	39271	Confined Surficial aquifer	Active
SW-142	39272	Confined Surficial aquifer	Active
SW-144	39273	Confined Surficial aquifer	Active
SW-145	39274	Confined Surficial aquifer	Active
SW-146	39275	Confined Surficial aquifer	Active
W3	407789	Confined Surficial aquifer	Proposed
W4	407790	Confined Surficial aquifer	Proposed
W5	407791	Confined Surficial aquifer	Proposed
W6	407792	Confined Surficial aquifer	Proposed
W7	407793	Confined Surficial aquifer	Proposed
W8	407794	Confined Surficial aquifer	Proposed
W9	407795	Confined Surficial aquifer	Proposed
W10	407796	Confined Surficial aquifer	Proposed
W11	407797	Confined Surficial aquifer	Proposed
W13	407798	Confined Surficial aquifer	Proposed
W14	407799	Confined Surficial aquifer	Proposed
W16	407800	Confined Surficial aquifer	Proposed
W17	407801	Confined Surficial aquifer	Proposed
W18	407802	Confined Surficial aquifer	Proposed
W20	407803	Confined Surficial aquifer	Proposed
W21	407804	Confined Surficial aquifer	Proposed
W22	407805	Confined Surficial aquifer	Proposed
W23	407806	Confined Surficial aquifer	Proposed
W24	407807	Confined Surficial aquifer	Proposed
W25	407808	Confined Surficial aquifer	Proposed
W26	407809	Confined Surficial aquifer	Proposed

W27	407810	Confined Surficial aquifer	Proposed
W29	407811	Confined Surficial aquifer	Proposed
W30	407812	Confined Surficial aquifer	Proposed
LW-126	511559	Upper Floridan aquifer	Proposed
LW-133	511560	Upper Floridan aquifer	Proposed
LW-134	511561	Upper Floridan aquifer	Proposed
LW-136	511562	Upper Floridan aquifer	Proposed
LW-141	511563	Upper Floridan aquifer	Proposed
LW-144	511564	Upper Floridan aquifer	Proposed
LW-145	511565	Upper Floridan aquifer	Proposed
LW-146	511566	Upper Floridan aquifer	Proposed
LW-W3	511567	Upper Floridan aquifer	Proposed
LW-W8	511568	Upper Floridan aquifer	Proposed
LW-W10	511569	Upper Floridan aquifer	Proposed
LW-W11	511570	Upper Floridan aquifer	Proposed
LW-W17	511571	Upper Floridan aquifer	Proposed
LW-W26	511572	Upper Floridan aquifer	Proposed

Reporting Period	Report Due Date
January - June	July 31
July - December	January 31

24. The permittee must maintain all flowmeters. In case of failure or breakdown of any meter, the District must be notified in writing within 5 days of its discovery. A defective meter must be repaired or replaced within 30 days of its discovery.

25. The permittee must have all flow meters checked for accuracy at least once every 10 years and recalibrated if the difference between the actual flow and the meter reading is greater than 5%. Flow Meter Accuracy Report Form (EN-51) must be submitted to the District within 30 days of the inspection/calibration.

26. The proposed hydrologic and vegetative wetland/surface water monitoring plan shall continue to be implemented as described in the "Modified CUP Monitoring Plan" received by the District on September 23, 2014, as amended by the "Potential Future Amendment to Wetland Monitoring Plan" received by the District on June 21, 2021.

27. The permittee must conduct monitoring of wetlands and/or surface waters for each of the areas listed below, including monitoring surficial, intermediate and/or Upper Floridan aquifer groundwater levels associated with each existing and proposed wetland and/or surface water monitoring site, as needed:

    Existing Monitoring Sites:
    1. Wetland/Surface Water 1N_____ (29.5925° N, 81.2947° W)
    2. Wetland/Surface Water 4N_____ (29.6011° N, 81.3086° W)

3. Wetland/Surface Water 12N_____ (29.5857° N, 81.2728° W)
4. Wetland/Surface Water WPZ-2_____ (29.5641° N, 81.2836° W)
5. Wetland/Surface Water WPZ-16_____ (29.5633° N, 81.2980° W)
6. Wetland/Surface Water 6S_____ (29.6041° N, 81.2177° W)
7. Wetland/Surface Water 7S_____ (29.4133° N, 81.2038° W)

Proposed Monitoring Sites:
(as identified in the "Potential Future Amendment to Wetland Monitoring Plan" received by the District on June 21, 2021):
1. Either Wetland/Surface Water 2N_____ (29.5958° N, 81.3086° W) or Wetland/Surface Water 5N_____ (29.6061° N, 81.3013° W)
2. One of the three Wetland/Surface Waters identified to the north of 4N (TBD)

28. Groundwater level data associated with the wetland and/or surface water monitoring must be collected for each of the sites listed in the following table and submitted electronically every six months to the District utilizing the Water Level Data-Wetland Monitoring Template, for the wetland monitoring site(s). These templates are available through the District's e-Permit website. Alternative submittal formats must be approved by the District. The submittal schedule is:

Reporting Period	Report Due Date
January - June	July 31
July - December	January 31

Data collection must include water levels (weekly without data loggers, daily with data loggers) from wetland surficial, intermediate and Floridan aquifer monitoring wells. Data must be reported as elevation relative to North American Vertical Datum (NAVD) of 1988.

Wetland Monitoring Sites

Station ID	Station (wetland/surface water) Name	Source	Location
409774	Wetland 1N-T1	SAS	(29.5925° N, 81.294722° W)
513106	Wetland 1N-T3	UFA	(29.5925° N, 81.2937° W)
409777	Wetland 4N-T1	SAS	(29.601111° N, 81.308611° W)
466015	Wetland 12N-T2	SAS	(29.5857° N, 81.2728° W)
409784	Wetland WPZ-2	SAS	(29.56417° N, 81.283611° W)
511614	Wetland WPZ-2	CSA	(29.5636° N, 81.2967° W)
409788	Wetland WPZ-16	SAS	(29.56333° N, 81.298058° W)
511615	Wetland WPZ-16	CSA	(29.56362° N, 81.29787° W)
409779	Wetland 6S-T1	SAS	(29.604167° N, 81.217778° W)
466016	Wetland 6S-T2	SAS	(29.4251° N, 81.1981° W)
409780	Wetland 7S-T1	SAS	(29.413333° N, 81.203889° W)
511616	Wetland 7S-T2	CSA	(29.424° N, 81.1917° W)
511617	Wetland 7S-T2	UFA	(29.424° N, 81.1917° W)

409818	SW-82 UFA	UFA	(29.44392° N, 81.181696° W)
511618	SW-82 CSA	CSA	(29.44392° N, 81.181696° W)

Proposed Monitoring Sites (Either Wetland 2N or Wetland 5N, and one wetland identified to the north of Wetland 4N)

Station ID	Station (wetland/surface water) Name	Source	Location
409775	Wetland 2N	SAS	(29°35’45” N, 81°18 31” W)
409778	Wetland 5N	SAS	(29°36’22” N, 81°18’05” W)
TBD	Wetland north of Wetland 4N TBD	SAS	(YY°YY’YY” N, XX°XX’XX” W)

29. A surficial aquifer monitoring well for the proposed wetland monitoring site located north of Wetland 4N as identified in the "Potential Future Amendment to Wetland Monitoring Plan" received by the District on June 21, 2021, must be located in uplands near the upland/wetland interface. The surficial aquifer monitoring well design and specific location must be approved in writing by the District prior to well construction. Surficial aquifer monitoring well depths must be at least 15 feet below the seasonal high ground water elevation unless prohibited by subsurface geologic conditions. The ground water monitoring well must be installed by or under the supervision of a licensed water well contractor.

30. Within 60 days of completion of each monitoring well installation, a Well Completion Report as well as a survey certified by a professional surveyor registered in the state of Florida shall be submitted for each monitoring well that includes:
    a. Horizontal position in latitude/longitude (degree minute second (DMS) coordinates) (YY°YY’YY.YYYY” N, XX°XX’XX.XXXX” W) relative to North American Datum (NAD) of 1983;
    b. Top of casing (TOC) vertical elevation to an accuracy of +/- 0.01 foot relative to the North American Vertical Datum (NAVD) of 1988;
    c. Land surface elevation to an accuracy of +/- 0.01 foot relative to the North American Vertical Datum (NAVD) of 1988;
    d. Top of screen depth (feet below land surface);
    e. Bottom of screen depth (feet below land surface);
    f. Depth to groundwater (feet below land surface);
    g. Total depth of well (feet below land surface);
    h. Mapped well location; and,
    i. Lithologic description of subsurface soil profiles and underlying sediments.

31. By August 31, of the year of implementation, the permittee must submit to the District a detailed baseline monitoring report of the wetland hydrology and overall conditions, for either Wetland 2N or Wetland 5N, and the selected wetland to the north of Wetland 4N (TBD). The baseline wetland monitoring report shall be submitted to the District utilizing the CUP Wetland Monitoring Datasheet Template, which is available through the District’s e-Permitting website, or other format approved by the District. If the CUP Wetland Monitoring Template is not available, the baseline report shall be submitted utilizing a District-approved electronic format.

A minimum of three transects are recommended around the perimeter of the wetland(s)/surface water(s) to be monitored. The number of transects could be more or less depending on the size of the wetland/surface water being monitored and site-specific conditions. The permittee must coordinate with District staff to establish transects to monitor wetland/surface waters and verify the following information:

a) Data collected at each transect must include:

i. Identify and establish a point representing the landward extent of wetlands and/or surface waters pursuant to 62-340,FAC.
ii. Identify and establish a point representing the landward extent of where a hydric indicator is expressed at soil surface, if not at the wetland boundary point.
iii. Identify and establish a point representing the landward extent of where muck soil indicator (if present) occurs at soil surface, if not at the wetland or hydric soil at surface boundary point.
iv. Survey (certified) of the location and elevation of each of the above established points. The survey of the location of each point must provide the horizontal position in latitude/longitude (degree minute second (DMS) coordinates)(YY°YY'YY.YYYY"N,XX°XX'XX.XXXX"W) relative to North American Datum (NAD) of 1983. The land surface elevation must be provided to an accuracy of +/- 0.01foot relative to the North American Vertical Datum (NAVD) of 1988.
v. Complete description of vegetation, including percent cover of each species occurring in the canopy, subcanopy or ground cover (including vines and aquatic plants), as appropriate, at each established point [refer to 62-340.200, FAC].
vi. Complete and detailed soil profile description to a depth of at least 50 cm (20inches) below soil surface including the identification of the depth to a hydric soil indicator at each established point. (Reference "Field Indicators of Hydric Soils in the United States"; USDA, NRCS)
vii. Using biological indicators or long-term hydrologic data, identify the elevation of the seasonal high water elevation for each wetland/surface water (typically a minimum of 3 data points for each transect, though depending on site conditions, the size and type of the wetland, 3 data points for the entire wetland maybe sufficient).
viii. A certified survey of the location and elevation of each of the established seasonal high water elevation points. The survey of each location of each high water point must provide the horizontal position in latitude/longitude (degree minute second (DMS) coordinates) YY°YY'YY.YYYY"N,XX°XX'XX.XXXX"W) relative to North American Datum (NAD) of 1983, and the vertical elevation to an accuracy of +/-0.01 foot relative to the North American Vertical Datum (NAVD) of 1988.
ix. Photo documentation of each of the above established points and seasonal high water data points.

b) All data collected for each monitored wetland must be submitted using the District's Wetland Monitoring Datasheet or other format approved by the District.

c) Installation of surficial aquifer ground water monitoring wells (preferably with continuous recording equipment) for each wetland to be monitored. Installation of Floridan aquifer monitoring wells, if one does not already exist, as appropriate to monitor Floridan aquifer water levels to establish the relationship between the surficial aquifer and the Floridan aquifer.

32. Hydrological and vegetative wetland/surface water monitoring reports must be submitted to the District every five years subsequent to the baseline monitoring events. The five-year reports shall be submitted no later than August 31st of the submittal year and include the information, as described in the baseline monitoring reports. The five-year reports shall be submitted to the District utilizing the CUP Wetland Monitoring Datasheet Template through the District's e-Permit website, or other format approved by the District. If the CUP Wetland Monitoring Datasheet Template is not available, the five-year reports must be submitted utilizing a District-approved format.

    The five-year hydrological and vegetative wetland monitoring reports must include graphs summarizing the water level data, collected rainfall data (when collected by the permittee) and wellfield pumpage data. The elevation of the surveyed upland/wetland, hydric soil at surface and/or muck soil at surface boundary locations must be indicated on the graphs. In addition, the report must include a brief analysis and discussion of trends and wetland health as well as any observed changes occurring at the location of the boundary data points that are identified in the baseline monitoring report. A double mass analysis and/or a time series analysis of rainfall, well levels, and elevations of data collection points must be included for each well and wetland/surface water monitoring location.

33. If the permittee is unable to obtain or maintain legal access to any of the monitoring sites referenced above, the permittee must notify the District in writing within 15 days of concluding that access to any specific site is not possible. Within 45 days of this notification, the permittee must submit an alternative site to modify the monitoring network. Within six months of District approval of the monitoring network modification, the permittee must implement the approved change(s).

34. By September 30, 2027, and every five years thereafter, the permittee must meet with District staff to confirm the approach and specifics of the wetland monitoring plan for the next five-year period. By February 28, 2028, and every five years thereafter, the permittee must provide any proposed changes to the wetland/surface water monitoring plan to the District for review and written approval.

    Any re-evaluation of the wetland/surface water monitoring plan shall be completed using the most recently collected wetland, surface water and groundwater data for comparative purposes. A District-approved model to re-evaluate impacts of predicted drawdown within the surficial aquifer in the area of the wellfield to substantiate the need for any modifications of the monitoring plan may be required as part of any re-evaluation of the wetland/surface water monitoring plan.

35. The permittee must implement the Water Conservation Plan submitted to the District on June 21, 2021, in accordance with the schedule contained therein.

36. The permittee shall use the lowest quality water source, such as reclaimed water, surface/storm water, or alternative water supply, to supply the needs of the project when deemed feasible pursuant to District rules and applicable state law.

37. The permittee must implement the Wellfield Operating Plan dated November 2020 and received by the District on June 21, 2021. The plan includes collecting monthly static water level (from top of casing (TOC)), pumped water level from TOC, pumping

rate, and calculated specific capacity from each production well, and submitting the data District at every six months for the duration of this permit.

Reporting Period	Report Due Date
January - June	July 31
July - December	January 31

38. The permittee must have groundwater samples collected and analyzed annually for water quality in May and October for the permit duration from the following production wells.

Well	Station ID	Wellfield	Source
SW-7	6652	WTP1	Surficial aquifer
LW-19	6648	WTP2	Upper Floridan aquifer
SW-142	39272	WTP3	Surficial aquifer
LW-144	511564	WTP3	Upper Floridan aquifer

Sample Collection

All groundwater samples must be collected in accordance with Florida Department of Environmental Protection (DEP) Standard Operating Procedure FS 2200 for groundwater sampling (DEP-SOP-001/01), DEP Quality Assurance Rule, 62-160, F.A.C.

Wells must be purged in accordance with the appropriate procedure in FS 2200, as necessary to evacuate water from the well column and induce groundwater representative of the hydrogeologic formation into the well prior to sampling. Purged water must be sampled and analyzed in the field for the following parameters:

- Water Temperature (^{o}C)
- pH (SU)
- Specific Conductance (umhos/cm or uS/cm)
- Turbidity (NTU)

Calibrated instruments equipped with probe sensors are acceptable for field measurements during well purging and water quality sampling procedures. Purging and sampling must be documented using the Groundwater Sampling Log form referenced in FS 2200 or equivalent.

Water samples must be preserved in accordance with the selected laboratory analytical method, stored on ice immediately after collection and remain on ice until received and processed by the laboratory.

Laboratory Analyses

Water samples must be analyzed in the laboratory for the following major ion suite:

Calcium (mg/L)
Magnesium (mg/L)
Potassium (mg/L)
Sodium (mg/L)
Total iron (mg/L)
Chloride (mg/L)

Sulfate (mg/L)
Bicarbonate Alkalinity (as mg/L $CaCO_3$)
Carbonate Alkalinity (as mg/L $CaCO_3$)
Total Dissolved Solids (mg/L)
Specific Conductance (umhos/cm or uS/cm)

Quality Assurance
The permittee must provide documentation that field instruments were properly calibrated prior to obtaining field measurements during purging and sampling.

All water quality analyses must be performed by a laboratory certified by the Florida Department of Health (DOH) Environmental Laboratory Certification Program (ELCP) and the National Environmental Laboratory Accreditation Program (NELAP). All laboratory analyses must be performed using methods for which the laboratory has DOH certification. All laboratory analyses must be completed within EPA holding times. If data is lost or a laboratory error occurs and the EPA holding time for an analysis has expired, the permittee must have the well re-sampled within 15 days of notification from the laboratory that a loss or laboratory error has occurred. The resample shall be collected according to the procedures described above, and analyzed for the field parameters and the major ion suite listed above.

Laboratory analyses utilizing selective ion electrodes and field screening test kits (e.g., Hach and LaMotte) are not acceptable due to the inadequate sensitivity of these methods.

All major ion analyses must be checked for anion-cation balance (equivalent concentration in meq/L), and must not exceed 5% difference. If the ion balance exceeds 5% difference, the permittee must review the data and include in the report submitted to the District, a discussion of the cause or explanation of the imbalance. The permittee may also be required to have the sample re-analyzed if it is within acceptable holding times or have the well re-sampled. The resample shall be collected according to the procedures described above, and analyzed for the four field parameters and the major ion suite.

Report
A report must be submitted to the District no later than the last day of the month after the month of the sampling (e.g., the report for samples collected in May must be submitted to the District no later than June 30). The report must include the following:

- Table summarizing results for field measurements and laboratory chemical analyses
- Groundwater sampling log
- Field instrument calibration verification
- Chain of custody form (if outsourced)
- Laboratory analytical report (if outsourced)

All data must be submitted to the District in a District-approved electronic format readable by the District's computerized database. Form No. 40C-2.900(11) in paper format may be used in lieu of the electronic format for permittees not having access to a computer or the internet.

39. The permittee must have water quality groundwater samples collected and analyzed annually in May and October for the permit duration from the following permitted dedicated SWIM monitoring wells.

North SWIM Monitoring Wells

Well	Station ID	Source
MW-1	409805	Confined surficial aquifer
MW-2	409806	Confined surficial aquifer
MW-3	409807	Confined surficial aquifer
MW-4R	511607	Confined surficial aquifer
MW-5	409809	Confined surficial aquifer
MW-6	409810	Confined surficial aquifer
SW-7LS	409811	Confined surficial aquifer
SW-13LS	409812	Confined surficial aquifer
SW-37LS	409813	Confined surficial aquifer
SW-39	409814	Confined surficial aquifer
SW-43LS	409815	Confined surficial aquifer
SW-60LS	409816	Confined surficial aquifer
SW-83LS	409819	Confined surficial aquifer
SW-115LS	409820	Confined surficial aquifer
SW-126LS	409821	Confined surficial aquifer
SW-134-LS	409822	Confined surficial aquifer
SW-141LS	409823	Confined surficial aquifer
SW-145LS	409824	Confined surficial aquifer
LW-1	409789	Upper Floridan aquifer
LW-53	511624	Upper Floridan aquifer
UFA North	511608	Upper Floridan aquifer
UFA East	511609	Upper Floridan aquifer
UFA South	511610	Upper Floridan aquifer
UFA West	511611	Upper Floridan aquifer
UFA Deep	511612	Upper Floridan aquifer

South SWIM Monitoring Wells

Well	Station ID	Source
SW-82	409818	Upper Floridan aquifer
LW-15B	409790	Upper Floridan aquifer
LW-15B WTA	409791	Water table
LW-15B CSA	409793	Confined surficial aquifer

LW-16	409792	Upper Floridan aquifer
LW-42	409794	Upper Floridan aquifer
LW-42 WTA	409795	Water table
LW-42 CSA	409796	Confined surficial aquifer
LW-50	409797	Upper Floridan aquifer
LW-86S	409798	Upper Floridan aquifer
LW-86D	409799	Upper Floridan aquifer
LW-86 WTA	409800	Water table
LW-86 CSA	409801	Confined surficial aquifer
LW-87	409802	Upper Floridan aquifer
LW-87 WTA	409803	Water table
LW-87 CSA	409804	Confined surficial aquifer

Sample Collection

All groundwater samples must be collected in accordance with Florida Department of Environmental Protection (DEP) Standard Operating Procedure FS 2200 for groundwater sampling (DEP-SOP-001/01), DEP Quality Assurance Rule, 62-160, F.A.C.

Wells must be purged in accordance with the appropriate procedure in FS 2200, as necessary to evacuate water from the well column and induce groundwater representative of the hydrogeologic formation into the well prior to sampling. Purged water must be sampled and analyzed in the field for the following parameters:

- Water Temperature (^{o}C)
- pH (SU)
- Specific Conductance (umhos/cm or uS/cm)
- Turbidity (NTU)

Calibrated instruments equipped with probe sensors are acceptable for field measurements during well purging and water quality sampling procedures. Purging and sampling must be documented using the Groundwater Sampling Log form referenced in FS 2200 or equivalent. Water samples must be preserved in accordance with the selected laboratory analytical method, stored on ice immediately after collection and remain on ice until received and processed by the laboratory.

Laboratory Analyses

Water samples must be analyzed in the laboratory for the following limited parameters:
Chloride (mg/L)
Sulfate (mg/L)
Total Dissolved Solids (mg/L)
Specific Conductance (umhos/cm or uS/cm)

Quality Assurance

The permittee must provide documentation that field instruments were properly calibrated prior to obtaining field measurements during purging and sampling.

All water quality analyses must be performed by a laboratory certified by the Florida Department of Health (DOH) Environmental Laboratory Certification Program (ELCP)

and the National Environmental Laboratory Accreditation Program (NELAP). All laboratory analyses must be performed using methods for which the laboratory has DOH certification. All laboratory analyses must be completed within EPA holding times. If data is lost or a laboratory error occurs and the EPA holding time for an analysis has expired, the permittee must have the well re-sampled within 15 days of notification from the laboratory that a loss or laboratory error has occurred. The resample shall be collected according to the procedures described above, and analyzed for the field parameters and the major ion suite listed above.

Laboratory analyses utilizing selective ion electrodes and field screening test kits (e.g., Hach and LaMotte) are not acceptable due to the inadequate sensitivity of these methods.

All major ion analyses must be checked for anion-cation balance (equivalent concentration in meq/L), and must not exceed 5% difference. If the ion balance exceeds 5% difference, the permittee must review the data and include in the report submitted to the District, a discussion of the cause or explanation of the imbalance. The permittee may also be required to have the sample re-analyzed if it is within acceptable holding times or have the well re-sampled. The resample shall be collected according to the procedures described above, and analyzed for the four field parameters and the major ion suite.

Report

A report must be submitted to the District no later than the last day of the month after the sampling (for example, the report for samples collected in May must be submitted to the District no later than June 30). The report must include the following:

- Table summarizing results for field measurements and laboratory chemical analyses
- Groundwater sampling log
- Field instrument calibration verification
- Chain of custody form
- Laboratory analytical report (if outsourced)

All data must be submitted to the District in a District-approved electronic format readable by the District's computerized database. Form No. 40C-2.900(11) in paper format may be used in lieu of the electronic format for permittees not having access to a computer or the internet.

40. Water level measurements must be collected annually in May and October from the following monitoring and productions wells, for the duration of the permit and submitted to the District.

North SWIM Monitoring Wells

Well	Station ID	Source
MW-1	409805	Confined surficial aquifer
MW-2	409806	Confined surficial aquifer
MW-3	409807	Confined surficial aquifer
MW-4R	511607	Confined surficial aquifer
MW-5	409809	Confined surficial aquifer

MW-6	409810	Confined surficial aquifer
SW-7LS	409811	Confined surficial aquifer
SW-13LS	409812	Confined surficial aquifer
SW-37LS	409813	Confined surficial aquifer
SW-39	409814	Confined surficial aquifer
SW-43LS	409815	Confined surficial aquifer
SW-60LS	409816	Confined surficial aquifer
SW-83LS	409819	Confined surficial aquifer
SW-115LS	409820	Confined surficial aquifer
SW-126LS	409821	Confined surficial aquifer
SW-134-LS	409822	Confined surficial aquifer
SW-141LS	409823	Confined surficial aquifer
SW-145LS	409824	Confined surficial aquifer
LW-1	409789	Upper Floridan aquifer
LW-53	511624	Upper Floridan aquifer
UFA North	511608	Upper Floridan aquifer
UFA East	511609	Upper Floridan aquifer
UFA South	511610	Upper Floridan aquifer
UFA West	511611	Upper Floridan aquifer
UFA Deep	511612	Upper Floridan aquifer

South SWIM Monitoring Wells

Well	Station ID	Source
SW-82	409818	Upper Floridan aquifer
LW-15B	409790	Upper Floridan aquifer
LW-15B WTA	409791	Water table
LW-15B CSA	409793	Confined surficial aquifer
LW-16	409792	Upper Floridan aquifer
LW-42	409794	Upper Floridan aquifer
LW-42 WTA	409795	Water table
LW-42 CSA	409796	Confined surficial aquifer
LW-50	409797	Upper Floridan aquifer
LW-86S	409798	Upper Floridan aquifer
LW-86D	409799	Upper Floridan aquifer
LW-86 WTA	409800	Water table
LW-86 CSA	409801	Confined surficial aquifer

LW-87	409802	Upper Floridan aquifer
LW-87 WTA	409803	Water table
LW-87 CSA	409804	Confined surficial aquifer

Production Wells

Well	Station ID	Wellfield	Source
SW-7	6652	WTP1	Surficial aquifer
LW-19	6648	WTP2	Upper Floridan aquifer
SW-142	39272	WTP3	Surficial aquifer
LW-144	511564	WTP3	Upper Floridan aquifer

41. The permittee must submit a water well completion report and GPS coordinates within 30-days of construction completion of each monitoring well.

42. The permittee must submit to the District a compliance report pursuant to subsection 373.236(4), F.S., by September 1, 2031. The report shall contain sufficient information to demonstrate that the permittee's use of water will continue, for the remaining duration of the permit, to meet the conditions for permit issuance set forth in the District rules that existed at the time the permit was issued for 20 years by the District. At a minimum, the compliance report must include:
    a. documentation verifying the permittee's use of water is efficient and continues to meet the demands of the service area including any service area changes;
    b. documentation verifying the permittee is implementing water conservation measures identified in the Water Conservation Plan submitted to the District on June 21, 2020 and subsequent updates;
    c. information documenting investigations and plans to utilize alternative water sources to meet the demands of the service area;
    d. information demonstrating that the lowest quality source of water available, including the brackish Upper Floridan aquifer, is being used to meet water demands unless demonstrated that such use is not feasible; and
    e. information demonstrating all existing and future wastewater is evaluated and maximized for beneficial reuse purposes; and
    f. information showing the existing groundwater withdrawals are not causing or contributing to saline water intrusion.

43. The permittee must conduct a detailed water audit every five years and submit it to the District by February 28th 2026, 2031, and 2036. All water uses given in the audit must be for the previous calendar year and documentation provided on how the amounts were metered or determined. If the water audit shows that the system losses and unaccounted for water utility uses exceed 10%, a corrective action plan and annual water audit must be submitted until the unaccounted for water losses do not exceed 10%. After three consecutive years of water audits that do not exceed 10%, the permittee will continue submitting water audits at five-year intervals.

44. The permittee must submit an updated Water Conservation Plan by February 28th of 2026, 2031 and 2036. The updated Water Conservation Plan must address each activity listed in the Standard Water Conservation Plan listed under 2.2.2.5.1.A, Applicant's

Handbook: Consumptive Uses of Water dated August 29, 2018 and include the frequency, duration, and current or proposed implementation schedule for each sub-element.

45. The permittee must submit an alternative water source (AWS) update by February 28th 2026, 2031 and 2036. The report must include a progress update on the use of alternative water sources, including the utilization of the brackish Upper Floridan aquifer, and the status of investigating and developing additional AWS's including indirect potable reuse, rainwater harvesting and any other alternative water sources identified as having potential to meet water supply demands.

46. The permittee must submit a water quality evaluation by February 28th 2026, 2031 and 2036 based on water quality data collected utilizing the SWIM wells. The evaluation must examine the data to determine background water quality in the brackish UFA, natural fluctuations in water quality in the brackish UFA, whether water quality changes are occurring in the brackish UFA due to wellfield withdrawals, and establish a mechanism to determine when wellfield operational changes are necessary.

47. The permittee must submit a reclaimed water report by February 28th annually which describes the quantity of wastewater generated and the quantity of reclaimed water distributed by the permittee for the previous year. The report must include information on the customers (e.g. irrigation and cooling uses) and the amount of reclaimed water sent to the RIBS, spray fields, and for wet weather discharge, and a description of activities that occurred during the previous year to increase the availability and use of reclaimed water within the service area.

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

THROUGH: Michael A. Register, P.E.
Executive Director

FROM: Rich Burklew, Bureau Chief
Bureau of Water Use Regulation

SUBJECT: Victoria Park, CUP 68916-4

RECOMMENDATION

Approval of Consumptive Use Permit 68916-4, known as Victoria Park. This a renewal of a landscape irrigation permit requesting a 0.214 mgd increase of an existing alternative water source (stormwater) for an allocation from all sources of 0.721 mgd through 2041.

BACKGROUND

Victoria Park is a golf course development located in Volusia County between the City of Deland and Lake Helen along Camp Road. The development currently consists of an 18-hole golf course, a 9-hole practice area, and residential units comprising 1873 acres. Irrigated areas at full build out will include 195 acres of golf course and 389.2 acres of landscaping.

Irrigation for Victoria Park is primarily supplied by reclaimed water from the City of Deland in conjunction with the development's stormwater system to meet irrigation demands. Groundwater is used as a backup source when reclaimed water and stormwater are not sufficient to meet irrigation demands. The City has supplied reclaimed water since 2001 and will continue to help meet Victoria Park's irrigation needs.

DISCUSSION

This project has added 169.8 acres of landscaping since 2011 with one community still in development. The applicant is requesting a 42% increase in total allocation from 0.507 mgd to 0.721 mgd, which will be met entirely using the stormwater system. A backup allocation of 0.133 mgd is recommended when reclaimed water and surface water are insufficient to meet the demand. This is a reduction of 20% from the previous allocation. Water use within the project includes the irrigation of landscaping and golf course turf.

Approximately 59% of the irrigation demand is met with reclaimed water from the City of Deland. The remaining 41% of the irrigation demand comes from surface water that is from stormwater runoff from the community. Groundwater from the Upper Floridan aquifer is intended to only be used as a backup source when other sources are insufficient.

CONSUMPTIVE USE TECHNICAL STAFF REPORT
08-Sep-2021
APPLICATION #: 68916-4

Owner: James Harvey
Victoria Park Community Council Inc
2100 S Hiawassee Rd
Orlando, FL 32835-6307
(386) 738-2112

Applicant: Lyle Kimpling
Victoria Park Community Council Inc
525 E VICTORIA TRAILS BLVD
Deland, FL 32724-7993
(386) 738-2112

Agent: Peter J Pellerito, PE
Miller Legg & Assoc
5747 N Andrews Way
Ft Lauderdale, FL 33309-2364
(954) 628-3616

Compliance Contact: Lyle Kimpling
Victoria Park Community Council Inc
525 E VICTORIA TRAILS BLVD
Deland, FL 32724-7993
(386) 738-2112

Project Name: Victoria Park
County: Volusia

Objectors: No

Authorization Statement:
The District authorizes, as limited by the attached permit conditions, the use of 263.0 million gallons per year (mgy)(0.721 million gallons per day (mgd), annual average) of surface water from onsite stormwater ponds for supplemental irrigation of a 195 acre golf course and 389.2 acres of landscaping, and 48.45 mgy (0.133 mgd, annual average) of groundwater from the Upper Floridan aquifer for emergency backup irrigation of 195 acres of golf course and 73.08 acres of landscaping through 2041.

Recommendation: Approval
Reviewers: Kristian Holmberg; Isaac Crenshaw; Alexandra Smith

Abstract:
This is a renewal of an existing landscape irrigation use type permit with a request for a 42% increase from 0.507 mgd to 0.721 mgd of surface water allocation due to an increase in irrigated acreage. Staff is recommending a 20-year permit duration with a 10-year compliance report.

PROJECT DESCRIPTION:

Project Location:
Victoria Park is a golf course development located in Volusia County between the City of Deland and Lake Helen along Camp Road. The development currently consists of an 18-hole golf course, a 9-hole practice area, and residential units comprising 1873 acres. Irrigated areas at full build out will include 195 acres of golf course and 464 acres of landscaping. Current landscaping acreage is 389 acres.

Background:
Irrigation for Victoria Park is primarily supplied by reclaimed water from the City of Deland in conjunction with the development's stormwater system to meet irrigation demands. Groundwater is used as a backup source when reclaimed water and stormwater are not sufficient to meet irrigation demands. The City has supplied reclaimed water since 2001 and will continue to supply reclaimed water for Victoria Park's irrigation.

Water Use Description:
Irrigation water is supplied predominantly from the onsite stormwater system and from reclaimed water provided by the City of Deland. Reclaimed water use is 1.026 mgd. Stormwater ponds store reclaimed water and surface water runoff which is used for irrigation. Ponds are sized to retain storm events without offsite discharge by pumping for irrigation or transferring water to other ponds for storage. Eight pump stations are located at the irrigation storage ponds to withdraw or transfer water. Separate reclaimed water connections and meters are installed at the ponds. The eight pump stations are designed to irrigate the residential and common area landscape. One Upper Floridan aquifer well was constructed to supply groundwater as an emergency backup source when stormwater and reclaimed water supplies are insufficient to meet the demand. The emergency backup groundwater allocation is being reduced to 0.133 mgd (20% reduction).

PERMIT APPLICATION REVIEW:

Section 373.223, *Florida Statutes* (F.S.), and Section 40C-2.301, Florida Administrative Code (F.A.C.), require an applicant to establish that the proposed use of water:

(a) is a reasonable-beneficial use;
(b) will not interfere with any presently existing legal use of water; and,
(c) is consistent with the public interest.

In addition, the above requirements are detailed further in the District's Applicant's Handbook: Consumptive Uses of Water, August 29, 2018 ("A.H.") District staff has reviewed the consumptive use permit application pursuant to the above-described requirements and has determined that the application meets the conditions for issuance of this permit. A summary of the staff review is provided below.

REASONABLE BENEFICIAL USE CRITERIA:

Economic and Efficient Utilization:
Staff has worked with the permittee to identify ways to conserve water. The permittee has chosen protocols include limiting outdoor residential water use to once per week and only allowing a 2.5 hour window for landscape irrigation, and increasing water conservation education for homeowners. The site uses reclaimed and surface water for irrigation and relies on groundwater only as an emergency backup source. The GWRAPPS allocation is 39.44 inches/acre for 195 acres of golf course and 34.03 inches/acre for 389.2 acres of landscaping. The recommended allocation is in accordance with the GWRAPPS allocation. A groundwater allocation has been provided as a one-month emergency backup supply for instances when reclaimed water or stormwater are insufficient. A smart irrigation controller system is used to receive feedback from onsite weather stations on climate or soil moisture measurements and adjusts the irrigation application to match plant needs. Because of Victoria Park's proactive present and future water conservation program proposals, staff has concluded that reasonable assurances have been provided that the proposed use of water is in such quantity as is necessary for economic and efficient utilization.

Water Conservation:

Victoria Park has proposed to implement the following water conservation measures:

- Irrigation schedules for each home have been restricted to a 2.5-hour window, one day per week, controlled by weather stations, computer and valving, to reduce over-watering at individual homes
- Completion of continuing education units by Rainbird for employees who operate the irrigation to learn best landscape irrigation practices
- Use of paycheck stuffers to provide water conservation tips and information to employees
- Regular inspections to verify efficient operation and optimal performance of the system
- Installation of signs in clubhouse and restrooms encouraging water conservation
- Float control devices and automatic sensors will be installed on Pond 1 by the end of 2022 to regulate storage pond stages and further reduce the amount of groundwater potentially needed
- Installation of additional weather stations to determine irrigation scheduling

Conservation methods already implemented include:

- Sprinkler head design and layout to reach turf grass only without over-spray
- Use of onsite weather stations and rain gauges to determine irrigation scheduling
- Lined ponds throughout the community that store reclaimed and stormwater for irrigation use
- Mulching around plants to conserve soil moisture
- High frequency irrigation limited to tees and greens
- Fairway irrigation frequency minimized
- Non-playable areas are not irrigated
- Low-pressure and high pressure trigger to stop pumping should a line break occur
- Night time irrigation schedule to reduce evaporative losses
- Dual water lines with separate irrigation system
- Use of xeriscape materials and microirrigation
- Rainfall shutoff devices to prevent irrigation during rain events
- Elimination of overseeding on greens and tees, fairways, roughs, and landscape areas

Suitability and Capability of the Source:
Both reclaimed water and stormwater from the onsite ponds have historically been able to provide amounts adequate to irrigate the total acreage. The backup groundwater allocation is for emergency use when stormwater and reclaimed water are insufficient.

Lowest Acceptable Quality Water Source:
This project utilizes reclaimed water from the City of Deland as its main source for irrigation. The secondary source of surface water is also a lower quality source as it is from stormwater runoff from the community. Groundwater from the Upper Floridan aquifer is intended to only be used as a backup source when other sources are insufficient.

Water Resources Impact Evaluation:
A consumptive use must not cause harm to either onsite or offsite water resources, including lakes, wetlands or other existing offsite land uses. Staff evaluated if the proposed consumptive use would cause harmful hydrologic alterations to natural systems, including wetlands and other surface waters located on and off-site. Irrigation water is supplied predominantly from the onsite stormwater system and from reclaimed water provided by the City of Deland. Groundwater from the Upper Floridan aquifer is only allowed as a backup supply when the other sources are insufficient. Historic use at the project location has not resulted in observed impacts to adjacent wetlands and surface waters. Therefore, staff determined that the proposed use would not alter the existing hydrology and cause an unmitigated adverse impact to natural systems, including wetlands or other surface waters.

Minimum Flows and Levels:
There are eight established Minimum Flows and Levels within a 5-mile radius of the site: Lake Helen, Lake Winnemissett, Lake Colby, North Talmadge, Blue Springs, Three Island Lakes, Lake Gertie, and Trout. Since the primary irrigation sources are reclaimed water and stormwater and groundwater is used as emergency backup when other sources are insufficient or unavailable, staff determined that the proposed use will not violate established MFLs.

Water Reserved from Use:
There are no water reservations in Volusia County pursuant to subsection 373.223(4), Florida Statutes, that could be impacted by this withdrawal.

Saline Water Intrusion:
Use of groundwater as emergency back up is not expected to cause saline water intrusion and will not occur through use of reclaimed water and stormwater.

INTERFERENCE WITH EXISTING LEGAL USES:
Groundwater use occurs rarely when the stormwater and reclaimed systems are insufficient or unavailable to meet demand. Therefore, staff concludes that reasonable assurances have been provided that the permitted use will not cause interference to any existing legal use of water pursuant to section 1.3.7.2.2, A.H., provided the permittee complies with the existing permit conditions.

PUBLIC INTEREST:
The applicant is a home owners association that irrigates landscaping and a golf course. The proposed use will not adversely affect water resources, qualifies as a reasonable-beneficial use, and is beneficial to the overall collective well-being of the people, the District and the State. Therefore, staff concluded that reasonable assurances have been provided that the proposed use is consistent with the public interest.

Station Information
Site Name: Victoria Park

Well Details								
District ID	**Station Name**	**Casing Diameter (inches)**	**Casing Depth (feet)**	**Total Depth (feet)**	**Capacity (GPM)**	**Source Name**	**Status**	**Use Type**
33124	W-1A (Golf Well)	14	120	400	750	Upper Floridan Aquifer	Active	Landscape/Recreation /Aesthetic

Pump Details						
District ID	**Station Name**	**Pump Intake Diameter (inches)**	**Capacity (GPM)**	**Source Name**	**Status**	**Use Type**
33133	P-1A (Golf Pond Res)	4.5	2000	Surface Water	Active	Landscape/Recreation /Aesthetic
33134	P-1B (Golf Pond GC)	8.65	1500	Surface Water	Active	Landscape/Recreation /Aesthetic
33135	P-2 (Commons Big Pond)	6.6	1200	Surface Water	Active	Landscape/Recreation /Aesthetic
33136	P-3 (Northcote)	8	1000	Surface Water	Active	Landscape/Recreation /Aesthetic
33137	P-4 (Front Gardens)	4.5	1000	Surface Water	Active	Landscape/Recreation /Aesthetic
33138	P-5 (Trails)	6.6	1000	Surface Water	Active	Landscape/Recreation /Aesthetic
33140	P-7 (Back Garden)	6.6	1000	Surface Water	Active	Landscape/Recreation /Aesthetic
33561	P-8 (Oaks)	6	1000	Surface Water	Active	Landscape/Recreation /Aesthetic

Connection Point Details				
District ID	**Station Name**	**Source Name**	**Status**	**Use Type**
33593	Pond 1 Connection (W golf pond)	Deland, City Of	Active	Landscape/Recreation /Aesthetic
33594	Pond 2 Connection (E Commons)	Deland, City Of	Active	Landscape/Recreation /Aesthetic

Connection Point Details				
District ID	**Station Name**	**Source Name**	**Status**	**Use Type**
33595	Pond 4 Connection (Orange Camp)	Deland, City Of	Active	Landscape/Recreation /Aesthetic
33596	Pond 5 Connection (Trails NW)	Deland, City Of	Active	Landscape/Recreation /Aesthetic
33597	Pond 6 Connection (Taylor Rd)	Deland, City Of	Active	Landscape/Recreation /Aesthetic
33598	Pond 7 Connection (NE Gardens)	Deland, City Of	Active	Landscape/Recreation /Aesthetic
33599	Pond 8 Connection (Oaks)	Deland, City Of	Active	Landscape/Recreation /Aesthetic
511299	Pond 3 Connection (Northcote)	Deland, City Of	Active	Landscape/Recreation /Aesthetic

Conditions

1. With advance notice to the permittee, District staff with proper identification shall have permission to enter, inspect, observe, collect samples, and take measurements of permitted facilities to determine compliance with the permit conditions and permitted plans and specifications. The permittee shall either accompany District staff onto the property or make provision for access onto the property.

2. Nothing in this permit should be construed to limit the authority of the St. Johns River Water Management District to declare a water shortage and issue orders pursuant to Chapter 373, F.S. In the event of a declared water shortage, the permittee must adhere to the water shortage restrictions, as specified by the District. The permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.

3. Prior to the construction, modification or abandonment of a well, the permittee must obtain a water well permit from the St. Johns River Water Management District or the appropriate local government pursuant to Chapter 40C-3, F.A.C. Construction, modification, or abandonment of a well will require modification of the consumptive use permit when such construction, modification, or abandonment is other than that specified and described on the consumptive use permit application form.

4. Leaking or inoperative well casings, valves, or controls must be repaired or replaced as required to eliminate the leak or make the system fully operational.

5. The permittee's consumptive use of water as authorized by this permit shall not interfere with legal uses of water existing at the time of permit application. If interference occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the interference, unless the interference associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.

6. The permittee's consumptive use of water as authorized by this permit shall not have significant adverse hydrologic impacts to off-site land uses existing at the time of permit application. If significant adverse hydrologic impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.

7. The permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and/or related facilities from which the permitted consumptive use is made. Where permittee's control of the land subject to the permit was demonstrated through a lease, the permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system/project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40C-1.612, F.A.C. Alternatively, the permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.

8. A District-issued identification tag shall be prominently displayed at each withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility as provided by Rule 40C-2.401, F.A.C. The permittee shall notify the District in the event that a replacement tag is needed.

9. The permittee's consumptive use of water as authorized by this permit shall not adversely impact wetlands, lakes, rivers, or springs. If adverse impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.

10. The permittee's consumptive use of water as authorized by this permit shall not reduce a flow or level below any minimum flow or level established by the District or the Department of Environmental Protection pursuant to Section 373.042 and 373.0421, F.S. If the permittee's use of water causes or contributes to such a reduction, then the District shall revoke the permit, in whole or in part, unless the permittee implements all provisions applicable to the permittee's use in a District-approved recovery or prevention strategy.

11. The permittee's consumptive use of water as authorized by the permit shall not cause or contribute to significant saline water intrusion. If significant saline water intrusion occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the saline water intrusion, unless the saline water intrusion associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.

12. The permittee's consumptive use of water as authorized by the permit shall not cause or contribute to flood damage. If the permittee's consumptive use causes or contributes to flood damage, the District shall revoke the permit, in whole or in part, to curtail or abate the flood damage, unless the flood damage associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.

13. All consumptive uses authorized by this permit shall be implemented as conditioned by this permit, including any documents incorporated by reference in a permit condition. The District may revoke this permit, in whole or in part, or take enforcement action,

pursuant to Section 373.136 or 373.243, F.S., unless a permit modification has been obtained to address the noncompliance. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

14. This permit does not convey to the permittee any property rights or privileges other than those specified herein, nor relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.

15. A permittee may seek modification of any term of an unexpired permit. The permittee is advised that Section 373.239, F.S., and Rule 40C-2.331, F.A.C., are applicable to permit modifications.

16. If chemicals are to be injected into the irrigation system, the permittee shall install and maintain a backflow prevention device on all wells or surface pumps that are connected to the irrigation system.

17. All irrigation shall be in conformity with the requirements set forth in subsection 40C-2.042(2), F.A.C.

18. All submittals made to demonstrate compliance with this permit must include CUP number 68916-4 labeled on the submittal. Submittals should be made on-line at www.sjrwmd.com/permitting whenever possible.

19. This permit will expire on October 15, 2041.

20. Maximum annual surface water withdrawals from the onsite storm water ponds for 389.2 acres urban landscape and 195 acres golf course irrigation is 263.0 million gallons (0.721 mgd, annual average). The average annual water use should be less than this amount in all years except for a 2-in-10 year drought. When available, additional surface water may be used if needed and must be used prior to utilizing groundwater.

21. The average annual withdrawals from the Upper Floridan aquifer for emergency back-up supply use is 47.2 million gallons (0.13 mgd average), which may be exceeded during a 2-in-10 year drought, to a maximum withdrawal of 60.2 million gallons (0.17 mgd average). All available reclaimed water and surface water must be utilized prior to using groundwater. The emergency groundwater backup shall not be used until a notification from the City of Deland indicating that reclaimed water cannot be supplied and surface water levels are below minimum levels set for the onsite surface water ponds. The use of groundwater as an emergency supplemental source must be reported separately and submitted bi-annually with the water data use. Documentation verifying the insufficient reclaimed water supply and surface water availability must also be included.

22. Total withdrawal from the following wells must be recorded continuously, totaled monthly, and reported to the District at least every six months for the duration of this permit using Water Use Pumpage Report Form (EN-50).

Wells

Station Name	Station ID
W-1A	33124

Pumps

Station Name	Station ID
P-1A	33133
P-1B	33134
P-2	33135
P-3	33136
P-4	33137
P-5	33138
P-7	33140
P-8	33561

Connection Points

Station Name	Station ID
Pond 1 Connection	33593
Pond 2 Connection	33594
Pond 3 Connection	511299
Pond 4 Connection	33595
Pond 5 Connection	33596
Pond 6 Connection	33597
Pond 7 Connection	33598
Pond 8 Connection	33599

The meter reading or quantity withdrawn must be reported in gallons. Reporting is required, even if there is no use. The reporting dates each year will be as follows:

Reporting Period	Report Due Date
January - June	July 31
July - December	January 31

23. Prior to use, all proposed wells must be equipped with totalizing flow meters. All flow meters must measure within +/- 5% of actual flow, be verifiable and be installed according to the manufacturer's specifications.

24. The permittee must maintain all flowmeters and alternative methods for measuring flow. In case of failure or breakdown of any meter, the District must be notified in writing within 5 days of its discovery. A defective meter must be repaired or replaced within 30 days of its discovery.

25. The permittee must have all flow meters checked for accuracy at least once every 10 years, specifically before December 11 2022, and recalibrated if the difference between the actual flow and the meter reading is greater than 5%. Flow Meter Accuracy Report Form (EN-51) must be submitted to the District within 10 days of the inspection/calibration.

26. The permittee must implement the Water Conservation Plan submitted to the District on March 6, 2020, in accordance with the schedule contained therein.

27. Documentation that staff gauges and water level control devices have been installed in the existing surface water pond must be submitted by December 31, 2022. The documentation must include staff gauges and float valve elevations in NGVD and the seasonal normal and low water levels.

28. The float valve system to restrict groundwater withdrawals and staff gauges must be properly set and maintained. In case of failure or breakdown of the float valve or staff gauge, the District must be notified in writing within 5 days of its discovery and the flow of the well should be shut off until the float valve and staff gauge are repaired or replaced. A defective float valve or staff gauge must be repaired or replaced within 30 days of its discovery.

29. The lowest quality water source, such as reclaimed water, must be used as irrigation water in place of groundwater when available and deemed feasible pursuant to District rules and applicable state law.

30. The permittee shall submit to the District a compliance report pursuant to subsection 373.236(4), F.S. by August 23, 2031. The report shall contain sufficient information to demonstrate that the permittee's use of water will continue, for the remaining duration of the permit, to meet the conditions for permit issuance set forth in the District rules that existed at the time the permit was issued for 20 years by the District. At a minimum, the compliance report must include:

    (a) documentation of the percentage of total irrigation which has been supplied by an alternative source, such as surface and reclaimed water, over the last reporting period;
    (b) information documenting that allocations from all sources in the permit will continue to be needed for the remainder of the permit duration.

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

THROUGH: Michael A. Register, P.E.
Executive Director

FROM: Sheila Theus, Director
Real Estate Services Program

SUBJECT: Approval for the acquisition of a 1.25-acre parcel in Brevard County, Florida

RECOMMENDATION

Approval for the acquisition in fee-simple interest of a 1.25-acre inholding at the River Lakes Conservation Area, LA2021-018-P1, in Brevard County, Florida.

Staff recommends the Governing Board:

1. Exercise the option to purchase the Property contained in the Option Agreement for Sale and Purchase, based on the terms and conditions outlined below.

2. Authorize the Executive Director to execute and deliver any other documents and affidavits and take other actions necessary to carry out the terms and intent of the Agreement.

3. Designate that the Property is acquired for conservation purposes pursuant to Section 373.089, Florida Statutes.

BACKGROUND

River Lakes Conservation Area consists of approximately 39,663 acres and is located within the SJRWMD Upper St. Johns River Basin and the Lake Poinsett and St. Johns Marsh Planning Units. The District has acquired extensive floodplain acreage to implement the Upper St. Johns River Basin Project (USJRBP). The goals are to restore and preserve essential water resources, provide water storage to reduce flooding and provide related wildlife and environmental benefits. River Lakes Conservation Area is one of the properties the District acquired to meet the goals of the USJRBP. Acquisitions began in 1977 and ended in 2000.

DISCUSSION

In January 2021, the District received a Land Acquisition Application from Gabriela Davis to sell a 1.25-acre parcel for an undetermined price. Rule 40C-9.041(3)(a), F.A.C, offers a written estimate of value as an alternative to a formal appraisal when District staff believes the value of the acquisition property is less than $50,000. RESP staff determined the estimated fair market value of the Property to be $1,500 per acre. Accordingly, the District and Ms. Davis agreed to a final purchase price of $1,875 and executed an Option Agreement for Sale and Purchase of the 1.25-acre Property.

Acquisition of this Property would remove an inholding and provide for continuous District ownership and uniform management of the River Lakes Conservation Area.

RIGHTS TO BE PURCHASED IF DISTRICT EXERCISES OPTION – This is a fee simple acquisition of an inholding at River Lakes Conservation Area.

PURCHASE PRICE
$1,875 for 1.25 acres of land.

FUNDING
FY 2021/2022 Budget.

CONTINGENCIES
This purchase is subject to the following contingencies:

1. Approval by the District Governing Board.
2. Title insurance policy acceptable to the District.
3. Subject to the availability of funds to complete the closing.

CLOSING COSTS
Seller will pay the following costs:

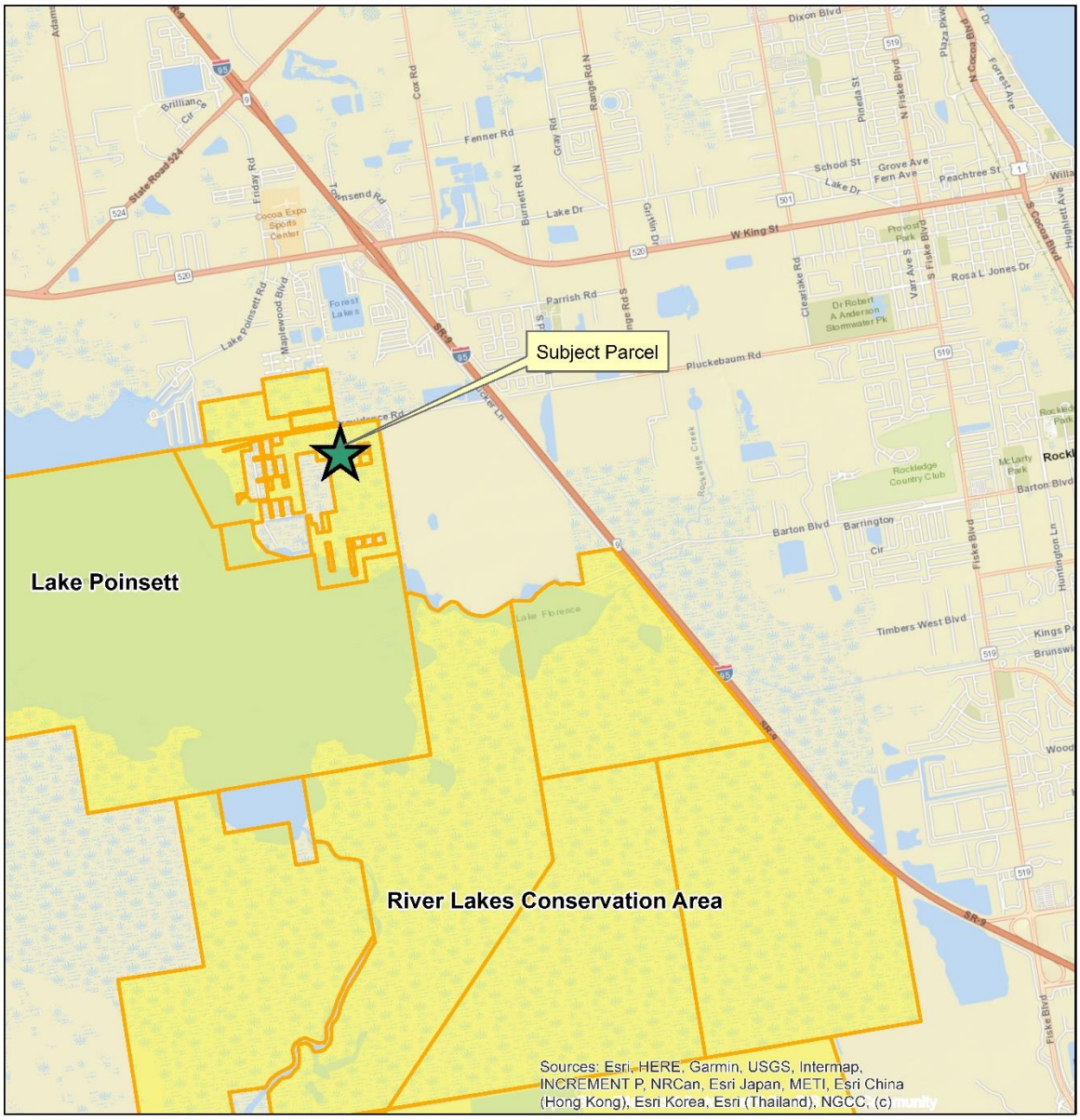
1. Real property taxes prorated to the date of closing.
2. Documentary stamps
3. Cost of recording any corrective instruments.
4. Any necessary remediation and trash and debris removal.

District will pay the following costs:

1. Title Insurance Policy
2. Survey (if needed)
3. Environmental site assessment (if needed).
4. Cost of recording the deed.

POSSESSION AND MANAGEMENT
The District will take possession of the Property at the time of closing, and the District will manage the Property as part of the River Lakes Conservation Area.

Parcel Maps



River Lakes Conservation Area
Brevard County

0.4 0 0.4 Miles
1 = 50111

LEGEND

SJRWMD Fee

Gabriela Davis Parcel

The St. Johns River Water Management District prepares and uses this Information for its own purposes and this information may not be suitable for other purposes. This information is provided as is. Further documentation of this data can be obtained by contacting: St. Johns River Water Management District, Geographic Information Systems,Program Management, P.O.Box 1429, 4049 Reid Street Palatka, Florida 32178-1429 Tel: (386) 329-4500.

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River Lakes Conservation Area
Brevard County

0.015 0 0.015 Miles

1 = 2506

LEGEND

SJRWMD Fee

Gabriela Davis Parcel

The St. Johns River Water Management District prepares and uses this Information for its own purposes and this information may not be suitable for other purposes. This information is provided as is. Further documentation of this data can be obtained by contacting: St. Johns River Water Management District, Geographic Information Systems,Program Management, P.O.Box 1429, 4049 Reid Street Palatka, Florida 32178-1429 Tel: (386) 329-4500.

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AGENDA REQUEST FOR
GOVERNING BOARD MEETING
October 12, 2021

MEMORANDUM

TO: Governing Board

THROUGH: Michael A. Register, P.E.
Executive Director

FROM: Erich Marzolf, Ph.D., Director
Division of Water and Land Resources

SUBJECT: Sole Source Contract Award for Rough Fish Harvest Monitoring for Nutrient Removal from Ocklawaha and St. Johns River Basin Lake

RECOMMENDATION
Approval of the Award of a Sole Source Contract to Olivia Driver for Rough Fish Harvest Monitoring for Nutrient Removal from Ocklawaha and St. Johns River Basin Lakes.

- **Amount:** $189,000 (Not to exceed)

FISCAL YEAR	AMOUNT
FY 2021-2022	$63,000
FY 2022-2023	*$63,000
FY 2023-2024	*$63,000
Total	*$189,000

* The amounts indicated for succeeding fiscal years are contingent upon Governing Board approval of each fiscal year budget.

- **Account Name:** Lake Apopka Gizzard Shad Removal
- **Funding Source:** District Sources
- **Budget Authority:** FY2021-2022
- **EOG Program/Activity Code:** 2.3.0 – Surface Water Projects
- **Completion:** September 30, 2024

BACKGROUND
The fish biomass of many Ocklawaha River and St. Johns River Basin lakes is dominated by native gizzard shad, *Dorosoma cepedianum*, which thrive in lakes with high nutrient concentrations and abundant phytoplankton. The feeding activity of gizzard shad contribute to perpetuating degraded water quality conditions in lakes where they are abundant. Removal of gizzard shad was first evaluated in a small basin lake with similar conditions to Lake Apopka. Water quality improved significantly following the removal of a substantial portion of the adult shad population. In addition, both Lake Apopka and Lake Griffin have shown significant water quality improvement following implementation of integrated restoration strategies that included both reductions in external phosphorus loading to the lakes and within-lake phosphorus removal

and reduced phosphorus cycling via gizzard shad harvesting. Submersed vegetation has re-established in both lakes and there has been a substantial increase in sport fish populations and fishing tournaments in Lake Griffin. Gizzard shad removal is the most cost-effective technique the District has employed to remove phosphorus from lake water. The high cost-effectiveness of gizzard shad harvesting results from combined public-private financing of the project. The fish processor's sale of the removed fish partially covers the fishing costs on the lake. The District's funding fills the remaining gap between the fishing and processing costs and the subsequent sale of processed fish.

Since 2002, the District has contracted with Olivia Driver to provide oversight of fishing operations and to gather required fish survey data. The District solicited for fish monitoring services by IFBs in 2006, 2009, 2012, 2015 and in 2018. In all solicitations, only a single quote was received, and the sole respondent was Mrs. Olivia Driver. The quality of her work has consistently been excellent, and she has established an excellent working relationship with both the contracted fish processor and the individual fishers conducting the fish removal operations.

DISCUSSION

On August 2, 2021, the District posted its intent to provide a sole source contract to Ms. Driver and did not receive any comments from other potential bidders. Through this contract, the Contractor will provide the data that is required by the Florida Fish and Wildlife Conservation Commission (FWC) to evaluate gizzard shad removal and gamefish by-catch in Ocklawaha and St. Johns River basin lakes.

The proposed task and cost schedule are below

Task #	Description	Annual Price
1	Monitor gizzard shad harvest in Lake Apopka	$18,900
2	**Experimental** gill net samples in Lake Apopka (January, March, May, September)	$8,400
	Experimental gill net samples in Lake George (April, May, July, September)	$12,600
	Contingency sample event Lake Apopka	$2,100
	Contingency sample event Lake George	$3,150
	Commercial gill net samples in Lake George (April or May, September)	$6,300
	Contingency sample event (Lake George)	$3,150
3	Data management and reporting	$7,950
	Total Cost	$62,550.00

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

THROUGH: Michael A. Register, P.E.
Executive Director

FROM: Christine Mundy, Bureau Chief
Bureau of Water Resource Information

SUBJECT: Update on Artesian Well Plugging Program

FOR INFORMATION
Update on Artesian Well Plugging Program.

BACKGROUND
In accordance with section 373.207(1) Florida Statutes, water management districts are directed to properly control abandoned artesian wells that are free flowing or cross contaminating aquifer(s). Through the Abandoned Artesian Well Program (AAWP), the District meets this directive by cost-sharing with local governments and property owners to plug abandoned artesian wells.

The District accepts and prioritizes well plugging requests and issues work orders to pre-existing contractors who in coordination with staff properly abandon the well(s). This program helps prevent ground water from discharging to the surface through artesian wells and prevents inter-aquifer flow, which reduces the migration of poorer quality water into areas of higher quality. Through the course of plugging these wells the District obtains additional hydrogeologic data that contributes to our understanding of the aquifers and their properties.

DISCUSSION
During its September 14, 2021 meeting, the Governing Board requested an update to the AAWP and answers to questions related to cost-effectiveness and adequacy of AAWP resources.

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

FROM: Michael A. Register, P.E.
Executive Director

SUBJECT: Public Comment

FOR INFORMATION
Public Comment.

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

THROUGH: Michael A. Register, P.E.
Executive Director

FROM: Andrea Dzioba, Executive Assistant
Executive Office

SUBJECT: Approval of Minutes

RECOMMENDATION
Approval of the minutes from the September 14, 2021 Governing Board Meeting and Tentative Budget Hearing, and September 28, 2021 Final Budget Hearing.

St. Johns River Water Management District

GOVERNING BOARD MEETING
MINUTES
September 14, 2021
SJRWMD District Headquarters
4049 Reid Street
Palatka, FL 32177

Call to Order

Chairman Burnett called the Governing Board meeting to order at 2:34 p.m. and led the pledge of allegiance.

The agenda items were called in the following order: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 28, 29, 30, 31 and 32. For ease of reference, each item is listed below in numerical order.

Attendance

Present:
Douglas Burnett (Chairman)
Doug Bournique
Janet Price
Chris Peterson
Cole Oliver
Ryan Atwood
Maryam Ghyabi-White

Via Conference Call:
Rob Bradley (Vice Chairman)
Ron Howse (Treasurer)

Governing Board Meeting

Agenda Item 1. **For Information:** Employee Service Awards.

5-YEAR SERVICE AWARDS
Nathaniel Mouzon
Technical Program Manager
Bureau of Water Supply Planning

10-YEAR SERVICE AWARDS
Christy Akers
Environmental Scientist III
Bureau of Water Resources

15-YEAR SERVICE AWARDS
Jill Stokes
Geographic Information Systems Analyst III
Office of Information Technology

RETIREMENT
John Juilianna
Regulatory Coordinator
Division of Regulatory Services

Agenda Item 2. **For Information:** The Hydrologic Conditions Report.

Christine Mundy, Chief, Bureau of Water Resource Information, gave a PowerPoint presentation describing the hydrologic conditions for August 2021. A copy of the presentation has been made a permanent part of the record.

Chairman Burnett stated he requested staff to add a For Cause item the agenda. The item has been added as agenda item 32.

Chairman Burnett stated he previously approved staff's request to add a For Cause item the agenda. The item has been added as agenda item 27.

Agenda Item 3. **Consideration:** Approval of Governing Board items recommended on the Consent Agenda for approval.

Items Recommended for approval on Consent Agenda by Chairman Douglas Burnett
Items 14 through 27 were recommended for approval on the Consent Agenda.

A MOTION WAS MADE BY JANET PRICE TO APPROVE THOSE ITEMS RECOMMENDED FOR APPROVAL ON THE CONSENT AGENDA, SECONDED BY COLE OLIVER. MOTION CARRIED UNANIMOUSLY.

Agenda Item 4. **Consideration:** Approval of the District's annual $500,000 contribution to the Indian River Lagoon (IRL) Council.

Gretchen Kelley, Senior Professional Engineer, Bureau of District Projects and Construction, gave a PowerPoint presentation. A copy of the presentation has been made a permanent part of the record.

A MOTION WAS MADE BY DOUG BOURNIQUE TO APPROVE RECOMMENDATION, SECONDED BY COLE OLIVER. MOTION CARRIED UNANIMOUSLY.

Agenda Item 5. **Consideration:** Approval of authorization for the Executive Director to execute contracts for the Tri-County Agricultural Area Partnership Cost Share Program with a cumulative dollar total not to exceed $987,575.

Suzanne Archer, Technical Program Coordinator, Bureau of Water Supply Planning, gave a PowerPoint presentation. A copy of the presentation has been made a permanent part of the record.

A MOTION WAS MADE BY DOUG BOURNIQUE TO APPROVE RECOMMENDATION, SECONDED BY RYAN ATWOOD. MOTION CARRIED UNANIMOUSLY.

Agenda Item 6. **Consideration:** Approval of the 2022 Strategic Plan for FY 2021–2022 through FY 2025–2026.

Tom Frick, Director, Division of Strategic Planning and Initiatives, gave a PowerPoint presentation. A copy of the presentation has been made a permanent part of the record.

A MOTION WAS MADE BY CHRIS PETERSON TO APPROVE RECOMMENDATION, SECONDED BY MARYAM GHYABI-WHITE. MOTION CARRIED UNANIMOUSLY.

Agenda Item 7. **Consideration:** Approval of a Joint Funding Agreement (JFA) with the U.S. Geological Survey (USGS) for Hydrologic Data Collection Programs in the St. Johns River Water Management District.

David Hornsby, Water Resource Information Manager, Bureau of Water Resource Information, gave a PowerPoint presentation. A copy of the presentation has been made a permanent part of the record.

A MOTION WAS MADE BY RYAN ATWOOD TO APPROVE RECOMMENDATION, SECONDED BY COLE OLIVER. MOTION CARRIED UNANIMOUSLY.

Agenda Item 8. **Consideration:** Authorization to enter into an Interagency Agreement with the Suwannee River Water Management District to provide services for surface and ground water laboratory analyses for an amount of $110,000 and potential amendments to the Agreement for up to an additional 20%.

Charles Faulk, Laboratory Manager, Bureau of Water Resource Information, gave a PowerPoint presentation. A copy of the presentation has been made a permanent part of the record.

A MOTION WAS MADE BY JANET PRICE TO APPROVE RECOMMENDATION, SECONDED BY CHRIS PETERSON. MOTION CARRIED UNANIMOUSLY.

Agenda Item 9. **Consideration:** Approval of a cooperative water quality monitoring revenue agreement and three subsequent annual amendments with DEP.

David Hornsby, Water Resource Information Manager, Bureau of Water Resource Information, gave a PowerPoint presentation. A copy of the presentation has been made a permanent part of the record.

A MOTION WAS MADE BY COLE OLIVER TO APPROVE RECOMMENDATION, SECONDED BY RYAN ATWOOD. MOTION CARRIED UNANIMOUSLY.

Agenda Item 10. **Consideration:** Approval of the fiscal year (FY) 22 well construction workplan. Work will be completed under two procurements for well construction services.

Rob Brooks, Supervising Hydrologist, Bureau of Water Resource Information, gave a PowerPoint presentation. A copy of the presentation has been made a permanent part of the record.

Governing Board members requested the inventory of wells that need to be capped versus the capacity to handle more, along with a cost benefit analysis of putting more money towards capping wells versus what it costs to create an alternative water supply.

A MOTION WAS MADE BY DOUG BOURNIQUE TO APPROVE RECOMMENDATION, SECONDED BY RON HOWSE. MOTION CARRIED UNANIMOUSLY.

Agenda Item 11. **Consideration:** Approval of 12-month contract renewal with Aqua Tech Eco Consultants, LLC, for the submerged aquatic planting project at Lake Apopka.

Dean Dobberfuhl, Chief, Bureau of Water Resources, gave a PowerPoint presentation. A copy of the presentation has been made a permanent part of the record.

A MOTION WAS MADE BY RYAN ATWOOD TO APPROVE RECOMMENDATION, SECONDED BY JANET PRICE. MOTION CARRIED UNANIMOUSLY.

Agenda Item 12. **For Information:** The fiscal year (FY) 20–21 Land Management Review Team Annual Report.

Brent Bachelder, Land Resource Specialist, Bureau of Land Resources, gave a PowerPoint presentation. A copy of the presentation has been made a permanent part of the record.

Agenda Item 13. **For Information:** Public Comment.

Speaker:

- Vivian Katz-James, SOLO

Consent Agenda

Agenda Item 14. **Consideration:** Approval of the minutes from the August 10, 2021 Governing Board Meeting.

Approved (see agenda item #3).

Agenda Item 15. **Consideration:** Approval of Treasurer's Financial Report dated July 31, 2021. For information: Finance Committee Calendar for scheduling purposes.

Approved (see agenda item #3).

Agenda Item 16. **Consideration:** Approval of Resolution 2021-09 to request disbursement of funds from the Land Acquisition Trust Fund.

Approved (see agenda item #3).

Agenda Item 17. **Consideration:** Approval of the annual review of Investment Policy Number 320.

Approved (see agenda item #3).

Agenda Item 18. **Consideration:** Approval to purchase from Ring Power, one Caterpillar 320SLR Excavator and one Caterpillar 140 Motor Grader using the Florida Sheriffs Contract and authorize the surplus and trade-in of the respective assets.

Approved (see agenda item #3).

Agenda Item 19. **Consideration:** Approval of a new three-year contract with Microsoft for email, calendar, and collaboration services.

Approved (see agenda item #3).

Agenda Item 20. **Consideration:** Approval of the Bid and Award of Purchase Orders to the lowest responsible and responsive bidders for the purchase of herbicides and related adjuvants for the District Invasive Plant Management Program for FY2021-2022.

Approved (see agenda item #3).

Agenda Item 21. **Consideration:** Approve an Easement over 2.258 acres in favor of Brevard County for the purpose of constructing and operating water quality improvement project along the Babcock Street boundary of St. Sebastian State Park, Brevard County, Florida.

Approved (see agenda item #3).

Agenda Item 22. **Consideration:** Approval of Amended and Restated Intergovernmental Agreement between St. Johns River Water Management District and Brevard County for the Crane Creek M-1 Canal Restoration Project and authorization for the Executive Director to enter into future no cost amendments to the agreement.

Approved (see agenda item #3).

Agenda Item 23. **Consideration:** Approve and authorize staff to submit a 2021-2022 Regulatory Plan and Certification Letter to the Florida Legislature and Governor, and to publish a related notice in the Florida Administrative Register.

Approved (see agenda item #3).

Agenda Item 24. **Consideration:** Approve and authorize the Executive Director to execute the Partial Release of and Amendments to Regulatory Conservation Easements in Exchange for Substitute Mitigation regarding Town Center at Palm Coast in Flagler County, Permit Nos. 4-035-88948-2, -3, and -18.

Approved (see agenda item #3).

Agenda Item 25. **Consideration:** Approve and authorize the Executive Director to execute the Partial Release of Regulatory Conservation Easement in Exchange for Substitute Mitigation document for the Tymber Creek Village/LPGA – DRI in Volusia County, Permit Number 4-127-22941-6.

Approved (see agenda item #3).

Agenda Item 26. **Consideration:** Approval of staff's recommendation that the Governing Board extend the term of the two Temporary Consumptive Use Permits (Deseret Field Crops and Deseret Agronomic Crops) to allow water use for crop production while the Taylor Creek Reservoir settlement-related activities continue.

Approved (see agenda item #3).

Agenda Item 27. **Consideration:** Approval of staff's recommendation to extend the term of the Temporary Consumptive Use Permit for OUC allowing up to 16 mgd of groundwater from the Floridan Aquifer at the Pine Hills wellfield for water use for public supply uses. There is no change in total allocation.

Approved (see agenda item #3).

Other Items and Reports

Agenda Item 28. **For Information:** Pending litigation - significant events or significant status changes.

- North Florida Utility Coordinating Group, Clay County Utility Authority, JEA and Gainesville Regional Utilities vs. St. Johns River Water Management District, and Save Our Lakes, Inc., City of Keystone Heights, and Lake Region Development Corporation, Inc.
- Ned Bowers v. St. Johns River Water Management District and Orange County, a political subdivision of the State of Florida.
- Larue Ellis V. Jacksonville Transportation Authority and St. Johns River Water Management District
- Grady G. Hudmon and Gail Lynne Hudmon, as Trustees of the Hudmon Revocable Living Trust u/t/d September 13, 1996, and Individually, v. St. Johns River Water Management District

Agenda Item 29. **For Information:** Governing Board comments.

Chairman Burnett appointed Governing Board member Chris Peterson to the Central Florida Water Initiative (CFWI) Steering committee.

Vice Chairman Rob Bradley requested a brief analysis of how much water would be conserved per $100,000 spent to be included on the abandoned well report.

Agenda Item 30. **For Information:** Executive Director's report.

- September Employee of the Month – Missy McDermont
- Lake County Opens New Trail System, Sept. 2
- Legislators Tour Lake Jesup Project Area, Sept. 7 and 8
- Doctors Lake Septic-to-Sewer Project Kick-off, Sept. 9
- Update: Volunteers at Bayard Conservation Area
- Apopka Service Center is Taking Shape
- Floating Snake Video Goes Viral
- September is Florida Preparedness Month

Agenda Item 31. **For Information:** Calendar of upcoming meetings.

September 28	Final Budget Hearing District Headquarters, 5:05 p.m.
October 11	Governing Board Tour Details forthcoming
October 12	Governing Board Meeting City of Fernandina Beach, City Hall

Agenda Item 32. **Consideration:** Selection of a candidate to fill the District's vacant Executive Director position.

Chairman Burnett discussed the selection process and recommended Michael A. Register, P.E., to be the next Executive Director.

A MOTION WAS MADE BY DOUG BOURNIQUE TO APPROVE RECOMMENDATION OF MICHAEL A. REGISTER, P.E. AS EXECUTIVE DIRECTOR, SECONDED BY RYAN ATWOOD. MOTION CARRIED UNANIMOUSLY.

Mary Ellen Winkler, General Counsel, requested a motion from the Board to give Chairman Burnett authority to execute an employment contract.

A MOTION WAS MADE BY COLE OLIVER, SECONDED BY JANET PRICE, TO AUTHORIZE CHAIRMAN BURNETT TO EXECUTE THE EMPLOYMENT CONTRACT WITH MICHAEL A. REGISTER, P.E. MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 3:58 p.m. - no conflicts declared

St. Johns River Water Management District

GOVERNING BOARD PUBLIC HEARING
MINUTES
September 14, 2021
SJRWMD District Headquarters
4049 Reid Street
Palatka, FL 32177

Call to Order

Chairman Burnett called the Tentative Millage and Tentative Budget Hearing to order at 5:05 p.m.

Attendance

Present:
Douglas Burnett (Chairman)
Doug Bournique
Janet Price
Chris Peterson
Cole Oliver
Ryan Atwood
Maryam Ghyabi-White

Via Conference Call:
Ron Howse (Treasurer)

Absent:
Rob Bradley (Vice Chairman)

FY 2021-2022 Tentative Millage and Tentative Budget Adoption

Agenda Item 1. **Consideration:** Approval of Resolution number 2021-04 to adopt a tentative millage rate at the roll-back rate of 0.2189 and resolution number 2021-05 to adopt the Tentative Budget for fiscal year 2021–2022.

Missy Licourt, Budget Director, Office of Financial Services, gave an overview of the purpose of the Public Hearing.

Public Comment:

- Chris Farrell, Audubon FL

A MOTION WAS MADE BY RON HOWSE TO APPROVE RESOLUTION #2021-04 ADOPTING THE TENTATIVE MILLAGE RATE FOR FISCAL YEAR 2021-2022 OF 0.2189, SECONDED BY CHRIS PETERSON. MOTION CARRIED UNANIMOUSLY.

A MOTION WAS MADE BY RYAN ATWOOD TO APPROVE RESOLUTION #2021-05 ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2021-2022 FOR ALL FUNDS IN THE AMOUNT OF $147,678,160, SECONDED BY COLE OLIVER. MOTION CARRIED UNANIMOULSY.

A MOTION WAS MADE BY DOUG BOURNIQUE TO ADJOURN THE PUBLIC HEARING, SECONDED BY MARYAM GHYABI-WHITE. MOTION CARRIED UNANIMOUSLY.

Public Hearing adjourned at 5:18 p.m.

St. Johns River Water Management District

GOVERNING BOARD PUBLIC HEARING
MINUTES
September 28, 2021 5:05 PM
SJRWMD District Headquarters
4049 Reid Street
Palatka, FL 32177

Call to Order

Vice Chairman Rob Bradley called the Final Millage and Final Budget Public Hearing to order at 5:05 p.m.

Chairman Burnett turned over the powers and duties of the Chair to Vice Chairman Rob Bradley to preside over the hearing.

Attendance

Present:
Rob Bradley (Vice Chairman)

Via Conference Call:
Douglas Burnett (Chairman)
Ron Howse (Treasurer)
Doug Bournique
Janet Price
Chris Peterson
Cole Oliver
Ryan Atwood
Maryam Ghyabi-White

FY 2021-2022 Final Millage and Final Budget Adoption

Agenda Item 1. **Consideration:** Approval of Resolution 2021-06 to adopt a 0.2189 final millage rate and Resolution 2021-07 to adopt the Final Budget for fiscal year (FY) 2021–2022 in the amount of $147,678,160.

Missy Licourt, Budget Director, Office of Financial Services, gave an overview of the purpose of the Public Hearing.

No public comment.

A MOTION WAS MADE BY RON HOWSE, SECONDED BY MARYAM GHYABI-WHITE, TO APPROVE RESOLUTION #2021-06 ADOPTING THE FINAL MILLAGE RATE OF 0.2189 FOR FISCAL YEAR 2021-2022, MOTION CARRIED UNANIMOUSLY.

A MOTION WAS MADE BY COLE OLIVER, SECONDED BY DOUGLAS BURNETT, TO APPROVE RESOLUTION #2021-07 ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2021-2022 FOR ALL FUNDS IN THE AMOUNT OF $147,678,160, MOTION CARRIED UNANIMOUSLY.

Agenda Item 2. **Consideration:** Approval of Resolution 2021-08 that will commit fund balance for specific uses.

A MOTION WAS MADE BY DOUGLAS BURNETT, SECONDED BY RON HOWSE, TO APPROVE RESOLUTION #2021-08 TO COMMIT FUND BALANCE FOR SPECIFIC USES. MOTION CARRIED UNANIMOUSLY.

A MOTION WAS MADE BY DOUGLAS BURNETT TO ADJOURN THE PUBLIC HEARING, SECONDED BY RON HOWSE. MOTION CARRIED UNANIMOUSLY.

Public Hearing adjourned at 5:14 p.m.

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

THROUGH: Michael A. Register, P.E.
Executive Director

FROM: Victoria Kroger, Director
Office of Financial Services

SUBJECT: Treasurer's Financial Report Dated August 31, 2021

RECOMMENDATION
Approval of Treasurer's Financial Report dated August 31, 2021. For information: Finance Committee Calendar for scheduling purposes.

BACKGROUND
Monthly Financial Reports

DISCUSSION

Financial Highlights for August 31, 2021 Financial Report

- Eleven months or 91.7% through the fiscal year
- $ 89.78 million or 31.5% of the budget has been expended
- $ 106.75 million or 38.9% of the budget has been encumbered
- $ 196.53 million or 70.4% of the budget has been expended and encumbered
- $ 285.39 million revised budget
- $ 88.86 million unexpended and unencumbered

- The District's total fund balance for the last five years as of the end of August follows:

08/31/17	08/31/18	08/31/19	08/31/20	08/31/21
$160,736,488	$143,151,156	$145,636,723	$153,427,046	$166,098,271
-7.0%	-10.9%	1.7%	5.3%	8.3%

- The District's total expenditures for the last five years as of the end of August follows:

08/31/17	08/31/18	08/31/19	08/31/20	08/31/21
$103,116,647	$108,452,137	$98,154,481	$89,682,456	$89,780,953
-3.1%	5.2%	-9.5%	-8.6%	0.1%

- Revenue by source, fiscal year to date, August 31, 2021:

	Revised Budget	Collected Revenue	FYTD % of Budget	% Expected*
Ad Valorem Property Taxes	$ 90,783,700	$ 90,851,001	100.1%	99.9%
Intergovernmental Revenues	138,747,561	21,739,945	15.7%	N/A
Investment Interest	1,290,000	1,829,109	141.8%	N/A
Unrealized Losses/Premiums**	-	(1,538,368)	N/A	N/A
Licenses and Permit Fees	2,125,000	2,142,183	100.8%	89.1%
Lease & Timber Sales	2,400,000	1,353,522	56.4%	84.0%
Other	417,620	1,163,352	278.6%	N/A
	$ 235,763,881	$ 117,540,744	49.9%	

* Based on a 7-year trend analysis
** Due to adjusting value of investment portfolio to market resulting in unrealized losses, which are not expected to be realized and are not budgeted, also the amortization of bond premiums reduces investment earnings.

Legend: <10 11-20 >/= 20 N/A

N/A: Activity / expenditure driven

- All funds by major category, fiscal year to date, August 31, 2021:

	Revised Budget	Expenditures	FYTD % of Budget	% Time
Salaries and Benefits	$ 49,467,885	$ 40,576,292	82.0%	91.7%
Contracted Services	14,579,936	8,576,886	58.8%	91.7%
General Expenses	7,794,299	6,559,611	84.2%	91.7%
Materials and Supplies	4,763,322	3,767,470	79.1%	91.7%
Operating Capital Outlay	3,020,596	1,290,939	42.7%	91.7%
Fixed Capital Outlay	63,331,964	11,685,920	18.5%	91.7%
Land Acquisition	2,202,201	618,469	28.1%	91.7%
Cooperative Funding	140,230,380	16,705,366	11.9%	91.7%
	$ 285,390,583	$ 89,780,953	31.5%	91.7%

Legend: <10 11-20 >/= 20 Not Evenly Expended

- The top ten vendor payments made in the month of August follows:

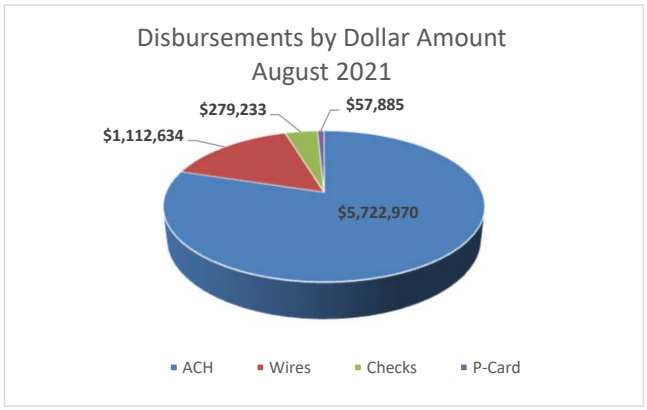
1. $ 549,774 – Marion County Utilities – Silver Springs Shores Regional Capacity Improvements and Package Plant Removal US 441 Sewer Force Main Extension
2. $ 514,165 – Collage Design & Construction – Apopka Service Center Construction Project

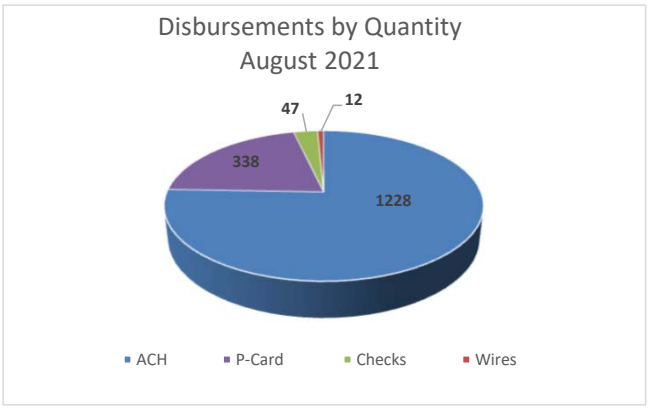
3. $ 344,401 – City of Leesburg – Turnpike Wastewater Facility Water Quality Improvements
4. $ 290,264 – Westwind Contracting, Inc – Lake Apopka Duda Property Water Sod Farm Bridge Repairs
5. $ 258,997 – Texas Aquatic Harvesting, Inc – Mechanical Removal Aquatic Vegetation Orange Creek and Fellsmere
6. $ 244,316 – CP & Wesley Smith, Inc – Cost Share - Irrigation Conversion
7. $ 182,278 – Alan Jay Automotive Inc – Six new 2021 vehicles
8. $ 144,327 – Sun Ag LLC – Surface Water Conversion
9. $ 110,497 – Intercounty Engineering, Inc – Lake Apopka North Shore Interconnect Pump Station
10. $ 97,876 – City of Umatilla – Wastewater Interconnection Pipeline

- Attached (at the end of the Treasurer's Report) are two three-year bar graphs representing total revenues and total expenditures for the period ending August 31, a bar graph representing total PCard activity for the months of September 2020 through August 2021, two PCard graphs representing July 2021 transactions by dollar threshold and spend by Division.

Financial Report
Delegated Disbursements per FS 373.553
For the Month Ending August 31, 2021
UNAUDITED

Paper:			
Check numbers 222269 through 222315			$ 279,232
Electronic:			
Electronic funds transfers (ACH) to vendors transaction numbers 52274 to 52554			4,082,971
Payroll disbursements, net plus withholding and match (Checks $0, Wire $531,449 and ACH $1,639,999)			2,171,448
P-Card			57,885
Land Closing-Bayard Weyerhaeuser and Stokes Landing			62,444
Wire transfer details:	Description		
ADP	ADP Processing Fees-584505761	8,604	
ENGIE	Utility Bills	15,475	
Dept of Revenue	FRS Retirement - State of Florida	353,890	
Empower	Deferred Comp	91,119	
ENGIE	Utility Bills	22,263	
Empower	Deferred Comp	82,049	
ENGIE	Utility Bills	3,097	
American Express	July 2021 Merchant fees	570	
ENGIE	Utility Bills	4,118	
			581,185
			$ 7,235,165





Ron Howse, Treasurer

Date

St. Johns River Water Management District
Schedule of Sources and Uses of Funds - Budget and Actual
For the Eleven Month Period Ending August 31, 2021
(Unaudited)

Sources	Current Budget	Actuals Through 8/31/2021	Variance (under)/Over Budget	Actuals As A % of Budget
Ad Valorem Property Taxes	$ 90,783,700	$ 90,851,001	$ 67,301	100%
Intergovernmental Revenues	138,747,561	21,739,945	(117,007,616)	16%
Interest on Invested Funds	1,290,000	1,829,109	539,109	142%
Unrealized Losses and Amortization of Premiums	-	(1,538,368)	(1,538,368)	N/A
License and Permit Fees	2,125,000	2,142,183	17,183	101%
Other	2,817,620	2,516,874	(300,746)	89%
Subtotal	235,763,881	117,540,744	(118,223,137)	50%
Sale of Capital Assets/ Insurance Recovery	125,000	363,741	238,741	291%
Fund Balance	49,501,702	49,501,702	-	100%
Total Sources	**$ 285,390,583**	**$ 167,406,187**	**$ (117,984,396)**	**59%**

Uses	Budget	Expenditures	Encumbrances [1]	Available Budget	%Expended	%Obligated [2]
Water Resources Planning and Monitoring	**$ 19,435,884**	**$ 12,599,486**	**$ 2,122,745**	**4,713,653**	**65%**	**76%**
Salaries and Benefits	12,033,581	9,261,822	-	2,771,759	77%	77%
Operating Expenses	7,402,303	3,337,664	2,122,745	1,941,894	45%	74%
Acquisition, Restoration and Public Works	**215,699,403**	**36,064,901**	**100,921,668**	**78,712,834**	**17%**	**64%**
Salaries and Benefits	10,136,818	8,339,596	-	1,797,222	82%	82%
Operating Expenses	4,383,573	2,311,267	1,185,755	886,551	53%	80%
Construction and Land Acquisition	60,948,632	8,708,672	7,635,410	44,604,550	14%	27%
Cooperative Funding	140,230,380	16,705,366	92,100,503	31,424,511	12%	78%
Operation and Maintenance of Lands and Works	**25,261,570**	**19,676,939**	**3,260,983**	**2,323,648**	**78%**	**91%**
Salaries and Benefits	7,853,515	6,606,829	-	1,246,686	84%	84%
Operating Expenses	12,832,473	9,485,020	2,534,684	812,769	74%	94%
Construction and Land Acquisition	4,575,582	3,585,090	726,299	264,193	78%	94%
Regulation	**13,997,519**	**11,561,039**	**55,929**	**2,380,551**	**83%**	**83%**
Salaries and Benefits	12,686,164	10,532,021	-	2,154,143	83%	83%
Operating Expenses	1,311,355	1,029,018	55,929	226,408	78%	83%
Outreach	**1,259,877**	**980,351**	**-**	**279,526**	**78%**	**78%**
Salaries and Benefits	1,082,244	856,513	-	225,731	79%	79%
Operating Expenses	177,633	123,838	-	53,795	70%	70%
Management and Administration	**9,736,330**	**8,898,237**	**44,719**	**793,374**	**91%**	**92%**
Salaries and Benefits	5,675,563	4,979,511	2,678	693,374	88%	88%
Operating Expenses	4,060,767	3,918,726	142,041	-	97%	100%
Operating Expenses	79,635,989	60,781,825	6,043,832	12,810,332	76%	84%
Non-Operating Expenses	205,754,594	28,999,128	100,462,212	76,293,254	14%	63%
Total Uses	**$ 285,390,583**	**$ 89,780,953**	**$ 106,406,044**	**$ 89,203,586**	**31%**	**69%**

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

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

This unaudited financial statement is prepared as of August 31, 2021

St. Johns River Water Management District
Balance Sheet -- Governmental Funds
August 31, 2021

	General Fund	Special Revenues Fund	Capital Projects Fund	Total All Funds
Assets				
Cash & Investments	$ 141,612,900	$ 29,113,185	$ 1,769,730	$ 172,495,815
Interest Receivable	305,926	-	-	305,926
Due from Special Revenues Fund	2,980,891	-	-	2,980,891
Inventory	607,164	-	-	607,164
Due from other Governmental Agencies	250,051	2,980,891	-	3,230,942
Other Assets	26,993	-	-	26,993
Total Assets	**$ 145,783,925**	**$ 32,094,076**	**$ 1,769,730**	**$ 179,647,731**
Liabilities				
Accounts Payable and Accrued Expenses	$ 4,423,402	$ 1,290,420	$ 610,131	$ 6,323,953
Due to General Fund	-	2,980,891	-	2,980,891
Unearned Revenue	-	3,901,503	-	3,901,503
Due to other Governmental Agencies	-	134,737	-	134,737
Total Liabilities	**4,423,402**	**8,307,551**	**610,131**	**13,341,084**
Deferred Inflows of Resources				
Unavailable Revenue-Property Taxes	208,376	-	-	208,376
Total Deferred Inflows of Resources	**208,376**	**-**	**-**	**208,376**
Fund Balances				
Nonspendable:				
Inventory/Prepaids	634,157	-	-	634,157
Spendable:				
Restricted:	-	14,367,949	-	14,367,949
Committed:	114,627,674	9,418,576	763,447	124,809,697
Assigned:	620,137	-	396,152	1,016,289
Unassigned:	25,270,179	-	-	25,270,179
Total Fund Balance	**141,152,147**	**23,786,525**	**1,159,599**	**166,098,271**
Total Liabilities, Deferred Inflows of Resources and Fund Balances	**$ 145,783,925**	**$ 32,094,076**	**$ 1,769,730**	**$ 179,647,731**

Unaudited - For Management Purposes Only

St. Johns River Water Management District
Statement of Revenues, Expenditures and Changes in Fund Balance
For the Eleven Month Period Ending August 31, 2021

	General Fund	Special Revenues Fund	Capital Projects Fund	Actual Year to Date
Revenue				
District Sources:				
Ad Valorem Taxes	$ 90,851,001	$ -	$ -	$ 90,851,001
Investment Earnings	1,807,814	21,295	-	1,829,109
Unrealized Losses & Amortization of Premiums	(1,538,368)	-	-	(1,538,368)
Local Mitigation	-	12,303	-	12,303
Licenses and Permits	2,142,183	-	-	2,142,183
Lease and Timber Sales	-	1,353,522	-	1,353,522
Fines and Other Assessments	98,000	-	-	98,000
Other	910,236	142,813	-	1,053,049
State Sources:				
Dept. of Environmental Protection	-	20,165,466	-	20,165,466
Fish & Wildlife Conservation Comm.	-	62,487	-	62,487
Dept. of Transportation	-	1,161,224	-	1,161,224
Division of Emergency Management	-	6,395	-	6,395
Dept. of Highway Safety & Motor Vehicles	-	129,096	-	129,096
Other Sources:				
U.S. Department of Homeland Security	-	115,103	-	115,103
U.S. Department of the Interior/USGS	-	20,592	-	20,592
U.S. Environmental Protection Agency	-	26,732	-	26,732
Cities & Counties	-	40,000	-	40,000
U.S. Department of Interior (FWS)	-	12,850	-	12,850
Total Revenues	**94,270,866**	**23,269,878**	**-**	**117,540,744**
Expenditures				
Water Resources Planning & Monitoring	12,255,643	343,843	-	12,599,486
Acquisition, Restoration & Public Works	17,951,635	15,158,683	2,954,583	36,064,901
Operation & Maintenance of Lands & Works	12,252,439	3,973,376	3,451,124	19,676,939
Regulation	11,547,995	13,044	-	11,561,039
Outreach	979,323	1,028	-	980,351
District Management & Administration	8,867,237	31,000	-	8,898,237
Total Expenditures	**63,854,272**	**19,520,974**	**6,405,707**	**89,780,953**
Other Financing Sources/Uses:				
Net Transfer In/Out from Other Funds	(5,683,608)	(316,392)	6,000,000	-
Sale of Capital Assets	41,166	-	-	41,166
Insurance/Loss Recovery	322,575	-	-	322,575
Total Other Financing Sources	**(5,319,867)**	**(316,392)**	**6,000,000**	**363,741**
Net Change in Fund Balance	**25,096,727**	**3,432,512**	**(405,707)**	**28,123,532**
Fund Balance, beginning of year	**116,055,420**	**20,354,013**	**1,565,306**	**137,974,739**
Fund Balance, as of August 31, 2021	**$ 141,152,147**	**$ 23,786,525**	**$ 1,159,599**	**$ 166,098,271**

Treasurer's Report
Changes in Cash and Investments
For the Month Ending August 31, 2021

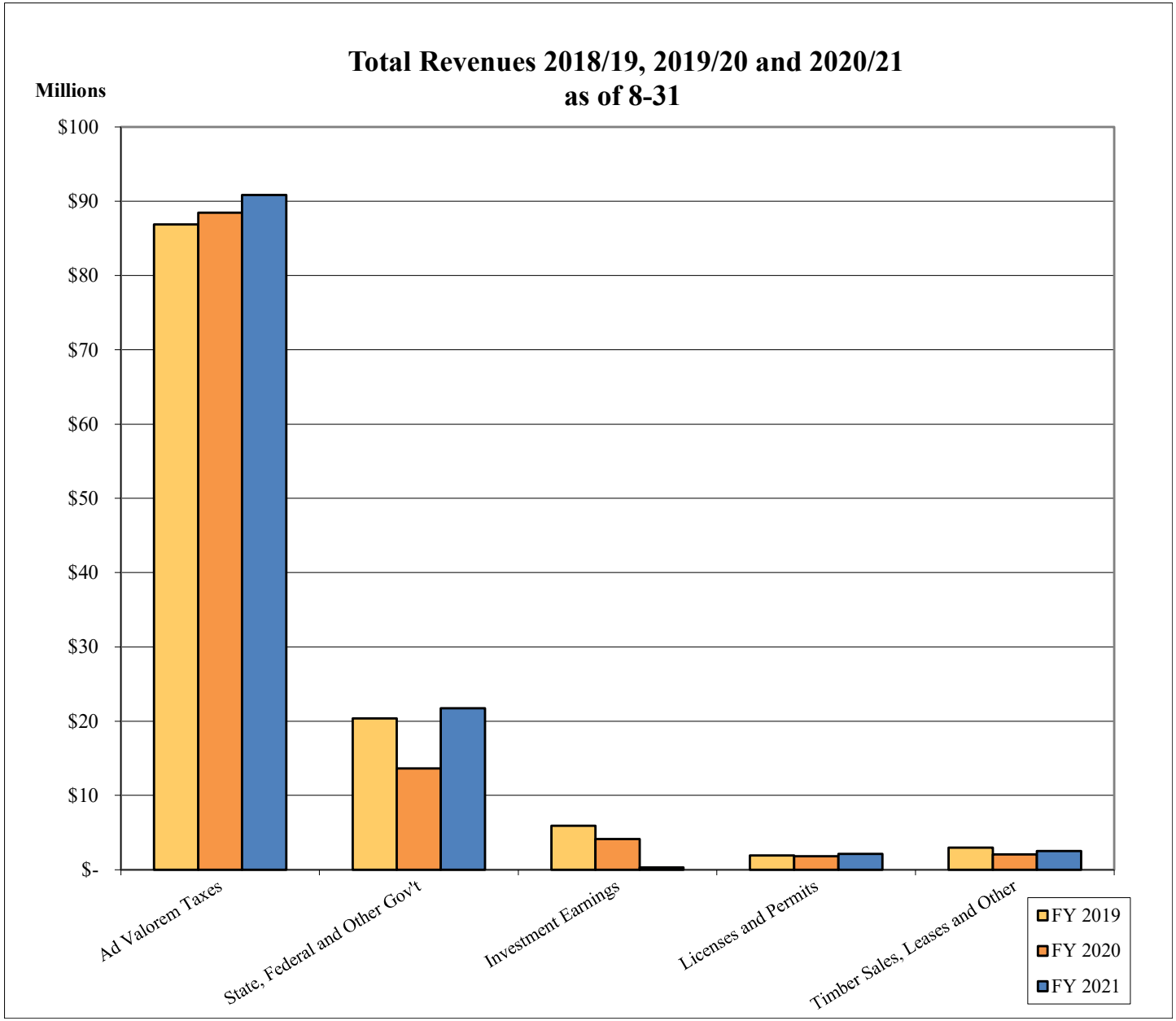
Beginning balances, August 1, 2021		
General Fund	$ 146,331,720	
Special Revenue Funds	29,473,632	
Capital Projects Funds	2,058,384	
		$ 177,863,736
Receipts		2,012,415
Disbursements:		
* Accounts payable	(5,001,273)	
* Net payroll and related match	(2,171,448)	
Land closing/escrow wire transfers	(62,444)	
Total disbursements		(7,235,165)
Changes in Investments:		
Unrealized gain (loss) on investments		(153,972)
Realized gain (loss) on investments		34,005
Amortization of premium/discounts		(25,204)
Ending balances, August 31, 2021		
General Fund	141,612,900	
Special Revenue Funds	29,113,185	
Capital Projects Funds	1,769,730	
Total cash and investments, as of August 31, 2021		$ 172,495,815

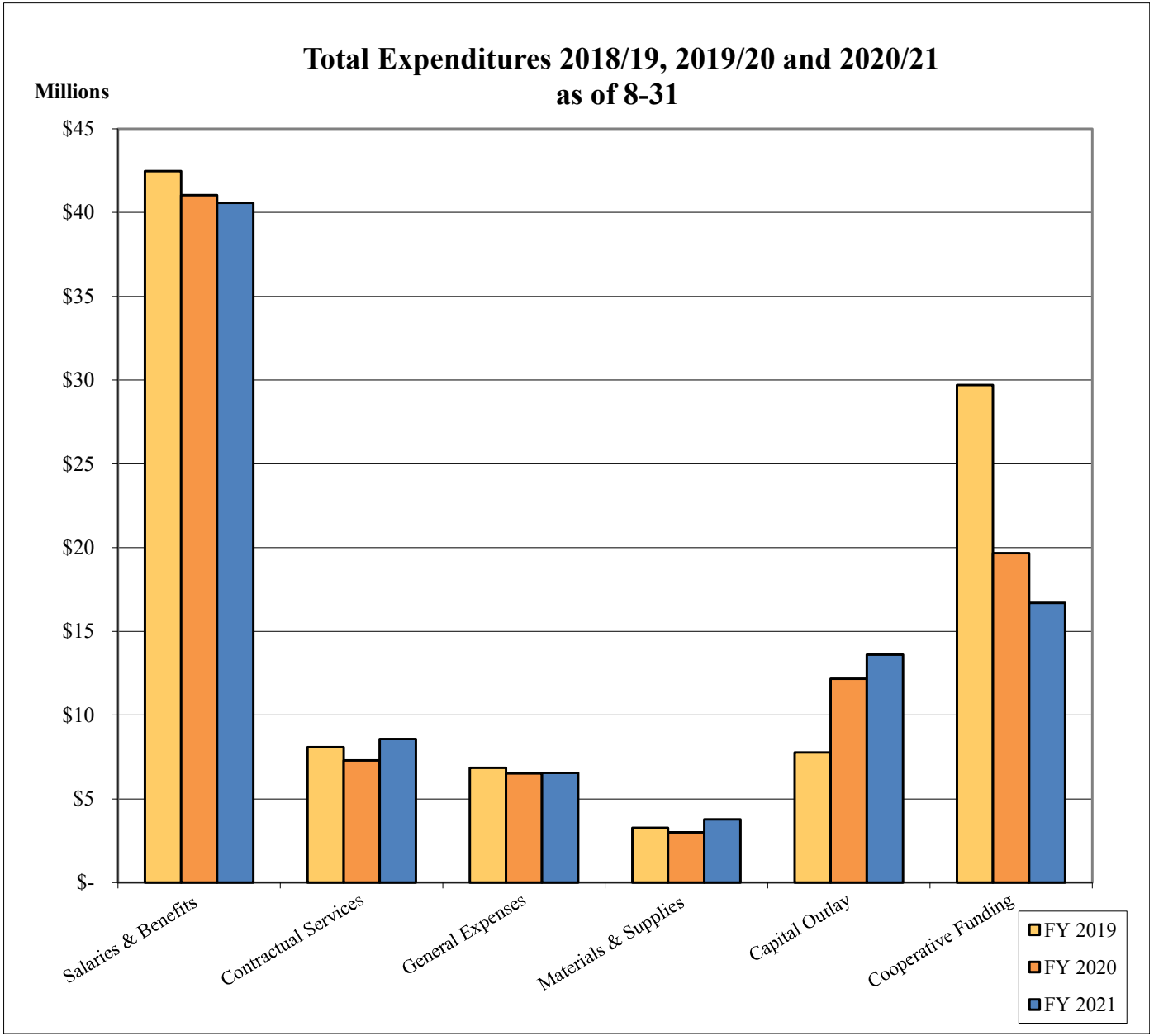
Cash and investments classified as:	Yield as of end of month	
Cash in bank- local	0.40%	$ 6,380,099
** Securities-PTA	1.28%	96,581,360
Money market funds	0.01%	107,479
State Board of Administration Pooled Cash	0.10%	69,426,677
Petty cash	n/a	200
		$ 172,495,815

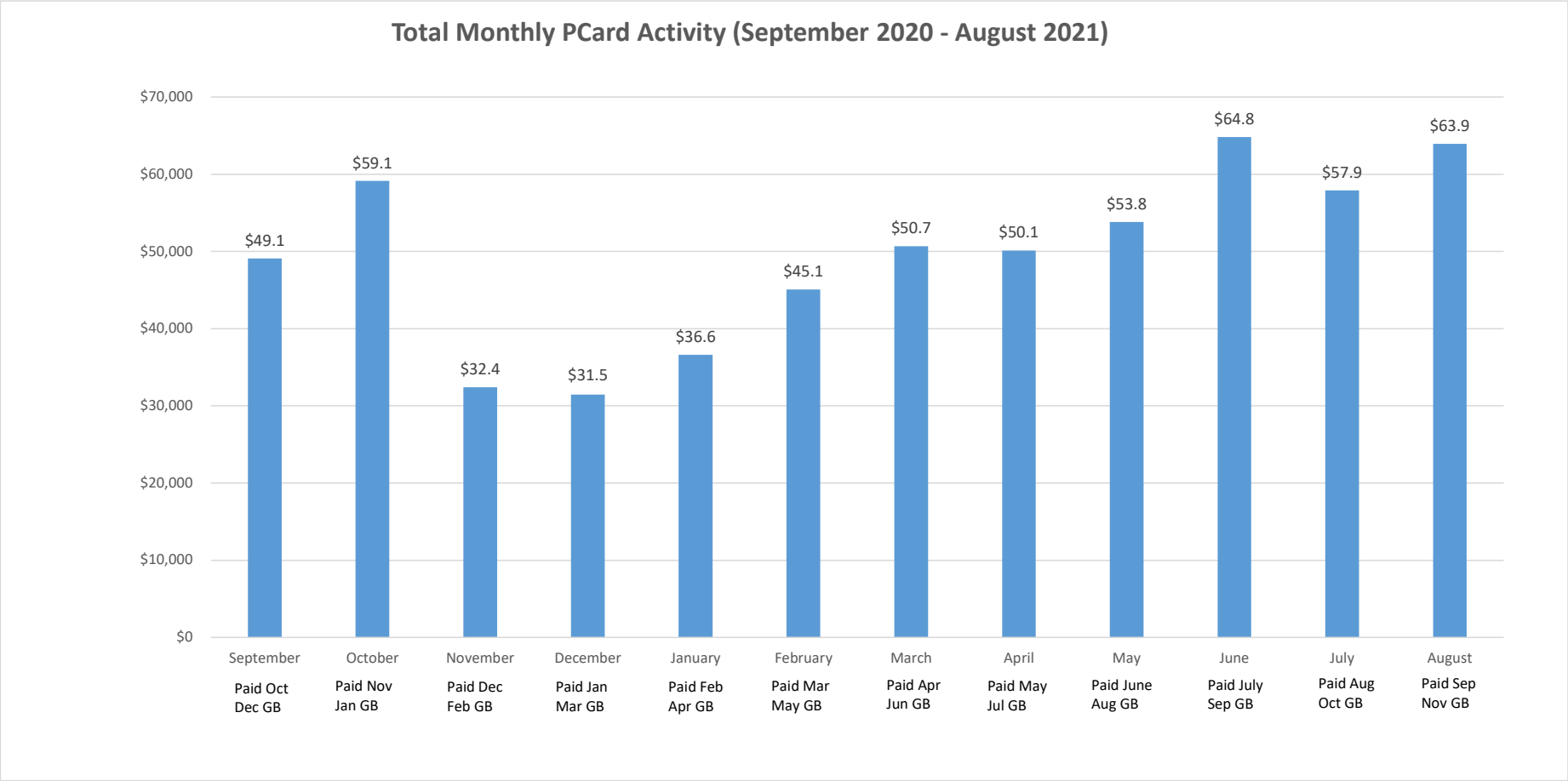
Securities Revenue: Securities are managed pursuant to an agreement with Public Trust Advisors (PTA). At August 31, 2021, the original cost of the investment portfolio including money markets funds was $95,932,090 and the market value was $96,688,839 resulting in a life-to-date unrealized gain of $756,749. For the month ending August 2021, the portfolio had earned interest of $100,574 with an unrealized loss of ($153,972) and a realized gain of $34,005; and amortization of premiums/discounts of ($25,204). Investment fees of ($5,090). Fiscal year to date return on investments, net of unrealized losses, amortization, and investment fees is $290,741.

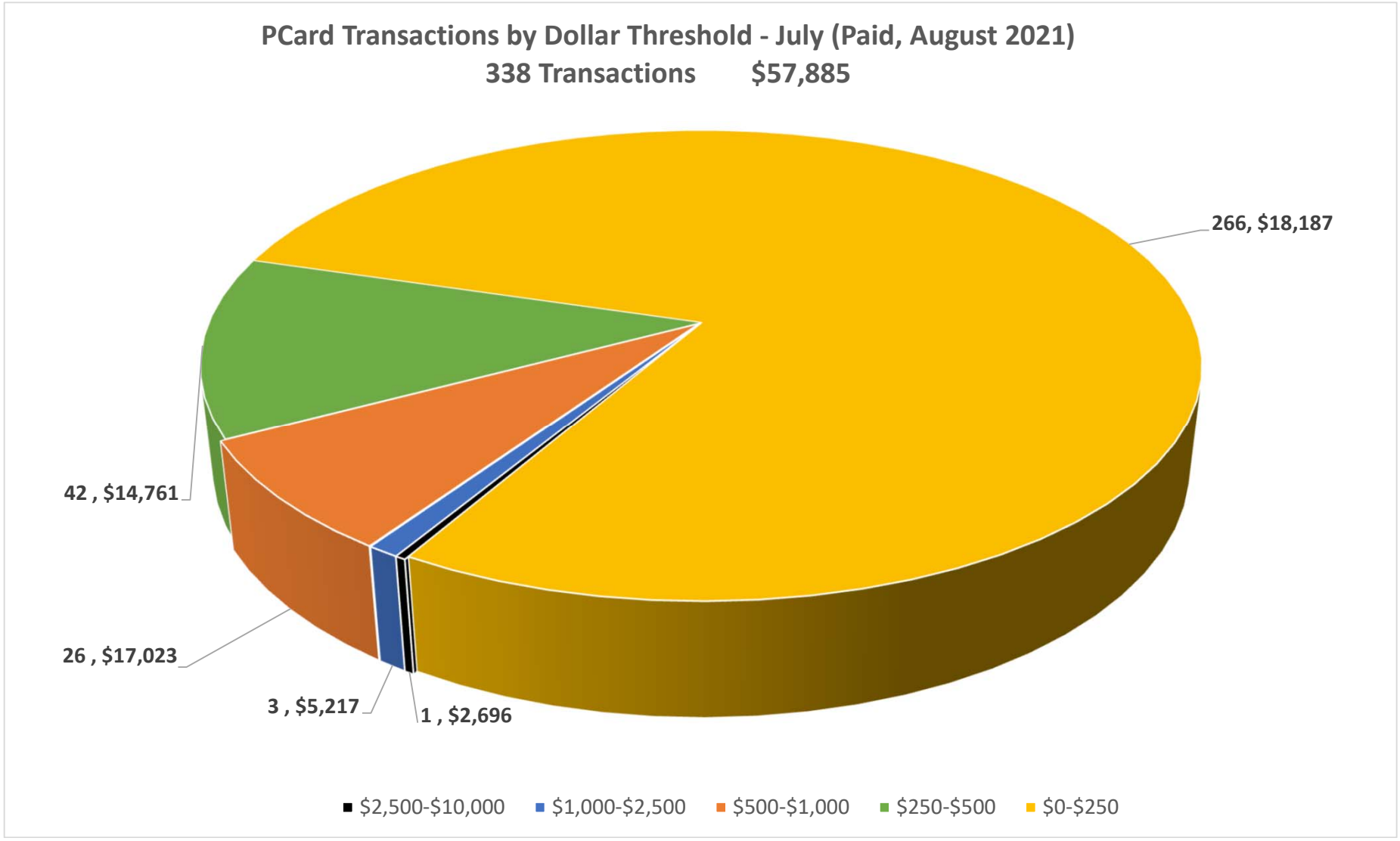
* see attached detail of disbursements by type

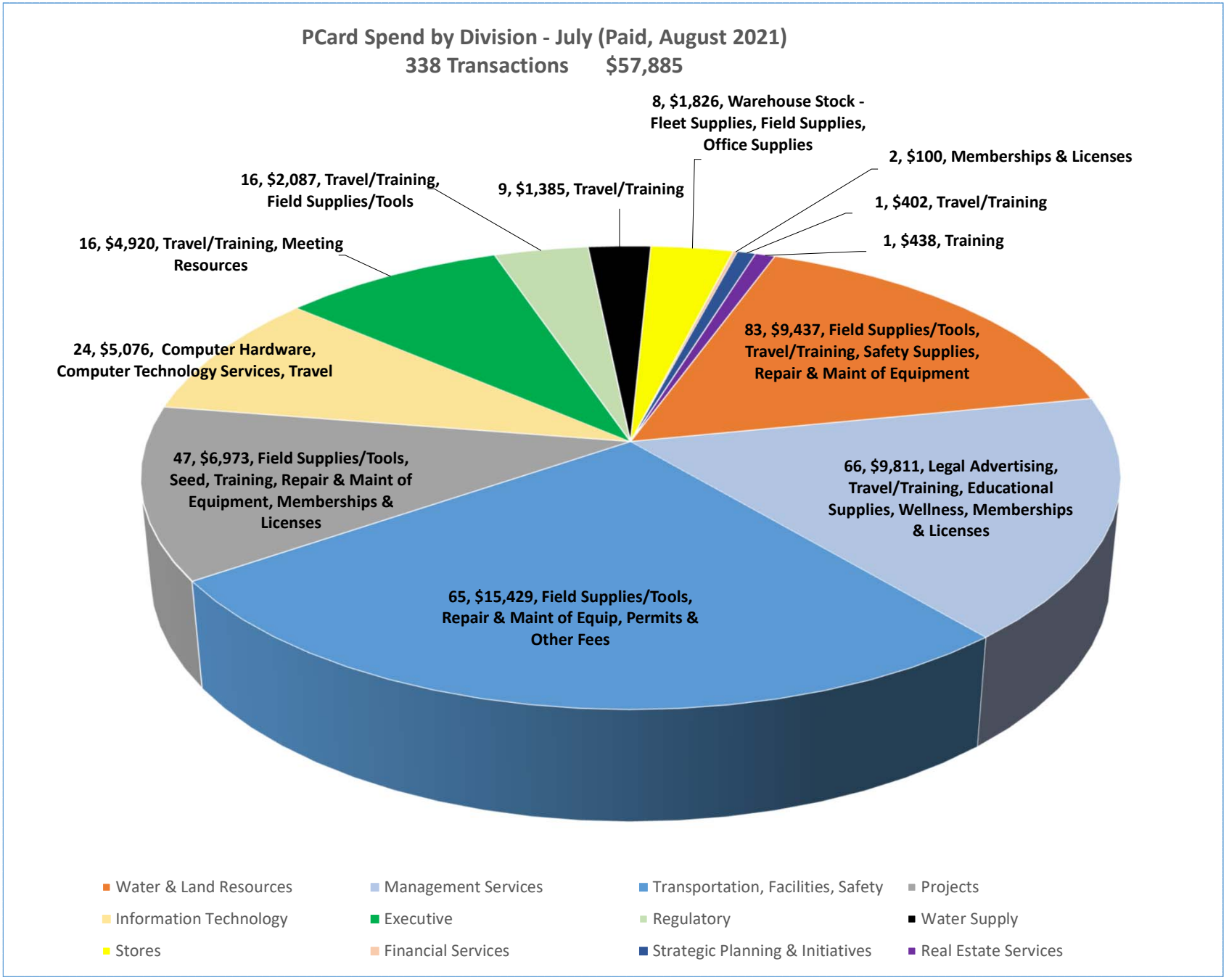
** reported yield per PTA quarterly Performance Review as June 30, 2021 -Yield to Maturity at Cost

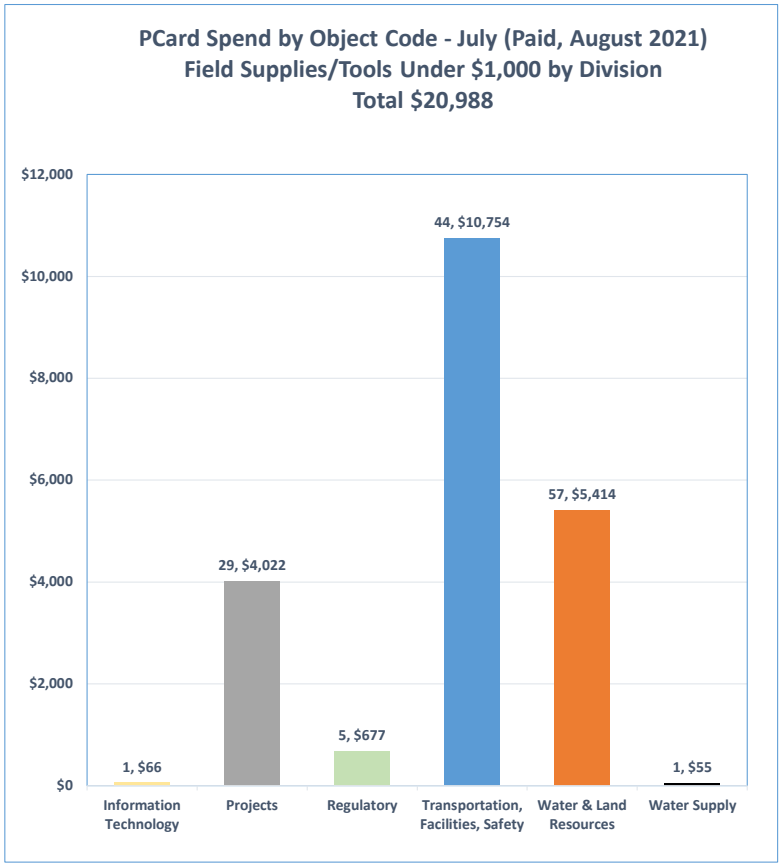


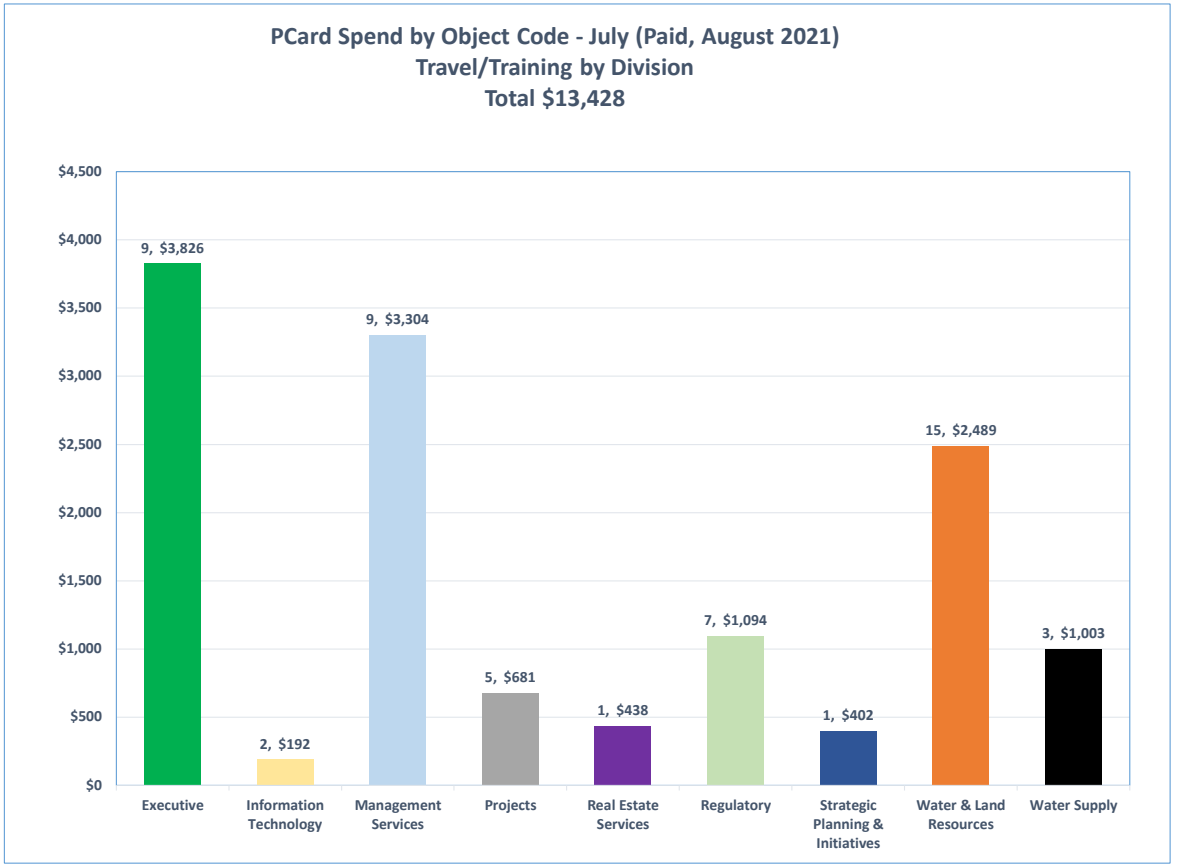












Finance Committee Calendar
Fiscal Year 2021-2022

October 2021	November 2021	December 2021
New budget loaded in general ledger (1st)	Quarterly Investment Performance and Liquidity Review	Overview of Preliminary Budget development
Interlocal Agreement	Quarterly Surplus property disposition report	

January 2022	February 2022	March 2022
Approve submission Preliminary Budget	Quarterly Investment Performance and Liquidity Review	Auditor presentation of audit results and CAFR presentation
	Quarterly Surplus property disposition report	

April 2022	May 2022	June 2022
	Quarterly Investment Performance and Liquidity Review	Budget workshop and mid-year review
	Quarterly Surplus property disposition report	

July 2022	August 2022	September 2022
Adopt proposed millage and approve submission of Tentative Budget (August 1)	Tentative Budget due in Tallahassee (1st)	Adopt tentative millage and budget for submission (14th)
	Quarterly Investment Performance and Liquidity Review	Annual review Investment Policy
	Quarterly Surplus property disposition report	Adopt final millage and budget for submission (28th)
	External Audit Plan FY 21-22	

Newly added item
Action Item
Information Item
Action Taken

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

THROUGH: Michael A. Register, P.E.
Executive Director

FROM: Victoria Kroger, Director
Office of Financial Services

SUBJECT: Interlocal Agreement with Clay County Property Appraiser to Jointly Fund Personal Property Exemption Audit Services

RECOMMENDATION

Approval of District participation in the personal exemptions audit within Clay County and authorization for the Executive Director to execute the associated Agreement.

BACKGROUND

The Clay County Property Appraiser's office contacted the District in August 2021 to request that we share, along with them and other taxing authorities in Clay County, the cost for audit services to identify properties in Clay County that may have claimed improper and/or fraudulent personal exemptions from ad valorem property tax, such as the homestead exemption. Fraudulent claims reduce property tax revenue to local taxing authorities and unfairly shifts the property tax burden to other property owners. Florida Statutes, Section 193.092 (1), allows for assessment of back taxes, penalties, and interest for up to three (3) years for any property that ad valorem tax might have been lawfully assessed or levied that has not been collected. The database and analysis service would be paid a percentage of the resulting fines, back taxes, and interest on those properties it identified. The Department of Revenue has oversight and regulatory authority over county tax budgets, assessment, and collection, and has opined that statutes do not preclude this type of proposal. The District entered substantially identical agreements with the county property appraisers in Duval (Mar 2017), Brevard (Mar 2017), and Nassau (Jan 2018) counties, resulting in over $122,000 of net revenue to the District from these agreements.

DISCUSSION

The proposed Agreement authorizes the Clay County Property Appraiser and Tax Collector to contract with TrueRoll™ for exemption audit services for the purpose of collecting taxes due on those properties, which funds would otherwise be unavailable to the Districts. All audits would be performed in Clay County and the property appraiser would be responsible for determining the audit assignments. The fee to the District will be a percentage of back taxes, penalties, and interest collected as a result of the audit services. The fees are 25% payable to the vendor and will be deducted by Clay County Tax Collector from the District's share of the revenue recovered for back taxes, penalties, and interest.

EXCLUSIVE AGREEMENT
FOR USE OF PROPERTY TAX COLLECTIONS
TO FUND HOMESTEAD EXEMPTION AUDIT SERVICES

THIS AGREEMENT ("Agreement") is made and entered into as of this _____ day of August, 2021, by and between the CLAY COUNTY PROPERTY APPRAISER ("PROPERTY APPRAISER"), the CLAY COUNTY TAX COLLECTOR ("TAX COLLECTOR"), and the ST. JOHN'S RIVER WATER MANAGEMENT DISTRICT ("SJRWMD"). The PROPERTY APPRAISER, TAX COLLECTOR and the SJRWMD are hereinafter jointly referred to as the "Parties."

WHEREAS, the PROPERTY APPRAISER is responsible, under Florida law, for the administration of ad valorem property tax exemptions (including homestead exemption), and retains sole discretion and authority to grant or deny exemptions, and the preparation and filing of tax liens for back taxes related to the removal of improper exemptions; and

WHEREAS, the TAX COLLECTOR is responsible, under Florida law, for the collection and distribution of ad valorem property taxes, including back taxes and tax liens, and associated penalties, fees, and interest; and

WHEREAS, the SJRWMD receives local property tax revenue to fund essential public services; and

WHEREAS, the Parties to this Agreement recognize that there may be property owners on the Clay County tax roll claiming improper and/or fraudulent personal exemptions from ad valorem property tax, such as the homestead exemption (hereinafter collectively referred to as "Personal Exemptions"), which reduces property tax revenue and unfairly shifts the property tax burden to other property owners; and

WHEREAS, the PROPERTY APPRAISER intends to contract with TRUEROLL for audit services to identify properties with improper Personal Exemptions for the purpose of collecting taxes due on those properties, which funds would otherwise be unavailable to the SJRWMD (hereinafter the "Audit Agreement"); and

WHEREAS, TRUEROLL shall provide said audit services in exchange for the fee established in the TRUEROLL Audit Agreement, which consists of an amount equal to twenty-five percent (25%) of any tax, penalties, and interest collected from back taxes assessed or tax liens filed by the PROPERTY APPRAISER on parcels identified through a TRUEROLL audit as having improper Personal Exemptions (hereinafter, the "Fee"); and

WHEREAS, the Fee shall be paid exclusively from the taxes, penalties, and interest collected in relation to the removal of Personal Exemptions as a result of audits performed by TRUEROLL, and shall not constitute a pledge or general obligation of tax funds or create an obligation on the SJRWMD to appropriate or make monies available for the purpose of this Agreement.

NOW, THEREFORE, the PROPERTY APPRAISER, TAX COLLECTOR, and the SJRWMD, for and in consideration of the mutual promises, covenants, and conditions herein contained and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, agree as follows:

TERMS

1. Incorporation of Recitals. The recitals set forth above are hereby incorporated into and deemed a part of this Agreement.

2. Authorization of Reduced Collections for Fee Payment:

The SJRWMD, a taxing authority, authorizes the TAX COLLECTOR to deduct TRUEROLL's Fee, as established in the TRUEROLL Audit Agreement, from the total property tax, penalties and interest collected as the result of the removal of Personal Exemptions pursuant to TRUEROLL audits. The TAX COLLECTOR shall distribute the remaining tax revenue to the SJRWMD according to governing Florida law.

This Agreement does not constitute a pledge or general obligation of ad valorem taxation, or create any obligation on the SJRWMD to appropriate or make monies available for any tax year, and does not create the right in any party to compel the exercise of the ad valorem taxing power of the SJRWMD.

The TAX COLLECTOR shall annually, or upon request, make available to the SJRWMD an accounting of all tax proceeds collected pursuant to the TRUEROLL Audit Agreement, the Fees paid to TRUEROLL, and the total funds distributed to the SJRWMD.

3. Term and Termination: This Agreement shall be effective as of the date first written above for an initial term of twelve (12) months. Thereafter, the Agreement shall renew automatically on an annual basis until such time as the TRUEROLL Audit Agreement is terminated or otherwise expires. Upon termination or expiration of the TRUEROLL Audit Agreement, this Agreement automatically expires except for such provisions as survive termination as further agreed herein.

The SJRWMD, as a taxing authority, may opt out of and terminate this Agreement provided it notifies the PROPERTY APPRAISER and TAX COLLECTOR in writing at least sixty (60) days before the termination date.

The Parties acknowledge that TRUEROLL audit services shall not be provided for any parcel in a specific tax district if any taxing authority in that tax district does not sign, or subsequently withdraws from an agreement or memorandum of understanding for use of property tax collections to fund exemption audit services.

Upon termination of this Agreement, Fees for all audits completed by TRUEROLL in participating tax districts up to the date of the notification of termination shall be payable in accordance with the terms provided by the TRUEROLL Audit Agreement. Because tax liens may not be paid within the term of this Agreement, the authorization of reduced collections for Fee payment shall survive the termination of the Agreement, and shall terminate upon the later of the

collection and payment of all liens related to TRUEROLL audits, or the expiration of such liens as a matter of Florida law.

4. Severability: Should any provision, portion, or application of this Agreement be determined by a court of competent jurisdiction to be illegal, unenforceable, or in conflict with any applicable law or constitutional provision, or should future changes to Florida law conflict with any portion of this Agreement, the Parties shall negotiate an equitable adjustment in the affected provisions of this Agreement with a view toward effecting the purpose of this Agreement, and the validity and enforceability of the remaining provisions, portions, or applications thereof, shall not be impaired. If a future change to Florida law conflicts with or preempts the entirety of this Agreement, the Agreement will be immediately terminated, subject to the termination provisions herein.

5. Public Records: The Parties are public agencies subject to Florida's public records laws, including records retention, production, and confidentiality provisions. The Parties agree to retain all records maintained by their agencies and associated with the performance of this Agreement in compliance with applicable Florida records retention schedules, and to make all non-confidential or exempt records available for inspection or copying upon request and in compliance with Florida's public records laws.

IF THE PARTIES HAVE QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, AND THEIR DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT:

Shannon Eaves, CCF
Director, Technology, and Information
Services (904) 278-3708
seaves@ccpao.com

The Parties agree to comply with the provisions of Chapter 119, Florida Statutes, and to:

(a) Keep and maintain public records as required by the public agency to perform the service.

(b) Upon request from the public agency's custodian of public records, provide the public agency with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes (2020), or as otherwise provided by law.

(c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the Agreement term and following completion of the Agreement if SJRWMD does not transfer the records to the public agency.

(d) Upon completion of the Agreement transfer, at no cost, to the public agency all public records in possession of SJRWMD or keep and maintain public records required by the public agency to perform the service. If SJRWMD keeps and maintains public records upon completion of the Agreement, SJRWMD shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the public agency, upon request from the public agency's custodian of public records, in a format that is compatible with the information technology systems of the public agency.

6. Liability: The PROPERTY APPRAISER retains sole discretion and authority to grant, deny or remove exemptions, or file liens for improper Personal Exemptions in accordance with Florida law. All legal costs involving appeals of the removal of Personal Exemptions resulting from audits shall be the responsibility of the PROPERTY APPRAISER. The SJRWMD has no decision-making authority in relation to exemptions or liens under this Agreement and assumes no liability for any claims, damages, losses, or expenses, direct, indirect or consequential, arising out of or resulting from the actions of TRUEROLL, the TAX COLLECTOR, or the PROPERTY APPRAISER, under this Agreement or the TRUEROLL Audit Agreement.

7. Notice: Any notice required to be given under this Agreement shall be made in writing and sent by first class mail, postage paid, or by hand delivery, to the contact and address for the party as it appears on the signatory page of this Agreement.

8. Applicable Law: The terms and conditions of this Agreement shall be governed by the laws of the State of Florida.

9. Sole Benefit: This Agreement is for the sole benefit of the Parties hereto, and in no event shall this Agreement be construed to be for the benefit of any third party, nor shall any of the Parties be liable for any loss, liability, damages or expenses to any person not a party to this Agreement.

10. Headings: Headings herein are for convenience of reference only and shall not be considered in any interpretation of this Agreement.

11. Execution: The parties agree that this Agreement may be signed in counterparts.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date(s) set forth below.

The Office of the Clay County Property Appraiser:

Honorable Tracy S. Drake, CFA, CAE, ASA, RES, AAS
477 Houston Street, 2nd Floor
Green Cove Springs, FL 32043
(904) 278-4712

Authorized Signature:_____

Printed Name: Tracy S. Drake

Date: ___

The Office of the Clay County Tax Collector:

Honorable Diane Hutchings
477 Houston Street
Green Cove Springs, FL 32043
(904) 269-6320

Authorized Signature: _____

Printed Name Diane Hutchings

Date: _____

St. John's River Water Management District:

Michael A. Register, Executive Director (or designee)
P.O. Box 1429
Palatka, FL 32178

Authorized Signature: _____

Date: _____

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

THROUGH: Michael A. Register, P.E.
Executive Director

FROM: Clay Coarsey, Director
Division of Water Supply Planning and Assessment

SUBJECT: Authorization for State Funding of the Tri-County Agricultural Area Water Management Partnership Cost Share Program

RECOMMENDATION

Approval of authorization for the Executive Director to utilize state funding for the Tri-County Agricultural Area Partnership Cost Share Program.

BACKGROUND

The Tri-County Agricultural Area Water Management Partnership Cost Share Program (Partnership) was developed to assist farmers and growers implementing projects that conserve water and reduce nutrient loading.

As discussed at the September 14, 2021 Governing Board meeting, funding for this cost share program is provided on a year-to-year basis by the Florida Department of Environmental Protection (FDEP), the Florida Department of Agriculture and Consumer Services (FDACS) and the St. Johns River Water Management District (SJRWMD). FDACS serves as the “gate keeper” for applications and the three partners select agricultural projects for cost share opportunities. A fourth partner, the Natural Resource and Conservation Service, also provides cost share opportunities to the Tri-County Agricultural Area growers (via federal dollars).

DISCUSSION

During the September 14, 2021 Governing Board meeting, the following projects were approved to be funded with District revenues. Since that time, the District has received and executed a revenue agreement with the FDEP, in the amount of $500,000, as is included in the FY 2021-2022 Budget that was adopted on September 28, 2021.

Applicant	Total Amount Requested $	Applicant Share $	SJRWMD Cost $
Everde Grower's Bunnell Farm	346,659	96,659	250,000
Blandford Turf	191,917	47,979	143,938
William and Betty Jones/Signature Sod	155,715	38,928	116,787
C.P. & Wesley Smith Inc.	482,400	232,400	250,000
John Sykes	47,631	11,907	35,724
Blue Sky Farms	36,100	9,025	27,075
Tater Farms	101,382	25,345	76,037
DeLee Produce LLC	26,285	6,571	19,714
Jeff Parker Farms	46,000	11,500	34,500
L & M Farms	45,066	11,266	33,800
Totals	**1,479,155**	**491,580**	**987,575**

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

THROUGH: Michael A. Register, P.E.
Executive Director

FROM: Rich Burklew, Bureau Chief
Bureau of Water Use Regulation

SUBJECT: CUP TCUP

RECOMMENDATION

Approval of staff's recommendation that the Governing Board extend the term of the two Temporary Consumptive Use Permits (Deseret Field Crops and Deseret Agronomic Crops) to allow water use for crop production while the Taylor Creek Reservoir settlement-related activities continue.

BACKGROUND

Staff has been delegated the authority to issue temporary consumptive use permits (TCUPs) while an application for a permit is pending. Governing Board Policy 13-01(5)(c). Such temporary permits are issued for a period of time to expire on the day following the next regular meeting of the Governing Board. Section 373.244(2), Florida Statutes, provides that at its next meeting the Board

> shall consider whether it appears that the proposed use meets the criteria set forth in s. 373.223(1) and that such temporary permit is necessary for consumptive use of water prior to final action on an application for a permit pursuant to ss. 373.219 and 373.229.

Based on its determination, the Board may then extend the term of the TCUP or terminate the TCUP. In the case of these two TCUPs, staff determined that the water use meets the criteria in section 373.223(1), adverse effects are not occurring as a result of water use under the temporary permit, and that the water authorized under the permits is required by the permit holder. Therefore, staff recommends that the term of each TCUP be extended to the day following the November 2021 board meeting.

DISCUSSION

There are two pending applications operating under temporary consumptive use permits. Both relate to the withdrawal of water from the Taylor Creek Reservoir (TCR).

One involves a permit that was approved for issuance, but then administratively challenged by Orange County and the Toho Water Authority (TWA). The Deseret Field Crops application was approved at the July 2011 Governing Board Meeting. A Petition for Administrative Hearing was filed and the permit is part of the TCR settlement. To facilitate the settlement agreement (which was recently extended to January 12, 2022), a temporary consumptive use permit is issued

each month to allow Deseret to water crops while the settlement activities are undertaken. The other parties to the settlement have agreed not to oppose these temporary consumptive use permits. In this temporary consumptive use permit, the applicant requests to use 3.023 mgd average of surface water from the L-73 Canal-North for irrigation and freeze protection of 941 acres of row crops.

The other TCUP relates to a second, larger Deseret Agronomic Crops application, which was complete October 31, 2011. The application sought the use of 11.323 mgd of water for irrigation and for frost/freeze protection of 295 acres of citrus, 1206 acres of pasture and 2293 acres of row crops from the L-73 Canal-North, L-73 Canal-Middle, Taylor Creek Reservoir, and the Upper Floridan aquifer. This application is “competing” with CUP application 119798 (Orange County Utilities) requesting 10.0 mgd (average) from TCR and CUP application 125333 (The City of Cocoa) requesting 12.2 mgd from TCR. These CUP applications are competing because TCR does not have the capacity to provide the currently permitted allocation of 8.83 mgd (The City of Cocoa), the Deseret Field Crops allocation, and all of the requested allocations for applications 119798, 125333, and the Deseret Agronomic Crops. All applicants of the competing applications have waived time frames so that these applications can be dealt with as part of the ongoing settlement process. To facilitate the settlement, a second TCUP is issued each month to allow Deseret to water crops until the terms of the settlement are implemented. The other parties to the settlement have agreed not to oppose this second TCUP every time it is issued. This second TCUP authorizes the use of 0.966 million gallons per day (mgd) average from the L-73 Canal-North for irrigation and freeze protection of 287 acres of row crops.

CONSUMPTIVE USE TECHNICAL STAFF REPORT
21-Sep-2021
APPLICATION #: 115794-1105

Owner: K Erik Jacobsen
Farmland Reserve Inc
13754 Deseret Ln
Saint Cloud, FL 34773-9381
(407) 892-3672

Applicant: Kent Jorgensen
East Central Florida Services, Inc.
13754 Deseret Ln
Saint Cloud, FL 34773-9381
(407) 892-3672

Agent: Brian L Roy
Royal Consulting Services Inc
211 W Warren Ave
Longwood, FL 32750-4108
(407) 831-3095

Compliance Contact: Not Applicable

Project Name: Deseret Agronomic Crops
County: Osceola; Orange

Objectors: No

Authorization Statement:
The District authorizes this temporary consumptive use permit (TCUP), as limited by the attached permit conditions, for the use of 336.0 million gallons per year (mgy) (0.921 million gallons per day (mgd) average) of surface water from the L-73 Canal-North for irrigation; and 16.5 mgy (0.045 mgd average) of surface water from the L-73 Canal-North for freeze protection of 287 acres of row crops and sod. When surface water is unavailable from the L-73 Canal-North, the use of 352.5 mgy (0.966 mgd average) of surface water can be utilized from Taylor Creek Reservoir or groundwater from the Upper Floridan Aquifer to augment the L-73 Canal-North.

Recommendation: Approval
Reviewers: Kelly Vermillion

WATER USE SUMMARY:

Status of Pending Permit Application:
Staff deemed this application complete with the submittal of a RAI response on October 31, 2011. Three other applications for water from Taylor Creek Reservoir (TCR) have also been deemed complete and are considered competing applications with this application: 119798 (Orange County Utilities) requesting 10.0 mgd (average); 125333 (The City of Cocoa) requesting 12.2 mgd; and 118375 (East Central Florida Services (Field Crops)) requesting 1.94 mgd.

It was determined that TCR does not have the capacity to provide the currently permitted allocation of 8.83 mgd to the City of Cocoa under its Permit (#50245) and all of the pending competing applications. Petitions were filed challenging one of the competing applications, 118375 (East Central Florida Services), and the parties agreed to hold the petitions in abeyance. This applicant and the applicants for remaining competing applications (119798, and 125333) have waived their time frames until January 12, 2022, to provide the time for the parties to work toward implementing the terms of the TCR settlement agreement.

Statement of Necessity:
The applicant submitted a consumptive use permit application for the use of 3950 million gallons per year (mgy) (10.82 million gallons per day (mgd) average) of water for irrigation and 183.8 mgy (0.503 mgd average) of water for freeze protection of 295 acres of citrus, 1206 acres of pasture and 2293 acres of row crops and sod from the L-73 Canal-North, L-73 Canal-Middle, Taylor Creek Reservoir, and the Upper Floridan aquifer. While the CUP application is pending, the applicant requests to use 336.0 mgy (0.921 mgd average) of surface water from the L-73 Canal-North for irrigation; and 16.5 mgy (0.045 mgd average) of surface water from the L-73 Canal-North for freeze protection of 287 acres of row crops and sod and an equivalent back-up allocation of water from Taylor Creek and the Upper Floridan aquifer in the event surface water from L-73 is unavailable.

Review of Request:
As part of the proposed irrigated acreage for application #115794, the applicant has constructed three center pivot systems capable of irrigating 287 acres. The applicant requests authorization to use 336.0 mgy (0.921 mgd average) from the L-73 Canal-North; and 16.5 mgy (0.045 mgd average) of surface water from the L-73 Canal-North for freeze protection of 287 acres of row crops, freeze protection is not required whenever fields are planted in sod.

Temporary consumptive use permits (TCUPs) are being considered monthly to meet the requested needs under this permit application 115794. Staff has reviewed the permit allocation issued to the existing legal user, City of Cocoa, under permit 50245 and the TCUP allocation being requested for 118375 (Deseret Field Crops) and have determined that TCR has the capacity to provide the permitted and requested allocations and still meet the established minimum flow regime.

Due to the constant demand on the L-73 Canal and the limited storage capacity of the L-73 Canal, the applicant has requested to augment the L-73 Canal with water from the Upper Floridan Aquifer or Taylor Creek Reservoir when needed to ensure adequate irrigation water. The expected water demand cannot be supplied by the L-73 Canal if rainfall is low. Thus, the applicant requested authorization to use 352.5 mgy (0.966 mgd average) of surface water from Taylor Creek Reservoir or groundwater from the Upper Floridan Aquifer as a back-up source to the L-73 Canal-North.

Recommendation:
Section 373.244, Florida Statutes (F.S.), provides that the Governing Board, or the Executive Director if authorized by the Board, shall consider whether a request for a TCUP appears to meet the District's permitting criteria as set forth in section 373.223(1), F.S. Pursuant to District Policy 120(5)(b), the approval of initial applications for TCUPs are delegated to the Executive Director. After a review of the permitting criteria outlined in the District's Applicant's Handbook: Consumptive Uses of Water, August 29, 2018, District staff concluded that the request meets the criteria provided in section 373.223(1), F.S. Specifically, District staff concluded that the proposed use, as limited by the attached permit conditions, is reasonable-beneficial, will not cause or contribute to interference with existing legal uses, and is consistent with the public interest.

TCUPs are issued for a period of time to expire on the day following the next regular meeting of the Governing Board. Renewals of a TCUP must be authorized by the Governing Board. Section 373.244(2), F.S., provides that at its next meeting the Board "shall consider whether it appears that the proposed use meets the criteria set forth in s. 373.223(1) and that such temporary permit is necessary for consumptive use of water prior to final action on an application for a permit pursuant to ss. 373.219 and 373.229." Based on its determination, the Board may then extend the term of the TCUP or terminate the TCUP. In this case, staff has determined that the water use meets the criteria in section 373.223(1), adverse effects are not occurring as a result of water use under the temporary permit, and that the water authorized under the permits is required by the permit holder. Therefore, staff recommends that the term of the TCUP be extended to the day following the November 2021 board meeting.

Station Information
Site Name: Deseret Agronomic Crops

Well Details								
District ID	**Station Name**	**Casing Diameter (inches)**	**Casing Depth (feet)**	**Total Depth (feet)**	**Capacity (GPM)**	**Source Name**	**Status**	**Use Type**
410670	W-N1	14	309	715	2200	Upper Floridan Aquifer	Proposed	Agriculture

Well Details								
District ID	**Station Name**	**Casing Diameter (inches)**	**Casing Depth (feet)**	**Total Depth (feet)**	**Capacity (GPM)**	**Source Name**	**Status**	**Use Type**
410671	W-M5	14	309	715	2200	Upper Floridan Aquifer	Proposed	Agriculture
410672	W-M7	14	309	715	2200	Upper Floridan Aquifer	Proposed	Agriculture
410673	W-M11	14	309	715	2200	Upper Floridan Aquifer	Proposed	Agriculture
410674	W-IP10	14	309	715	1600	Upper Floridan Aquifer	Proposed	Agriculture
410675	W-IP11	14	309	715	1600	Upper Floridan Aquifer	Proposed	Agriculture
410676	W-IP3	14	309	715	1600	Upper Floridan Aquifer	Proposed	Agriculture
410677	W-IP4	14	309	715	1600	Upper Floridan Aquifer	Proposed	Agriculture
410678	W-IP7N	14	309	715	1600	Upper Floridan Aquifer	Proposed	Agriculture
410679	W-C5a	14	309	715	2200	Upper Floridan Aquifer	Proposed	Agriculture
410680	W-C5b	14	309	715	2200	Upper Floridan Aquifer	Proposed	Agriculture

Pump Details					
District ID	**Station Name**	**Capacity (GPM)**	**Source Name**	**Status**	**Use Type**
242827	P-LS5	12000	Taylor Creek Reservoir	Active	Agriculture

Pump Details					
District ID	Station Name	Capacity (GPM)	Source Name	Status	Use Type
410682	P-R20	1315	L-73 Canal North	Active	Agriculture
410683	P-RG3	3946	L-73 Canal North	Proposed	Agriculture
410684	P-R19	614	L-73 Canal North	Active	Agriculture
410686	P-R16	632	L-73 Canal North	Active	Agriculture
410687	P-RG4	3945	L-73 Canal North	Proposed	Agriculture
410689	P-RG5	2630	L-73 Canal North	Proposed	Agriculture
410690	P-R15	1315	L-73 Canal North	Proposed	Agriculture
410691	P-C5a	2397	L-73 Canal Middle	Proposed	Agriculture
410692	P-C5c	2397	L-73 Canal Middle	Proposed	Agriculture
410693	P-C5b	2397	L-73 Canal Middle	Proposed	Agriculture
410694	P-RG2	2630	L-73 Canal North	Proposed	Agriculture
411748	P-R7	1315	L-73 Canal North	Proposed	Agriculture

Staff Gauge Details				
District ID	Station Name	Source Name	Status	Use Type
409640	L-73 Canal-North	L-73 Canal	Active	Agriculture

Monitoring Well Details						
District ID	Station Name	Casing Diameter (inches)	Casing Depth (feet)	Total Depth (feet)	Source Name	Status
411927	W-M3uf - deep	2	880	900	Upper Floridan Aquifer	Proposed

Conditions

1. This project is located in the Central Florida Water Initiative (CFWI) area, an area with on-going impacts to water resources which are being addressed by the CFWI. If the District determines that adverse impacts to water resources or existing legal users are occurring or are projected to occur because of the Permittee's authorized withdrawals over the permit duration, the District, upon

reasonable notice to the permittee and including a statement of facts upon which the District based its determination, may modify quantities permitted or other conditions of the permit, as appropriate, to address the impact, but only after an opportunity for the permittee to resolve or mitigate the impact or to request a hearing. Such modification, if any, will consider such factors as the permittee's relative contribution to the water resource impact being addressed due to groundwater withdrawals, the timing of this permit issuance compared to presently existing legal use of water, and other considerations identified by the CFWI Solutions Planning and Regulatory Teams. Modifications may include mitigation of impacts and/or reconsideration of allocations or requirements to timely implement required actions that are consistent with the long-term, regional water supply solutions as implemented by rules. Such actions may include the development of alternative water supplies, the implementation of water resource and/or water supply development projects, the application of impact offsets or substitution credits, operating plans, heightened water conservation or other appropriate actions. Nothing in this condition is intended to abrogate the rights of the Governing Board or of any other person under Section 373.233, Fla. Stat.

2. The Central Florida Water Initiative had documented existing water resource environmental impacts within its boundaries. This Initiative remains underway and is, in part, crafting long-term water supply solutions for the region. As a component of immediate, interim measures the permittee is encouraged to participate in the District's on-going, heightened water conservation public education program. Given the permittee's use class, opportunities may include such activities as participation in water conservation public service announcements, demonstrations of irrigation efficiency at community gardens, posting water conservation information or links on the permittee's website. Please contact the District's Office of Communication at (386) 329-4500 to discuss opportunities participation in this important District effort.

3. District authorized staff, upon proper identification, will have permission to enter, inspect and observe permitted and related facilities in order to determine compliance with the approved plans, specifications and conditions of this permit.

4. Nothing in this permit should be construed to limit the authority of the St. Johns River Water Management District to declare a water shortage and issue orders pursuant to Section 373.175, F.S., or to formulate a plan for implementation during periods of water shortage, pursuant to Section 373.246, F.S. In the event a water shortage is declared by the District Governing Board, the permittee must adhere to the water shortage restrictions, as specified by the District, even though the specified water shortage restrictions may be inconsistent with the terms and conditions of this permit.

5. Prior to the construction, modification or abandonment of a well, the permittee must obtain a water well permit from the St. Johns River Water Management District or the appropriate local government pursuant to Chapter 40C-3, F.A.C.

Construction, modification, or abandonment of a well will require modification of the consumptive use permit when such construction, modification, or abandonment is other than that specified and described on the consumptive use permit application form.

6. Leaking or inoperative well casings, valves, or controls must be repaired or replaced as required to eliminate the leak or make the system fully operational.

7. The permittee's consumptive use of water as authorized by this permit shall not interfere with legal uses of water existing at the time of permit application. If interference occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the interference, unless the interference associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.

8. The permittee's consumptive use of water as authorized by this permit shall not have significant adverse hydrologic impacts to off-site land uses existing at the time of permit application. If significant adverse hydrologic impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.

9. The District must be notified, in writing, within 30 days of any sale, conveyance, or other transfer of a well or facility from which the permitted consumptive use is made or within 30 days of any transfer of ownership or control of the real property at which the permitted consumptive use is located. All transfers of ownership or transfers of permits are subject to the provisions of Rule 40C-1.612, F.A.C.

10. A District-issued identification tag shall be prominently displayed at each withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility as provided by Rule 40C-2.401, F.A.C. Permittee shall notify the District in the event that a replacement tag is needed.

11. The permittee's consumptive use of water as authorized by this permit shall not significantly and adversely impact wetlands, lakes, rivers, or springs. If significant adverse impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.

12. The permittee's consumptive use of water as authorized by this permit shall not reduce a flow or level below any minimum flow or level adopted in Chapter 40C-8, F.A.C. If the permittee's use of water causes or contributes to such a reduction, then the District shall revoke the permit, in whole or in part, unless the

permittee implements all provisions applicable to the permittee's use in a District-approved recovery or prevention strategy.

13. This temporary consumptive use permit will expire on the day after the November 2021 board meeting.

14. The annual withdrawal of surface water from the L-73 Canal for seedbed preparation, crop establishment, and irrigation of 287 acres of row crops and sod must not exceed 336.0 million gallons per year (0.921 MGD average). The average annual water use should be less than this amount in all years except for a 2-in-10 year drought.

15. The annual withdrawal of surface water from the L-73 Canal for freeze protection of row crops must not exceed 16.5 million gallons per year (0.045 MGD average).

16. The annual withdrawal of groundwater from the Upper Floridan Aquifer or surface water from the Taylor Creek Reservoir as back-up sources to supplement the L-73 Canal must not exceed 352.5 million gallons per year (0.966 MGD average). The total water used for seedbed preparation, crop establishment, irrigation, frost/freeze protection must not exceed 352.5 million gallons per year (0.966 MGD average). The annual water use should be less than this amount in all years except for a 2-in-10 year drought.

17. Pumps P-R-16 (District ID 410686), P-R19 (District ID 410684), P-R-20 (District ID 410682), and well W-M3 (District ID 406483) as listed on the permit application, are equipped with totalizing flow meters. The flow meters must be maintained in operable condition.

18. The permittee must measure the quantity of water withdrawn by pumps P-R-16 (District ID 410686), P-R19 (District ID 410684), P-R-20 (District ID 410682), and well W-M3 (District ID 406483). Total withdrawals of each pump and well must be recorded continuously, totaled monthly, and reported to the District every six months. The permittee must record the time of operation of the Lift Pump (District ID 242827) and estimate the volume pumped based on the rated pumping capacity. Total withdrawals from the Taylor Creek Reservoir must be reported to the District every six months. The reporting dates each year will be as follows:

Reporting Period	Report Due Date
January - June	July 31
July - December	January 31

19. The permittee shall maintain a separate accounting of water withdrawals for freeze protection. During each freeze event, the permittee will record the dates of

pumping and the quantity of water used from each well and/or pump. This information shall be submitted to the District by March 31 of the following year.

20. The permittee must have a groundwater sample collected and analyzed from Floridan Aquifer well W-M3 (District ID# 406483) in May of each year for the permit duration.

Sample Collection
All groundwater samples must be collected in accordance with the Florida Department of Environmental Protection's (FDEP) standard operating procedures (SOP), DEP-SOP-001/01, DEP Quality Assurance Rule, 62-160, F.A.C.

Wells must be purged in accordance with the appropriate procedure in DEP-SOP-001/01, as necessary to evacuate water from the well column and induce groundwater representative of the hydrogeologic formation into the well prior to sampling. Purged water must be sampled and analyzed in the field for the following parameters:

Water Temperature (^{o}C)
pH (SU)
Specific Conductance (umhos/cm or uS/cm)
Turbidity (NTU)

Purging must be documented using the Groundwater Sampling Log form referenced in the FDEP SOP or equivalent.

Water samples must be stored on ice immediately after collection, and remain on ice until received by the laboratory. It is recommended that sample duplicates be taken to allow for laboratory errors or data loss, and these samples be stored by the laboratory for a minimum of 60 days to ensure backup sample availability should re-analyses be required.

Laboratory Analyses

Water samples must be analyzed in the laboratory for the following major ion suite:

Calcium (mg/L)
Magnesium (mg/L)
Potassium (mg/L)
Sodium (mg/L)
Total iron (mg/L)
Chloride (mg/L)
Sulfate (mg/L)
Bicarbonate Alkalinity (as mg/L $CaCO_3$)
Carbonate Alkalinity (as mg/L $CaCO_3$)

Total Dissolved Solids (mg/L)
Specific Conductance (umhos/cm or uS/cm)

Quality Assurance
The permittee must provide documentation that field instruments were properly calibrated prior to obtaining field measurements during purging and sampling.

All water quality analyses must be performed by a laboratory certified by the Florida Department of Health (FDOH) and the National Environmental Laboratory Accreditation Program (NELAP). All laboratory analyses must be by methods for which the laboratory has FDOH certification. All laboratory analyses must be completed within EPA holding times. If data is lost or a laboratory error occurs and the EPA holding time for an analysis has expired, the permittee must have the well re-sampled within 15 days of notification from the laboratory that a loss or laboratory error has occurred. The resample shall be collected according to the procedures described above, and analyzed for the field parameters and the major ion suite listed above.

With the exception of pH, laboratory analyses utilizing selective ion electrodes are not acceptable due to the inadequate sensitivity of these methods. Analyses utilizing test kits typically used for field screening (e.g., Hatch and LaMotte) are also not acceptable for the same reason.

All major ion analyses must be checked for anion-cation balance (equivalent concentration in meq/L), and must not exceed 5% difference. If the ion balance exceeds 5% difference, the permittee must review the data and include in the report submitted to the District, a discussion of the cause or explanation of the imbalance. The permittee may also be required to have the sample re-analyzed if it is within acceptable holding times or have the well re-sampled. The re-sample shall be collected according to the procedures described above, and analyzed for the four field parameters and the major ion suite.

Reports
A report must be submitted to the District no later than the last day of the month after the sampling (for example, the report for samples collected in May must be submitted to the District no later than June 30). The report must include the following:

Table summarizing results for field measurements and laboratory chemical analyses
Well sampling log
Field instrument calibration verification
Chain of custody forms (if outsourced)
Laboratory analytical report (if outsourced)

All data must be submitted to the District in a District-approved electronic format readable by the District's computerized database.

21. All submittals to the District for demonstrating compliance with the conditions issued under this permit must include the CUP Application Number 115794-1105 plainly labeled on the submittal.

22. Authorized use of pumps P-R-16 (District ID 410686), P-R19 (District ID 410684), P-R-20 (District ID 410682), well W-M3 (District ID 406483), and the Lift Pump (District ID 242827), as listed on the application, does not guarantee the use of these pumps or well in the final permit, the issuance of which is still pending.

CONSUMPTIVE USE TECHNICAL STAFF REPORT
20-Sep-2021
APPLICATION #: 118375-1155

Owner: K Erik Jacobsen
Farmland Reserve Inc
13754 Deseret Ln
Saint Cloud, FL 34773-9381
(407) 892-3672

Farmland Reserve Inc
Corporation Service Company
1201 Hays St
Tallahassee, FL 32301-2699

Applicant: Kent Jorgensen
East Central Florida Services, Inc.
13754 Deseret Ln
Saint Cloud, FL 34773-9381
(407) 892-3672

Agent: Not Applicable

Compliance Contact: Not Applicable

Project Name: Deseret Field Crops
County: Osceola

Objectors: No

Authorization Statement:
The applicant proposes to withdraw 1049.9 million gallons per year (mgy) (2.876 million gallons per day (mgd) average) from the L-73 Canal-North; and 53.5 mgy (0.147 mgd average) of surface water from the L-73 Canal-North for irrigation and frost/freeze protection of 941 acres of row crops and sod. When surface water is unavailable from the L-73 Canal-North, the use of 708.1 mgy (1.94 mgd average) of surface water can be utilized from Taylor Creek Reservoir or groundwater from the Upper Floridan aquifer to augment the L-73 Canal-North.

Recommendation: Approval
Reviewers: Kelly Vermillion

WATER USE SUMMARY:

Status of Pending Permit Application Review:
This application was deemed complete, and the draft TSR was published on July 1, 2011. The application was approved for issuance at the July 2011 Governing Board meeting. On July 22, 2011, a Petition for Administrative Hearing was filed challenging the issuance of the permit. The Administrative Hearing was scheduled to begin on November 7, 2011. The parties entered into mediation and the petitions were held in abeyance at DOAH. After numerous abeyance extensions, DOAH closed its file and relinquished jurisdiction over the petitions back to the District. The parties then agreed to hold the petitions in abeyance to provide time for the parties to work toward implementing the terms of the TCR settlement agreement.

Statement of Necessity:
The proposed consumptive use permit is for the use of 1049.9 mgy (2.876 million gallons per day (mgd)) of water via six surface water pumps to irrigate 941 acres. The applicant requests to use the pumps located on the L-73 Canal while the parties are engaged in mediation. Specifically, the applicant requests to use 1049.9 million gallons per year (mgy) (2.876 mgd average) from the L-73 Canal-North; and 53.5 mgy (0.147 mgd average) of surface water from the L-73 Canal-North for irrigation and freeze protection of 941 acres of row crops and sod, and an equivalent back-up allocation of water from Taylor Creek and the Upper Floridan aquifer in the event surface water from L-73 is unavailable.

Review of Request:
As part of the proposed irrigated acreage for application #118375, the applicant has constructed six center pivot systems capable of irrigating 941 acres. The applicant has requested the use of 1049.9 mgy (2.876 mgd average) from the L-73 Canal-North; and 53.5 mgy (0.147 mgd average) of surface water from the L-73 Canal-North for irrigation and freeze protection of 941 acres of row crops and sod.

Due to the constant demand on the L-73 Canal and the limited storage capacity of the L-73 Canal, the applicant has requested to augment the L-73 Canal with water from the Upper Floridan aquifer or Taylor Creek Reservoir when needed to ensure adequate irrigation water. The expected water demand associated cannot be supplied by the L-73 Canal if rainfall is low. Thus, the applicant requested authorization to use 708.1 mgy (1.94 mgd average) of surface water from Taylor Creek Reservoir or groundwater from the Upper Floridan aquifer to augment the L-73 Canal-North.

If needed, groundwater will be obtained from well W-M3 or surface water will be transferred from TCR to the L-73 Canal by a lift pump installed at the L-73 plug, which separates the portion of L-73 Canal used for irrigation water from TCR. This pump is proposed in the CUP application.

Recommendation:
Section 373.244, Florida Statutes (F.S.) provides that the Governing Board, or the Executive Director if authorized by the Board, shall consider whether a request for a temporary consumptive use permit (TCUP) appears to meet the District's permitting criteria as set forth in section 373.223(1), F.S. Pursuant to District Policy 120(5)(b), the approval of initial applications for TCUPs are delegated to the Executive Director. After a review of the permitting criteria outlined in the District's Applicant's Handbook: Consumptive Uses of Water, August 29, 2018, District staff concluded that the request meets the criteria provided in section 373.223(1), F.S. Specifically, District staff concluded that the proposed use, as limited by the attached permit conditions, is reasonable-beneficial, will not cause or contribute to interference with existing legal uses, and is consistent with the public interest.

TCUPs are issued for a period of time to expire on the day following the next regular meeting of the Governing Board. Renewals of a TCUP must be authorized by the Governing Board. Section 373.244(2), F.S., provides that at its next meeting the Board "shall consider whether it appears that the proposed use meets the criteria set forth in s. 373.223(1) and that such temporary permit is necessary for consumptive use of water prior to final action on an application for a permit pursuant to ss. 373.219 and 373.229." Based on its determination, the Board may then extend the term of the TCUP or terminate the TCUP. In this case, staff has determined that the water use meets the criteria in section 373.223(1), adverse effects are not occurring as a result of water use under the temporary permit, and that the water authorized under the permits is required by the permit holder. Therefore, staff recommends that the term of the TCUP be extended to the day after the November 2021 board meeting.

Station Information
Site Name: Deseret Field Crops

Well Details								
District ID	**Station Name**	**Casing Diameter (inches)**	**Casing Depth (feet)**	**Total Depth (feet)**	**Capacity (GPM)**	**Source Name**	**Status**	**Use Type**
406483	W-M3	14	309	715	2400	Upper Floridan Aquifer	Active	Agriculture
407537	W-M1	14	309	715	2400	Upper Floridan Aquifer	Proposed	Agriculture

Pump Details					
District ID	Station Name	Capacity (GPM)	Source Name	Status	Use Type
242680	P-R-1	1443	L-73 Canal - North	Active	Agriculture
242681	P-R-2	1390	L-73 Canal - North	Active	Agriculture
242827	P-LS5	12000	Taylor Creek Reservoir	Active	Agriculture
261525	P-R-21	1200	L-73 Canal - North	Active	Agriculture
261526	P-R-3	1218	L-73 Canal - North	Active	Agriculture
407535	P-R-22	1310	L-73 Canal - North	Active	Agriculture
407536	P-R-24	1150	L-73 Canal - North	Active	Agriculture

Staff Gauge Details				
District ID	Station Name	Source Name	Status	Use Type
409640	L-73 Canal-North	L-73 Canal	Active	Agriculture

Monitoring Well Details						
District ID	Station Name	Casing Diameter (inches)	Casing Depth (feet)	Total Depth (feet)	Source Name	Status
409637	W-M3s	2	20	40	Surficial Aquifer	Active
409638	W-M3i	2	230	250	Intermediate Aquifer or Confining Unit	Active
409639	W-M3uf	6	310	710	Upper Floridan Aquifer	Active

Conditions

1. The Central Florida Water Initiative had documented existing water resource environmental impacts within its boundaries. This Initiative remains underway and is, in part, crafting long-term water supply solutions for the region. As a component of immediate, interim measures the permittee is encouraged to participate in the District's on-going, heightened water conservation public education program. Given the permittee's use class, opportunities may include such activities as participation in water conservation public service

announcements, demonstrations of irrigation efficiency at community gardens, posting water conservation information or links on the permittee's website. Please contact the District's Office of Communication at (386) 329-4500 to discuss opportunities participation in this important District effort.

2. This project is located in the Central Florida Water Initiative (CFWI) area, an area with on-going impacts to water resources which are being addressed by the CFWI. If the District determines that adverse impacts to water resources or existing legal users are occurring or are projected to occur because of the Permittee's authorized withdrawals over the permit duration, the District, upon reasonable notice to the permittee and including a statement of facts upon which the District based its determination, may modify quantities permitted or other conditions of the permit, as appropriate, to address the impact, but only after an opportunity for the permittee to resolve or mitigate the impact or to request a hearing. Such modification, if any, will consider such factors as the permittee's relative contribution to the water resource impact being addressed due to groundwater withdrawals, the timing of this permit issuance compared to presently existing legal use of water, and other considerations identified by the CFWI Solutions Planning and Regulatory Teams. Modifications may include mitigation of impacts and/or reconsideration of allocations or requirements to timely implement required actions that are consistent with the long-term, regional water supply solutions as implemented by rules. Such actions may include the development of alternative water supplies, the implementation of water resource and/or water supply development projects, the application of impact offsets or substitution credits, operating plans, heightened water conservation or other appropriate actions. Nothing in this condition is intended to abrogate the rights of the Governing Board or of any other person under Section 373.233, Fla. Stat.

3. District authorized staff, upon proper identification, will have permission to enter, inspect and observe permitted and related facilities in order to determine compliance with the approved plans, specifications and conditions of this permit.

4. Nothing in this permit should be construed to limit the authority of the St. Johns River Water Management District to declare a water shortage and issue orders pursuant to Section 373.175, F.S., or to formulate a plan for implementation during periods of water shortage, pursuant to Section 373.246, F.S. In the event a water shortage is declared by the District Governing Board, the permittee must adhere to the water shortage restrictions, as specified by the District, even though the specified water shortage restrictions may be inconsistent with the terms and conditions of this permit.

5. Prior to the construction, modification or abandonment of a well, the permittee must obtain a water well permit from the St. Johns River Water Management District or the appropriate local government pursuant to Chapter 40C-3, F.A.C. Construction, modification, or abandonment of a well will require modification of the consumptive use permit when such construction, modification, or

abandonment is other than that specified and described on the consumptive use permit application form.

6. Leaking or inoperative well casings, valves, or controls must be repaired or replaced as required to eliminate the leak or make the system fully operational.

7. The permittee's consumptive use of water as authorized by this permit shall not interfere with legal uses of water existing at the time of permit application. If interference occurs, the District shall revoke the permit, in whole or in part, to curtail or abate the interference, unless the interference associated with the permittee's consumptive use of water is mitigated by the permittee pursuant to a District-approved plan.

8. The permittee's consumptive use of water as authorized by this permit shall not have significant adverse hydrologic impacts to off-site land uses existing at the time of permit application. If significant adverse hydrologic impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.

9. The District must be notified, in writing, within 30 days of any sale, conveyance, or other transfer of a well or facility from which the permitted consumptive use is made or within 30 days of any transfer of ownership or control of the real property at which the permitted consumptive use is located. All transfers of ownership or transfers of permits are subject to the provisions of Rule 40C-1.612, F.A.C.

10. A District-issued identification tag shall be prominently displayed at each withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility as provided by Rule 40C-2.401, F.A.C. Permittee shall notify the District in the event that a replacement tag is needed.

11. The permittee's consumptive use of water as authorized by this permit shall not significantly and adversely impact wetlands, lakes, rivers, or springs. If significant adverse impacts occur, the District shall revoke the permit, in whole or in part, to curtail or abate the adverse impacts, unless the impacts associated with the permittee's consumptive use of water are mitigated by the permittee pursuant to a District-approved plan.

12. The permittee's consumptive use of water as authorized by this permit shall not reduce a flow or level below any minimum flow or level established by the District or the Department of Environmental Protection pursuant to Section 373.042 and 373.0421, F.S. If the permittee's use of water causes or contributes to such a reduction, then the District shall revoke the permit, in whole or in part, unless the permittee implements all provisions applicable to the permittee's use in a District-approved recovery or prevention strategy.

13. This temporary consumptive use permit will expire on the day following the November 2021 board meeting.

14. The annual withdrawal of surface water from the L-73 Canal for seedbed preparation, crop establishment, and irrigation of 941 acres of row crops and sod must not exceed 1049.9 million gallons per year (2.876 mgd average). The annual water use should be less than this amount in all years except for a 2-in-10 year drought.

15. The annual withdrawal of surface water from the L-73 Canal for freeze protection of row crops must not exceed 53.5 million gallons per year (0.147 mgd average).

16. The annual withdrawal of groundwater from the Upper Floridan Aquifer or surface water from the Taylor Creek Reservoir as back-up sources to supplement the L-73 Canal must not exceed 708.1 million gallons per year (1.940 mgd average). The total water used for seedbed preparation, crop establishment, irrigation, freeze protection must not exceed 1103.4 million gallons per year (3.023 mgd average). The annual water use should be less than this amount in all years except for a 2-in-10 year drought.

17. Pumps P-R-1 (District ID 242680), P-R-2 (District ID 242681), P-R-21 (District ID 261525), P-R-3 (District ID 261526), P-R-22 (District ID 407535), P-R-24 (District ID 407536), and well W-M3 (District ID 406483) as listed on the permit application, are equipped with totalizing flow meters. The flow meters must be maintained in operable condition.

18. The permittee must measure the quantity of water withdrawn by pumps P-R-1 (District ID 242680), P-R-2 (District ID 242681), P-R-21 (District ID 261525), P-R-3 (District ID 261526), P-R-22 (District ID 407535), P-R-24 (District ID 407536), and well W-M3 (District ID 406483). Total withdrawals of each pump and well must be recorded continuously, totaled monthly, and reported to the District every six months. The permittee must record the time of operation of Lift Pump (District ID 242827) and estimate the volume pumped based on the rated pumping capacity. Total withdrawals from the Taylor Creek Reservoir must be report to the District every six months. The reporting dates each year will be as follows:

Reporting Period	Report Due Date
January - June	July 31
July - December	January 31

19. The permittee shall maintain a separate accounting of water withdrawals for freeze protection. During each freeze event, the permittee will record the dates of pumping and the quantity of water used from each well and/or pump. This information shall be submitted to the District by March 31 of the following year.

20. The permittee must have a groundwater sample collected and analyzed from Floridan Aquifer well W-M3 (District ID# 406483) in May of each year for the permit duration.

Sample Collection
All groundwater samples must be collected in accordance with the Florida Department of Environmental Protection's (FDEP) standard operating procedures (SOP), DEP-SOP-001/01, DEP Quality Assurance Rule, 62-160, F.A.C.

Wells must be purged in accordance with the appropriate procedure in DEP-SOP-001/01, as necessary to evacuate water from the well column and induce groundwater representative of the hydrogeologic formation into the well prior to sampling. Purged water must be sampled and analyzed in the field for the following parameters:

Water Temperature (°C)
pH (SU)
Specific Conductance (umhos/cm or uS/cm)
Turbidity (NTU)

Purging must be documented using the Groundwater Sampling Log form referenced in the FDEP SOP or equivalent.

Water samples must be stored on ice immediately after collection, and remain on ice until received by the laboratory. It is recommended that sample duplicates be taken to allow for laboratory errors or data loss, and these samples be stored by the laboratory for a minimum of 60 days to ensure backup sample availability should re-analyses be required.

Laboratory Analyses
Water samples must be analyzed in the laboratory for the following major ion suite:

Calcium (mg/L)
Magnesium (mg/L)
Potassium (mg/L)
Sodium (mg/L)
Total iron (mg/L)
Chloride (mg/L)
Sulfate (mg/L)
Bicarbonate Alkalinity (as mg/L $CaCO_3$)
Carbonate Alkalinity (as mg/L $CaCO_3$)
Total Dissolved Solids (mg/L)
Specific Conductance (umhos/cm or uS/cm)

Quality Assurance
The permittee must provide documentation that field instruments were properly calibrated prior to obtaining field measurements during purging and sampling.

All water quality analyses must be performed by a laboratory certified by the Florida Department of Health (FDOH) and the National Environmental Laboratory Accreditation Program (NELAP). All laboratory analyses must be by methods for which the laboratory has FDOH certification. All laboratory analyses must be completed within EPA holding times. If data is lost or a laboratory error occurs and the EPA holding time for an analysis has expired, the permittee must have the well re-sampled within 15 days of notification from the laboratory that a loss or laboratory error has occurred. The resample shall be collected according to the procedures described above, and analyzed for the field parameters and the major ion suite listed above.

With the exception of pH, laboratory analyses utilizing selective ion electrodes are not acceptable due to the inadequate sensitivity of these methods. Analyses utilizing test kits typically used for field screening (e.g., Hatch and LaMotte) are also not acceptable for the same reason.

All major ion analyses must be checked for anion-cation balance (equivalent concentration in meq/L), and must not exceed 5% difference. If the ion balance exceeds 5% difference, the permittee must review the data and include in the report submitted to the District, a discussion of the cause or explanation of the imbalance. The permittee may also be required to have the sample re-analyzed if it is within acceptable holding times or have the well re-sampled. The re-sample shall be collected according to the procedures described above, and analyzed for the four field parameters and the major ion suite.

Reports
A report must be submitted to the District no later than the last day of the month after the sampling (for example, the report for samples collected in May must be submitted to the District no later than June 30). The report must include the following:

Table summarizing results for field measurements and laboratory chemical analyses
Well sampling log
Field instrument calibration verification
Chain of custody forms (if outsourced)
Laboratory analytical report (if outsourced)

All data must be submitted to the District in a District-approved electronic format readable by the District's computerized database.

21. All submittals to the District for demonstrating compliance with the conditions issued under this permit must include the CUP Application Number 118375-1155 plainly labeled on the submittal.

22. Authorized use of pumps P-R-1 (District ID 242680), P-R-2 (District ID 242681), P-R-21 (District ID 261525), P-R-3 (District ID 261526), P-R-22 (District ID 407535), P-R-24 (District ID 407536), well W-M3 (District ID 406483), and the Lift Pump (District ID 242827), as listed on the application, does not guarantee the use of these pumps or well in the final permit, the issuance of which is still pending District review.

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

THROUGH: Michael A. Register, P.E.
Executive Director

FROM: Rich Burklew, Bureau Chief
Bureau of Water Use Regulation

SUBJECT: OUC Temporary Consumptive Use Permit

RECOMMENDATION

Approval of staff's recommendation that the Governing Board extend the term of the Temporary Consumptive Use Permit for OUC allowing up to 16 mgd of groundwater from the Floridan Aquifer at the Pine Hills wellfield for water use for public supply uses. There is no change in total allocation.

BACKGROUND

OUC utilizes liquid oxygen (LOX) in its potable water treatment/disinfection process. Due to recent supply chain issues, OUC is receiving less LOX than it needs for its typical water treatment/disinfection process. Consequently, OUC has requested *"water customers without reclaimed water systems to immediately limit irrigating their lawns, and all customers limit washing vehicles and performing non-critical activities like pressure washing."* Through voluntary reductions from its customers, average daily water use is reported to be 81 mgd, which is down from 94 mgd in early August. In addition, OUC has looked for opportunities to decrease reliance on LOX and, in doing so, evaluated groundwater quality from the wells serving its water treatment plants to determine if certain wells/plants within its system may require the use of less LOX during the treatment/disinfection process.

DISCUSSION

OUC's evaluation of raw groundwater quality from its respective treatment plants indicates that wells serving the Pine Hills plant require less LOX for the water treatment/disinfection process. As such, OUC has requested a temporary increase in allocation from the Pine Hills wellfield from 12.3 mgd to 16 mgd.

CONSUMPTIVE USE TECHNICAL STAFF REPORT
10-September, 2021
APPLICATION #: 3159-16

Owner: Bradley Jewell
Orlando Utilities Commission
3800 Gardenia Ave
Orlando, FL 32839-9200
(407) 434-2556

Applicant: Same as Owner
Christine Russell
OUC
3800 Gardenia Ave
Orlando, FL 32839-9200
(407) 434-2565

Agent: Not Applicable

Compliance Contact:
Christine Russell
OUC
3800 Gardenia Ave
Orlando, FL 32839-9200
(407) 434-2565

Project Name: Orlando Utilities Commission
County: Orange

Authorization Statement:

The District authorizes this temporary consumptive use permit (TCUP), as limited by the attached permit conditions, for the use of 16.0 mgd of groundwater from the Floridan aquifer wells serving the Pine Hills water treatment plant for household, commercial/industrial, irrigation, and water utility type uses. There is no change in total allocation.

Recommendation: Approval

Reviewers: Pat Renish

WATER USE SUMMARY:

Status of Pending Permit Application:

OUC timely submitted a renewal application for its existing consumptive use permit (CUP). The renewal application includes a request to increase OUC's groundwater allocation from 100.0 to 109.2 million gallons per day (mgd). Staff is working with the applicant to review draft environmental assessment reports, groundwater modeling impact assessments, as well as a demonstration of need for the groundwater as outlined in the District's Request for Additional Information (RAI) dated October 28, 2020. OUC has requested an extension through December 31, 2021, to respond in full to the pending RAI.

Statement of Necessity:

OUC utilizes liquid oxygen (LOX) in its potable water treatment/disinfection process. Due to recent supply chain issues, OUC is receiving less LOX than it needs for its typical water treatment/disinfection process. Consequently, OUC has requested *"water customers without reclaimed water systems to immediately limit irrigating their lawns, and all customers limit washing vehicles and performing non-critical activities like pressure washing."* Through voluntary reductions from its customers, average daily water use is reported to be 81 mgd, which is down from 94 mgd in early August. In addition, OUC has looked for opportunities to decrease reliance on LOX and, in doing so, evaluated groundwater quality from the wells serving its water treatment plants to determine if certain wells/plants within its system may require the use of less LOX during the treatment/disinfection process.

Review of Request:

OUC's evaluation of raw groundwater quality from its respective treatment plants indicates that wells serving the Pine Hills plant require less LOX for the water treatment/disinfection process. As such, OUC has requested a temporary increase in allocation from the Pine Hills wellfield from 12.3 mgd to 16 mgd.

Recommendation:

Section 373.244, Florida Statutes (F.S.), provides that the Governing Board, or the Executive Director if authorized by the Board, shall consider whether a request for a temporary consumptive use permit (TCUP) appears to meet the District's permitting criteria as set forth in section 373.223(1), F.S. Pursuant to District Policy 120(5)(b), the approval of initial applications for TCUPs are delegated to the Executive Director. On September 9, 2021, the Executive Director authorized the initial TCUP.

After a review of the permitting criteria outlined in the District's Applicant's Handbook: Consumptive Uses of Water, August 29, 2018, and based upon the short duration of the request, District staff concluded that the request met the criteria provided in section 373.223(1), F.S. Specifically, District staff concluded that the proposed use, as limited

by the attached permit conditions, is reasonable-beneficial, will not cause or contribute to interference with existing legal uses, and is consistent with the public interest.

TCUPs are issued for a period of time to expire on the day following the next regular meeting of the Governing Board. Renewals of a TCUP must be authorized by the Governing Board. Section 373.244(2), F.S., provides that at its next meeting the Board "shall consider whether it appears that the proposed use meets the criteria set forth in s.s. 373.223(1) and that such temporary permit is necessary for consumptive use of water prior to final action on an application for a permit pursuant to ss. 373.219 and 373.229." Thus, the Governing Board may extend the term of the TCUP or terminate the TCUP. In this case, District staff has determined that the water use meets the criteria in section 373.223(1), F.S., adverse effects are not occurring as a result of water use under the temporary permit, and the water authorized under the permit is required by the permit holder. Therefore, staff recommends that the term of the TCUP be extended to the day following the November 2021 Governing Board meeting.

Station Information

Site Name: Pine Hills Wellfield

District ID	Station Name	Casing Diameter (inches)	Casing Depth (feet)	Total Depth (feet)	Source Name	Status	Use Type
11698	PH-1 PINE HILLS	16	995	1414	FAS - Lower Floridan Aquifer	Active	Public Supply
11699	PH-2 PINE HILLS	16	1038	1404	FAS - Lower Floridan Aquifer	Active	Public Supply
11700	PH-3 PINE HILLS	16	1035	1450	FAS - Lower Floridan Aquifer	Active	Public Supply
11701	PH-4 PINE HILLS	16	995	1340	FAS - Lower Floridan Aquifer	Active	Public Supply

District ID	Station Name	Casing Diameter (inches)	Casing Depth (feet)	Total Depth (feet)	Source Name	Status	Use Type
11702	PH-5 PINE HILLS	24	795	1400	FAS - Lower Floridan Aquifer	Active	Public Supply

Conditions

1. All conditions for current permit 3159-16 shall remain in full force and effect except the Pine Hills wellfield allocation condition #20 shall be modified for the term of this temporary consumptive use permit as follows:

   The maximum daily allocation for the Pine Hills wellfield must not exceed 16 million gallons per day. The maximum annual ground water withdrawals from the Pine Hills wellfield must not exceed:

   > 4,769 million gallons (13.1 mgd average) in 2021, and the allocations for subsequent years are as stated in condition #20.

   Upon expiration of this temporary consumptive use permit, the allocation shall be as provided for in condition #20 of permit 3159-16.

2. If unanticipated interference occurs, the District may revoke the temporary consumptive use permit, in whole or in part, to curtail or abate the interference, unless the interference associated with this temporary consumptive use permit is mitigated by the permittee pursuant to a District-approved plan.

3. In addition to the reporting requirements contained within permit 3159-16, total withdrawals from the Pine Hills Wells must be recorded continuously, totaled monthly, and reported to the District monthly by the fifth day of the succeeding month. For example, water use from the Pine Hills Wells for the month of September shall be reported to the District by October 5. Monthly reporting of water withdrawals from the Pine Hills Wells is required for the duration of the temporary consumptive use permit.

4. This Temporary Consumptive Use Permit will expire on the day after the November 2021 Governing Board meeting.

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

THROUGH: Michael A. Register, P.E.
Executive Director

FROM: Mary Winkler, General Counsel
Office of General Counsel

SUBJECT: Pending Litigation

FOR INFORMATION
Pending litigation - significant events or significant status changes.

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

FROM: Michael A. Register, P.E.
Executive Director

SUBJECT: Governing Board Comment

FOR INFORMATION
Governing Board comments.

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

FROM: Michael A. Register, P.E.
Executive Director

SUBJECT: Executive Director's Report

FOR INFORMATION
Executive Director's report.

AGENDA REQUEST FOR GOVERNING BOARD MEETING October 12, 2021

MEMORANDUM

TO: Governing Board

FROM: Michael A. Register, P.E.
Executive Director

SUBJECT: Calendar

FOR INFORMATION
Calendar of upcoming meetings.

November 9	Governing Board Meeting District Headquarters