

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 2012- _____

A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO AUTHORIZE AN AMENDMENT TO CONTRACT OT061107/3600001161-A06 WITH HIGHLANDS SOIL AND WATER CONSERVATION DISTRICT AND LYKES BROS., INC. FOR THE FLORIDA RANGLANDS ENVIRONMENTAL SERVICES PILOT PROJECT, WEST WATERHOLE PASTURE, TO EXTEND THE TERM OF THE AGREEMENT BY TWO YEARS TO SEPTEMBER 30, 2014, IN THE AMOUNT OF \$987,500 OF AD VALOREM FUNDS (OKEECHOBEE BASIN) WHICH ARE SUBJECT TO GOVERNING BOARD APPROVAL OF THE FY13 AND FY14 BUDGETS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the South Florida Water Management District entered into Agreement #OT061107/3600001161 with the Highlands Soil & Water Conservation District and Lykes Bros., Inc. on April 12, 2006 for the implementation and management of the Florida Ranchlands Environmental Services Project (FRESP), West Waterhole Pasture Pilot Project; and

WHEREAS, the South Florida Water Management District amended Agreement #OT061107/3600001161 with the Highlands Soil & Water Conservation District and Lykes Bros., Inc. on January 21, 2010 (A01) and December 16, 2010 (A02) for the extension of the term of the agreement to September 30, 2010 and September 30, 2011, respectively, and the addition of ad valorem funds each time in the amount of \$393,750 for the additional period of project performance of the West Waterhole Pasture Pilot Project which would assist in providing data to assist in finalizing the development of the Payment for Environmental Services Program; and

WHEREAS, the South Florida Water Management District amended Agreement #OT061107/3600001161 with the Highlands Soil & Water Conservation District and Lykes Bros., Inc. on February 18, 2011 (A03) for the addition of ad valorem funds in the amount of \$42,664.14 for additional pump station operation and maintenance costs to provide a full year of operation through the already amended contract period; and

WHEREAS, the South Florida Water Management District amended Agreement #OT061107/3600001161 with the Highlands Soil & Water Conservation District and Lykes Bros., Inc. on May 13, 2011 (A04) to clarify that the additional funding added in the previous amendment is for operation and maintenance of the water management alternative (including but not limited to the pump station); and

WHEREAS, the South Florida Water Management District amended Agreement #OT061107/3600001161 with the Highlands Soil & Water Conservation District and

Lykes Bros., Inc. on October 25, 2011 (A05) for the extension of the term of the agreement to September 30, 2012 and the addition of ad valorem funds in the amount of \$493,750 for the additional period of project performance of the West Waterhole Pasture Pilot Project; and

WHEREAS, FRESP is a collaborative effort among state and federal agencies, non-governmental organizations and ranchers for the purpose of designing, field testing and evaluating components of a market based approach for securing the services of nutrient and water retention from ranchlands in the basins north of Lake Okeechobee; and

WHEREAS, the West Waterhole Pilot Project is identified in the Lake Okeechobee Phase II Technical Plan as a project that provides water quality improvement and reduces the volume of excess runoff into Lake Okeechobee and the estuaries. During an eleven week period in 2008 this project removed 3.3 metric tons of total phosphorus (TP). Dry conditions and project adjustments in 2009, limited the use of the pilot project during that year. In 2010, the project removed 8.4 metric tons of TP (94% removal efficiency), retained 33.1 metric tons of nitrogen (55% removal efficiency) and 4.1 billion gallons (12,600 acre-feet) of excess stormwater. The 2011 data is still being evaluated; and

WHEREAS, a request is being brought before the Governing Board to extend the term of the referenced agreement and add funds (ad valorem) for an additional two years of operation and performance monitoring of the 2,500-acre detention area to achieve additional cost-effective water quality improvements in the watershed.

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

Section 1. The Governing Board of the South Florida Water Management District hereby authorizes the execution of Contract Amendment No. OT061107/3600001161-A06.

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

PASSED and **ADOPTED** this _____ day of _____, 2012.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

Chair Person

ATTEST:

Secretary

Approved as to form:

By:

Office of Counsel