

MEMORANDUM

TO: Governing Board Members

FROM: Ruth Clements, Department Director, Land Acquisition & Land Management

THROUGH: Kenneth G. Ammon, P.E., Deputy Executive Director, CERP

DATE: November 6, 2006

SUBJECT: Brothers Four Grove Land Clearing Activities

Background:

In July 2002, the South Florida Water Management District (District) acquired a citrus grove from Brothers Four, LLC containing 346.96 acres located in St. Lucie County and negotiated a leaseback allowing them to remain on the property for citrus farming at an annual rent of \$49,000.00. The lessee was also responsible for the payment of property taxes. The property was acquired to construct a future water reservoir as part of the Indian River Lagoon Project. Subsequently, citrus canker was discovered in the grove in August 2005, and 172.8 acres of the diseased trees were eradicated pursuant to the Federal Program. The trees were not removed in a contiguous block, and Brothers Four cleared the remaining non canker trees consisting of 118.9 within the grove block and did additional land preparation/clearing on the area. In June 2005, the Governing Board approved executing an amendment to the existing lease which authorized payment of \$600/acre for land clearing activities associated with the construction project. This request is seeking authorization for payment of \$150/acre for the additional work performed on the land cleared for citrus canker.

Staff is requesting:

Authorize staff to approve payment to Brothers Four, LLC of \$90,628.80 for land clearing and site preparation activities associated with the C-23/C-24 Storage Reservoir construction project. This amount represents 172.8 acres X \$150/ac and 118.9 acres X \$600/ac less 55.26 acres (remaining acres in citrus) X \$20/ac (rent approved in June '05 amendment) X 6 years

For purposes of a conflict check:

The Minton Family
Ft. Pierce, Florida

How this helps meet the District's 10-year Strategic Plan:

The C-23/C-24 Reservoirs are part of the Indian River Lagoon Project. Since citrus canker was discovered in this grove in 2005, 172.8 acres of diseased trees were eradicated under the Federal Program. The lessee performed an additional \$150.00 per acre site clearing and land preparation activities on those areas. The Lessee also cleared an additional 118.9 acres in the grove pursuant to an earlier amendment executed by Brothers Four, LLC and the District which authorized a \$600.00 credit for land clearing activities.

Funding Source: The District has received compensation for diseased citrus canker trees that were eradicated in the Brothers Four grove from the USDA in connection with the federal Citrus Canker Tree Replacement Program. Payment will be made from those funds.

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

The grove is located in St. Lucie County and affects the Land Resources area.

What concerns could this Board item raise?

The Federal Citrus Canker program for eradicating diseased citrus canker trees has been discontinued. Any future land clearing and site preparation activities should be coordinated with the project manager for the C-23/C-24 Storage Reservoirs.