

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 2012- _____

A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AUTHORIZING AN AMENDMENT TO EXTEND BY ONE (1) YEAR A MEMORANDUM OF AGREEMENT AMONG THE TOWN OF SOUTHWEST RANCHES, THE SOUTH BROWARD DRAINAGE DISTRICT, THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR THE PURPOSE OF CONTINUING A PILOT PROJECT TO ASSESS REVISIONS TO WATER MANAGEMENT SYSTEM OPERATIONS WITHIN THE SOUTH BROWARD DRAINAGE DISTRICT'S S9/S10 BASIN'S; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Southwest Ranches (hereinafter referred to as SW Ranches) is a local municipality, created pursuant to ch. 2000-475, Laws of Florida. The principal office of SW Ranches is located at 6589 SW 160th Avenue, Southwest Ranches, Florida 33331; and

WHEREAS, South Broward Drainage District (hereinafter referred to as SBDD) is an independent special district of the State of Florida, created by the Florida Legislature and given those powers enumerated in Chapter 98-524, Chapter 2004-459, Chapter 2007-308, Laws of Florida, as amended and supplemented and applicable provisions of Chapter 298, Florida Statutes. The principal office of SBDD is located at 6591 SW 160th Avenue, Southwest Ranches, Florida 33331; and

WHEREAS, the Florida Department of Agriculture and Consumer Services (hereinafter referred to as DACS) is an Agency of the State of Florida created pursuant to section 20-14, Fla.Stat. and the Department's Office of Agricultural Water Policy is established in section 570.074, Fla.Stat., and implements DACS' powers and duties embodied in section 403.067, Fla.Stat., relative to the creation and implementation of agricultural Best Management Practices ("BMPs"); and

WHEREAS, South Florida Water Management District (hereinafter referred to as SFWMD) previously issued Environmental Resource Permit No. 06-01400-S to SBDD for the construction and operation of a surface water management system serving SBDD's S9/S10 Basin's that replaced multiple open culvert connections to the SFWMD's C-11 West Canal with three operable control structures. These structures control water levels and discharge rates from the SBDD's S9/S10 Basin's resulting in water quality and quantity improvements; and

WHEREAS, since construction of the permitted control structures, SW Ranches has stated that nuisance flooding problems had been occurring within the portion of the SBDD S9/S10 Basin's encompassed by SW Ranches. The nuisance flooding problems reportedly consisted of prolonged ponding of water in the one to two acre lots within SW Ranches; and

WHEREAS, the original MOA authorized a pilot project of alternative operations of existing structures along with a water quality monitoring program and educational outreach and Best Management Practices, all of which have been successfully implemented over the past two years.

WHEREAS, SBDD intends to work with SW Ranches and submit an application to modify the S9/S10 permit in early 2013 to permanently implement the pilot program operational plan.

WHEREAS, SW Ranches, SBDD, FDACS and SFWMD desire to hereby extend by one year a previously executed Memorandum of Agreement to implement a pilot project to allow the permitted control structures to discharge to the SFWMD's C-11 Canal at elevations below the control elevation in accordance with the limits established in the memorandum of agreement and address water quality through implementation of BMPs and water quality monitoring. The goal of the pilot project is to determine if these discharges resolve the nuisance flooding and to implement additional water quality improvements within SW Ranches to offset any lost water quality benefits resulting from these discharges. At the end of the pilot project, the parties will develop recommendations for resolving the nuisance flooding problems while preserving the water quality BMPs. **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 an amendment to extend by one year the Memorandum of Agreement with SW Ranches, SBDD and FDACS.

Section 2. A copy of the amended Memorandum of Agreement with SW Ranches, SBDD and FDACS is attached hereto and made a part thereof.

Section 3. 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:

Chairman

ATTEST:

District Clerk/Secretary

Approved as to form:

By:

Office of Counsel

Print name: