

# SOUTH FLORIDA WATER MANAGEMENT DISTRICT

## RESOLUTION NO. 2009- \_\_\_\_\_

**A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AUTHORIZING ENTERING INTO A PRE-PARTNERSHIP CREDIT AGREEMENT WITH THE U.S. ARMY CORPS OF ENGINEERS AT NO COST FOR THE PURPOSE OF ESTABLISHING ELIGIBILITY TO RECEIVE FUTURE CREDIT FOR THE COSTS OF CONSTRUCTING A FEATURE OF THE TAYLOR CREEK/NUBBIN SLOUGH STORAGE AND TREATMENT AREA PROJECT, A COMPONENT OF THE COMPREHENSIVE EVERGLADES RESTORATION PLAN; PROVIDING AN EFFECTIVE DATE. (CONTRACT NUMBER 4600001749)**

**WHEREAS**, the South Florida Water Management District (SFWMD) will award a contract in March 2009 for construction of a stormwater treatment area (STA) on the Lakeside Ranch property in the Taylor Creek-Nubbin Slough drainage basin;

**WHEREAS**, the Lakeside Ranch STA is a feature of the Taylor Creek/Nubbin Slough Storage and Treatment Area Project, a component of the Comprehensive Everglades Restoration Plan, that was conditionally authorized by Congress in Section 601(b)(2)(C)(vii) of the Water Resources Development Act of 2000;

**WHEREAS**, Section 6004 of the Water Resources Development Act of 2007 authorizes the Secretary of the Army to provide credit for construction costs incurred by the SFWMD prior to signing a Project Partnership Agreement toward the SFWMD's 50 percent share of costs for the Comprehensive Everglades Restoration Plan, if such construction is carried out pursuant to the terms and conditions of an agreement between the SFWMD and the Assistant Secretary of the Army; and

**WHEREAS**, the Army's implementation guidance for Section 6004 of WRDA-2007 specifies that in order for the SFWMD's costs of early construction to be eligible for credit, the SFWMD and the Army must execute a Pre-Partnership Credit Agreement prior to SFWMD awarding their construction contract.

**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 Executive Director to enter into a Pre-Partnership Credit Agreement with the U.S. Army Corps of Engineers under Contract Number 4600001749, at no cost to the SFWMD, for the purpose of establishing eligibility for future credit for the costs of constructing the Lakeside Ranch STA, a feature of the Taylor Creek/Nubbin Slough Storage and Treatment Area Project.

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

**PASSED** and **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD

By:

\_\_\_\_\_

Chair Person

ATTEST:

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Secretary

Approved as to form:

By:

\_\_\_\_\_

Office of Counsel